





Centralized National Risk Assessment for Bolivia

FSC-CNRA-BO V1-0 EN

Title:	Centralized National Risk Assessment for Bolivia
Document reference code:	FSC-CNRA-BO V1-0 EN
Approval body:	FSC International Center: Performance and Standards Unit
Date of approval:	30 June 2019
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Risk assessments that have been finalized for Bolivia

Controlled Wood categories		Risk assessment completed?
1	Illegally harvested wood	YES
2	Wood harvested in violation of traditional and human rights	YES
3	Wood from forests where high conservation values are threatened by management activities	YES
4	Wood from forests being converted to plantations or non-forest use	YES
5	Wood from forests in which genetically modified trees are planted	YES

Risk designations in finalized risk assessments for Bolivia

Indicator	Risk designation (including functional scale when relevant)
Controlled wood category 1: Illegally harvested wood	
1.1	Specified risk
1.2	Low risk: Forestry concessions located in state territories N/A: All other source types
1.3	Specified risk: Natural forests N/A: Forest plantations
1.4	Specified risk
1.5	Low risk: Natural forests N/A: Forest plantations
1.6	Specified risk
1.7	Specified risk
1.8	Specified risk
1.9	Specified risk
1.10	Specified risk
1.11	Specified risk
1.12	Specified risk
1.13	Low risk
1.14	Specified risk
1.15	Specified risk
1.16	Specified risk
1.17	Specified risk
1.18	Specified risk
1.19	Specified risk
1.20	Specified risk
1.21	N/A
Controlled wood category 2: Wood harvested in violation of traditional and human rights	
2.1	Low risk
2.2	Specified risk: Rights to freedom of association and collective bargaining, child labour, forced labour and on gender wage discrimination Low risk: All other forms of discrimination
2.3	Specified risk
Controlled wood category 3: Wood harvested in violation of traditional and human rights	
3.0	Low risk: HCVs 2, 3, 4, 5 and 6 Specified risk: HCV 1

3.1	<p>Low risk: Forest plantations</p> <p>Specified risk: The rest of the country</p>
3.2	<p>Low risk: Forests in the departments of Tarija, Chuquisaca, Potosí and Oruro</p> <p>Low risk: Forest plantations</p> <p>Specified risk: Forests in the departments of Beni, Pando, Santa Cruz and northern Cochabamba and La Paz.</p>
3.3	<p>Low risk: Forest plantations</p> <p>Specified risk: The rest of the country</p>
3.4	<p>Low risk: Forest plantations</p> <p>Specified risk: The rest of the country</p>
3.5	<p>Low risk: Forests with management and harvesting activities carried out by TIOCs/TCOs with a management plan in force and approved by the authority in the departments of Pando, Beni, Santa Cruz, Northern La Paz (Amazonian part), Cochabamba, Chuquisaca and Tarija.</p> <p>Low risk: Forest plantations</p> <p>Specified risk: The rest of the country</p>
3.6	<p>Low risk: Forests with management and harvesting activities carried out by TIOCs/TCOs with a management plan in force and approved by the authority in the departments of Pando, Beni, Santa Cruz, Northern La Paz (Amazonian part), Cochabamba, Chuquisaca and Tarija</p> <p>Low risk: Forest plantations and forests in other departments not included in the 'specified risk' designation for indicator 3.6 (below).</p> <p>Specified risk: Forests in the Departments of Pando, Beni, Santa Cruz, Northern La Paz (part of the Amazon region), Cochabamba, Chuquisaca and Tarija where management and harvesting activities are carried out:</p> <p>a) in forest concessions, or</p> <p>b) by forestry companies, or</p> <p>c) by ASLs, or</p> <p>d) in private lands</p>
Controlled wood category 4: Wood from forests being converted to plantations or non-forest use	
4.1	Specified risk
Controlled wood category 5: Wood from forests in which genetically modified trees are planted	
5.1	Low risk

Risk assessments

Controlled wood category 1: Illegally harvested wood

Overview

Bolivia, located in the center of South America, covers an area of 109.58 million hectares. 48% of this area is covered by forest (53.1 million hectares), mainly located in the east and north of the country. 41.2 million hectares of this forest have been declared suitable for forestry exploitation by the Supreme Decree 26075/2001 (D.S. 26075/2001). The rest of the forest has no potential for forestry exploitation so it remains in its natural condition. Of the 41.2 million forestry exploitation:

- 28.2 million hectares have no exploitation restrictions;
- 2.4 million hectares have some kind of restriction; and
- 10.6 million hectares are under temporary protection (Moreno, 2016).

According to the Superintendence for Forests (1999), four regions of Bolivia were identified as timber producers, namely: Bajo Paragua (3.8 million hectares), Chiquitania (6.3 million hectares), Chore (1.6 million hectares) and Pre-Andean Amazonian (4.1 million hectares); all of their areas equate to 15.8 million hectares, a part of the 28.2 million hectares dedicated to timber exploitation with no restrictions. These hectares have a great timber yielding potential and also the potential to produce non-timber yielding products such as chestnuts, rubber and açai; the rest of the timberland (12.4 million hectares) is located in areas in between these regions, constituting dispersed forested areas.

In 2013, the Ministry of Environment and Water published the new Bolivian forestry map (Ministry of Environmental and Water (2013)), raising the forested regions from 5 to 9: Amazonian forest, Yungas forest, Sabanas inundadas, Chiquititiano forest, Pantanal forest, Bolivian Tucuman forest, Andean forest and Inter-Andean forest. This map has been updated in 2015 (Ministry of Environmental and Water (2015)), covering an area of 51.2 million hectares. Although this new classification includes the entire national territory, it seems necessary to clarify that some areas such as the Andean and the Inter-Andean forests are not timber yielding forestry; due to this, it is preferable to keep this study within the scope of the 5 timber yielding regions and the inventories carried out there.

The current Bolivian forestry regulations began in 1997 with the enactment of Act 1700 (Ley 1700), which replaced the previous regulations from 1974. The new act set up modern regulation mechanics to achieve sustainable forestry management, such as: forestry census, minimum diameters for cutting, annual exploitation areas, identification of exploitable trees and seed catalogues, using operational maps in the fields, etc. In 2001, the forestry areas subject to permanent production were defined in the Supreme Decree 26075/2001 (Decreto Supremo 26075 del año 2001). Most of the timberland in forestry regions are owned by the State, but there are also community territories owned by indigenous peoples and other areas owned by natural and legal people. At a national level (including Amazonian forest and the high plateau), there are 20.7 million hectares registered as community and country territories (TIOC is the Spanish acronym) and 1.7 million hectares pending of registration (Fundación Tierra, 2010).

In addition, there is a protected areas system covering around 17 million hectares spread out in 22 protected areas all around the country (WCS, 2017). These areas are handled by the National Service of Protected Areas (SERNAP is the Spanish acronym), which establishes the rules and regulations about timber management. Every protected area has its own administration lead by an Executive Director. Inside every area, there is a core zone in which no anthropic

activities are permitted. At the same time, there is a buffer zone surrounding the core zone where human communities are frequently settled; these communities are allowed to perform farming activities and forestry exploitation in accordance with the regulations established by the protected area management plan.

As stated by the Forestry Act 1700 (Ley Forestal 1700), the State granted harvesting licenses to the timber industry for forestry exploitation in 1997; these licenses replaced the previous long-term contracts. Act 1700 establishes that a forestry management plan approved by the proper authorities is necessary to carry out the forestry exploitation in state, community and/ or private territories. In addition, a forestry operation plan based on a census (100% inventory - cruise) has to be prepared on an annual basis. In 1997, the Superintendence for Forests was founded with the mandate of being the authority in charge of the forestry regulations; it was replaced by the Authority for the Social Audit and Control of Forests and Lands (ABT is the Spanish acronym) in 2009, which regulates both forestry and farming activities. Licenses granted by the ABT are: forestry exploitation, forest clearing for farming purposes, approval of land use planning, raw material supplying programs for processing centers, annual exploitation reports.

In practice, forestry exploitation starts with the inventory of the annual exploitation area (AAA is the Spanish acronym), followed by the preparation of the annual operational plan (POAF is the Spanish acronym); this plan is subject to the revision and approval of the ABT. The felling, cutting and transportation of the timber follows a methodology established in the technical regulations stated by ABT; this includes a chain of custody system based on the identification of trees with an alphanumeric code preserved in the logs until they arrive at the sawmill. At the end of the harvest, the annual report is prepared and sent to the ABT for approval. ABT carries out certain inspections prior to the granting of the forestry origin certificates (CFO is the Spanish acronym); these supporting documents are necessary to transport the timber. ABT performs inspections at all stages of the activity, including the forestry inventory. The sawn timber also requires forestry origin certificates (CFOs) in order to be transported. There are permanent control centers all along the different transport routes of the country which check the CFO data against the forestry product. Processing centers are supposed to send quarterly and annual reports to ABT, in which they should provide information about their timber accounts as well as the supporting documents concerning custody chain and legality.

The Directorate-General for Forest Management and Development (Dirección General de Gestión y Desarrollo Forestal) states that the annual deforestation exceeds 200 thousand hectares per year and that the national forest cover raised up to 52.14 million hectares in 2015.

The Bolivian Forest Certification and Incentive System (SBCBI) (ABT, 2018) is an initiative of the Authority for the Control and Social Control of Forests and Land (ABT), created with the objective of gradually promoting good performance in operations of forest management, industrial transformation and commercialization of forest products. The SBCBI aims to encourage the application of good forestry practices for the growth and development of the sector, promoting the generation of better conditions of competitiveness in the internal and external marketing of forest products.

The SBCBI is framed in technical standards, which have been built based on international conventions, laws and national regulations, as a mechanism to evaluate the performance of forest users, verifying traceability in the forest and industry through the application of the principles, criteria and indicators.

The results of the evaluations made of the SBCBI are not public.

The certification will be applicable to all forest users (natural or legal person) registered in the Forest and Land Social Monitoring and Control Authority (ABT), that is, the forest management units (FMU) that have an approved management plan and in force, centers of transformation of wood or other forest products, trading companies and service companies, of legally constituted forest products

To date, forest users Certificates in Forest Management are:

Usuarios Certificados Verdes (PGMF)					
N°	Nombre	Tipo de Usuario	Departamento	Municipio	Superficie(ha)
1	Comunidad Indígena Santa Monica	Comunidad Indígena o Pueblo Indígena	Santa Cruz	Concepción	5.388,97
2	Amazonia Santa Rosita y San Alejandro (Inpa Forest)	Propietario (s) Privado	Santa Cruz	Concepción, San Miguel de Velasco	30.019,00
3	Dekma Bolivia S.A.	ATE	Santa Cruz	Concepción, San Ignacio de Velasco	119.200,00
4	Autorización Transitoria Especial Cimal IMR – S.A.	ATE	Santa Cruz	San Matías, San Jose de Chiquitos	372.130,00
5	Complejo Industrial Maderero San José S.A.	ATE	Santa Cruz	San Matías, San Jose de Chiquitos	60.024,00
6	Asociación Forestal Indígena Ascencion	Comunidad Indígena o Pueblo Indígena	Santa Cruz	Ascencion de Guarayos	15.332,94
7	Asociación de Pequeños Industriales Agroforestales de Tumupasa (APIAT) TCO-Tacana	Comunidad Indígena o Pueblo Indígena	La Paz	San Buenaventura	2.772,50
8	Asociación Agroforestal Tumupasa (AGROFORT)	Comunidad Indígena o Pueblo Indígena	La Paz	San Buenaventura	6.324,67
9	Yuqui Ciri Tco-Yuqui	Comunidad Indígena o Pueblo Indígena	Cochabamba	Chimore	115.924,86
Total					727.116,94

The Administrative incentives are:

- Preferential attention, which expedites the processing of management instruments and Forest Certificates of Origin (CFO).
- Reduction of 50 percent of the cost of Forest Certificates of Origin (CFO).
- Approval by public faith of planning and operation instruments.
- Approval by public faith of reports of rodeos and consequent issuance of CFO.
- Access through web page, for consultation of online information of certified forest users

The Market access incentives are:

- Articulation to financing and bank credits.
- Ease of demonstrating the legality of origin of wood for national and international customers, through computer tools.
- Procedures to access state purchases

However, it is important to indicate that to date the SBCI is not conducting follow-up audits, there are cases in which more than 3 years have elapsed since the initial audit, where non-compliance can be identified in several problems (such as forestry) and there is no evidence of compliance, nor has it been defined to date for the scheduling of follow-up audits (ABT- SBCBI- (2014), ABT- SBCBI- (2015a), ABT- SBCBI- (2015a) and ABT- SBCBI- (2015c)).

The list of sources provided in FSC-PRO-60-002a, section 3.3.3 has been reviewed for relevance in regards to the national legality risk assessment of Bolivia. The following sources have been used:

- a) ELDIS regional and country profiles: <http://www.eldis.org>;
- b) Forest Legality Alliance: <http://www.forestlegality.org/>;
- c) Government reports and assessments of compliance with related laws and regulations;
- d) Independent reports and assessments of compliance with related laws and regulations, e.g., the Royal Institute of International Affairs: <http://www.illegal-logging.info/regions/bolivia>;
- e) Interpol: <http://www.interpol.int/es/Pa%C3%ADses-miembros/Am%C3%A9ricas/Bolivia>;
- f) Public summaries of FSC forest management certification reports published at info.fsc.org (information on legal areas where non-compliances have been identified during the certification process that are likely to be common for non-certified operations);
- g) Stakeholder and expert consultation outcomes from NRA development processes;
- h) Transparency International (2018) Bolivia Corruption Perceptions Index. Available at : <http://www.transparency.org/country#BOL>, and U4 Expert Answer report (U4 Anti-corruption Resource Centre): http://www.transparency.org/files/content/corruptionqas/346_Overview_of_corruption_in_Bolivia.pdf
- i) World Bank Worldwide Governance Indicators: <http://data.worldbank.org/country/bolivia?view=chart>
- j) In cases where other sources of information were not available, consultations with experts within the area have been conducted.
- k) Moreno (2016). The Bolivian experience in certification forest (La experiencia boliviana en la certificación forestal). Available at: https://www.forest-trends.org/wp-content/uploads/imported/complex-settings_annex-1_rev-pdf.pdf

- l) Superintendencia (1999) Annual Report 1998. Regulation System for Renewable Natural Resources (Informe Anual 1998. Sistema de Regulación de los Recursos Naturales Renovables). Santa Cruz de la Sierra. (Report available during expert consultation in 2016)
- m) Ministry of Environmental and Water (2013) Bolivian forestry map. Available at: <https://entrepdientes.com/2015/05/11/el-nuevo-mapa-de-bosques-de-bolivia/>
- n) Ministry of Environmental and Water (2015) Bolivian forestry map. Available at <http://geo.gob.bo/portal/?GeoBolivia-Mapa-del-mes-Abril-2015>
- o) Fundación Tierra (2010) Status of the situation of the indigenous territories original peasants in Bolivia. Available at: https://ftierra.org/index.php?option=com_mtree&task=att_download&link_id=2&cf_id=63
- p) WCS Wildlife Conservation Society (2017). General page. Available at: <https://bolivia.wcs.org/es-es/>
- q) Bolivia Forestry Act (1996): Forestry Act no. 1700 (Ley forestal N° 1700) 12 July 1996. Available at: <http://www.lexivox.org/norms/BO-L-1700.xhtml>
- r) Supreme Decree 26075/2001 (Decreto Supremo 26075 del año 2001) Forestry Act (2001). Available at: <http://www.lexivox.org/norms/BO-DS-26075.xhtml>
- s) ABT (2018) Bolivian Forest Certification and Incentive System (SBCBI) (Sistema Boliviano de Certificación de Bosques e Incentivos (SBCBI)). Available at: <http://usi.abt.gob.bo:82/Certificacion/>
- t) ABT- SBCBI- (2014) Standard for forest certification in special transitory authorizations (ATE) and private properties (available on paper during expert consultation 2016).
- u) ABT- SBCBI- (2015a) Standard for the certification of forests in indigenous communities - peasants (available on paper during expert consultation 2016).
- v) ABT- SBCBI- (2015b) Standard for the certification of processing centers of forest products (available on paper during expert consultation 2016).
- w) ABT- SBCBI- (2015c) Standard for the certification of forest producers and exporters (available on paper during expert consultation 2016).

Where relevant, they have been specifically referenced under “sources of Information” for each applicable indicator.

The remaining sources were found not to be relevant to the legality risk assessment for Bolivia:

- a) Chatham House: <http://www.illegal-logging.info/>;
- b) Environmental Investigation Agency: <http://www.eia-international.org>;
- c) EU FLEGT process: http://ec.europa.eu/comm/development/body/theme/forest/initiative/index_en.htm;
- d) Justice tribunal records;
- e) Public summaries of other 3rd party forest legality certification/ verification systems;
- f) Telapak (for Indonesia): <http://www.telapak.org>;

Sources of legal timber in Bolivia

Forest classification type	Permit/license type	Main license requirements (forest management plan, harvest plan or similar)	Clarification
Natural forest in permanent forestry production territories (TPFP is the Spanish acronym)	In case any kind of user (license, TIOC, private owner, farming community) wants to carry out a forestry exploitation, a forestry management plan based on a forestry inventory is required. This plan is assessed and approved by the ABT by means of an administrative resolution. The management plan shall be prepared by a forestry engineer (auxiliary member of ABT staff) who shall be registered in the ABT. It is mandatory to show the documents supporting the ownership of the land (license resolution, executorial deed or INRA sanitation certificate). Besides the management plan, an annual operational forestry plan (POAF is the Spanish acronym) shall be submitted to ABT in order to be checked and approved. The POAF includes the usable commercial volume based on a forestry census. A usable surface regulation tax shall be paid.	Management plan and annual operational forestry plan approved by ABT.	Before transporting the timber to the management unit, it is necessary to prepare a report including the cut and surrounded volume in the storage place. For transporting it, the user shall apply to the ABT for a Forestry Origin Certificate filled with information about the logs, the means of transport, the origin and the destination.
Multiple use forest (TUM is the Spanish acronym)	The allowed use in this category is that of agriculture, cattle or forestry management. For forestry exploitation purposes, the requirements and procedures are the same as the ones for TPFP; however, it is necessary to prepare a land use planning (technical document which regulates the land use according to its highest capacity) in case of agricultural or cattle uses. After this document, it is also necessary to prepare a forest clearing plan including the commercial timber volume based on sampling. Once the forest clearing is done, the auxiliary agent shall write a storage report and submit it to the ABT, which has the right to do an inspection prior to the CFO transport granting. A patent based on the usable volume shall be paid. As opposed to the management plan, the forest clearing plan is an authorisation to change the land use from forestry to agriculture or cattle and it is valid for a year. In case it is wanted to expand the farmable land, a new forest	Management plan and annual operational forestry plan approved by ABT. Forest clearing plan approved by ABT.	Before transporting the timber to the management unit, it is necessary to prepare a report including the cut and surrounded volume in the storage place. For transporting it, the user shall apply to the ABT for a Forestry Origin Certificate filled with information about the logs, the means of transport, the origin and the destination. A copy of the CFO shall be handled to the buyer for legality supporting purposes.

	clearing plan shall be prepared in order to sell the timber again, so on and so forth.		
Natural forest in buffer zones of protected areas	The allowed use in this category depends on the protected area management plan. Only communities or private individuals with the corresponding ownership titles can use these lands. For forestry exploitation purposes, the requirements and procedures are the same as the ones for TFPF; however, it is necessary to prepare a land use planning (technical document which regulates the land use according to its highest capacity) in case of agricultural or cattle uses. After this document, it is also necessary to prepare a forest clearing plan including the commercial timber volume based on sampling. Once the forest clearing is done, the auxiliary agent shall write a storage report and submit it to the ABT, which has the right to do an inspection prior to the CFO transport granting. A patent based on the usable volume shall be paid. As opposed to the management plan, the forest clearing plan is an authorisation to change the land use from forestry to agriculture or cattle and it is valid for a year. In case it is wanted to expand the farmable land, a new forest clearing plan shall be prepared in order to sell the timber again, so on and so forth.	Management plan and annual operational forestry plan approved by ABT and SERNAP. Forest clearing plan approved by ABT and the Protected Area Management Unit.	Before transporting the timber to the management unit, it is necessary to prepare a report including the cut and surrounded volume in the storage place. For transporting it, the user shall apply to the ABT for a Forestry Origin Certificate filled with information about the logs, the means of transport, the origin and the destination. A copy of the CFO shall be handled to the buyer for legality supporting purposes. A copy of all the documents shall be submitted to the Protected Area Management Unit, which has the right to verify them.
Forestry plantations in community or private territories	For forestry exploitation purposes, it is necessary to register the plantation with the ABT and to obtain the cutting license after the plantation is established. The cutting is authorized by means of an administrative resolution. In Bolivia, the management plan is not a legal requirement to establish and exploit plantations.	Exploitation license granted by ABT	When the cutting is finished, logs are codified and a storage report is prepared, including details about the dimensions and number of logs. Based on this report, the ABT authorizes the transportation and issued the corresponding CFOs to support the timber origin. A copy of the CFO shall be handled to the buyer in order to support its legality.

Risk assessment

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
Legal rights to harvest			
1.1 Land tenure and management rights	<p>Applicable laws and regulations</p> <p>GENERAL LEGISLATION:</p> <ul style="list-style-type: none"> • Constitution of the Plurinational State of Bolivia (2009): Articles 349, 386 and 387. Available at: http://www.harmonywithnatureun.org/content/documents/159Bolivia Consitucion.pdf [Accessed on 28 February 2017]. • Constitution of the Plurinational State of Bolivia (2012): Framework legislation of Mother Earth and Comprehensive Development of Well-Living (Legislación marco de la Madre Tierra y Desarrollo Integral del Bienestar) No. 300, articles 16, 19, 25 and 54. Available at: http://www.harmonywithnatureun.org/content/documents/157Bolivia Ley 300.pdf [Accessed on 28 February 2017]. • INRA (1996): National Service of Land Reforming Act. (Ley del Servicio Nacional de Reforma de Tierras) (Law 1715) Articles 3, 9, 41, 51, 65, 69 and 74. Available at: http://www.lexivox.org/norms/BO-L-1715.xhtml [Accessed on 28 February 2017]. • INRA (2006): Modification of law 1715 Reconversion of Agrarian Reform (Modificación de la ley 1715 Reconducción de la Reforma Agraria). Available at: http://www.inra.gob.bo/InraPb/upload/DBL-51-88-95999.pdf [Accessed on 3 July 2018]. • INRA (2007): Supreme Decree 29215 (Decreto supremo 29215) Available at: http://www.derechoteca.com/gacetabolivia/decreto-supremo-29215-del-02-agosto-2007/ [Accessed on 3 July 2018]. • Official Bulletin of Bolivia (2013): Act 477 (Ley 477) against the subjugation and traffic of the land. 	<p>Government sources</p> <ul style="list-style-type: none"> • ABT (Authority for the Social Audit and Control of Forests and Lands) (2016): Annual report 2015 (Informe annual 2015). Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/informe_anual_2015.pdf [Accessed on 1 March 2017] • ABT (2012/2013): Annual Management Report 2012 and 2013 (Informes anuales 2012-2013). Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/Memoriaavancesresultados2012-2013.pdf [Accessed on 1 March 2017] <p>Non-Government sources</p> <ul style="list-style-type: none"> • Bolfor (2003): Control of forestry operations with emphasis on illegal activity (Control de Operaciones forestales con énfasis en la actividad ilegal). Technical Document 120/2003. Santa Cruz, Bolivia. Available at: http://pdf.usaid.gov/pdf_docs/ 	<p>Overview of Legal Requirements</p> <p>According to the Constitution, natural resources are considered strategically important for the development of the country (Articles 348 and 386), the right of exploitation is acknowledged for private operators, and communities have exclusive rights over the forestry exploitation in their territories (Article 389). The State, by means of the framework legislation of Mother Earth (Ley Marco de la Madre Tierra), establishes that forestry management should be comprehensive for the well-being of the Bolivian people, (Articles 16 and 25). The Plurinational Authority of Mother Earth was created to prepare and promote policies regarding the adaptation and mitigation of climate change by assigning resources from the Plurinational Climate Justice Fund (Article 53). The Forestry Act 1700 (Ley forestal 1700), sets out the requirements that forestry users shall fulfill in order to exploit the forest. Forests on public lands (state ownership) have been granted to forestry companies and Local Social Groupings (ASL- Agrupaciones Sociales de Lugar) through forestry concessions (now called Special Transitory Authorizations- Autorizaciones Transitorias Especiales) for a period of 40 years renewable. Private properties hold the exclusive right to take advantage of the forest area found in the land they own.</p> <p>Prior to the promulgation and validity of the Forestry Act 1700 (Ley Forestal 1700), there were long-term exploitation contracts (CLP- contratos de aprovechamiento a largo plazo) and they covered a total surface close to 23 million hectares on forest lands independently of the ownership of the land. Act 1700</p>

	<p>Available at: http://medios.economiayfinanzas.gob.bo/MH/documentos/NORMAS-Y-DECRETOS/LEYES-2013/L477.pdf [Accessed on 28 February 2017].</p> <p>LEGISLATION APPLICABLE TO THE FORESTY EXPLOITATION IN NATURAL FORESTS (TPFP, TUM, BUFFER ZONES IN PROTECTED AREAS):</p> <ul style="list-style-type: none"> • Bolivia Forestry Act (1996): Forestry Act no. 1700 (Ley forestal N° 1700) 12 July 1996. Articles 12, 15, 16, 22, 26, 27, 28, 29, 33, 36, 38, 41 and 42. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 28 February 2017]. • Bolivia Forestry Act (2001): Supreme Decree no. 26075. 41,235,487 hectares declared Permanent Forestry Production Territories 16 February 2001 (41,235,487 hectáreas declaradas Territorios de Producción Forestal Permanente 16 de febrero de 2001). Articles 1, 2, 3 and 4. Available at: http://www.lexivox.org/norms/BO-DS-26075.xhtml [Accessed on 28 February 2017]. • Bolivia Forestry Act (1996): Supreme Decree no. 24453 (Decreto Supremo N° 24453). Regulations of the Forestry Act 1700 (Ley Forestal 1700). Published on 21 December 1996. Available at: http://www.lexivox.org/norms/BO-DS-24453.xhtml. [Accessed on 3 March 2017]. • Bolivia Forestry Act (2003): Supreme Decree no. 27024. Regulations of section e), Paragraph I, Article 34 and of Paragraph I, Article 36 from Act 1700. Statement of the Forestry Regulation Tariff published on 6 May 2003. Available at: http://www.lexivox.org/norms/BO-DS-27024.xhtml. [Accessed on 28 February 2017]. • Bolivia Forestry Act (2009): Supreme Decree no. 0071 9 April 2009. Foundation of the Authority for the Social Audit and Control of Forests and Lands (Fundación de la Autoridad para la Auditoría y Control Social de 	<p>Pnacw378.pdf [Accessed on 9 August 2017].</p> <ul style="list-style-type: none"> • Chatham House (2016): Illegal Logging Portal, Bolivia. Available at: http://www.illegal-logging.info/regions/bolivia [Accessed on 13 February 2017]. • ELDIS (2017): regional and country profiles. Available at: http://www.eldis.org/go/country-profiles&country=1026&theme=0-.v7Zm7JhDIU [Accessed on 1 March 2017]. • El Diario (2014): Victimizers stop in forest area of San Miguel de Velasco (Detienen a avasalladores en área forestal de San Miguel de Velasco). Available at: http://www.eldiario.net/noticias/2014/2014_08/nt140829/nacional.php?n=26&detienen-a-avasalladores-en-area-forestal-de-san-miguel-de-velasco [Accessed on 9 August 2017]. • Forest Legality Alliance (2016): Bolivia. Available at: http://www.forestlegality.org/risk-tool/country/bolivia [Accessed on 1 March 2017]. • FSC (Undated) forest management certification reports: https://info.fsc.org/certificate.php#result 	<p>establishes the procedure, terms and requirements for their migration to forest concessions, resulting in this process in only 7 million hectares of forest as forest concessions, the difference being territory subject to sanitation (definition of property right) applying the modalities established in Act 1715 (Law of the National Institute of Agrarian Reform- Ley del Instituto Nacional de Reforma Agraria).</p> <p>The Supreme Decree 26075, following the mandate of Act 1700 and Supreme Decree N° 24453 (Forest Law Regulation) defines and classifies the land of permanent forest production (TPFP is the Spanish acronym) where the only activity allowed is the use of timber and non-timber forest.</p> <p>Supreme Decree 26075 (D.S. 26075) defines and categorizes the permanent forestry production territories. Where private territories are categorized as Permanent Forestry Production Territories (TPFP is the Spanish acronym- tierras de producción forestal permanente), forestry activities, carried out with a forestry management plan, are the only permitted commercial activities.</p> <p>According to the Land classification established in article 12 of the 1700 Act, the following land classes are recognized according to the appropriate use corresponding to their characteristics:</p> <ol style="list-style-type: none"> Protective lands (<i>Tierras de Protección</i>); Land of permanent forest production (<i>Tierras de producción forestal permanente</i>); Land with forest cover suitable for various uses (<i>Tierras con cobertura boscosa aptas para diversos usos</i>); Rehabilitation lands (<i>Tierras de rehabilitación</i>); Immobilization lands (<i>Tierras de inmovilización</i>) <p>Article 16 of Act 1700, defines land with forest cover suitable for various uses as land with forest cover</p>
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<p>directors confiscate and store illegal forestry products extracted from the protected areas.</p> <p>Municipal Forestry Unit: it is a municipal institution which aims at supporting ABT with field inspections and checking of the forestry users' documents, especially communities.</p> <p>Judiciary Council: it registers the Royal Rights, which is the State authority to register real estate. Urban and rural properties shall be registered in the Royal Rights to be considered "legally registered".</p> <p>Legally required documents or records</p> <p>I. For the exploitation of harvesting licenses (special transitory authorisations for companies and local social groups), the required documents are:</p> <ul style="list-style-type: none"> • Administrative resolution of the harvesting license • Forestry Management General Plan approved by ABT • Annual Operational Forestry Plan (POAF is the Spanish acronym) approved by ABT • Forestry Origin Certificate (CFO is the Spanish acronym) supporting the timber • Annual report of POAF <p>II. For private properties, the required documents are:</p> <ul style="list-style-type: none"> • Property title registered in Royal Rights • Management plan approved by ABT (administrative resolution) • Annual Operational Forestry Plan (POAF is the Spanish acronym) approved by ABT (administrative resolution) • Forestry Origin Certificate (CFO is the Spanish acronym) supporting the timber • Annual report of POAF 	<p>Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019].</p> <ul style="list-style-type: none"> • Vargas, M., Teresa, E. Osinaga (2009) Who is on charge of the forest in Bolivia? Consequences of the possession in forestry management and in the rural livelihood (¿En manos de quién están los bosques en Bolivia? Implicaciones de la tenencia en el manejo forestal y en los medios de vida rurales). Santa Cruz, Bolivia. Available at: http://webcache.googleusercontent.com/search?q=cache:jcB0yU03754J:www.fao.org/forestry/download/17518-0db7130921b2b66b5062df8093b8cccf5.pdf+&cd=1&hl=es&ct=clnk&gl=es • World Resources Institute (2014): Forest Legality Alliance Risk Tool, Bolivia. Available at: http://www.forestlegality.org/risk-tool/country/bolivia [Accessed on 13 February 2017]. • World Bank Worldwide Governance Indicators (2016): Bolivia. Available at: http://data.worldbank.org/country/bolivia?view=chart [Accessed on 1 March 2017]. 	<p>licensee to work on the assigned area. This situation has made easier for third parties to enter and occupy the forestry concession. Third parties refer to small farmers who are looking for land to work because they do not have land in their place of origin. This practice of overwhelmed is common in Bolivia, especially in lands where owners do not implement protection measures (expert consultation 2016).</p> <ul style="list-style-type: none"> • In the past few years, other issues have emerged, including: instances of the creation of communities inside the concessions (which are acknowledged by the authorities despite private companies having legitimate claims to the land), the legalization of the subjugations or the lack of authority to enforce the forestry rights, as well as the inactivity or absence of the licensee in other cases (expert consultation 2016). The interviewed experts agreed that the licensees 'documents are in order'. <p>The Transparency International Corruption Perceptions Index 2018 for Bolivia was 29 (on a scale from 0 to 100 where a score of 100 is lowest level of corruption) and the country ranked 132 out of 180 countries. This means that there are high levels of perceived corruption in Bolivia.</p> <p>Concerning the community origin territories (TIOC is the Spanish acronym):</p> <ul style="list-style-type: none"> • The INRA has developed a long and very participatory process to issue titles on indigenous territories, therefore the risks associated with this category of property rights is considered low (expert consultation 2016). • There is a risk that these lands, granted to indigenous communities, may be subjugated by third parties (as described above with forestry concessions). The members of the National Indigenous Forest Association (Asociación Forestal
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	<p>III. In farming communities or community origin lands, the required documents are:</p> <ul style="list-style-type: none"> • Property title or sanitation certificate issued by INRA • Forestry Management General Plan approved by ABT • Annual Operational Forestry Plan (POAF is the Spanish acronym) approved by ABT • Forestry Origin Certificate (CFO is the Spanish acronym) supporting the timber • Annual report of POAF <p>Besides the technical documents above mentioned, companies are required to have the Fundempresa certificate, the TIN number and the Legal Representative Power. Companies having a sawmill are required to register it with the ABT by submitting the Running License granted by the Municipal Government, the Raw Material Supplying Program, Fundempresa certificate in case the sawmill has a different registered name and TIN.</p> <p>Regarding the communities, a directive resolution from the indigenous mother organization granting the management area to the community; ABT requests this document when the management plan is being checked.</p>	<ul style="list-style-type: none"> • World Resources Institute (2017): Management of protected areas (Gestión de áreas protegidas). Available at: https://bolivia.wcs.org/es-es/Iniciativas/Gesti%C3%B3n-de-%C3%A1reas-protegidas.aspx [Accessed on 9 August 2017]. <p>Interviews with experts Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator.</p>	<p>Indígena Nacional) (AFIN is the Spanish acronym) that were interviewed in the preparation of this report stated that the indigenous territories are acknowledged and certified by the State; however, there are intercultural social groups competing to settle inside the TIOCs or their surrounding areas. This constitutes a threat to the forest integrity in compliance with the indigenous leaders (expert consultation 2016).</p> <p>In the interviews conducted in the preparation of this report, several key actors agreed that there have been unauthorities human settlements in several forestry concessions throughout the past ten years. These settlements aimed at creating farming communities and are responsible for the deforestation of small areas as forest land is converted to agricultural use. This has also been happening in the integrated management zones of the protected areas. According to interviews with both ABT officials and external actors, it is evident that there are cases of illegal logging, which is legalized using forest certificates of authorized rights origin. With regard to forest rights abuses, it can be seen in journalistic news such as El Diario (2014), NotiBolivia (2012) or Bolfor (2003) analysis where this problem is explained in more detail. Even an Act (Act 477) has had to be enacted in 2013 to combat this problem (Bolivia 2013). After the interview with public servants of ABT, it can be concluded that ABT approves management plans but it doesn't guarantee the property rights, although they always request supporting documents or at least the sanitation certificate issued by INRA. The INRA sanitation certificate is very specific and reliable. Whenever a territory is not registered, there is a risk that another person registers this territory under his/her name by using influences or tricks; therefore, the real owner may lose his/her territory. Due this, the best evidence of someone being the owner of a land is the registration in Royal Rights (expert consultation 2016).</p>
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			<p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: Identified laws are not upheld consistently by all entities and/ or are often ignored, and/ or are not enforced by relevant authorities.</p>
1.2 Concession licenses	<p>Applicable laws and regulations</p> <p>I. GENERAL LEGISLATION</p> <ul style="list-style-type: none"> Constitution of the Plurinational State of Bolivia (2009): Article 349 (Natural resources owned and ruled by the State) (Recursos naturales de propiedad y regidos por el Estado) and 386 (Forests and forest soils have a strategic character) (Los bosques y los suelos forestales tienen un carácter estratégico). Available at: http://www.harmonywithnatureun.org/content/documents/159Bolivia Constitucion.pdf [Accessed on 1 March 2017]. Constitution of the Plurinational State of Bolivia (2009): Mother Earth Act no. 300 (Ley de la Madre Tierra nº 300), article 19 (to make the access to the mother earth's components easy and fair). Available at: http://www.harmonywithnatureun.org/content/documents/157Bolivia Ley 300.pdf [Accessed on 1 March 2017]. <p>II. LEGISLATION APPLICABLE TO THE FORESTRY EXPLOITATION IN NATURAL FORESTS</p> <ul style="list-style-type: none"> Forestry Act (1996): no. 1700 of 12 July 1996, Articles 26 (granting of exploitation rights) (concesión de derechos de explotación), 27 	<p>Government sources</p> <ul style="list-style-type: none"> ABT (2015): Annual report. Authority for the Social Audit and Control of Forests and Lands (Reporte anual. Autoridad para la Auditoría y Control Social de Bosques y Tierras). Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/Informe sAnuales/informe anual 201 5.pdf [Accessed on 1 March 2017]. <p>Non-Government sources</p> <ul style="list-style-type: none"> Cano, W., van de Rijt, de Jong, A., Pacheco, P. (2015): Forestry exploitation and markets in the Amazonian north of Bolivia (Aprovechamiento y mercados de la madera en el norte amazónico de Bolivia). Working paper no. 197. CIFOR. Bogor, Indonesia. Available at: http://www.cifor.org/publicatio 	<p>Overview of Legal Requirements</p> <p>Constitution of the Plurinational State of Bolivia Article 349:</p> <ol style="list-style-type: none"> Natural resources are property and indivisible, imprescriptible and directly ruled by the Bolivian people. The State will manage them according to the collective interests. The State will acknowledge, respect and grant individual and collective property rights over the land, as well as use and exploitation right over other natural resources. Agriculture, cattle and fishing and hunting activities which don't involve protected species are regulated by the fourth part of this Constitution, which deals with the structure and the economic organization of the State. <p>Article 386: Natural forests and forest soils have a strategic character in the development of the Bolivian people. The State will grant forestry exploitation rights in favour of communities and private operators. In addition, the State will promote preservation and sustainable exploitation activities, as well as rehabilitation and reforestation of degraded areas and the generation of added value for their products.</p>

	<p>(management plan) (plan de manejo), 28 (classification of rights) (clasificación de derechos), 29 (harvesting license) (licencia de aprovechamiento), 36 (classification of forestry patents) (clasificación de patentes forestales) and 37 (amount of the patents) (cantidad de las patentes). Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 1 March 2017].</p> <ul style="list-style-type: none"> Forestry Act (2001): Supreme Decree no. 26075 of 16 February 2001, Articles 2 (Permanent Forestry Production Territories. Licenses) (Territorios de producción forestal permanente. Licencias) and 3 (Authorization of forestry exploitation in Protected Areas) (Autorización de explotación forestal en áreas protegidas). Available at: http://www.lexivox.org/norms/BO-DS-26075.xhtml [Accessed on 1 March 2017]. <p>Legal Authority</p> <p>Authority for the Social Audit and Control of Forests and Lands: proper entity that is on charge of the application of the forestry legislation and the regulation of the forestry exploitation.</p> <p>National Service of Land Reforming (INRA): proper entity on charge of issuing property titles (private and collective).</p> <p>Legally required documents or records</p> <p>For licensed companies or local social groups:</p> <ul style="list-style-type: none"> Registration in Fundempresa Taxpayer's Identification number (TIN) Resolution of granting harvesting license Resolution of the management plan approval 	<p>ns/pdf_files/WPapers/WP197_CIFOR.pdf [Accessed on 13 February 2017].</p> <ul style="list-style-type: none"> CEDLA (2011): Forests - standards and discourse change but not the dominance of timber companies (Bosques: los estándares y el discurso cambian pero no el dominio de las empresas madereras). Available at: https://www.cedla.org/sites/default/files/boletin_el_observador_12_ago_2011_marzo_2011.pdf [Accessed on 9 August 2017]. Chatham House (2016): Illegal logging portal, Bolivia. Available at: http://www.illegal-logging.info/regions/bolivia [Accessed on 13 February 2017]. Forest Legality Alliance (2014): World Resources Institute risk tool – Bolivia. Available at: http://www.forestlegality.org/risk-tool/country/bolivia [Accessed 13 February 2017]. Muller, R., Pacheco, P. and Montero, J.C. (2015): The context of the deforestation and forestry degradation in Bolivia. CIPCA. Mennonite people and land traffic in the east of Bolivia (El contexto de la deforestación y degradación de los bosques en Bolivia. Causas, actores e 	<p>Mother Earth Act no. 300 (Ley de la Madre Tierra N° 300)</p> <p>Article 19: to facilitate the equate access to mother earth's components. The Plurinational State of Bolivia will facilitate the reduction of the differences regarding the access of the Bolivian people to the land, water, forests, biodiversity and other mother earth's components, by means of:</p> <ul style="list-style-type: none"> Eliminating the land property concentration or large estate, as well as the concentration of other components of Mother Earth in the hands of agrarian owners and companies. This will improve the sovereignty, the food safety, the strengthening of the community economy within the framework of what is established by the Constitution (Chapter IX, Title II, Part Four). Regulation and control of the transfer of the property, access and exploitation of the Mother Earth's components to foreign owners. <p>Forestry Act no. 1700 (Ley forestal N° 1700)</p> <p>Article 26: Forestry exploitation rights are only obtained by the State grant in compliance with the law; they are only kept if their exercise considers the protection and sustainable use of forests and forestry territories, complying with the rules and prescriptions on the subject.</p> <p>Article 27: the Management Plan is an essential requirement for all kinds of forestry use and for the legal exercise of forestry activities. It is part of the license resolution authorisation or forest clearing license and its fulfillment is mandatory. Management Plans shall be prepared and signed by forestry professionals or technicians, who will be civilly and criminally responsible for the veracity and the extent of the information included on the same. The implementation of the Management Plan will be</p>
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	<ul style="list-style-type: none"> Resolution of the approval of the annual operational forestry 	<p>instituciones). Available at: http://www.cifor.org/publications/pdf_files/OccPapers/OP-100.pdf [Accessed on 13 February 17].</p> <ul style="list-style-type: none"> Transparency International (2018). Corruption Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019]. Vargas, M., Teresa, E. Osinaga (2009) Who is on charge of the forest in Bolivia? Consequences of the possession in forestry management and in the rural livelihood (¿En manos de quién están los bosques en Bolivia? Implicaciones de la tenencia en el manejo forestal y en los medios de vida rurales). Santa Cruz, Bolivia. Available at: http://webcache.googleusercontent.com/search?q=cache:jcB0yU03754J:www.fao.org/forestry/download/17518-0db7130921b2b66b5062df8093b8cccf5.pdf+&cd=1&hl=es&ct=clnk&gl=es <p>Interviews with experts Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried</p>	<p>supervised by the professionals or technicians above mentioned, who will be acting as auxiliary agents of the proper entity; they will prepare documents and reports containing attestation, at the responsibilities mentioned in the present Act and the associated regulations.</p> <p>In order to grant the functioning authorisation to the primary processing centers of forestry products and its validity, a raw material supplying program shall be presented and updated on an annual basis; this shall include the sources and amounts to be used, which have to come from managed forests except for the forest clearing cases dully authorized. The aforementioned authorisation is an administrative license whose violation may lead to a temporary suspension or the final cancellation of the activities, notwithstanding the civil and criminal penalties applicable.</p> <p>Article 28: Classification of the rights The following forestry use rights are established:</p> <ul style="list-style-type: none"> Harvesting license in public land Exploitation authorisation in private properties Forest clearing license <p>Article 29: Harvesting license The harvesting license is the administrative act by which the Superintendence for Forests grants individual or collective entities the exclusive right to exploit forestry resources in a limited public land. The management of wild life, biodiversity, genetic resources and any other special resources are governed by the specific legislation on that subject. In order for third parties to use certain forestry resources not included in the licensee's Management Plan, the licensee may (or should, if so it is resolved by the proper authority in compliance with the regulations) sign subsidiary contracts stating that the licensee keeps being responsible for all the resources in the licensed area. Whenever local groups or indigenous</p>
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		<p>out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>peoples are involved, the only applicable contracts will be the ones voluntarily signed, but the arbitration of the Superintendence for Forests won't be applicable. Regulations will set the rules for the execution of a subsidiary contract, which will have to be notified and approved by the Superintendence for Forests. The license is granted for a period of forty (40) years, extendable as long as there are evidences of fulfillment supported by the forestry authorities. The license is subject to be transferred to third parties with the authorisation of the Superintendence for Forests, whenever a previous fulfillment audit is conducted in accordance with the special procedure to the legally established; in this case the assignee assumes the obligations of the assignor within full rights.</p> <p>The harvesting license is a document that provides its owner credit to claim and obtain the prompt and effective protection of the administrative, police and jurisdictional authorities in accordance with the current Act and their regulations.</p> <p>It allows the license to be waived after an external forestry audit, qualified and independent, is conducted to determine whether the Management Plan has been fulfilled or not. The waiving party shall assume the audit costs and the arising obligations, whenever applicable.</p> <p>Supreme Decree no. 26075 (Decreto Supremo N° 26075).</p> <p>Article 2. In Permanent Forestry Production Territories, it is legal to:</p> <ol style="list-style-type: none"> 1. Exploit the forests by implementing Forestry Management Plans approved by the Superintendence for Forests. 2. Grant harvesting licenses. 3. Authorise forestry exploitation in Protected Areas; the authorisation will be issued by the SERNAP together with the Superintendence for Forests.
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			<ol style="list-style-type: none"> 4. Use the forests in private territories according to what is established by Act 1700 (Ley 1700). 5. Supply and adjudicate according to what is ruled by Act 1715 (Ley 1715) and stated by Act 1700 (Ley N° 1700). 6. Execute the necessary constructions for public good authorised by the corresponding environmental license in compliance with Act 1333 (Ley N° 1333) and the Forest Clearing Plan complying with Act 1700 (Ley N° 1700). <p>Article 3: The authorisation of forestry exploitation in Protected Areas will be issued in accordance with the following regulations: a) Foundation as a Protected Area; b) Management Category; c) Management Plans and Programs; d) The preliminary or final division into zones; e) Plans to use the specific resource; f) Regulations governing Use.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • Forestry concessions in Bolivia, as defined by the forestry Act, constitute a right of logging and non-timber forest exploitation of the forest flight to companies in fiscal areas or areas of the Bolivian State. Forest concessions were granted when the current forestry policy came into force in 1997 and to date no new licenses have been granted (expert consultation 2016). Act No. 1700, still in effect in 2018, foresaw the migration of old Long Term Exploitation Agreements to forest concessions under preconditions within a certain period. The audits carried out by the ABT, in accordance with the mandate of the Act and its institutional competences, resulted in some cases of noncompliance with the minimum conditions that companies benefiting from concessions or licenses for forestry exploitation in fiscal land had to meet, which derived in the return of some concessions to
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			<p>the State, in addition to the market crisis experienced by the companies, mainly those exporting license (expert consultation 2016) At present, concessions are going through a period of transition in terms of their status: now they are called temporary special authorizations instead of concessions (expert consultation 2016). It is not clear if they will cease to be licenses or if they will be modified to exploitation contracts (CEDLA, 2011). The evident thing is that it is a right of forest exploitation in fiscal lands subject to certain conditions for its maintenance or expiration (CEDLA, 2011). In any case, there is no evidence that the transitory authorizations could have been obtained fraudulently (expert consultation 2016). In addition, part of the transitional authorizations are currently in the hands of private companies certified by the FSC system.</p> <ul style="list-style-type: none"> • Harvesting licenses were the main timber source for the export market for a long period of time, and they were always under control of the forestry companies. However, forestry companies have changed their strategy, as the concessions were reverted, the companies that provided services for opening roads, extraction and transportation of wood changed their clients and began to work with greater intensity in community forests under forest management or agrarian properties (expert consultation 2016). • As of the validity of Forestry Act No. 1700 of July 1996, the options for sources of raw material supply, both for the local and external markets, have been very broad, including the recognition of the priority and exclusive right of indigenous and indigenous peoples for the use of their forest resources (see Ministerial Resolution 136/98). At present, it is evident, as a result of the process of land sanitation and the results of forest audits, that
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			<p>the greater percentage of productive forests are concentrated in the property of native indigenous peoples, indigenous and peasant communities (see Vargas and Osinaga, 2009)</p> <ul style="list-style-type: none"> Concerning licenses in public land and private properties, the exploitation license is the approval resolution of the Forestry Management Plan together with the corresponding Annual Operational Forestry Plan (POAF is the Spanish acronym). Research undertaken in the preparation of this report has not revealed information that indicates a risk that the ABT resolutions are false or obtained through bribing or, at least, there are no documents supporting these facts (expert consultation and review of documentation). <p>Risk conclusion</p> <p>This indicator has been evaluated as low risk for forestry concessions located in state territories. Threshold (1) is met: identified laws are upheld. Cases where law/ regulations are violated are efficiently followed up by the authorities and/ or relevant entities taking preventive actions</p> <p>The legal requirements do not apply to the other source types.</p>
<p>1.3 Management and harvesting planning</p>	<p>Applicable laws and regulations</p> <p>I. LEGISLATION APPLICABLE TO THE FORESTRY EXPLOITATION IN NATURAL FORESTS</p> <ul style="list-style-type: none"> Forestry Act (1996): Act no. 1700 of 12 July 1996. Articles 26, 27, 28, 29, 36, 41 and 42. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 1 March 2017]. Supreme Decree (2001): Decree no. 26075 of 16 February 2001, Articles 2, 3 and 4. Available at: 	<p>Government sources</p> <ul style="list-style-type: none"> ABT (2015): Annual report (Informe Anual). Authority for the Social Audit and Control of Forests and Lands. Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/informe_anual_20 	<p>Overview of Legal Requirements</p> <p>The concept of sustainable forest management was introduced in Bolivia with the reform of the forestry law in 1996 (the Act 1700 was the first forest law of Bolivia. Previously only a supreme decree 11686 promulgated by a dictatorial government was applied). 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</p>

	<p>http://www.lexivox.org/norms/BO-DS-26075.xhtml [Accessed on 1 March 2017].</p> <ul style="list-style-type: none"> Ministerial Order (1997): Technical regulations on forest clearing plans (Normativa técnica sobre planes de desmonte forestal). 131/97 (RM 131/97). Available at: http://www.estrucplan.com.ar/Producciones/entrega.asp?IdEntrega=1540 [Accessed on 1 March 2017]. Ministerial Order (1997): Technical regulations on management plans for areas smaller than 200 hectares (Normativa técnica sobre planes de manejo para áreas menores a 200 hectáreas). 132/97 (RM 132/97). Available at: http://pdf.usaid.gov/pdf_docs/Pnacw448.pdf [Accessed on 1 March 2017]. Ministerial Order (1997): Technical regulations on raw material supplying programs (Normativa técnica sobre programas de suministro de materia prima). 134/97 (RM 134/97). Available at: http://docplayer.es/22726485-Normas-tecnicas-sobre-programa-de-abastecimiento-y-procesamiento-de-materia-prima.html [Accessed on 1 March 2017]. Ministerial Order (1997): Technical regulations on management plans in Andean and Chaco territories (Normativa técnica sobre planes de manejo en los territorios andinos y chaco). 135/97 (RM 135/97). Available at: http://docplayer.es/18496264-Republica-de-bolivia-ministerio-de-desarrollo-sostenible-y-medio-ambiente.html [Accessed on 1 March 2017]. Ministerial Order (1997): Technical regulations on management plans in indigenous community territories (Reglamentos técnicos sobre planes de manejo en territorios de comunidades indígenas). 136/97 (RM 136/97). Available at: 	<p>15.pdf [Accessed on 1 March 2017].</p> <ul style="list-style-type: none"> ABT (2012/2013): Annual Management Report (Informe Anual de gestión). Authority for the Social Audit and Control of Forests and Lands. Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/Memoriaavancesresultados2012-2013.pdf [Accessed on 1 March 2017]. <p>Non-Government sources</p> <ul style="list-style-type: none"> Chatham House (2016): Illegal Logging Portal – Bolivia. Available at: http://www.illegal-logging.info/regions/bolivia [Accessed on 13 February 2017]. Transparency International (2018). Corruption Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019]. Urioste, A. (2010): Deforestation in Bolivia. A threat greater than climate change in Bolivia (Deforestación en Bolivia una amenaza mayor al cambio climático). FAN. Santa Cruz, Bolivia. Available at: 	<p>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 (Vargas and Osinaga, 2009).</p> <p>The legal requirement to carry out the exploitation of the forests is the management plan. The General Forestry Management Plan established in Forestry Act No. 1700 is a technical requirement as a forest management instrument (harvest planning). Forest clearing is carried out under technical requirements defined in Ministerial Resolutions No. 130/97 and No. 131/97.</p> <p>In order to prepare a management plan, it is necessary to have a forest inventory that includes a systematic sampling of the management area. The data are essential for planning the cutting cycle, the estimated available volume, the annual allowed felling, the rate of forest growth, the diversity of species, etc (Technical Standard 248/98). The technical prescriptions for the elaboration of General Plans of Forest Management established in the Technical Norm Ministerial Resolution n ° 248/98, the Bolivian State has made an effort to realize departmental forest inventories in 7 of the 9 departments of Bolivia with the purpose of facilitate access to sustainable forest management and has generated a new alternative access to timber harvesting called Integrated Forest Management Plan (PMIB) based on the results of departmental inventories (in order not to carry out the forest inventory of recognition and other adjustments of a technical and administrative nature not contemplated in the Technical Standard Ministerial Resolution No. 248/98). This new alternative has been approved in a new set of Technical Standards approved with ministerial resolutions RM No. 182/2016,</p>
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	<p>https://rportal.net/library/content/libros/normas-tecnicas-tcos.pdf [Accessed on 1 March 2017].</p> <ul style="list-style-type: none"> Ministerial Order (1997): Technical regulations on inventories and management plans (Reglamento técnico de inventarios y planes de gestión). 248/98 (RM 248/98). Available at: https://www.scribd.com/doc/314916829/Normas-Tecnicas-248-98 [Accessed on 1 March 2017]. Ministerial Order (1997): Technical regulations on non-timber yielding management plans (Reglamentos técnicos sobre planes de manejo no maderables). 22/2006 (RM 22/2006). Available at: http://www.museonoelkempff.org/cgb/Informacion/normas_tecnicas/CGB_nt_productos_no_maderas.pdf [Accessed on 1 March 2017]. ABT (Foundation of the Authority for the Social Audit and Control of Forests and Lands) (2009): Supreme Decree 0071/2009 (D.S. 0071/2009) of 9 April 2009, Articles 3 and 31. Available at: http://www.lexivox.org/norms/BO-DS-N071.xhtml [Accessed on 1 March 2017]. <p>II. LEGISLATION APPLICABLE TO FORESTRY PLANTATIONS</p> <ul style="list-style-type: none"> Forestry Act (1996): no. 1700 Article 17: Property right granted for degraded territories which have been rehabilitated with plantations (Derechos de propiedad otorgados para territorios degradados rehabilitados con plantaciones). Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 1 March 2017]. Supreme Decree (1996): no. 24453 (D.S. N° 24453). Regulations of the Forestry Act no. 1700 of 21 December 1996, Articles 54 and 68. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 1 March 2017]. 	<p>http://library.fes.de/pdf-files/bueros/bolivien/07570.pdf [Accessed on 13 February 2017].</p> <ul style="list-style-type: none"> Vargas, M., Teresa, E. Osinaga (2009) Who is on charge of the forest in Bolivia? Consequences of the possession in forestry management and in the rural livelihood (¿En manos de quién están los bosques en Bolivia? Implicaciones de la tenencia en el manejo forestal y en los medios de vida rurales). Santa Cruz, Bolivia. Available at: http://webcache.googleusercontent.com/search?q=cache:jcB0yU03754J:www.fao.org/forestry/download/17518-0db7130921b2b66b5062df8093b8cccf5.pdf+&cd=1&hl=es&ct=clnk&gl=es World Resources Institute (2014): Forest Legality Alliance. Risk Tool – Bolivia. Available at: http://www.forestlegality.org/risk-tool/country/bolivia [Accessed on 13 February 2017]. <p>Interviews with experts Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped</p>	<p>183/2016, 524/2017, 525/2017, 526/2017, and 527/2017.</p> <p>To prepare an Annual Operative Plan for Forestry (POAF), it is necessary to prepare a forest census that includes a sampling of the Total Annual Utilization Area (AAA). All trees are marked and coded with diameters that exceed the minimum cutting diameter. In this operation, an aluminum plate with the alphanumeric code is fixed in all the usable trees. Subsequently, these codes will be included in a database, which is the main element of the Annual Forestry Operational Plan (POAF). The ABT registers this database in its monitoring system.</p> <p>The AAA is calculated by dividing the total production area by the cutting cycle (usually 20 years). The AAA is located in a different area each year to offer the forest a recovery period of 20 years (cutting cycle). The technical standards define the specifications for the preparation of inventories, the associated documentation and the data analysis. The management plan is presented to the ABT for verification and approval. Once this is done, the POAF is presented for review and approval. The ABT approves both documents by administrative resolution. (Technical standard 248/98).</p> <p>Concerning the forest clearing plans, less intensive sampling than the management plan is required. The timber amount to be commercialized is estimated based on the sampling data; this amount will be verified and corrected once the logs are stored. The planning document is the forest clearing plan, also approved by the ABT through an administrative resolution. Regarding plantations, the Forestry Act doesn't require a management plan to be prepared. The only requisite to be legal is to register the plantation with the local government or the ABT. This registration is what ABT will request to authorise the cutting in the harvesting period (Technical Regulation 131/97)</p>
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	<ul style="list-style-type: none"> • ABT (2010): Supreme Decree 443 (D.S. 443) of 10 March 2010, Foundation of the Afforestation and Reforestation National Program. ABT directive: Plantation registration (Registro de plantaciones). Available at: http://www.lexivox.org/norms/BO-DS-N443.xhtml [Accessed on 1 March 2017]. <p>Legal Authority</p> <p>Authority for the Social Audit and Control of Forests and Lands (ABT is the Spanish acronym): entity responsible of revising and approving management plans, forest clearing plans and any other authorisation for exploiting and transporting forestry products in permanent forestry production territories and multiple use territories. The Managements of the Protected Areas are responsible for revising and approving forestry users' management plans for those who want to carry out forestry management in integrated management zones inside the protected area.</p> <p>Legally required documents or records</p> <p>I. For the exploitation in Permanent Forestry Production Territories (TPFP is the Spanish acronym):</p> <ul style="list-style-type: none"> • Forestry Management General Plan • Annual Operational Forestry Plan • Registration in the ABT of the forestry professional signing the documents (auxiliary agent) • Contract between the forest title holder and the auxiliary agent <p>II. For the exploitation in Multiple Use Territories (TUM is the Spanish acronym):</p> <ul style="list-style-type: none"> • Land Use Plan • Forestry Management General Plan • Annual Operational Forestry Plan • Forest Clearing Plan 	<p>the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>Description of risk</p> <p>Regarding management planning approval, exploitation authorisation and implementation in the field, the following risks have been identified:</p> <ul style="list-style-type: none"> • Due to the lack of ABT staff for auditing and controlling, there is weak field control of the management plan approval. In addition, there has been a significant increase in the number of management plans in the past few years, which means that a significant quantity of the approved plans have not been verified in the field. ABT also confirms that the problem is the lack of enough resources (for example, barely 5% of the management plans presented are verified in the field) (based on discussion with ABT staff in 2016). • The Bolivian State and the ABT have made considerable efforts and advances since 2013 through an automated traceability system called SICOB that has a module that crosses information of authorized volumes with surrounded logs reported by the professional in charge of executing the use in the reports of rodeo, you can monitor the transported logs, which allows to affirm (according to official sources of the ABT) with a good margin of safety that in those cases in which they had "inflated" volumes, these are identified and extracted of forest what is effectively registered and downloaded (www.abt.gob.bo). However, management plans are based on recognition inventories, while POAFs are based on censuses of commercial species. In many cases (expert consultation 2016), the differences between the real volume and the volume measured in the censuses are due to the incorrect estimation of the height of the trunk, which are made by eye and whose accuracy depends on the experience of the personnel who make it. In any case, the ABT can
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	<ul style="list-style-type: none"> • Registration in the ABT of the forestry professional signing the documents (auxiliary agent) • Contract between the forest title holder and the auxiliary agent 		<p>compare the estimated volumes with the actual volumes recorded once the trees are cut down and the logs are cut and taken to stockyards (rodeos), where they are accurately measured. Depending on the available resources, the ABT regional offices carry out rodeo log inspections.</p> <ul style="list-style-type: none"> • Another problem detected and explained by the staff of SBCBI (Sistema Boliviano de Certificación de Bosques e Incentivos- Bolivian System of Certification of Forests and Incentives) -ABT (during consultation in the preparation of this report) is that some owners of forests with management request the cancellation of plans before the cutting cycle is over. In these cases, ABT is cancelling the management plan to allow the forest clearing for farming purposes, i.e. clearfelling. This doesn't happen with the transitory authorisations, but it does happen in private properties with management plans, especially when the area is small. • Another problem and operational errors in execution, which have been signaled by the ABT, through interviews with experts, is that POAFs are not always executed in the field or their execution does not conform to what is defined in the management plan. The auxiliar agents (forestry engineers external from the ABT) mention that in general they don't conduct the necessary monitoring in the field because most of their time is spent with procedures in the ABT or preparing reports. This mainly happens in private properties, as concessions have forestry engineers in their campsites inside the management area. • ABT technicians point out that the non-fulfillment of the management plans are around 50%. The non-conformances include: change of species, exploitation outside the authorized area, overestimation of volumes in small instruments,
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			<p>applying for more CFO than required to sell timber from non-authorized sources (misuse of the authorisation). However, it should be clarified that management plans respond to reconnaissance inventories of all existing species, based on sampling plots with an intensity of 0.15%, while POAFs respond to 100% censuses of species with commercial value that they are done every year before harvesting. The predominance of certain species in the different annual areas of forest use can vary drastically in different areas of the management area. Based on comments from experts, regarding the illegal issuance and sale of CFOs, this was a serious problem in the past, but the ABT changed procedures and introduced measures to drastically reduce these practices.</p> <ul style="list-style-type: none"> • There are fraudulent plans and instances of the use of CFOs to launder illegal timber. • Another risk found in the interviews is the possible corruption of users and public agents regarding the management instrument control like the CFOs, the timber exploitation and the timber transport in the field. The Transparency International Corruption Perceptions Index 2018 for Bolivia was 29 (on a scale from 0 to 100 where a score of 100 is lowest level of corruption) and the country ranked 132 out of 180 countries. This means that there are high levels of perceived corruption in Bolivia. <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk in natural forests. Threshold (2) is met: Identified laws are not upheld consistently by all entities and/ or are often ignored, and/ or are not enforced by relevant authorities.</p> <p>N/A for forest plantations.</p>
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<p>1.4 Harvesting permits</p>	<p>Applicable laws and regulations</p> <p>LEGISLATION APPLICABLE TO THE FORESTRY IN NATURAL FORESTS:</p> <ul style="list-style-type: none"> • Forestry Act (1996): Act no. 1700 of 12 July 1996, Articles 26, 27, 36, 41 and 42. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml. [Accessed on 1 March 2017]. • Supreme Decree (2001): Act no. 26075 of 16 February 2001, Articles 2 and 3. Available at: http://www.lexivox.org/norms/BO-DS-26075.xhtml. [Accessed on 1 March 2017]. • Ministerial Order (1997): Technical regulations on forest clearing plans (Normativa técnica sobre planes de desmonte forestal). 131/97 (RM 131/97). Available at: http://www.estrucplan.com.ar/Producciones/entrega.asp?IdEntrega=1540. [Accessed on 1 March 2017]. • Ministerial Order (1997): Technical regulations on management plans for areas smaller than 200 hectares (Normativa técnica sobre planes de manejo para áreas menores a 200 hectáreas). 132/97 (RM 132/97). Available at: http://pdf.usaid.gov/pdf_docs/Pnacw448.pdf. [Accessed on 1 March 2017]. • Ministerial Order (1997): Technical regulations on raw material supplying programs (Normativa técnica sobre programas de suministro de materia prima). 134/97 (RM 134/97). Available at: http://docplayer.es/22726485-Normas-tecnicas-sobre-programa-de-abastecimiento-y-procesamiento-de-materia-prima.html [Accessed on 1 March 2017]. • Ministerial Order (1997): Technical regulations on management plans in Andean and Chaco territories (Normativa técnica sobre planes de manejo en los territorios andinos y chaco). 135/97 	<p>Government sources</p> <ul style="list-style-type: none"> • ABT (2015): Annual report (Informe anual). Authority for the Social Audit and Control of Forests and Lands. Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/informe_anual_2015.pdf [Accessed on 1 March 2017]. • ABT (2014) Annual Management Report 2012 and 2013 (Informe anual de gestión 2012 y 2013). Authority for Control and Social Control of Forests and Lands. Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/Memoriaavancesresultados2012-2013.pdf [Accessed 9 August 2017]. • ABT (2012/2013): Annual Management Report (Informe anual de gestión). Authority for the Social Audit and Control of Forests and Lands. Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/Memoriaavancesresultados2012-2013.pdf [Accessed on 1 March 2017]. 	<p>Overview of Legal Requirements</p> <p>According to Forestry Act no. 1700 (Ley forestal N° 1700), the regulations of the Supreme Decree 24453 (DS 24453) and all the other technical regulations listed in applicable legislation, the document required to exploit forestry products is the Annual Operational Forestry Plan, which is prepared after the approval of the management plan. This document is prepared and signed by a forestry engineer registered in ABT (auxiliary agent) and then it is presented to ABT for revision and approval. The database containing the census of the exploitable trees is a part of this document and it is registered in ABT in order that cutting and extraction of timber can be monitored. The document certifying that the POAF is approved is the ABT's Administrative Resolution. After that, the forestry user can cut the timber. Later, the logs will be transported and stored in the designated areas, where a list including the log codes will be prepared. The ABT issues the Forest Certificates of Origin (CFO) to transport the wood from the management area to the sawmills. Being in some cases, this emission made directly by the same company through an online system called SICOBWEB (conditional on internet connectivity) (www.abt.gob.bo).</p> <p>To carry out the exploitation of forest products, it is necessary to have the approval of the POAF by the ABT. This is the only document that confirms the right to cut authorized trees in the Annual Harvesting Area (AAA) in a management plan. In areas of conversion of forest land to agricultural land, to disassemble requires the approval by the ABT of a Plan of Clearance (PDM-plan de desmonte), and in case there is wood product of the dismantling the ABT authorizes its commercialization with charge to the Plan of Clearance.</p> <p>For the transport of wood or forest products, the ABT must request the forestry certificates of origin which are</p>
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	<p>(RM 135/97). Available at: http://docplayer.es/18496264-Republica-de-bolivia-ministerio-de-desarrollo-sostenible-y-medio-ambiente.html [Accessed on 1 March 2017].</p> <ul style="list-style-type: none"> Ministerial Order (1997): Technical regulations on management plans in indigenous community territories (Reglamentos técnicos sobre planes de manejo en territorios de comunidades indígenas). 136/97 (RM 136/97). Available at: https://rportal.net/library/content/libros/normas-tecnicas-tcos.pdf [Accessed on 1 March 2017]. Ministerial Order (1998): Technical regulations on inventories and management plans (Reglamento técnico de inventarios y planes de gestión). 248/98 (RM 248/98). Available at: https://www.scribd.com/doc/314916829/Normas-Tecnicas-248-98. [Accessed on 1 March 2017]. Ministerial Order (2006): Technical regulations on non-timber yielding management plans (Reglamentos técnicos sobre planes de manejo no maderables). 22/2006 (RM 22/2006). Available at: http://www.museonoelkempff.org/cgb/Informacion/normas_tecnicas/CGB_nt_productos_no_maderables.pdf. [Accessed on 1 March 2017]. <p>LEGISLATION APPLICABLE TO FORESTRY PLANTATIONS:</p> <ul style="list-style-type: none"> Forestry Act (1996): Act no. 1700, Article 17. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 1 March 2017]. Supreme Decree (1996): Decree no. 24453 (D.S. N° 24453). Regulations of the Forestry Act no. 1700 of 21 December 1996, Articles 54 and 68. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 1 March 2017]. 	<p>Non-Government sources</p> <ul style="list-style-type: none"> Chatham House (2016): Illegal Logging Portal, Bolivia. Available at: http://www.illegal-logging.info/regions/bolivia [Accessed 13 February 2017]. Cano, W., van de Rijt A., de Jong, W. and Pacheco, P. (2015): Harvesting and timber markets in the Amazonian north of Bolivia (Aprovechamiento y mercados de la madera en el norte amazónico de Bolivia). Working Paper 197. Bogor, Indonesia: CIFOR. Available at: http://www.cifor.org/publications/pdf_files/WPapers/WP197_CIFOR.pdf [Accessed 9 August 2017]. Transparency International (2018). Corruption Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019]. Urioste, A. (2010): Deforestation in Bolivia. A Threat greater than climate change (Deforestación en Bolivia una amenaza mayor al cambio climático). FAN. Santa Cruz, Bolivia. Available at: http://library.fes.de/pdf-files/bueros/bolivien/07570.pdf 	<p>issued from the volume of wood registered in the documents (POAF in management plans and PDM in clearings)</p> <p>All the harvested and/ or transported wood must appear specified in the CFO, which certifies the authorized source of the wood.</p> <p>This procedure and these requirements are applicable to forestry concessions (transitory authorizations), private properties and community lands.</p> <p>The source World Resources Institute – Forest Legality Alliance, 2014, was used in order to verify the law and requirements on this matter.</p> <p>Description of risk</p> <ul style="list-style-type: none"> Frequently, forestry exploitation happens in non-authorized areas. The timber is made legal by the support of other CFOs from management plans or forest clearing plans approved by ABT. This implies using legal documents (CFOs granted by ABT to transport timber from authorized sources) to extract timber from non-authorized sources (illegal). This activity has commonly been happening in the past few years, but it has decreased thanks to the verification storage controls implemented by ABT (Source: interview with experts conducted in Bolivia, 2016). Over half of Bolivia's land is covered by forests, 65% of which are primary forests. The annual rate of deforestation between 2010 and 2015 was 0.4% (Chatham House (2016)). There are also isolated facts and extraction of wood in small volumes, in unauthorized areas that do not have a management plan, especially in multiple-use lands, national parks (Amboró and others). The extracted wood is hidden with other agricultural products later when it is transported. The ABT exercises controls and confiscating and
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	<p>Legal Authority</p> <p>Authority for the Social Audit and Control of Forests and Lands (ABT)</p> <p>Legally required documents or records</p> <ul style="list-style-type: none"> • Annual Operational Forestry Plan (POAF) to be prepared and approved by the ABT every year before the exploitation starts. • Annual POAF report (informing ABT about the outcome of POAF implementation). • Forestry Origin Certificates (CFO is the Spanish acronym), which are documents supporting the transport of forestry products. ABT issues these certificated based on the product volume stated in the POAF. • Storage reports: they quantify the volume of cut timber prior to the transport from the forest to the industry. 	<p>f [Accessed on 1 March 2017].</p> <ul style="list-style-type: none"> • World Resources Institute (2014): Forest Legality Alliance Risk Tool, Bolivia. Available at: http://www.forestlegality.org/ri-sk-tool/country/bolivia [Accessed on 13 February 2017]. • Eju TV (2018) False papers that wash illegal wood in Bolivia (Los papeles falsos que lavan la madera ilegal en Bolivia). Available at: https://eju.tv/2018/09/los-papeles-falsos-que-lavan-la-madera-ilegal-en-bolivia/ • El Mundo (2019) Confiscate wood and detect traffic network (Confiscan madera y detectan red de tráfico). Available at: http://elmundo.com.bo/web2/index.php/noticias/index?id=confiscan-madera-y-detectan-red-de-trafico <p>Interviews with experts Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>finishing wood (Source: interviews with experts in Bolivia in 2016).</p> <ul style="list-style-type: none"> • Every year, the ABT publishes in the annual reports, the number of administrative procedures executed by this entity against the offenders of the forestry regulations (ABT, 2014). ABT reports include the number of administrative procedures to be executed against the offenders. For example, the ABT's Annual Management Report from 2015 presents a summary of several years. To mention some of these numbers, 2,252 procedures were initiated in 2012, 2,574 in 2013, 1,579 in 2014 and 1,483 in 2015; the number is tending to decrease, but there is still a great number of violations of the forestry regulations. • In many cases, the violation risk is in the forestry census/ inventory, mostly in private properties or indigenous territories. The volume of trees is inflated to overestimate the volume and to use the corresponding CFOs to launder the illegal timber (expert consultation 2016). The interviewed parties agreed that the illegal extraction of timber hasn't stopped, only decreased. • According to Urioste (2010), "forest deforestation and degradation happens in all forest ecosystems in Bolivia, but primarily in the Amazon forest, in transitional forests, in the Chiquitano dry forests, in sub-Andean forests and in Chaco". "In a likely 2100 scenario, the increase of land dedicated to farming shall have become the main cause of deforestation, and deforestation shall have had an impact over 33 M hectares of forest". • The timber is obtained from illegal forest clearing activities and it is usually commercialized in the black market, sometimes being covered up with legal timber (Cano et al. 2015, ABT 2014). Recent news on these issues are: <ul style="list-style-type: none"> ✓ The wood traffic is supported by documents that contain false information: trees are
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			<p>declared non-existent in forest concessions and then justify the volume with the entry of wood extracted from prohibited areas (Eju TV (2018))</p> <ul style="list-style-type: none"> ✓ OPERATIVE. The Forestry and Land Control and Control Authority intervened four sawmills in the Chiquitania. Wood equivalent to 36 trucks, valued at \$ 501,649. Director General of Management of the ABT, pointed out that the sawmills badly used the Forest Certificates of Origin (CFO), a fact that allowed them to traffic with the wood (El Mundo (2019)). • The Transparency International Corruption Perceptions Index 2018 for Bolivia was 29 (on a scale from 0 to 100 where a score of 100 is lowest level of corruption) and the country ranked 132 out of 180 countries. This means that there are high levels of perceived corruption in Bolivia. • Expert interviews also revealed that CFOs are being sold to third parties to legalize illegal timber; due to this, some legal timber corresponding to these CFOs hasn't been extracted. <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: Identified laws are not upheld consistently by all entities and/ or are often ignored, and/ or are not enforced by relevant authorities.</p>
Taxes and fees			
1.5 Payment of royalties and harvesting fees	<p>Applicable laws and regulations</p> <p>NATURAL FOREST HARVESTING LICENSE:</p> <ul style="list-style-type: none"> • Forestry Act (1996): N° 1700. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 1 March 2017]: 	<p>Non-Government sources</p> <ul style="list-style-type: none"> • Fredericksen, T. (2000): Forest harvesting and conservation in Bolivia (Aprovechamiento forestal y conservación de los bosques 	<p>Overview of Legal Requirements</p> <p>Two kinds of harvesting licenses exist, as stated in Forestry Act N° 1700, Article 36 (Ley Forestal N° 1700, Art. 36):</p> <ol style="list-style-type: none"> I. Forest harvesting license (patente de aprovechamiento forestal): paid in exchange for

	<ul style="list-style-type: none"> • Article 29, Paragraph III, Subparagraph f) Establishing the compulsory cash payment of the yearly harvesting license. (Art. 29, Parágrafo III, inciso f): Establece la obligatoriedad del pago en efectivo de la patente forestal anual). • Article 32: Harvesting license for private property and communal land. (Art. 32: Autorización de aprovechamiento en tierras de propiedad privada y en tierras comunitarias de origen). • Article 36: Types of harvesting licenses. (Art. 36: Clases de patentes forestales). • Article 37: License prices. (Art. 37: Monto de las patentes). • Article 38: Distribution of harvesting licenses. (Art. 38: Distribución de las patentes forestales). • Supreme Decree (1996): N° 24453. Regulations of Forestry Act N° 1700 (D.S. N° 24453. Reglamento de la Ley Forestal N° 1700). Available at: http://www.lexivox.org/norms/BO-DS-24453.xhtml [Accessed on 1 March 2017]: <ul style="list-style-type: none"> • Article 62: Adjustment of harvesting permits. (Art. 62: Ajuste de la patente forestal.) • Supreme Decree (2003): N° 27024 of 6 May 2003 (Decreto Supremo 27024 (6 de mayo de 2003)). Available at: http://www.lexivox.org/norms/BO-DS-27024.xhtml [Accessed on 1 March 2017]: <ul style="list-style-type: none"> • Article 3: Regulating article 36. (Artículo 3: Reglamentación al artículo 36.) • Article 4: Regulation tax. (Artículo 4: Tarifa de regulación.) • Directive N° 002 of 2003: Establishing the forest regulation tax. (The digital version is the only available at the ABT). (Directriz N° 002 de 2003: Establece el valor de la tasa de regulación forestal.) • Gaceta Oficial (2015): Act N° 741 of 29 September 2015 - The authorised area for land clearing is increased from 5 to 20 hectares, without a Property Regulation Plan (Plan de Ordenamiento Predial, POP). (Ley N° 741 (29 de septiembre de 2015): 	<p>en Bolivia). Technical Document (Documento Técnico) 95/2000. BOLFOR. Santa Cruz, Bolivia.</p> <ul style="list-style-type: none"> • Pacheco, P. (2003): The Bolivian forest regime (El régimen forestal Boliviano). Recursos Naturales y Ambiente N° 49-50:58-6. Available at: http://www.cifor.org/publications/pdf_files/articles/APacheco0701.pdf [Accessed on 1 March 2017]. • Transparency International (2018). Corruption Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019]. • World Resources Institute (2014): Forest Legality Alliance Risk Tool, Bolivia. Available at: http://www.forestlegality.org/risk-tool/country/bolivia [Accessed on 13 February 2017]. <p>Interviews with experts</p> <p>Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable</p>	<p>the exploitation of forest resources. Its cost is estimated on the basis of the exploitable area granted in the management plan.</p> <p>II. Land clearing license (patente de desmonte): paid in exchange for land clearing rights.</p> <p>As regards forest management units, in order to obtain timber harvesting rights, the harvesting license and the forest regulation tax (tasa de regulación forestal, TRF) must be paid. Both must be paid at the same time and before a license is obtained for timber harvesting or the exploitation of non-timber-yielding products. The Forestry Act N° 1700, Article 29, Paragraph III, Subparagraph f) (Ley Forestal N° 1700, Art. 29, Parágrafo III, Inciso f)), states that the yearly forest harvesting license shall be paid in three instalments: 30% on the last working day in January, 30% on the last working day in July and 40% on the last working day in October. Areas designated as protected or non-exploitable in a duly sanctioned Management Plan which are also effectively conserved are not subject to harvesting license fees, albeit only up to 30% of the total area granted. If said areas are not effectively conserved or if their forest resources are exploited, the concession shall be revoked.</p> <p>Licenses for harvesting Brazil nuts, rubber, hearts of palm and similar products amount to 30% of the minimum fee if the authorisation refers exclusively to the aforementioned products. For forest harvesting concessions on public land and private property (“special temporary authorisations”, autorizaciones especiales transitorias), concession holders used to be subject to a yearly license fee of USD 1/ha, which applied to the whole area affected by the concession. However, in 2003, this was changed by means of Supreme Decree N° 27024 (Decreto Supremo N° 27024). Currently, the license fee only applies to the area harvested in a year (área aprovechada anualmente, AAA) rather than to the whole productive</p>
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	<p>Aumenta el desmonte de 5 a 20 hectares, sin POP.). Available at: http://www.ruralytierras.gob.bo/planificacion/leyes-739-740-741.pdf [Accessed on 1 March 2017].</p> <p>PLANTED FOREST HARVESTING PERMIT:</p> <ul style="list-style-type: none"> Supreme Decree (1997): N° 24453 Regulation of Forestry Act N° 1700 (Decreto Supremo N° 24453: Reglamento de la Ley Forestal N° 1700.). Available at: http://www.lexivox.org/norms/BO-DS-24453.xhtml [Accessed on 1 March 2017]. Article 54, Paragraph VII (Art. 54 Parágrafo VII.): As regards planted forest or agroforestry plantations on private land, the coming into force of this Supreme Decree grants the landowner the ownership of the forest canopy from the effective date of the Supreme Decree. According to Article 32, Paragraph I, of the Act, these areas are not subject to the tax on rural immovable property. According to this Article, no harvesting license applies to timber from planted forests. <p>Legal Authority</p> <p>The Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras, ABT) is responsible for the collection of harvesting license fees.</p> <p>Legally required documents or records</p> <ul style="list-style-type: none"> Bank deposit: The deposit receipt shall serve as proof of payment of the harvesting license fee. Debt clearance certificate: Additionally, the ABT issues debt clearance certificates stating the organization has no pending fees. 	<p>legislation and the risks associated with each indicator of legislation.</p>	<p>area for which a concession has been granted. Additionally, the forest regulation tax (tasa de regulación forestal, TRF), which also applies to the AAA, was created. Currently, the harvesting license plus the TRF add up to around USD 8/ha. The TRF is paid annually as a prerequisite for the approval of the annual operational forestry plan (plan operativo anual forestal, POAF).</p> <p>After harvesting, in order to transport the product, a forestry certificate of origin (certificado forestal de origen, CFO) must be obtained. This document shall be carried in the lorry transporting the timber in order to guarantee the product originates in an authorised source. No other payment shall be required. All payments shall be made into the account of the ABT in Banco Unión, directly connected to the national treasury.</p> <p>Rural and indigenous communities are subject to a USD 1/ha license fee, applicable to the area harvested in a year (área aprovechada anualmente, AAA). This fee is lower than the fee for concession holders and property owners.</p> <p>The land clearing license fee is equal to fifteen times the minimum fee, and also to 15% of the value of the raw timber harvested in the cleared area, as stated in the applicable regulations. No license shall be necessary for the clearing of up to 5 hectares of land that is suitable for agricultural activities (Supreme Decree N° 741 increased the above area to 20 hectares). Buyers of timber harvested during land clearing shall pay 15% of its value as a raw product as transport fee, according to applicable regulations.</p> <p>According to Supreme Decree N° 24453 and Regulation of Forestry Act N° 1700 (D.S. N° 24453. Reglamento de la Ley Forestal N° 1700), article 62. (Art. 62), the license fee for each concession shall be adjusted up or down every five years on the basis of the change in its</p>
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			<p>weighted value. It must stay above the minimum value established by Act.</p> <p>Act N° 1700, Article 36 (Ley N° 1700, Art. 36), was reinterpreted in 2003 by means of Supreme Decree N° 27024, Article 3 (Decreto Supremo N° 27024, Art. 3). It states that Exploitable Areas (área aprovechable) are areas that will be harvested within one year, as defined by the General Forest Management Plan (Plan General de Manejo Forestal). The Forest Harvesting License (Patente Forestal de Aprovechamiento) is estimated on the basis of the Exploitable Area. This means that the competent authority shall no longer charge fees for the whole exploitable area in the concession or the management unit. According to Article 4, the Forestry Superintendency (now the ABT) is entitled to collect a regulation fee which takes into account the average administrative cost per regulated hectare for the exploitation of timber-yielding products. This is the same area referred to in the Annual Operational Forestry Plan (Plan Operativo Anual Forestal, POAF), which cannot in any case exceed thirty-five housing development units of account (unidades de fomento a la vivienda, UFV). The Forestry Superintendency defined and published the fee conditions in Directive N° 002 of 2003.</p> <p>For planted forests, Supreme Decree N° 24453, Article 54, Paragraph VIII (D.S. n° 24453, Art. 54, Parágrafo VIII), sets out that, regarding any forest or agroforestry plantations on private land, the coming into force of this Supreme Decree grants the landowner the ownership of the forest canopy from the effective date of the Supreme Decree. According to Article 32, Paragraph I (Art. 32, Parágrafo I), these areas are not subject to the tax on rural immovable property.</p>
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			<p>Description of risk</p> <ul style="list-style-type: none"> • The forestry law indicates that the principle of transparency must exist, which does not imply legal obligation to publish patent payments in detail or outstanding debts per user; therefore, the payments of the patents are not made public. However, in merit to this principle, any person that proves their legal interest can request this information and be answered in a timely manner (through the request of a debt settlement certificate to the Forest and Land Social Monitoring and Control Authority (ABT) (Fredericksen, T. (2000)). • The risk of fund diversion, license fee underpayment or avoidance is considered low because the payment of license fees is always a prerequisite before authorisations can be issued for both forest harvesting in management units and land clearing for conversion. Illegal harvesting or land clearing implies avoidance of fee payment. However, this is a general infringement of the law, not a lack of compliance with the fees. The risk of corruption in the payment of the license (patent) is given in the case of timber from clearing, since patent is paid per volume of timber extracted and by type of species. However, there are no cases known where a species of lower value has been reported supplanting a species of higher value only to save on the patent (based on expert consultation 2016). On the other hand, timber coming from areas with forest management, the patent is paid by surface area, regardless of the species or the type of product that is extracted ((Pacheco, P. (2003))). • In interviews during the expert consultation in 2016, it was stated that companies have no outstanding payments. The ABT collects license fees in advance as a requisite for the approval of the management documents. Therefore, outstanding
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			<p>payments do not pose a serious problem in complying with the law. Consulted stakeholders from the timber industry explained that their companies fulfil all their tax obligations, and duly pay the forest regulation fee and the forest harvesting license at the Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras, ABT). ABT interviewees indicated that when companies do not pay their patent, they immediately paralyze the issuance of CFOs for the transportation of timber. In this way the system does not allow the evasion of the patent payment.</p> <ul style="list-style-type: none"> • The ABT confirms there are no outstanding license fees. There are a number of exceptions among the concession-holders. However, when a license fee is not paid, the ABT prevents the forestry certificates of origin (certificado forestal de origen, CFO) from being issued, which immediately forces companies to pay the fee or sign up for an instalments plan. • There are no records or recurrent and proven records of incorrect classification of species and related corruption to avoid reducing the payment of the forest patent (expert consultation 2016). • The cases of incorrect classification of species occur mainly in the forestry census or forest inventories to generate the possibility of managing the obtention of CFO's (forest guides) that allow to take advantage of and commercialize the valuable species of unknown origins. In any of the cases, the purpose of the infringement is not to avoid paying a patent but, on the contrary, to legalize the wood with the CFOs and the respective payment (expert consultation 2016). • The Transparency International Corruption Perceptions Index 2018 for Bolivia was 29 (on a scale from 0 to 100 where a score of 100 is lowest level of corruption) and the country ranked 132 out
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			<p>of 180 countries. This means that there are high levels of perceived corruption in Bolivia.</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as low risk in natural forests. Threshold (1) is met: identified laws are upheld. Cases where law/ regulations are violated are efficiently followed up by the authorities and/ or relevant entities taking preventive actions N/A for forest plantations</p>
1.6 Value added taxes and other sales taxes	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> National Tax (2014): Act N° 843, Version 1.3 (Ley N° 843 Versión 1.3), updated on 30 September 2014. Available at: http://www.impuestos.gob.bo/images/comunicacion/varios/LEY-843-28-11-14.pdf [Accessed on 1 March 2017]: <ul style="list-style-type: none"> Article 1: Introducing the value-added tax (VAT) (Art. 1: Se crea el impuesto al valor agregado (IVA)) Article 3: VAT taxable persons (Art. 3: Sujetos pasivos del impuesto IVA) Article 72: Introducing the transaction tax (IT) (Art. 72: Crea el impuesto a las transacciones (IT)) Supreme Decree (1987): Decree N° 21532 of 27 February 1987, regulating the transaction tax (Decreto Supremo N° 21532 (27 de febrero de 1987): Reglamenta el impuesto a las transacciones). Available at: http://www.lexivox.org/norms/BO-DS-21532.xhtml [Accessed on 1 March 2017]. Supreme Decree (2004): Decree N° 27566 of 11 June 2004, financial transaction tax (Decreto Supremo N° 27566: Impuestos a las transacciones financieras). Available at: 	<p>Government sources</p> <ul style="list-style-type: none"> Ministry of Economy and Public Finance (2012): Tax revenue journal (Boletín de ingresos tributarios). La Paz, Bolivia. Available at: http://www.economiayfinanzas.gob.bo/index.php?opcion=com_contenido&ver=contenido&id=2975&id_item=670&seccion=269&categoria=1561 [Accessed on 1 March 2017]. Ministry of Economy and Public Finance (2014): National Treasury tax statistics (Estadísticas fiscales del TGN). La Paz, Bolivia. Available at: http://www.economiayfinanzas.gob.bo/index.php?opcion=com_contenido&ver=contenido&id=3537&id_item=670&seccion=269&categoria=1561 [Accessed on 1 March 2017]. 	<p>Overview of Legal Requirements</p> <p>Act N° 843: Value-added tax (VAT) (Ley N° 843: Impuesto al valor agregado, IVA): In Bolivia, the value-added tax is collected upon any sale of goods, work contracts, contracts for the provision of services and imports. Added value represents the increase in value of goods and services as they are transformed during production. Legal entities carrying out said operations are subject to this tax. The tax rate is 13% and it applies to both input and output tax. It is paid monthly and the due date varies depending on the last digit of the taxpayer's identification number (NIT is the Spanish acronym).</p> <p>Generally speaking, when raw timber is sold to a sawmill or another intermediary, neither of the transaction parties are subject to tax. Indigenous or rural communities do not issue invoices. These communities are not registered with the the national taxing authority so, according to the applicable law, they are only subject to an 8% tax withholding, which must be subsequently paid by the buyer. Typically, however, this amount is neither withheld nor paid. Based on expert comments, it should be noted that the tax rules establish that companies that purchase goods without invoices from natural persons must retain 8% of the purchase value,</p>

	<p>http://www.lexivox.org/norms/BO-DS-27566.pdf [Accessed on 1 March 2017].</p> <p>Legal Authority</p> <p>National taxing authority (Servicio de impuestos nacionales, SIN)</p> <p>Legally required documents or records</p> <ul style="list-style-type: none"> • Monthly payment forms for the value-added tax (16%) • Monthly payment form for the transaction tax (3 %) 	<p>Non-Government sources</p> <ul style="list-style-type: none"> • Aliaga and Oropeza (2015): Experimental analysis of the Laffer Curve and tax evasion in Bolivia (Análisis experimental de la Curva de Laffer y la evasión fiscal en Bolivia). Latin American economic development journal (Revista Latinoamericana de desarrollo económico). No. 24 La Paz Nov. 201. Available at: http://www.scielo.org.bo/scielo.php?script=sci_arttext&pid=S2074-47062015000200006 [Accessed on 1 March 2017]. • Cossio, F. and Delgadillo, M. (1994). Estimation of evasion in the VAT value-added tax (Estimación de la evasión en el impuesto al valor agregado (IVA)). Available at: http://www.udape.gob.bo/portales_html/AnalisisEconomico/analisis/vol09/art05.pdf [Accessed 9 August 2017]. • Cossio (2006): Report on tax equity in Bolivia (Informe de equidad fiscal de Bolivia). La Paz, Bolivia. Available at: https://mpra.ub.uni-muenchen.de/91343/4/MPRA_paper_91343.pdf [Accessed 1 March 2017]. • Jornadanet.com (2013): Tax evasion (Evasión fiscal) published 17 July 2013. 	<p>which includes 3% of tax on transactions and 5% of tax on profits and must pay this withholding in the bank account of the National Tax Service (SIN). This withholding is the tax paid by the seller for the sale of goods without an invoice. In many cases, the community forest organizations have paid this tax, when the buyer has retained 8% of the price of the wood, although in practice no procedures have been applied to verify that the purchasing company makes the respective bank deposit and complies with the law. Companies that do not comply with this rule risk being fined by the SIN. In order to have timber cut into boards, the forest operator working with sawmills or “barracas” (centre selling boards) must have a taxpayer identification number (Número de Identificación Tributaria, NIT) and shall issue invoices, as they would do for any other good or service. There is no tax preference for the forestry sector or for timber products.</p> <p>Transaction tax (impuesto a las transacciones, IT): This is a tax on economic activities carried out in the national territory, such as trade, industry, professional activities, rent, etc. A “transaction” is any purchase or sale of a good and/or service in Bolivian territory. All individuals and legal entities carrying out any of the above activities are subject to this tax. The transaction tax amounts to 3% of the transaction value. It is paid on a monthly basis. Timber processing plants are subject to the transaction tax. They have taxpayer identification numbers (Número de Identificación Tributaria, NIT) and issue invoices.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • Timber trade in Bolivia is subject to the aforementioned taxes. Invoices must be issued for any sale, and used as the base to estimate the three types of tax. Generally, however, only companies in the formal economy issue invoices. In
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			<p>authority makes it very difficult or impossible to obtain invoices of purchases and sales that are done in these areas, because the businesses are not registered or because they pay local taxes (sometimes bribes) to operate freely.</p> <ul style="list-style-type: none"> • Issuing invoices is not common practice. Interviewed stakeholders confirm there is a legal vacuum regarding timber transactions between rural communities and companies. There is a large gap between the taxes paid by agricultural (USD 0.50/ha) and forestry companies (USD 8/ha). • In conclusion, the risk of non-issuing of invoices and non-payment of national taxes is high. <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: identified laws are not upheld consistently by all entities and/ or are often ignored, and/ or are not enforced by relevant authorities.</p>
1.7 Income and profit taxes	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> • Tax (2014): Act N° 843, Version 1.3 updated on 30 September 2014. Article 36: Introducing the tax on corporate profits. (Ley N° 843, Versión 1.3, Art. 36°: Crea el impuesto a las utilidades de las empresas.) Available at: http://www.impuestos.gob.bo/images/comunicacion/variados/LEY-843-28-11-14.pdf [Accessed on 1 March 2017]. <p>Legal Authority</p> <p>National taxing authority (Servicio de impuestos nacionales, SIN) of the Plurinational State of Bolivia is the only responsible for national tax collection.</p>	<p>Government sources</p> <ul style="list-style-type: none"> • Ministry of Economy and Public Finance (2012): Tax revenue journal (Boletín de ingresos tributarios). Ministry of Finance (Ministerio de Hacienda). La Paz, Bolivia. Available at: http://www.economiafinanzas.gob.bo/index.php?opcion=com_contenido&ver=contenido&id=2975&id_item=670&seccion=269&categoria=1561 [Accessed on 3 March 2017]. • Ministry of Economy and Public Finance (2014): National Treasury tax 	<p>Overview of Legal Requirements</p> <p>Act N° 843 (Ley N° 843) established the corporate profits tax (Impuestos a las Utilidades de Empresas, IUE). This is a tax on the taxable-year-end profits, in accordance to this Act. The tax is only paid when a profit has been made. For the purposes of this Act, “profit” is defined as the interest, gain or benefit obtained from something, such as a good or an investment. The profit is usually included in the Financial Statements listing the result of the activities carried out during the year by an individual or legal entity.</p> <p>This tax is paid by public and private enterprises, including sole proprietorships. The tax rate amounts to 25% of the profit, be it estimated or presumptive. Tax must be paid within 120 days of the end of the taxable year. Indigenous and rural communities pay no tax on their timber sales because they are not registered.</p>

	<p>Legally required documents or records</p> <ul style="list-style-type: none"> • Corporate profits tax (Impuestos a las Utilidades de Empresas, IUE) form • Payment form stamped by the bank 	<p>statistics (Estadísticas fiscales del TGN 2014). Ministry of Finance (Ministerio de Hacienda). La Paz, Bolivia. Available at: http://www.economiayfinanzas.gob.bo/index.php?opcion=com_contenido&ver=contenido&id=3537&id_item=670&seccion=269&categoria=1561 [Accessed on 3 March 2017].</p> <p>Non-Government sources</p> <ul style="list-style-type: none"> • Aliaga and Oropeza (2015): Experimental analysis of the Laffer Curve and tax evasion in Bolivia (Análisis experimental de la Curva de Laffer y la evasión fiscal en Bolivia). Latin American economic development journal (Revista Latinoamericana de desarrollo económico). No. 24 La Paz Nov. 201. Available at: http://www.scielo.org.bo/scielo.php?script=sci_arttext&pid=S2074-47062015000200006 [Accessed on 1 March 2017]. • Cossio (2004): Report on tax equity in Bolivia (Informe de equidad fiscal de Bolivia). La Paz, Bolivia. Available at: http://www.comunidadandina.org/public/libro_EquidadFiscal_bolivia.pdf [Accessed 1 March 2017]. 	<p>However, according to legislation, they should register their companies with the tax authority and issue invoices. Based on expert comments during consultation in 2016, it should be noted that the tax rules establish that companies that purchase goods without invoices from natural persons must retain 8% of the purchase value, which includes 3% of tax on transactions and 5% of tax on profits and must pay this withholding in the bank account of the National Tax Service (SIN). This withholding is the tax paid by the seller for the sale of goods without an invoice. In many cases, the community forest organizations have paid this tax, when the buyer has retained 8% of the price of the wood, although in practice no procedures have been applied to verify that the purchasing company makes the respective bank deposit and complies with the law. Companies that do not comply with this rule risk being fined by the SIN.</p> <p>The source World Resources Institute – Forest Legality Alliance, 2014, was used in order to verify the law and requirements on this matter.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • Like VAT and the transaction tax, the corporate profits tax is a calculated based on sales invoices. Studies by the government and independent researchers show that there is constant tax evasion in Bolivia. Invoice issuance is not a widespread culture yet, especially in the timber business. Aliaga and Oropeza (2015) and Cossio (2004) state that tax evasion in Bolivia is high and estimate it between 35% and 50%, depending on the assessment period. • Consulted experts in 2016, stated that the communities implementing management plans are unable to pay tax. On the one hand, they lack the technical expertise to keep accounts and, on the
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Timber harvesting activities

<p>1.8 Timber harvesting regulations</p>	<p>Applicable laws and regulations</p> <p>APPLICABLE LEGISLATION FOR NATURAL FOREST HARVESTING:</p> <ul style="list-style-type: none"> Forestry Act (1996): Act N° 1700 (Ley forestal N° 1700) of 12 July 1996. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 2 March 2017]: <ul style="list-style-type: none"> Article 13: Conservation easements (Art. 13: Servidumbres ecológicas) Article 26, article 27: Harvesting rights and management plan (Art. 26, Art. 27: Derechos de aprovechamiento y plan de manejo) Article 41 and article 42: Forestry law violations and crimes (Art. 41 y Art. 42: Contravenciones y delitos forestales) Supreme Decree (1996): Decree N° 24453. Regulation of Forestry Act N° 1700 (D.S. N° 24453. Reglamento de la Ley Forestal N° 1700). Available at: http://www.lexivox.org/norms/BO-DS-24453.xhtml [Accessed on 2 March 2017]: <ul style="list-style-type: none"> Article 1: Minimum tree diameter for harvesting (Art. 1: Diámetro mínimo de corta) Articles 30, 35, 36 and 37: Conservation easements (Art. 30, 35, 36 y 37: Servidumbres ecológicas) Article 69: Hunting and silvicultural treatment ban (Art. 69: Prohibición de cacería y tratamientos silviculturales) Supreme Decree (2001): Decree N° 26075 (Decreto Supremo N° 26075) published 16 February 2001. Available at: http://www.lexivox.org/norms/BO-DS-26075.xhtml [Accessed on 2 March 2017]: <ul style="list-style-type: none"> Article 2: Authorising harvesting activities in Permanent Forestry Production Territories 	<p>Government sources</p> <ul style="list-style-type: none"> ABT (2015): Annual Report (Informe Anual 2015) Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras, ABT). Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/informe_anual_2015.pdf [Accessed on 2 March 2017]. ABT (2014, 2012, 2013): Annual Management Report (Informe Anual Gestión 2012 y 2013). Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras, ABT). Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/Memoriaavancesresultados2012-2013.pdf [Accessed on September 2016]. ABT- SBCBI- (2014) Standard for forest certification in special transitory authorizations (ATE) and private properties (Norma para la certificación forestal. 	<p>Overview of Legal Requirements</p> <p>There are several legal requirements for harvesting activities, such as the minimum diameter for tree felling (diámetro mínimo de corta, DMC), leaving 20% of the trees belonging to commercial species standing (seed trees), respecting conservation easements (lands with gradients higher than 45%, protected areas around water bodies), among others.</p> <p>Technical Standard N° 248 of 1998 (Norma Técnica N° 248 de 1998) sets out the minimum diameters for tree felling (DMC). This means that trees below the DMC should not be registered in the tree census and, therefore, shall not be felled. The most common DMC is 50 cm. For fast-growth species, the DMC is often 70 cm, while for some slow-growth species the DMC is 40 cm. 20% seed-tree reserve means that one out of every five trees must be designated as a “seed tree” in the census. Technically speaking, those reserved trees are kept for the next felling cycle (20 years). In the meantime, however, they act as seed trees.</p> <p>Based on the Forests Act No 1700 and technical regulations, there are two types of conservation easements: a) Lands with gradients higher than 45% automatically become conservation easements where tree felling is forbidden, and b) Protected areas around water bodies (e.g. rivers, lakes, wetlands, high wetlands, etc).</p> <p>Another measure taken is the hunting ban. Fauna in tropical forests is abundant. In the past, however, timber industry workers fed on wild animal meat. To stop this, Act N° 1700 (Ley N° 1700) banned hunting and forced employers to purchase meat from farmed animals (beef, pork, etc.) for their workers. Lastly, based on the technical regulation 248/98, if the management plan establishes any silvicultural</p>
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	<p>(TPFP) (Art. 2: Autoriza aprovechamiento forestal en TFPF)</p> <ul style="list-style-type: none"> • Article 3: Authorising forest harvesting activities in protected areas (Art. 3: Autoriza aprovechamiento forestal en áreas protegidas) • Ministerial Order (1997): Order N° 132 of 1997 Technical standard for management plans for areas under 200 hectares (Resolución Ministerial N° 132 de 1997: Norma técnica para planes de manejo en superficie menor a 200 hectáreas). Available at: http://pdf.usaid.gov/pdf_docs/Pnacw448.pdf [Accessed on 2 March 2017]. • Ministerial Order (1997): Order N° 135 of 1997 Technical standard for management plans in the Andean and Chaco regions. (Resolución Ministerial N° 135 de 1997: Norma técnica para planes de manejo en tierras andinas y chaqueñas.). Available at: http://docplayer.es/18496264-Republica-de-bolivia-ministerio-de-desarrollo-sostenible-y-medio-ambiente.html [Accessed on 2 March 2017]. • Ministerial Order N° 136 of 1997 Technical standard for management plans in indigenous community lands (Resolución Ministerial N° 136 de 1997: Norma técnica para planes de manejo en tierras comunitarias indígenas.) https://rportal.net/library/content/libros/normas-tecnicas-tcos.pdf [Accessed on 2 March 2017]. • Ministerial Order (1998): Order N° 248 of 1998 Technical standard for inventories and management plans (Resolución Ministerial N° 248 de 1998: Norma técnica para inventarios y planes de manejo.) Available at: https://www.scribd.com/doc/314916829/Normas-Tecnicas-248-98 [Accessed on 2 March 2017]. • Ministerial Order (2006): Order N° 22 of 2006 Technical standard for management plans of non- 	<p>En autorizaciones transitorias especiales (ATE) y propiedades privadas) (available on paper during expert consultation 2016).</p> <ul style="list-style-type: none"> • ABT- SBCBI- (2015a) Standard for the certification of forests in indigenous communities – peasants (Norma para la certificación de bosques en comunidades indígenas - campesinos) (available on paper during expert consultation 2016). • ABT- SBCBI- (2015b) Standard for the certification of processing centers of forest products (Norma para la certificación de centros de transformación de productos forestales) (available on paper during expert consultation 2016). • ABT- SBCBI- (2015c) Standard for the certification of forest producers and exporters (Norma para la certificación de productores y exportadores forestales) (available on paper during expert consultation 2016). <p>Non-Government sources</p> <ul style="list-style-type: none"> • Chatham House (2016): Illegal Logging Portal, Bolivia. Available at: <a 61="" 645="" 816"="" 958="" href="http://www.illegal- </td> <td data-bbox="> <p>treatment, its application shall be compulsory. However, if the plan does not set out any treatment, the latter shall not be compulsory. One of the most usual treatments, especially among certified companies, is to remove any climbing plants from commercial and seed trees.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • Out of the aforementioned measures (DMC, respecting conservation easements, hunting ban, seed tree felling ban), the hunting ban is most frequently breached (some recent examples were found in Mongabay (2018) and Éxito Noticias (2019)). Hunting control among certified companies is highly efficient, and staff are satisfactorily provided with beef. However, uncertified companies and communities with management plans do not control hunting, although they do not promote it, either. • Silvicultural treatments are set out in the management plans, but they are not widely applied on site. If at all, they are applied to symbolic areas or by certified companies. Other companies barely apply these treatments (Expert interviews conducted in Bolivia, 2016). • Generally speaking, the ABT is not monitoring the application of silvicultural treatments. It simply verifies no unauthorised trees have been cut and no felling has been carried out outside the authorised area, as well as the legal transport of the product (chain of custody) (Expert interviews conducted in Bolivia, 2016). The ABT is betting that this deficiency will be corrected with the validity of the Bolivian Forest and Incentive Certification System approved with administrative resolution RA-ABT-326/2014 responding to this inspection failure (Simple inspections and oriented only to the verification of few variables) (expert consultation 2016). The SBCBI in application of the standards of
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	<p>timber-yielding products (Resolución Ministerial N° 22 de 2006: Norma técnica para planes de manejo de productos no maderables.). Available at: http://www.museonoelkempff.org/cgb/Informacion/normas_tecnicas/CGB_nt_productos_no_maderables.pdf [Accessed on 2 March 2017].</p> <p>LEGISLATION APPLICABLE TO PLANTED FORESTS:</p> <ul style="list-style-type: none"> • Forestry Act (1996): N° 1700 (Ley Forestal N° 1700) Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 2 March 2017]: <ul style="list-style-type: none"> • Article 17: Granting property rights to degraded lands that have been restored through plantations (Art. 17: Concede derecho de propiedad a tierras degradadas rehabilitadas con plantaciones.). • Supreme Decree (1996): Decree N° 24453 (Regulation of Forestry Act N° 1700) (21 December 1996) (D.S. N° 24453. Reglamento de la Ley Forestal N° 1700). Available at: http://www.lexivox.org/norms/BO-DS-24453.xhtml [Accessed on 2 March 2017]. <ul style="list-style-type: none"> • Article 54: Forest canopy ownership in planted forests (Art. 54: Propiedad del vuelo forestal de las plantaciones). • Article 68, Paragraph VI: Planted forest register (Art. 68, Parágrafo VI: Registro de plantaciones forestales). <p>Legal Authority</p> <p>Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras, ABT)</p>	<p>logging.info/regions/bolivia [Accessed 13 February 2017].</p> <ul style="list-style-type: none"> • El Deber (2017): They report the slaughter of wild animals (Denuncian matanza de animales silvestres). Press release. Available at: http://www.eldeber.com.bo/santacruz/Denuncian-matanza-de-animales-silvestres-20170125-0013.html [Accessed on 9 August 2017]. • Espinosa, S., Dredner, J. y Chavez, C. (2014): Illegal hunting during chestnut harvesting in the Manuripi Wildlife Reserve 2: determinants and policy options (Opciones de gestión para reducir la cacería ilegal: El caso de la Reserva de Vida Silvestre Amazónica Manuripi, Bolivia). Available at: http://docplayer.es/44025091-Opciones-de-gestion-para-reducir-la-caceria-ilegal-el-caso-de-la-reserva-de-vida-silvestre-amazonica-manuripi-bolivia.html [Accessed on 9 August 2017]. • Pacheco, P. (2003): The Bolivian forest regime (El régimen forestal Boliviano). Recursos Naturales y Ambiente N° 49-50:58-6. Available at: http://www.cifor.org/publications/pdf_files/articles/APacheco 	<p>certification has been able to evaluate the performance from the exploitation in forest until the commercialization of the product to the different types of users, considering integrally the verification in situ of aspects of legal, technical forest, environmental and social nature. However, the SBCBI, in evaluating the performance of the certification standards, does not have coercive or mandatory attributions in case of non-compliance with silvicultural treatments or another issue, the system allows it to establish only non-conformities for follow-up and a rating for its performance, same as the company can meet or not meet them in the scope of the SBCBI. On the other hand, the SBCI is not conducting follow-up audits, there are cases in which more than 3 years have passed since the initial audit, where non-compliance could be identified in several issues (such as forestry) and there is no evidence of compliance, nor is there has been defined until the date of programming of follow-up audits (ABT- SBCBI- (2014), ABT- SBCBI- (2015a), ABT- SBCBI- (2015a) and ABT- SBCBI- (2015c)).</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: identified laws are not upheld consistently by all entities and/ or are often ignored, and/ or are not enforced by relevant authorities.</p>
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	<p>Legally required documents or records</p> <p>I. FOR NATURAL FOREST HARVESTING FOLLOWING MANAGEMENT PLANS:</p> <ul style="list-style-type: none"> • ABT-approved Annual Operational Forestry Plan (Plan Operativo Anual Forestal, POAF) • Decision approving the POAF • Landing report • Marking the trees above the minimum diameter for tree felling as apt for harvesting • Conservation of seed trees • Ban on wild fauna hunting • Forestry Certificate of Origin (Certificado Forestal de Origen, CFO) • Annual POAF report (harvesting results) <p>II. FOR HARVESTING UNDER LAND CLEARING PLANS:</p> <ul style="list-style-type: none"> • ABT-approved Land Clearing Plan • Landing report • Forestry Certificate of Origin (Certificado Forestal de Origen, CFO) • Informe de conclusión de plan de desmonte <p>III. FOR PLANTED FOREST HARVESTING:</p> <ul style="list-style-type: none"> • ABT-approved harvesting request • Forestry Certificate of Origin (Certificado Forestal de Origen, CFO) 	<p>0701.pdf [Accessed on 1 March 2017].</p> <ul style="list-style-type: none"> • Transparency International (2018). Corruption Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019]. • World Resources Institute (2014): Forest Legality Alliance Risk Tool, Bolivia. Available at: http://www.forestlegality.org/ri-sk-tool/country/bolivia [Accessed on 13 February 2017]. • Mongabay (2018). Species trafficking in Bolivia: confiscate pieces of wild animals valued at one million dollars (Tráfico de especies en Bolivia: confiscan piezas de animales silvestres valoradas en un millón de dólares). Available at: https://es.mongabay.com/2018/02/jaguares-trafico-bolivia-especies-amenazadas/ • Éxito Noticias (2019). Santa Cruz: Commercialize meat of wild animals for consumption (Santa Cruz: comercializan carne de animals silvestres para el consume) . Available at: https://www.exitonoticias.com.bo/articulo/nacional/santa-cruz-comercializan-carne- 	
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		<p>animales-silvestres-consumo/20190125124534018084.html</p> <p>Interviews with experts Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	
1.9 Protected sites and species	<p>Applicable laws and regulations</p> <p>NATIONAL LEGAL FRAMEWORK:</p> <ul style="list-style-type: none"> • Constitution of Bolivia (2009): published on 7 February 2009 Article 298, 302, 304, Chapter 7: Biodiversity, coca, protected areas and forest resources - part III: Article 385 (Constitución Política del Estado, Art 298; 302; 304; Capítulo séptimo: Biodiversidad, coca, áreas protegidas y recursos forestales- sección III: Art 385.) Available at: http://www.lexivox.org/norms/BO-CPE-20090207.html [Accessed on 3 March 2017]. • Forestry Act (1996): Act N° 1700 published on 12 July 1996. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 2 March 2017]: <ul style="list-style-type: none"> • Article 12, III. Protective conservation easements (Ley forestal N° 1700, Art. 12, III: Servidumbres ecológicas de protección). • Forestry Act (2012): Act N° 300 published on 15 October 2012 - Legal Framework for Mother Earth and Integral Development for a Good Life. Available at: http://www.harmonywithnatureun.org/content/documents/157Bolivia Ley 300.pdf [Accessed on 2 March 2017]. 	<p>Government sources</p> <ul style="list-style-type: none"> • Cibioma (2012): Red Book on Endangered Flora in Bolivia, Volume I - Andean region (Libro rojo de la flora amenazada de Bolivia - Volumen I- Zona Andina) Available at: https://www.researchgate.net/profile/Margoth_Atahuachi/publication/260551402_Libro_rojo_de_la_flora_amenazada_de_Bolivia_Volumen_I_-_Zona_Andina/links/570707d208aefb22b09349fe/Libro-rojo-de-la-flora-amenzada-de-Bolivia-Volumen-I-Zona-Andina.pdf [Accessed on 2 March 2017]. • Global Forest Atlas (2016): Forest Governance Bolivia. Available at: 	<p>Overview of Legal Requirements</p> <p>According to Act N° 1333 on the Environment, Chapter VI (Ley N° 1333 del Medio Ambiente, Capítulo VI), flora and fauna, especially endemic species, restricted distribution species and threatened or endangered species, must be conserved, protected and restored. Article 111 of the aforementioned Act states that unauthorised hunting and/ or trade of fauna products is an environmental offence.</p> <p>The Law 1700 establishes on the Article 12 (Land Classes): The following land classes are recognized according to the appropriate use that corresponds to their characteristics:</p> <ol style="list-style-type: none"> a. Protection lands; b. Land of permanent forest production; c. Land with forest cover suitable for various uses; d. Land rehabilitation; e. Immobilization lands <p>Land must be used according to its capacity for greater use, regardless of its property or tenure regime, unless it</p>

	<ul style="list-style-type: none"> • Article 23: Preserving biological and cultural diversity. (Ley N° 300: Ley Marco de la Madre Tierra y Desarrollo Integral para Vivir bien. Art. 23: Conservación de la diversidad biológica y cultural.) • Supreme Decree (1996): Decree N° 24453 (Decreto Supremo N° 24453). Available at: http://www.lexivox.org/norms/BO-DS-24453.xhtml [Accessed on 21 December 1996]. • Article 35: Types of conservation easements (Art. 35: Tipos de servidumbres ecológicas) • Article 41: Private natural reserves constitute conservation easements (Art. 41: Reservas privadas del patrimonio constituyen servidumbres ecológicas) • Article 43: Right to protect conservation easements by closing them to third parties (Art. 43: Derecho a proteger las servidumbres cerrado el paso a terceros) • Article 69: Ban on wild fauna hunting (Art. 69: Prohibición de la cacería de la fauna silvestre) • Constitution of Bolivia (1975): Decree on Wildlife, National Parks, Hunting and Fishing, Act N° 12301 of 14 February 1975. Articles 1, 5, 7, 28, 31, 32, 33, 40, 70, 71, 99 (Decreto Ley Vida Silvestre, Parques Nacionales, Caza y Pesca, Ley N° 12301, 14 de febrero de 1975. Art. 1; 5; 7; 28; 31; 32; 33; 40; 70; 71; 99.) [Accessed on 3 March 2017]. • Constitution of Bolivia (1992): Act N° 1333 on the Environment (Ley N° 1333 de Medio Ambiente) of 23 March 1992. Available at: http://www.ine.gob.bo/indicadoresddhh/archivos/alimentacion/nal/Ley N° 1333.pdf [Accessed on 3 March 2017]. • Constitution of Bolivia (1997): General regulations for protected areas, Supreme Decree N° 24781 (Reglamento general de áreas protegidas - Decreto Supremo N° 24781) published 31 July 1997. Available at: http://www.lexivox.org/norms/BO-RE-DS24781.xhtml [Accessed on 3 March 2017]. 	<p>http://globalforestatlas.yale.edu/amazon/forest-governance/bolivia [Accessed on 2 March 2017].</p> <ul style="list-style-type: none"> • Sernap (2015): Protected areas in Bolivia (Áreas Protegidas en Bolivia). Available at: http://sernap.gob.bo/?cat=8 [Accessed on 2 March 2017]. • Ministry of Environment and Water (Ministerio de Medio Ambiente y Agua) (2017) Strategy for the integral management of wetlands in Bolivia (Estrategia para la gestion integral de humedales en Bolivia) Available at: https://www.mmaya.gob.bo/uploads/libros/Estrategia%20para%20la%20gestion%20integral%20de%20los%20humedales%20en%20Bolivia.pdf [Accessed on 8 May 2019]. <p>Non-Government sources</p> <ul style="list-style-type: none"> • Friends of Nature Foundation (2012): Analysis of gaps in representation in the Bolivian national protected areas system (Análisis de vacíos de representatividad del sistema nacional de áreas protegidas de Bolivia). Available at: http://www.fan-bo.org/que-hacemos/ciencias/planificacion-para-la-conservacion/planificacion-a- 	<p>is a change of agricultural or livestock use to forestry or protection.</p> <p>Also, the article 13 establishes as Protection Lands all the lands, fringes and spaces in private property that according to the regulations in force at the date of enactment of this law and those established by its regulations are defined as protection and, in their case, subject to mandatory protective reforestation, they constitute perpetual ecological administrative easements. The protection areas of forest concessions constitute ecological reserves subject to the same limitations as easements.</p> <p>Likewise, the General Regulation of the Forest Law 1700 establishes:</p> <p>Article 40.- In addition to the criteria established on the subject in the terms of reference, guidelines and protocols, ecological reserves are the following: a) Hillside with more than 45% slope. However, on hillside between 45% and 60% of slope with slightly deleterious soils, forest activities may be permissible under appropriate systems of use, in accordance with the specific provisions of the Annual Operating Plan. b) The nesting areas of colonial birds or other areas of special biological importance technically identified and 100 meters from its periphery. c) 50 meters from the periphery of wetlands of significant size (swamps, curichis and other waterlogged areas), as well as any larger bodies of water (rivers, lagoons, lakes), and 10 meters per side in bodies of water. Minor water (streams and streams).</p> <p>Technical Standard N° 248 of 1998, paragraph 1.1 (Norma Técnica N° 248 de 1998, párrafo 1.1.), acknowledges the fulfilment of the environmental impact mitigation measures as set out in Act N° 1333 (Ley N° 1333).</p> <p>The Regulations established by the Act on the Environment (Ley del Medio Ambiente) define "mitigation measure" as the implementation or</p>
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	<ul style="list-style-type: none"> • Constitution of Bolivia (1990): Permanent General Hunting Ban, Supreme Decree N° 22641 (Veda General Indefinida, Decreto Supremo N° 22641) published on 8 November 1990. Available at: http://www.lexivox.org/norms/BO-DS-22641.xhtml [Accessed on 2 March 2017]. • Constitution of Bolivia (1999): Supreme Decree N° 25458, Ratifying the Permanent General Hunting Ban (Decreto Supremo N° 25458, Ratifica la Veda General e Indefinida) published on 21 July 1999. Available at: http://www.lexivox.org/norms/BO-DS-25458.xhtml [Accessed on 2 March 2017] • ABT - TECHNICAL INSTRUCTIVE IDF-005/2006 (can be requested to ABT as it is not available on the internet) • Ministerial Order (1998): Order N° 248 of 1998 Technical standard for inventories and management plans (Resolución Ministerial N° 248 de 1998: Norma técnica para inventarios y planes de manejo.) Available at: https://www.scribd.com/doc/314916829/Normas-Tecnicas-248-98 [Accessed on 2 March 2017]. • Ministerial Order N° 136 of 1997 Technical standard for management plans in indigenous community lands (Resolución Ministerial N° 136 de 1997: Norma técnica para planes de manejo en tierras comunitarias indígenas.) https://rportal.net/library/content/libros/normas-tecnicas-tcos.pdf [Accessed on 2 March 2017]. • Ministerial Order (1997): Order N° 135 of 1997 Technical standard for management plans in the Andean and Chaco regions. (Resolución Ministerial N° 135 de 1997: Norma técnica para planes de manejo en tierras andinas y chaqueñas.). Available at: http://docplayer.es/18496264-Republica-de-bolivia-ministerio-de-desarrollo-sostenible-y-medio-ambiente.html [Accessed on 2 March 2017]. • Ministerial Order (1997): Order N° 132 of 1997 Technical standard for management plans for areas 	<p>escala-de-areas-protegidas-o-unidades-de-conservacion/analisis-de-vacios-de-representatividad-del-sistema-nacional-de-areas-protegidas-de-bolivia/ [Accessed on 2 March 2017].</p> <ul style="list-style-type: none"> • M. Quintanilla and Larrea, D. (2014): Wetlands of international importance in Bolivia (Humedales de importancia internacional en Bolivia). Available at: http://www.fan-bo.org/wp-content/files/R-1_Humedales.pdf [Accessed on 2 March 2017]. • Transparency International (2018). Corruption Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019]. • World Resources Institute (2014): Forest Legality Alliance, Risk Tool, Bolivia. Available at: http://www.forestlegality.org/risk-tool/country/bolivia [Accessed on 13 February 2017]. • Urioste, A. (2010): Deforestation in Bolivia. A Threat greater than climate change (Deforestación en Bolivia una amenaza mayor al cambio climático). FAN. Santa Cruz, Bolivia. Available 	<p>application of any policy, strategy, work or action aimed at eliminating or minimizing the adverse impact caused by the development of a project in any of its stages. An Environmental Implementation and Monitoring Plan (Plan de Aplicación y Seguimiento Ambiental) must be drawn up in order to monitor the implementation of said measures. Mitigation measures must be included in the forest management plan.</p> <p>According to Technical Standard N° 248 of 1998 (Norma Técnica N° 248 de 1998), Technical Standard N° 136 of 1997 (Norma Técnica N° 136 de 1997), Technical Standard N° 135 of 1997 (Norma Técnica N° 135 de 1997) and Technical Standard N° 132 of 1997 (Norma Técnica N° 132 de 1997), 20% of the commercial species trees in the harvesting area must be marked as residuals (also known as seed trees). Act N° 1333, Article 29 (Ley N° 1333, Art. 29º) sets out that the State shall promote treaties and international action for flora and fauna preservation, conservation and control in protected areas, basins and/ or transnational ecosystems.</p> <p>The Regulations established by Forestry Act N° 1700, article 69, paragraph b.9 (Ley Forestal N° 1700, Art. 69, punto b.9), set out that the company “shall have specific guidelines regarding wildlife, such as bans on hunting and fishing, no supply of ammunition by the company, bans on poison fishing with barbasco and dynamite fishing, bans of transport of wild animals and products thereof”.</p> <p>The Convention on International Trade in Endangered Species of Wild Fauna and Flora (Convención sobre el comercio internacional de especies amenazadas de Fauna y Flora Silvestre, CITES) regulates trade of wildlife specimens and products among member countries. CITES has drawn up three lists (Appendices) of flora and fauna species. Appendix I lists species threatened with extinction and whose trade is strictly regulated. Appendix II includes species that are not</p>
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	<p>under 200 hectares (Resolución Ministerial N° 132 de 1997: Norma técnica para planes de manejo en superficie menor a 200 hectáreas). Available at: http://pdf.usaid.gov/pdf_docs/Pnacw448.pdf [Accessed on 2 March 2017].</p> <ul style="list-style-type: none"> • Law of Bofedales 404 (2013) (Ley de Bofedales 404). Available at: https://www.lexivox.org/norms/BO-L-N404.pdf [Accessed on 7 June 2019]. <p>INTERNATIONAL LEGAL FRAMEWORK:</p> <ul style="list-style-type: none"> • Ramsar Convention (1971): Convention on Wetlands of International Importance, Especially as the Habitat of Waterfowl (Convenio RAMSAR - Convención relativa a los Humedales de Importancia Internacional, especialmente como hábitat de aves acuáticas). Signed in Ramsar, Iran, on 2 February 1971 and ratified by means of Act N° 2357 (Ley N° 2357) of 7 May 2002. Available at: http://www.lexivox.org/norms/BO-L-2357.pdf [Accessed on 2 March 2017]. • Convention on Biological Diversity (1994): Convenio de Diversidad Biológica signed in Rio de Janeiro, Brazil, in 1992, and ratified by means of Act N° 1580 (Ley N° 1580) of 25 July 1994. Available at: http://www.lexivox.org/norms/BO-L-1580.xhtml [Accessed on 2 March 2017]. • Cartagena (2001): Protocol on Biosafety signed in Montreal, Canada, in 2000 and ratified by means of Act N° 2274 (Ley N° 2274) on 22 November 2001. Available at: http://www.lexivox.org/norms/BO-L-2274.xhtml [Accessed on 2 March 2017]. • International Tropical Timber Agreement (1994): Signed in Geneva in 1994 and ratified by means of Act N° 1652 (Ley N° 1652) of 13 July 1995, with the aim to create a framework for the cooperation of tropical timber producer countries and the promotion of international trade, the preservation of tropical forests 	<p>at: http://library.fes.de/pdf-files/bueros/bolivien/07570.pdf</p> <ul style="list-style-type: none"> • La Prensa (2012). Nuts is a leader in exporting (La nuez es líder en la exportación). Available at: http://www.laprensa.com.bo/diario/actualidad/economia/20120702/la-nuez-es-lider-en-la-exportacion_28635_45739.html • Friends of Nature Foundation (FAN) (2012) Map of deforestation of the lowlands and the yungas of Bolivia 2000- 2005-2010 (Mapa de Deforestación de las Tierras Bajas y Yungas de Bolivia 2000-2005-2010). Projection System of Geographic Coordinates, Datum WGS84, Available at: http://www.fan-bo.org/mapa-de-deforestacion-de-las-tierras-bajas-y-yungas-de-bolivia-2000-2005-2010/ • Rumiz D., Mostacedo B (2015) Estimated State of Conservation of Chiquitania Wood Species in Bolivia (Estado de conservación de las especies maderables de la Chiquitania, Bolivia) Available at: https://es.slideshare.net/confauna/mostacedo-y-rumiz • Mongabay (2017). Wetlands in Bolivia: ecosystems 	<p>threatened, but whose trade must be strictly regulated so as to prevent overexploitation. Appendix III lists species at the request of a member country in order to prevent or place restrictions on their exploitation. Based on Act No. 1255, in order to export CITES forest species, an export permit must be granted by CITES in the framework of the management plan. There are no legal requirements for domestic trade.</p> <p>The Convention on Biological Diversity, article 7 (Convenio de Diversidad Biológica, Art. 7), sets out that the States shall identify components of biological diversity in ecosystems and habitats containing high diversity, large numbers of endemic or threatened species, or wilderness; required by migratory species; of social, economic, cultural or scientific importance; or, which are representative, unique or associated with key evolutionary or other biological processes. Article 7 also states that processes and categories of activities which have significant adverse impacts on conservation and sustainable use of biological diversity shall be identified and their impact shall be monitored through sampling and other techniques.</p> <p>The regulation for protected areas, Supreme Decree N° 24781, mentions:</p> <p>Article 3.- The management and administration of the Protected Areas (PAs) has the following objectives:</p> <ol style="list-style-type: none"> 3.1.- Contribute to the conservation of the natural heritage and biodiversity of the country by establishing a SNAP (Bolivia's National System of Protected Areas). 3.2.- Ensure that the planning and management of the PAs are carried out in compliance with diversity conservation policies and objectives biological of Bolivia. 3.3.- Guarantee the effective and responsible participation of the regional population and local in the consolidation and management of the PAs. 3.4.- Ensure that the management and conservation of the PAs contribute to the improvement of the quality of life of the local population and regional development.
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	<p>and the genetic resources thereof. Available at: http://www.lexivox.org/norms/BO-L-1652.pdf [Accessed on 2 March 2017].</p> <ul style="list-style-type: none"> • CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora): signed in Washington in 1973 and ratified by means of Act N° 1255 (Ley N° 1255). Available at: http://www.lexivox.org/norms/BO-L-1255.xhtml [Accessed on 2 March 2017]. • CITES (2016): flora list I, II and III updated on 10 March 2016. Available at: https://cites.org/eng/app/appendices.php [Accessed on 2 March 2017]. • Vicuña Conservation and Management Convention (1980): Signed in December 1979, ratified on 30 September 1980. Available at: http://www.serfor.gob.pe/wp-content/uploads/2015/12/Convenio_Conservación_Ma-nejo_Vicuña.pdf [Accessed on 2 March 2017]. • CMS, Convention on the Conservation of Migratory Species of Wild Animals (1979): Signed in Bonn in 1979, the Convention came into force on 1 November 1983. Ratified by means of Act N° 2352 (Ley N° 2352) of 7 May 2002. Available at: http://www.lexivox.org/norms/BO-L-2352.pdf [Accessed on 2 March 2017]. <p>Legal Authority</p> <ul style="list-style-type: none"> • Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras, ABT) • The Environment and Water Ministry (Ministerio de Medio Ambiente y Agua) is in charge of defining Bolivian forestry policy, as well as the national general forest regime. The Ministry includes a Vice-Ministry for the Environment, Biodiversity, Climate Change and Forest Management and Development (Viceministerio 	<p>threatened by mining, pollution and drought (Humedales en Bolivia: ecosistemas amenazados por la minería, la contaminación y la sequía). Available at: https://es.mongabay.com/2017/02/humedales-bolivia-ecosistemas-amenazados-la-mineria-la-contaminacion-la-sequia/</p> <ul style="list-style-type: none"> • Diario Nacional Independiente Página Siete (2018). From the impact of mega-operations to subjugation threaten the "protected" áreas (Desde impacto de megaobras hasta avasallamientos amenazan a las áreas "protegidas") Available at: https://www.paginasiete.bo/nacional/2018/11/26/desde-impacto-de-megaobras-hasta-avasallamientos-amenazan-las-areas-protegidas-201289.html# <p>Interviews with experts</p> <p>Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>3.5.- Develop the capacities of the local and regional population to be in condition to support and carry out the planning, management and conservation of PAs.</p> <p>Managements plans (MP) on PAs (protected areas)</p> <p>Article 28.- It is the fundamental instrument of planning and management that defines and contributes to the management and conservation of PA resources and contains the guidelines and policies for area management, management modalities, assignments of uses and activities allowed with subject to the provisions of this Regulation.</p> <p>The MPs contain instructions for the protection and integral development of PAs through evaluations of all the resources that contain it, expressed in a diagnosis that serves as a basis for zoning and management objectives and strategy of the area.</p> <p>Article 29.- The maximum authority of PAs may hire professionals specialized for the elaboration of the PM, who will submit their work to the legal norms of operation of the area, the terms of reference and the Regulation, as well as the supervision by the National Directorate for the Conservation of Biodiversity (Dirección Nacional de Conservación de la Biodiversidad (Spanish acronym DNCB) or Prefecture of the Department through the Departmental Secretariat of Sustainable Development (Secretaría Departamental de Desarrollo Sostenible) and the Director of the Area.</p> <p>Article 30.- In the absence of MP, the Area Director based on studies technicians may request the preliminary zoning of the area for consideration and approval or denial by the NA or DA.</p> <p>The Ramsar Convention's mission is the conservation and wise use of all wetlands through local, regional and national action and international cooperation, as a contribution towards achieving sustainable development throughout the world. Bolivia is the country with the largest area of wetlands designated under the Convention, over 148,000 km².</p>
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	<p>de Medio Ambiente, Biodiversidad, Cambios Climáticos y de Gestión y Desarrollo Forestal), within which the Directorate-General for Biodiversity and Protected Areas (Dirección General de Biodiversidad y Áreas Protegidas, DGBAP) and the Directorate-General for Forest Management and Development (Dirección General de Gestión y Desarrollo Forestal) are found. The latter is in charge of forestry policy.</p> <ul style="list-style-type: none"> • The National Forest Development Fund (Fondo Nacional de Desarrollo Forestal, FONABOSQUE) was set up by means of Forestry Act N° 1700 (Ley Forestal N° 1700), of 12 July 1996. It was conceived as a public body under supervision of the Environment and Water Ministry (Ministerio de Medio Ambiente y Agua) and its aim is to promote funding for the sustainable use and conservation of forests and forest land. • Directorate for the Conservation of Biodiversity (Dirección Nacional de Conservación de la Biodiversidad (Spanish acronym DNCB) • Prefecture of the Department through the Departmental Secretariat of Sustainable Development (Secretaría Departamental de Desarrollo Sostenible) <p>Legally required documents or records</p> <ul style="list-style-type: none"> • Annual operational forestry plan (plan operativo anual forestal, POAF) • POAF operational maps of trees apt for harvesting 		<p>The Legal Framework that supports and justifies the subject of Wetlands in the Country (Ministry of Environment and Water (2017)), is the Political Constitution, the Law of Laws, which not only frames the binding legal contents, but also marks the strategic lines to understand, legislate and project the theme of the wetlands. The mandate is very clear: the State must guarantee the priority use of water for life. Additionally, the theme is complemented with The Law of Mother Earth and others, such as:</p> <p>It is the duty of the State to manage, regulate, protect the proper use of water resources (Art 374 CPE- Constitución Política de Estado - Political Constitution) The fossil waters, glaciers, wetlands, others are priorities for the State that will guarantee sustainable use and integral management (Art 374 CPE) Living well through the integral development of water (Art 27 of Law 071 of Mother Earth) Right to water, to the preservation of water cycles, of their existence in quantity and quality to sustain life systems (Law 071)</p> <p>The State Priority is the recovery, conservation, use and sustainable use of bofedales to protect life systems (Art 1, Law of Bofedales 404).</p> <p>The Forest law 1700 on the article 2, includes the objective for a sustainable forest management, including on the point c) Protect and rehabilitate watersheds, prevent and stop the erosion of land and the degradation of forests, grasslands, soils and waters, and promote afforestation and reforestation. The TECHNICAL INSTRUCTIVE IDF-005/2006 establish the on-site control by the ABT regarding the conservation of the protected species <i>Swietenia macrophylla</i>.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • The State controls the traffic of both endemic and endangered plant and animal species through the
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			<p>environmental secretariats of the governorates. According with expert consultation, in Bolivia, hunting and commercialization of wild animals are sanctioned by the Environmental Law and the Political Constitution of the State. The law can establish penalties between two and four years, but the reality is that to date no person went to prison for these crimes, generally receive substitute measures or minor penalties. Based on expert consultation, the traffic of both endemic and endangered plant and animal species is a common practice within the national area.</p> <ul style="list-style-type: none"> • In interviews with experts it was made clear that on-site control regarding the conservation of protected species or areas is non-existent. For the case of the <i>Swietenia macrophylla</i> by the ABT, the TECHNICAL INSTRUCTIVE IDF-005/2006 is applied in view of the fact that this species is in Appendix II of CITES. It was also shown that there is no on-site control of the mitigation measures included in the forest management plan for the monitoring and implementation of the Environmental Implementation and Monitoring Plan (Plan de Aplicación y Seguimiento Ambiental). • The areas that make up Bolivia's National System of Protected Areas comprise a set of 49 nationally and departmentally protected areas legally constituted, covering a total area of approximately 22.5% of the national territory (Sernap (2015)). The current legislation establishes the management mechanisms for national and departmental protected areas (Global Forest Atlas (2016)), while there are still several legislative gaps regarding the management of municipal protected areas (expert consultation in October 2016). In general, the main threat to the areas surrounding protected areas; threatened species; areas with concentrations of endemism and / or high density, relics and special areas; seasonal or temporal critical concentrations
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			<p>of RTE species, is deforestation and degradation occurring in all of Bolivia's forested ecosystems, mainly in the Amazon forest, transition forest, dry Chiquitano forest, sub-Andean forest and Chaco. The expansion of the agricultural frontier in Bolivia will be the main cause of deforestation and is estimated to surpass 33 million hectares of forest by 2100 (Urioste, 2010). From 1970-2005, logging in Bolivia grew from 140,000 to 281,283 hectares, with 76 percent concentrated in the Department of Santa Cruz. Deforestation reached extensive areas of Beni, Pando and northern La Paz, including into its protected areas (Apolobamba, Cotapata, Isiboro Sécure, Manuripi, Beni Biological Bio Station Biosphere Reserve, Pilón Lajas Biosphere Reserve and Indigenous Communal Lands (TCO), and Madidi National Park and Integrated Management Area. In the midst of deforestation, there is logging, illegal settlement of settlers, poaching, among others.</p> <ul style="list-style-type: none"> • Based on Diario Nacional Independiente Página Siete (2018), currently there are large projects such as hydroelectric and mining and hydrocarbon exploitation that are in development in national protected areas and that bring great threats to them, such as illegal enslavement, deforestation and others. • Clearing has also been targeted on selected species that are commercialized through smuggling – and this illegal logging has also led to the near extinction of the Mara (<i>Swietenia macrophylla</i>) in the Amazonian north (La Prensa, 2012). According to the study "Map of Deforestation of the Lowlands and Yungas of Bolivia 2000-2005-2010" (FAN, 2012), the forests of the national parks Amboró, Carrasco, and TIPNIS have suffered the greatest loss of forests, which were replaced for coca cultivation for drug trafficking.
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			<ul style="list-style-type: none"> • According to the Red Book on Endangered Flora in Bolivia (Cibioma (2012)), in the Andean zone of Bolivia 897 plant species have been registered subject to different degrees of threat. However, it does not consider commercial species growing in the lowland region. There is no record for the Amazon region since the Red Book II of the Amazon region is in preparation and the date of publication is unknown. • The study Estimated State of Conservation of Chiquitania Wood Species in Bolivia (Rumiz D., Mostacedo B., 2015) identified 7 species considered as Vulnerable, 12 species as Near Threatened, and 14 species of Least Concern. The legal or illegal overexploitation, deforestation and fires would be the most important threats to the sustainability of this timber resource. • Based on Global Forest Atlas (2016), the region of Santa Cruz has greater transportation infrastructure and has seen increased levels of deforestation over the past several decades. Protected areas are found to be effective against large scale agriculture but not against small holder deforestation and cattle ranching. • In relation to the Conservation of Wetlands, in 2015, Bolivia has 11 wetlands included on the RAMSAR list, which covers 13.5% of the national territory, positioning the country as one of the countries with the largest number of wetlands worldwide. • Based on Mongabay (2017), management and harvesting activities in RAMSAR sites overlapping with protected areas are low risk because these areas are under management by SERNAP and there are no forest management harvesting activities in these areas: <ul style="list-style-type: none"> ✓ Bañados del Izozog ✓ Parapetí River (No. 6 on Ramsar Sites Map), and
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			<p>✓ Palmar of the San José Salinas Islands (No. 7 on Ramsar Sites Map) located within the National Park and Natural Area of Integrated Management Kaa Iya in the Gran Chaco.</p> <p>According to Mongabay (2017) the conservation of RAMSAR sites is now assured, mainly because many of the wetlands are within protected areas (approximately 50%), as is the case with the Ramsar sites Bañados del Izozog, Río Parapetí and Palmar de las Salinas Islands of San José. However, in most cases there is strong pressure or threats, such as the agricultural frontier, burning, livestock.</p> <p>The RAMSAR Rio Matos, Rio Yata and Rio Blanco sites are located in the Amazon basin, specifically in the Department of Beni (outside the protected areas). On these sites, economic activities such as agriculture (unproductive, unsuitable soils) are developed, as well as logging, rubber, chestnut and subsistence fishing (Mongabay (2017)).</p> <p>In the Department of Santa Cruz, the Concepción lagoon, it is occupied, in large part of its extension by cattle ranches, which are dedicated to the extensive breeding of cattle, occupying the lagoon as a natural source of water for livestock and even for the consumption of the inhabitants bordering the lagoon (cited on Ministry of Environment and Water (Ministerio de Medio Ambiente y Agua) (2017) Strategy for the integral management of wetlands in Bolivia (Estrategia para la gestion integral de humedales en Bolivia))</p> <p>In the Endorheic Basin, there are the RAMSAR sites of Lake Titicaca, Lake Poopó and Uru Uru, Los Lipez and Laguna Colorada. This basin has economic importance because they are sources of water for productive activities, livestock, irrigation</p>
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			<p>for many Andean crops, and in the case of Titicaca, an economically fundamental fishing center. This zone presents some sectors with suitable agroclimatic conditions for the production of quinoa, beans, potatoes, oca and others, which is the main economic activity. Cattle and sheep farming is another important economic activity, but to a lesser extent than agriculture (cited on Ministry of Environment and Water (Ministerio de Medio Ambiente y Agua) (2017) Strategy for the integral management of wetlands in Bolivia (Estrategia para la gestion integral de humedales en Bolivia)).</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
1.10 Environmental requirements	<p>Applicable laws and regulations</p> <p>NATIONAL LEGAL FRAMEWORK:</p> <ul style="list-style-type: none"> State Political Constitution (2015): Articles 343, 347. Available at: http://www.harmonywithnatureun.org/content/documents/159Bolivia Consitucion.pdf [Accessed on 2 March 2017]. Act on Mother Earth and Comprehensive Development for Wellbeing (2012) (Ley de la Madre Tierra y Desarrollo Integral para el Bienestar): Act 300- 15 October 2012 Framework. Available at: http://www.harmonywithnatureun.org/content/documents/157Bolivia Ley 300.pdf [Accessed on 2 March 2017]: <ul style="list-style-type: none"> Article 9 (rights); Article 10 (obligations of the state); Article 12 (aims of wellbeing through 	<p>Non-Government sources</p> <ul style="list-style-type: none"> Los Tiempos (2011): One third of the Territory of Bolivia is critically degraded (Un tercio del territorio de Bolivia está gravemente degradado). Press release. Available at: http://www.opinion.com.bo/opinion/articulos/2011/0626/noticias.php?id=15406 [Accessed on 9 August 2017] Palacios, M. (2005): Compilation of national and regional environmental regulations in Bolivia since 1980, and an assessment of compliance with legal 	<p>Overview of Legal Requirements</p> <p>The new Political Constitution of Bolivia defines the framework for environmental rights and obligations for citizens, organizations and authorities. Environmental Act No. 1333 in Article 1 declares the protection and conservation of the environment to be a main objective, with a view to improving quality of life for the population. The regulation of this Act (Supreme Decree 27173) sets out the obligation to carry out environmental impact assessment studies on any project or productive activity. In Supreme Decree 28592 supplementary regulations were approved to update environmental licenses and the institutional framework. Supreme Decrees 267075 and 28499 of complemented and modified the regulations of the Environmental Law, for improved auditing and application of environmental audits.</p>

	<p>comprehensive development) (Objetivos de bienestar a través del desarrollo integral); Article 15 (establishing non-polluting productions processes that respect Mother Earth’s capacity to regenerate, in the light of public interest) (Establecer procesos de producción no contaminantes que respeten la capacidad de regeneración de la Madre Tierra, a la luz del interés público); Article 16 (conserving the components, areas and life systems of Mother Earth in the framework of comprehensive sustainable development) (Conservar los componentes, áreas y sistemas de vida de la Madre Tierra en el marco del desarrollo integral integral); Article 23 (conserving biological and cultural diversity) (Conservando la diversidad biológica y cultural); Article 25 (Forests)</p> <ul style="list-style-type: none"> • Gaceta Oficial de Bolivia (1992): Act 1333 on the Environment published 23 March 1992. Available at: http://www.ine.gob.bo/indicadoresddhh/archivos/alimentacion/nal/Ley_Nº_1333.pdf [Accessed on 2 March 2017]. • Colegio de Ingenieros Forestales (2006): Supreme Decree 28592 of 17/01/2006, complementary laws passed to update environmental permits and the institutional framework (Leyes complementarias aprobadas para actualizar los permisos ambientales y el marco institucional). Available at: http://www.cifscz.org/ds-28592.html [Accessed on 2 March 2017]. • Colegio de Ingenieros Forestales (2005): Supreme Decree 28499 of 10/12/2005, add-on to the regulations of Law 1333, to improve audit processes and the application of environmental audits. Available at: http://www.cifscz.org/ds-28499.html [Accessed on 2 March 2017]. • Constitution of the Plurinational State of Bolivia (1996): Forestry Act 1700 of 12 July 1996, Art. 12, III. Protected areas of conservation easement (Áreas protegidas de servidumbre de conservación). 	<p>authorities. CEBEM, La Paz, Bolivia. (Compilación de normas nacionales y regionales sobre medio ambiente desde 1980 en Bolivia y diagnóstico sobre su cumplimiento ante autoridades judiciales. CEBEM. La Paz, Bolivia). Available at: http://www.bvsde.paho.org/bvsacd/cd27/compila.pdf [Accessed on 3 March 2017].</p> <ul style="list-style-type: none"> • Transparency International (2018). Corruption Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019]. • World Resources Institutue – Forest Legality Alliance (2014): Risk Tool – Bolivia. Available: http://www.forestlegality.org/risk-tool/country/bolivia [Accessed 13 February 2017]. • Mongabay (2018). The environmental challenges of Bolivia for 2018 (Los desafíos ambientales de Bolivia para el 2018). Available at: https://es.mongabay.com/2018/01/los-desafios-ambientales-bolivia-2018/ [Accessed 13 May 2019] 	<p>The Environmental Protection and Control Regulation of Act 1333 establishes the technical and legal framework pertaining to the procurement of the Environmental File, the Environmental Manifesto, Environmental Impact Assessment Studies (EIA), Environmental Audits, Categorization of Environmental Impacts and relevant authorities.</p> <p>The EIA is to be applied to all work, activities and projects, be they public or private, as well as to any programs and plans, and is done prior to the investment phase, any implementation action, or expansion. The Environmental Quality Control (CCA is the Spanish abbreviation) is applicable to all works, activities and public or private projects, which are in the process of implementation, operation, maintenance or abandonment.</p> <ol style="list-style-type: none"> Environmental license: The environmental license, in accordance with Art. 7 of the Regulation for Environmental Protection and Control, is: ‘The administrative legal document granted by the Competent Environmental Authority to the LEGAL REPRESENTATIVE, it guarantees compliance with all the requirements set forth in the law and corresponding regulations pertaining to environmental protection and control procedures. For legal and administrative purposes, the Environmental Impact Statement, the Exemption Certificate and the Declaration of Environmental Sustainability constitute an Environmental License’. Environmental Licenses are valid for 10 years (Art 61, General Regulation of Environmental Management), at the end of which the renewal must be requested. Environmental Impact Assessment (EIA): This is the preventive instrument of environmental management, applicable to new projects.
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	<p>Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 2 March 2017].</p> <ul style="list-style-type: none"> • Constitution of the Plurinational State of Bolivia (1996): Supreme Decree 24453 published 21 December 1996. Available at: http://www.lexivox.org/norms/BO-DS-24453.xhtml [Accessed on 3 March 2017]. • Article 35: Types of conservation easement <ul style="list-style-type: none"> • Article 41: Private heritage reserves are considered conservation easement • Article 43: Right to protect conservations by prohibiting access to third-parties <p>INTERNATIONAL LEGAL FRAMEWORK:</p> <ul style="list-style-type: none"> • United Nations Framework Convention on Climate Change (1994): a global agreement to stabilise greenhouse gas emissions, ratified and passed by Act 1576 of 25 July 1994. (Convenio marco de las naciones unidas sobre el cambio climático, acuerdo de escala global para estabilizar la emisión de gases de efecto invernadero, ratificado y aprobado mediante Ley 1576 de 25/07/94). Available at: http://www.lexivox.org/norms/BO-L-1576.xhtml [Accessed on 3 March 2017]. • Vienna and Montreal Conventions to protect the Ozone Layer (1994): Global agreement to reduce the gas emissions that affect the ozone layer, ratified and passed by Act 1584 of 25 August 1994, and the amendments thereto in Act 1933 of 21 December 1998. (Convenios de Viena y Montreal para la protección de la capa de Ozono, acuerdo de escala global para reducir la emisión de gases que afectan la capa de Ozono, ratificado y aprobado mediante Ley 1584 de 25/08/94, igualmente las enmiendas mediante Ley 1933 de 21/12/98). Available at: http://www.lexivox.org/norms/BO-L-1933.xhtml [Accessed on 3 March 2017]. • Convention on Biological Diversity (1994): Global agreement to conserve biological diversity, ratified and 	<p>Interviews with experts</p> <p>Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>Each project is placed in one of four categories, with 'one' requiring a comprehensive (the most complete) analytical environmental impact assessment study, and 'four' not requiring any study (exemption). This categorization is done through the completion of an Environmental File.</p> <p>The Regulation on Water Pollution, of the Environment Law, defines the water pollution control system and the permissible limits of potential pollutants. In Annex A-2 of this Regulation permissible limits for liquid discharges in bodies of water are defined, with an emphasis on Heavy Metals, Oils and Fats and BOD/COD.</p> <p>Regarding biodiversity, the New Political Constitution of the State maintains that all genetic resources, microorganisms and associated knowledge will be protected. It proclaims the establishment of an intellectual property registration system in favour of the State (Article 381, II). It provides for the defence and recovery of biological material (Article 382), establishes restrictions on extractive uses and criminal sanctions for possession, management and illegal trafficking of species (Article 383). The Amazon is declared as a strategic space for biodiversity (Article 390).</p> <p>Land use is decided according to its capacity for broader use, organization and occupation of the area, taking into account the biophysical, socioeconomic, cultural and political/institutional characteristics (Article 380, II of the Political Constitution of the State). The conversion of forested land for other uses will only be possible in legally determined areas. Environmental Act 1333 makes reference to land resources, with a view to correctly managing and conserving these resources.</p> <p>The Regulations for Activities with Hazardous Substances set out procedures for handling, controlling and reducing the risk of corrosive, explosive, inflammable, pathogenic/biologically infectious, radioactive, reactive or toxic substances. It sets out the procedures for registering activities with dangerous substances in order to monitor and control these, in</p>
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	<p>passed by Act 1580 of 25 July 1994 (Convenio sobre la Diversidad Biológica, acuerdo de escala global para conservar la diversidad biológica, ratificado y aprobado mediante Ley 1580 de 25/07/94). Available at: http://www.lexivox.org/norms/BO-L-1580.xhtml [Accessed on 3 March 2017].</p> <ul style="list-style-type: none"> • CITES (1991): Ratified by Act 1255 of 05 July 1991. (Convención sobre Comercio Internacional de Especies Amenazadas de Flora y Fauna Silvestres (CITES), ratificado mediante Ley No. 1255 de 5/07/91). Available at: http://www.lexivox.org/norms/BO-L-1255.pdf [Accessed on 3 March 2017]. • Cartagena Biosecurity Protocol (1991): Ratified and passed by Act 2274 of 22/11/91 (Protocolo de Bioseguridad de Cartagena, aprobado y ratificado mediante Ley 2274, de 22/11/91). Available at: http://www.lexivox.org/norms/BO-L-2274.xhtml [Accessed on 3 March 2017]. • RAMSAR Convention on Wetlands of International Importance especially as Waterfowl Habitat (2002): Passed by Act 2357 of 07/05/02 (Convención Relativa a los Humedales de Importancia Internacional como Hábitat de Aves Acuática (RAMSAR), aprobado mediante Ley No. 2357, de 7/05/02). Available at: http://www.lexivox.org/norms/BO-L-2357.pdf [Accessed on 3 March 2017]. • Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal (1968): ratified and passed by Acts 1968 of 12/07/96 and 2777 of 07/07/04 (Convenio de Basilea sobre Movimientos Transfronterizos de Desechos Peligrosos y su eliminación, ratificado y aprobado mediante Leyes 1698 de 12/07/96 y 2777 de 7/07/04). Available at: http://www.basel.int/Portals/4/BaselConvention/docs/text/BaselConventionText-s.pdf [Accessed on 3 March 2017]. • Amazon Cooperation Treaty (1973): Regional-level agreement to promote the development of amazon 		<p>compliance with basic regulations in order to avoid damage to the environment due to inappropriate handling of these substances. As a country-level reference, it establishes the United Nations list. At national level, the Industrial Pollution Control Project (PRONACOP is the Spanish acronym) was created as a technical and operational body, which is responsible for enforcing the commitments of the Stockholm Convention. Given that it is a controlled substance, diesel, the fuel used for heavy machinery and for electricity generators in sawmills (in forest management areas), requires authorisation for its purchase.</p> <p>According to Forestry Act regulation, conservation easements are strips of vegetation that must be protected on both sides of any streams, rivers and roads, as well as any sloping areas. Environmental reserves are areas of forest declared as protected areas within the management units, either because there is no timber potential, or because they are flood-prone, or rocky areas, etc.</p> <p>Neither conservation easements nor environmental reserves can be used, nor can any extraction entry and exit roads be built. They must be demarcated on maps and marked on the ground.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • In Bolivia, the low number of law suits for environmental crimes or infractions is notable. Research on environmental crimes are rare in Bolivia, however, although somewhat old but still in force, the work done by Palacios (2005) reviews legal cases in the field of the environment and finds very few, the majority of which have no ascertainable sentence. On the one hand, this may be due to ignorance of environmental laws, or to the fact that there are no lawyers trained in these
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	<p>territories, ratified and passed by Acts 874 of 30/05/86 and 1973 of 30/04/99 (Tratado de Cooperación Amazónica, acuerdo de escala regional para promover el desarrollo de los territorios amazónicos, ratificado y aprobado mediante Leyes 874 (30/05/86) y 1973 (30/04/99). Available at: http://www.otca.info/portal/admin/upload/tratado/TRATADO_COOPERACION_AMAZONICA_ESP.pdf [Accessed on 3 March 2017].</p> <ul style="list-style-type: none"> • Stockholm Convention (2002): Global agreement to protect human health and the environment from Persistent Organic Pollutants, ratified and passed by Act 2417 of 25/10/02 (Convenio de Estocolmo, acuerdo de escala global para proteger la salud humana y el medio ambiente de Contaminantes Orgánicos Persistentes, ratificado y aprobado mediante Ley 2417 de 25/10/02). Available at: http://www.mapama.gob.es/es/calidad-y-evaluacion-ambiental/legislacion/convenioestocolmo_tcm7-3186.pdf [Accessed on 3 March 2017]. • Kyoto Protocol (1999): Global agreement to stabilise greenhouse gas emissions and put in place reduction mechanisms, ratified and passed by Act 1988 of 22/07/99 (Protocolo de Kyoto, acuerdo de escala global para estabilizar la emisión de gases efecto invernadero y establecer mecanismos de reducción, ratificado y aprobado mediante Ley 1988 de 22/07/99). Available at: http://unfccc.int/resource/docs/convkp/kpspan.pdf [Accessed on 3 March 2017]. • Convention to Combat Desertification and Drought (1996): Approved by Act 1688 of 27/03/96 (Convenio de Lucha contra la Desertificación y la Sequía, aprobado mediante Ley 1688 de 27/03/1996). Available at: http://eur-lex.europa.eu/legal-content/ES/TXT/?uri=URISERV:r12523 [Accessed on 3 March 2017]. 		<p>laws, or simply because in legal terms the environment is not a priority.</p> <ul style="list-style-type: none"> • The work done by Palacios (2005) shows that Bolivian legislators have shown keenness to elaborate more than 100 regulations including supreme laws and decrees. It has been observed that these rules, although abundant, are not effective in protecting and caring for the environment. Factors such as extreme poverty, lack of employment, corruption, bad government policies, inequality, marginality, lack of education, among others, are the country's fundamental problems, thus the environment is not a priority. The laws themselves are thought to be sufficient to save the environment, when control systems are either insufficient or do not work. The lack of basic environmental education is a problem, for example, throwing rubbish on the street, abusive use of plastic, indiscriminate logging for agriculture by peasant families and businesses. These are actions against the environment that occur on a daily basis in Bolivia. The author concludes that the environment is a forgotten issue and is sidelined by authorities and the population. Press releases, such as Los Tiempos (2011) or Mongabay (2018), show concerns of the Environmental Defense League (an NGO dedicated to environmental issues) about environmental crimes. For example, it was mentioned that in Bolivia around 34 million hectares are in a critical situation of degradation and fragmentation. "A third of the country is in a situation of degradation, both in the highlands, and in valleys and lowlands," stated the national coordinator of environmental monitoring research League of Defense of the Environment (Lidema). Among the main environmental problems currently affecting Bolivia are: the impact of environmental quality due to mining, oil and urban-industrial pollution. Likewise, the degradation of natural
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	<p>Legal Authority</p> <ul style="list-style-type: none"> • Vice ministry for the Environment, Biodiversity and Climate Change, under the Ministry of Environment and Water. • Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras (ABT)) <p>Legally required documents or records</p> <ul style="list-style-type: none"> • Annual Operational Forestry Plans (POAFs) document • Maps of the management plan's administrative units • Operational maps of the annual forest plan of operations • Map of protected areas within management units • Environmental license for sawmills • Environmental file for the management plan • Authorisation to purchase diesel (controlled substance) 		<p>cosystems in fragile zones (forests) is threatened by agro-industry, disorganized agriculture and forest fires. The problems related to soil have to do with the degradation of soils, erosion and desertification among other effects on the soil (Los Tiempos (2011)).</p> <ul style="list-style-type: none"> • In management plans, although there are protections in place for conservation easements (protection strips on watercourses, waterlogged sites, sites with slopes greater than 45%, etc.) these are not respected in practice, except during certified operations. Trees are chosen and felled on riverbanks or streams, polluting materials such as batteries, plastics, etc. are left behind. In streams, the flow of water is blocked to make roads and at the end of the operation the water is used to facilitate drainage. Farmers and people in the area are often responsible for fires by throwing away their cigarette butts or leaving fires lit, leading to forest fires. In reality, it is difficult to verify that conservation easements or environmental reserves are being protected on the ground. There is always the risk that they will be affected (Based on expert interviews conducted in Bolivia in 2016). • In addition, inspections by the regulatory entity, ABT does not focus on these environmental breaches on these areas or protected sites. No cases have been found in which fines have been issued for forestry companies' non-compliance (interviewed experts from ABT). <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: identified laws are not upheld consistently by all entities and/ or are often ignored, and/or are not enforced by relevant authorities.</p>
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<p>1.11 Health and safety</p>	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> • General Labour Act, December 8 1942 (Ley General del Trabajo [8 de diciembre de 1942]) <ul style="list-style-type: none"> • Article 63: Health of women and children in work (Salud de mujeres y niños en el trabajo) • Article 67: Health and safety measures for workers (Medidas de salud y seguridad para los trabajadores) • Decree of August 23 1943, in line with General Labour Act - (Decreto de 23 de agosto de 1943, reglamentario de la ley general del trabajo) Available at: http://www.ilo.org/dyn/natlex/docs/WEBTEXT/46219/65058/S92BOL02.htm <ul style="list-style-type: none"> • Article 61: Hygiene and security (Higiene y seguridad) • Article 64: Medical assistance (Asistencia médica) • Article 72: On-site conditions (Condiciones en campamentos) • Article 80: Professional risks – industrial security (riesgos profesionales - seguridad industrial) • Article 85: Accidents at work (Accidentes de trabajo) • Article 89: Types of incapacity (Tipos de incapacidad) • Article 93: Compensation (Indemnizaciones) • Article 103: First aid in case of accident (Primeros auxilios en accidentes) • Article 109: Compulsory social security (Seguro social obligatorio) <p>Legal Authority</p> <p>Ministry of Work, Employment and Social Security</p> <p>Legally required documents or records</p> <ul style="list-style-type: none"> • Worker affiliation in the National Health Fund 	<p>Non-Government sources</p> <ul style="list-style-type: none"> • Transparency International (2018). Corruption Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019]. • Vargas, M., Teresa, E. Osinaga (2009) Who is on charge of the forest in Bolivia? Consequences of the possession in forestry management and in the rural livelihood (¿En manos de quién están los bosques en Bolivia? Implicaciones de la tenencia en el manejo forestal y en los medios de vida rurales). Santa Cruz, Bolivia. Available at: http://webcache.googleusercontent.com/search?q=cache:icB0yU03754J:www.fao.org/forestry/download/17518-0db7130921b2b66b5062df8093b8cccf5.pdf+&cd=1&hl=es&ct=clnk&gl=es • World Resources Institute – Forest Legality Alliance, 2014. Risk Tool – Bolivia. Available: http://www.forestlegality.org/risk-tool/country/bolivia [Accessed 13 February 2017]. <p>Interviews with experts</p> <p>Conversations with various experts from the public and</p>	<p>Overview of Legal Requirements</p> <p>The Labour Law establishes minimum requirements for workers in forest sites. The law and its regulations stipulate that workers must enjoy social benefits such as health insurance and be affiliated with pension insurers. In the Labour Law regulations, the following requirements are established:</p> <ul style="list-style-type: none"> • Article 62: Companies with more than twenty employees must have a legally established Internal Regulation on Health and Safety. • Article 64: A doctor and pharmacy service must be available, without tax or any fee taken from workers. The pharmacies will have the minimum stock of medicines specified by the Ministry of Health. • Article 65: The medical insurance includes the family of the worker (spouse, minors, dependent parents or younger siblings). • Article 67: The company will provide medical care, if it is obliged to have it. Failing that, the employer will cover the doctor and pharmacy costs needed to treat the worker. • Article 71: In the case of death due to an occupational accident or illness, the company will pay the burial expenses independently, at the rate of one month's salary according to the last salary of the victim. This payment shall be made without delay and as a matter of urgency to the family of the victim, or in the absence thereof, to the hospital or persons who are responsible for the deceased worker. • Article 72: Companies that house personnel on-site must comply with all hygiene standards and submit the plan of such works for the approval of the Ministry of Labour, Health and Social Security, as a matter of obligation. • Article 103: Companies must have first aid for any accident that occurs at work.
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	<ul style="list-style-type: none"> • Provision to workers of work clothes and personal protective equipment • Provision of sites which are equipped according to labour law • Setting up of an on-site first aid centre • Record of accidents and medical attention on site 	<p>private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>The source World Resources Institute – Forest Legality Alliance, 2014, was used in order to verify the law and requirements on this matter.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • Regarding occupational safety and other social aspects, although there is a labour law that establishes minimums for workers in forest sites, there is non-compliance in terms of safety, lodging, health, etc, with the exception of certified operations (based on the professional experience of the author, expert interviews conducted in Bolivia in 2016 and Vargas and Osinaga, 2009). • The requirements for safety equipment demanded by law, as well as sanitary conditions in the on-site camps, are frequently not complied with in the field (comments from interviews with experts). • In the management plans of indigenous or peasant communities, compliance with labour law is minimal or zero. They do not have any provision for first aid, although they have a medicine box. Usually those harvesting the timber are the purchasing company and not the community, but employees are usually hired from the community. In either case, neither the community nor the company complies with health and safety measures established by labour law. In the interviews, this was justified by the costs involved in providing safety equipment and also because of the short operating period in communal forests (a couple of months) (Based on the professional experience of the author, expert interviews conducted in Bolivia in 2016 and Vargas and Osinaga, 2009). • The authorities do not inspect rural populations or cities to enforce workers' legal Health and Safety requirements (Based on the professional experience of the author, expert interviews
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			<p>conducted in Bolivia in 2016 and Vargas and Osinaga, 2009).</p> <ul style="list-style-type: none"> The Transparency International Corruption Perceptions Index 2018 for Bolivia was 29 (on a scale from 0 to 100 where a score of 100 is lowest level of corruption) and the country ranked 132 out of 180 countries. This means that there are high levels of perceived corruption in Bolivia. <p>Taking into account that there is no available information nor evidences specific to health and safety at the forest level useful for the assessment of enforcement of this indicator, the precautionary approach has been applied.</p> <p>Risk conclusion</p> <p>Based on the precautionary approach, this indicator has been evaluated as specified risk. Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
1.12 Legal employment	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> NATLEX (1942): General Labour Act of 8 December 1942 (Ley General del Trabajo 8 de diciembre de 1942). Available at: http://www.ilo.org/dyn/natlex/docs/WEBTEXT/46218/65057/S92BOL01.htm [Accessed on 3 March 2017]. Decree of August 23 1943, which establishes regulations under General Labour Act (Decreto de 23 de agosto de 1943, reglamentario de la ley general del trabajo). Available at: http://www.ilo.org/dyn/natlex/docs/WEBTEXT/46219/65058/S92BOL02.htm [Accessed on 3 March 2017]. <ul style="list-style-type: none"> Article 5: Employment contract (Contrato de trabajo) 	<p>Government sources</p> <ul style="list-style-type: none"> Ministry of Labour (2016): Bolivia identifies the 22 worst forms of child labour. (Ministerio del Trabajo. Bolivia identifica 22 peores formas de trabajo infantil). Available at: http://www.mintrabajo.gob.bo/PrincipalPublicaciones.asp?target=48 [Accessed on 3 March 2017]. National Institute of Statistics (1999): Rights to Work. La Paz, Bolivia. (INE. Derecho al trabajo. La Paz, Bolivia). 	<p>Overview of Legal Requirements</p> <p>The Labour Act establishes that every worker must have a contract signed and a copy sent to the Labour Inspectorate, under the Ministry of Labour. It also establishes that for every 50 workers there must be a health professional, an on-site camp with bathrooms for men and women, an area of social recreation, and food appropriate to the job done. It also stipulates that workers must be free to enjoy holiday, health insurance and other social benefits.</p> <p>The Labour Act also contains provisions covering: holidays, working hours, holiday pay, working women and minors, hygiene and security, professional risks – industrial security, compulsory social security and the right to strike. For example, on the Labour Act, the article 70 includes the following: Mining and industrial</p>

	<ul style="list-style-type: none"> • Article 33: Annual holidays (Vacaciones anuales) • Article 35 Working day (Jornada de trabajo) • Article 39 Remuneration or holidays (Remuneración o salario) • Article 52: Work of women and minors (Trabajo de mujeres y menores) • Article 61: Hygiene and security (Higiene y seguridad) • Article 64: Medical assistance (Asistencia médica) • Article 72: On-site conditions (Condiciones en campamentos) • Article 80: Professional risks – industrial security (riesgos profesionales - seguridad industrial) • Article 85: Accidents at work (Accidentes de trabajo) • Article 89: Types of incapacity (Tipos de incapacidad) • Article 93: Compensation (Indemnizaciones) • Article 99: Right of Association (derecho de asociación) • Article 103: First aid in case of accident (Primeros auxilios en accidentes) • Article 109: Compulsory social security (Seguro social obligatorio) • Article 159: Right to strike (Derecho a la huelga) • Act No. 548, of 17 July 2014 - new Code for Children and Adolescents: https://www.unicef.org/bolivia/Codigo_NNA_-_Ley_548_.pdf • Political Constitution of the Plurinational State of Bolivia (2000): Harmony with Nature. Article 46. Available at: https://www.oas.org/dil/esp/Constitucion_Bolivia.pdf 	<p>Available at: http://www.ine.gob.bo/indicadoresddhh/archivos/primerborrador/Derecho_al_Trabajo.pdf [Accessed on 3 March 2017].</p> <p>Non-Government sources</p> <ul style="list-style-type: none"> • Vargas, M., Teresa, E. Osinaga (2009) Who is on charge of the forest in Bolivia? Consequences of the possession in forestry management and in the rural livelihood (¿En manos de quién están los bosques en Bolivia? Implicaciones de la tenencia en el manejo forestal y en los medios de vida rurales). Santa Cruz, Bolivia. Available at: http://webcache.googleusercontent.com/search?q=cache:jcB0yU03754J:www.fao.org/forestry/download/17518-0db7130921b2b66b5062df8093b8cccf5.pdf+&cd=1&hl=es&ct=clnk&gl=es • US Department of Labour (2016): List of Goods Produced by Child Labor or Forced Labor (Lista de bienes producidos por trabajo infantil o trabajo forzado). Available at: https://www.dol.gov/ilab/reports/child-labor/list-of-goods/ [Accessed on 10 February 2017]. 	<p>companies (including forestry companies) and railway companies with more than 500 workers, are obliged to have a permanent and free dental service, providing them with the necessary equipment and materials. Only the cost of metals and similar materials used in dental restoration shall be assumed by the worker.</p> <p>On the article 99, from the General Labour Act includes that it recognizes the right of association in unions, which may be employers, trade associations or professional, mixed or industrial or business. In order to act as such, the union must have the character of permanence, have legalized its legal personaria and be constituted according to the legal rules.</p> <p>On the following articles is included the works of women and minors:</p> <p>Article 58.- The work of minors under 14 years of age is prohibited, except in the case of apprentices. Children under 18 years of age can not be hired for jobs that exceed their strength or that may slow their normal physical development.</p> <p>Art. 59.- The work of women and minors in dangerous, unhealthy, heavy work, and in occupations that harm their morals and good customs is prohibited.</p> <p>Art. 60.- Women and children under 18 years of age will only be able to work during the day, except nursing duties, domestic service and others that will be determined.</p> <p>Art. 61.- The pregnant women will rest from 15 days before to 45 after the delivery, or until a longer time if as a consequence there are cases of illness. They will retain their right to employment, will receive 50 percent of their salaries. During breastfeeding, they will have small rest periods per day, not less than one hour in total.</p>
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	<p>O convention ratified by Bolivia: https://www.ilo.org/lima/paises/bolivia/lang-es/index.htm ILO Convention concerning Indigenous and Tribal Peoples (No. 169);</p> <p>ILO Convention concerning Forced Labour (No. 29);</p> <p>ILO Convention No. 138 concerning Minimum Age for Admission to Employment;</p> <p>ILO Convention concerning the Worst Forms of Child Labour (No. 182);</p> <p>ILO Convention concerning Freedom of Association and Protection of the Right to Organize (No. 87);</p> <p>ILO Convention concerning the Right to Organize and Collective Bargaining (No. 97);</p> <p>ILO Convention concerning Equal Remuneration (No. 100);</p> <p>ILO Convention No. 111 concerning Discrimination (Employment and Occupation);</p> <p>ILO Convention concerning Protection of Wages (No. 95);</p> <p>Legal Authority</p> <p>Ministry of Work, Employment and Social Security</p> <p>Legally required documents or records</p> <ul style="list-style-type: none"> Employer registration (every employer must register with the Ministry of Labour) 	<ul style="list-style-type: none"> United Nations Permanent Forum on Indigenous Issues- UNPFII (2009) Report and recommendations. Available at: https://www.un.org/esa/socdev/unpfii/documents/UNPFII_Mission_Report_Bolivia%20_EN.pdf [Accessed on 13 May 2019]. ILO (2015) Direct Request (CEACR) - adopted 2014, published 104th ILC session Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3189956 [Accessed on 13 May 2019] Universal Periodic Review (2015) Human Rights Watch's Submission to the Human Rights Council. Available at: https://www.hrw.org/news/2015/03/16/bolivia-universal-periodic-review-march-2015 [Accessed on 7 June 2019] <p>Interviews with experts Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>Art. 62.- The companies that occupy more than 50 workers, will maintain nurseries, according to the plans that are established.</p> <p>Art. 63.- Employers who have women and children at their service will take all measures to ensure their physical health and comfort at work. All the provisions of this chapter can be defined by public action, particularly by the societies that protect children and maternity.</p> <p>The new Code for Children and Adolescents, Act No. 548, of 17 July 2014 published in the Official Gazette of the Government of Bolivia on 23 July 2014, deals with the “Right to protection of the child and adolescent at work” (Chapter VI). – Art 129- minimum age for working:</p> <ol style="list-style-type: none"> I. The minimum age to work is set at fourteen (14) years of age. II. Exceptionally, the Defenders of Children and Adolescents, may authorize the self-employment activity carried out by girls, boys or adolescents of ten (10) to fourteen (14) years, and adolescent employment activity from twelve (12) to fourteen (14) years, provided that this does not impair his right to education, not dangerous, unhealthy, assault on their dignity and integral development, or is expressly prohibited by Act. <p>Article 46 from the Political Constitution of the Plurinational State of Bolivia: I. Everyone has the right: 1. To decent work, with industrial safety, hygiene and occupational health, without discrimination, and with remuneration or fair, equitable and satisfactory salary, which ensures for himself and his family a worthy existence.</p>
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	<ul style="list-style-type: none"> • Employment contract approved by the Ministry of Labour • Social benefits payment cards (Health Insurance, etc.) • Payroll 		<p>2. To a stable work source, in fair and satisfactory conditions.</p> <p>II. The State will protect the exercise of work in all its forms.</p> <p>III. All forms of forced labor or other similar forms of exploitation that compel person to perform work without their consent and fair compensation.</p> <p>The Plurinational State of Bolivia has been a member of the ILO since 1919. The country has ratified 50 agreements (47 currently in force), among which are the 8 fundamental labor agreements.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • It should be noted that the work on forest management in Bolivia is restricted to dry season months, between May and December. Workers are hired temporarily for this period. Only workers that operate sawmills work longer, from March to December, but none are employed after December. Workers are casual and there is high turnover from one year to another; some come back and others do not. Thus every year forest companies are faced with staffing problems (expert interviews). • One of the problems with labour Act compliance is the lack of affiliation with any health insurance provider, mainly due to the absence of workers' identity cards. Some companies, such as FSC-certified ones, are given the job of processing their workers' ID, but each year they have the same problem because workers are constantly changing (expert consultation 2016). • In certified forest management operations, the labour Act is complied with at a greater level than in non-certified operations. Workers have written contracts, enjoy the social benefits that the Act grants them, on-site camps are equipped with
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			<p>adequate housing and dining rooms, have medical centres and a supply of medicines, as well as a permanent nurse, etc. (Experts on forest certification interviewed).</p> <ul style="list-style-type: none"> • In non-certified operations the level is much lower, contracts are verbal, on-site camps are improvised and devoid of comforts (Based on expert interviews conducted in Bolivia in 2016). The argument for not complying with legal requirements is that logging is only done for a period of 6 to 8 months and that staff are temporary and rotate every year. Certified companies, who have the same characteristics of rotation and times of use, still comply with the legislation. Added to this is the fact that there is no control of any State body to enforce labour Act in the forest camps (Based on expert interviews conducted in Bolivia in 2016). • In indigenous or peasant communities, labour regulations are not complied with (Based on expert interviews conducted in Bolivia in 2016). To begin with, there are no contracts, far less any payment of social benefits. The presence of the workers is much shorter than in company operations, barely 2 to 3 months, so it is difficult to obtain employment contracts and social security affiliation. In addition, the workers themselves are the owners of the forest; therefore, they are owners working for themselves. As mentioned before, in most cases, the forestry census is carried out by community members on their own (approximately one month), but it is the buyers who hire external staff combined with personnel from the communities that own the management plan. But labour conditions are the same: no written contracts, improvised camps with tents, absence of a nurse and medical centre, etc. • In the work of Vargas and Osinaga (2009) and corroborated during expert consultation in 2016, it is indicated that in those companies certified by the Forest Stewardship Council, workers enjoy
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			<p>adequate salaries and social benefits. Indigenous communities have several strategies for the distribution of income from forest management: after paying the salary of those who actually worked in the forest, and the legal obligations related to the management plan, the communities allocate the remainder to works or activities of a communal nature.</p> <ul style="list-style-type: none"> • After reviewing the information and interviews with third parties, it has been found that the main violations of workers' rights in the forest sector in Bolivia correspond to the following: <ul style="list-style-type: none"> ✓ Lack of contracts: Workers have verbal contracts, in some cases due to the seasonal nature of the work (only a few months) and in other cases due to simple non-compliance by contractors. They do not sign contracts and therefore do not know either their conditions or their rights, they do not enjoy any holiday rights, worker and family health insurance, etc. In Bolivia, a high level of non-compliance with labour legislation and other standards in almost all sectors (forestry, agriculture, livestock, mining, etc.) exists. (Vargas and Osinaga, 2009; Interviews with experts). ✓ Another example of non-compliance is payment of their wages being delayed, even to when the harvest ends, at the end of the year. At the beginning, wage advances are given and the next payment will be in two or three months, then the final payment at the end of the harvest (Interviews with experts). • The Ministry of Labour indicates that labour Act is violated during the harvesting of Brazil nuts (<i>Bertholletia excelsa</i>), with even children working in unsanitary conditions (Ministry of Labour, 2016). In fact, child labour during the Brazil nut harvest is an ancestral customary right of the Amazonian families of Pando. Entire families enter the forest at
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			<p>harvest time and remain there in temporary camps for approximately 3 months. Parents are better off with their children near them than leaving them alone in the city. Obviously this work is not salaried; it is the independent work of families. They collect the Brazil nuts from the forest and sell them to the processing companies.</p> <ul style="list-style-type: none"> • The US Department of Labour maintain a List of Goods Produced by Child Labor or Forced Labor. In 2017, Bolivia's at risk products are reported to be: brazil nuts/chestnuts, bricks, cattle, corn, gold, peanuts, silver, sugarcane, tin and zinc. • Based on the United Nation Permanent Forum on indigenous Issues (UNPFII, 2009) mission to Bolivia, it was mentioned that exist violations of the old and the new Bolivian Political Constitution, the General Law on Labour and the Bolivian Criminal Code, oblige the Government to adopt urgent measures to address the situation of the Guaraní people in respect of the following issues ascertained by the Mission: <ul style="list-style-type: none"> ✓ The existence of forced labour and servitude of Guaraní men and women; ✓ The existence of child labour and other violations of the rights of the child, such as sexual abuse of Guaraní girls; ✓ Inadequate labour conditions; ✓ Restrictions on freedom of association and movement; ✓ Inability to obtain identification documents and consequent exclusion from State allowances, such as the Dignity Income [Renta Digna] pension for senior citizens or the Juancito Pinto school vouchers, as well as other obstacles to the exercise of citizenship, particularly the right to vote; <p>Should be noted that the report does not mention the forest sector or timber manufacturing.</p>
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			<ul style="list-style-type: none"> • Based on Universal Periodic Review (2015), Human Rights Watch deeply regrets that Bolivia rejected many recommendations to eradicate child labor and to respect ILO Convention 138. Also, Human Rights Watch recognizes the importance of the Law on violence against women, but regrets its slow implementation. Women and girls in Bolivia still face high risk of gender-based violence. • Based on ILO (2014), about forced labour in indigenous communities. In its previous comments, the Committee recognized the measures adopted by the Government to combat the practices of forced labour and servitude, of which certain members of the indigenous communities, particularly the Quechua and Guaraní peoples working in agriculture, are victims. It asked the Government to pursue efforts to eradicate these practices and protect victims. It noted in particular the activities carried out by the Fundamental Rights Unit of the Ministry of Labour within the framework of the Development Plan for the Guaraní People, the strengthening of labour inspection at regional level, and the land distribution process. The Committee notes the information provided by the Government in its report concerning the increase and strengthening of staff in regional labour units, which benefit from the assistance of officials trained in forced labour, with the purpose of bringing the State closer to the most vulnerable sectors and to areas with limited state presence. A strategic objective of the project on “the progressive eradication of forced labour and other similar forms of work in indigenous families in the Chaco zone, the Bolivian Amazon zone and the Santa Cruz region (Norte Integrado de Santa Cruz)”, implemented in 2011, is the capacity building of labour inspectors relating to the question of forced labour. In 2013, the regional labour units were equipped with vehicles.
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Third parties' rights			
1.13 Customary rights	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Political Constitution of the Plurinational State of Bolivia (2000): Harmony with Nature. Available at: https://www.oas.org/dil/esp/Constitucion_Bolivia.pdf [Accessed on 3 March 2017]. Article 2: Self-determination of indigenous peoples (Libre determinación de los pueblos indígenas) Article 349: Natural resources are state property (Los recursos naturales son propiedad del Estado) Article 352: Consultation process (Proceso de consulta) Article 353: Equitable access benefits natural resources (Acceso equitativo beneficios recursos naturales) <p>Legal Authority</p> <p>Vice-Ministry of Native Indigenous Peasants Autonomies</p> <p>Vice Ministry of Environment, Biodiversity, Climate Change, and Forest Management and Development</p>	<p>Non-Government sources</p> <ul style="list-style-type: none"> CIFOR (2010): Forests and Community Rights: Reforms in Forest Tenure. (Bosques y Derechos Comunitarios: Las Reformas en la Tenencia Forestal. CIFOR, 2010). Available at: http://www.cifor.org/publications/pdf_files/Books/BLarson1001S.pdf [Accessed on 3 March 2017]. CIFOR-CATIE Brazil (2008): Community forest management in Latin America: Experiences, lessons learned and challenges for the future. (Manejo Forestal Comunitario en América Latina: Experiencias, Lecciones aprendidas y retos para el futuro. CIFOR-CATIE, Brasil 2008). Available at: http://www.cifor.org/publications/pdf_files/Books/BSabogal0 	<p>Overview of Legal Requirements</p> <p>Article 2 of the Bolivian Political Constitution guarantees the self-determination of indigenous peoples within the framework of the unity of the State, which consists of their right to autonomy, self-government, culture, recognition of institutions and the consolidation of territorial entities, in accordance with the Constitution and the Act.</p> <p>Similarly, Art. 349 indicates as a general requirement applicable to all bolivian citizen in terms of customary rights that I) natural resources are the property of the Bolivian people and are their direct, indivisible and imprescriptible domain. The State will be responsible for its administration depending on collective interests. II) The State will recognize, respect and grant individual and collective land rights, as well as rights to use and exploit other natural resources. III) Agriculture, livestock, as well as hunting and fishing activities that do not involve protected animal species are guaranteed.</p> <p>On article 403 (Page 152) of the Political Constitution of the Plurinational State of Bolivia establishes the right of indigenous peoples to the exclusive right of land and to the use of natural resources: "I. It recognizes the integrity of the native indigenous peasant territory, which includes the right: to land; to the exclusive use and</p>

<p>ABT for the approval of management plans and plans for clearing (Authority for the Social Audit and Control of Forests and Lands).</p> <p>Legally required documents or records</p> <ul style="list-style-type: none"> • Minutes of consultations done with affected communities • ABT Permits for forest intervention (management and clearing plans) 	<p>801S2.pdf [Accessed on 3 March 2017].</p> <ul style="list-style-type: none"> • Vargas, M., Teresa, E. Osinaga (2009) Who is on charge of the forest in Bolivia? Consequences of the possession in forestry management and in the rural livelihood (¿En manos de quién están los bosques en Bolivia? Implicaciones de la tenencia en el manejo forestal y en los medios de vida rurales). Santa Cruz, Bolivia. Available at: http://webcache.googleusercontent.com/search?q=cache:jcB0yU03754J:www.fao.org/forestry/download/17518-0db7130921b2b66b5062df8093b8cccf5.pdf+&cd=1&hl=es&ct=clnk&gl=es • The Forest Trust (2013): Country guide to timber legality: The Timber Trade Action Plan. Available at: http://www.tft-earth.org/wp-content/uploads/2013/03/TTA_P_Guide_to_Legality_Bolivia.pdf [Accessed on 3 March 2017]. • Mongabay (2018) Large projects generate conflicts in the Amazon of Bolivia: four stories (Los grandes proyectos generan conflictos en la Amazonía de Bolivia: cuatro historias). Available at: https://es.mongabay.com/201 	<p>management of renewable natural resources, as determined by the Act; to prior and informed consultation; to participation in exploiting non-renewable natural resources in their territories; to apply their own rules, managed by their structures of representation and their cultural criteria and principles of harmonious coexistence with nature. Indigenous peasant territories may consist of communities. II. The native indigenous peasant territory comprises areas of production, areas for the use and conservation of natural resources and spaces for social, spiritual and cultural expression. The Act shall establish the procedure for the recognition of these rights.”</p> <p>At the same time, within the framework of the State’s territorial reform, the Constitution recognizes the existence of four types of autonomy, one of which is indigenous peasant autonomy. The importance of this in the framework of prior consultation means that the autonomy has exclusive competence "to participate in, develop and execute the mechanisms of prior, free and informed consultation, regarding the implementation of legislative, executive and administrative measures that affect it".</p> <p>Description of risk</p> <ul style="list-style-type: none"> • Land ownership in Bolivia is being reviewed to resolve problematic overlapping and illegal tenure, as well as compliance with the social economic function of land. The National Institute of Agrarian Reform (INRA) is carrying out this process. Indigenous peoples have benefited from the recognition of large areas of land known as community lands of origin. Vargas and Osinaga (2009) estimate that these will make up about 23 million hectares, of which 7 to 6 million hectares will have high forest potential, with indigenous communities gradually acquiring more control over forests. Based on expert consultation, it was
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1.14 Free prior and informed consent	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> • Political Constitution of the Plurinational State of Bolivia (2000): Harmony with Nature. Available at: http://www.harmonywithnatureun.org/content/documents/159Bolivia Consitucion.pdf [Accessed on 3 March 2017]. • Art. 30. (15): Rights of indigenous peoples to be consulted. (Derechos de los pueblos indígenas a ser consultados). 	<p>Government source</p> <ul style="list-style-type: none"> • ABT (2018) Examples of comprehensive management plans in Bolivia. Available at: http://www.abt.gob.bo/index.php?option=com_content&view=article&id=1254&catid=8&Itemid=211&lang=es&fbclid=IwAR2URw-mKoQefs9XyEQeDpws2kRrT 	<p>Overview of Legal Requirements</p> <p>According to Ameller and Chavez (2012) the way in which the Constitution and other Acts have addressed the issue of prior and informed consultations with communities and indigenous peoples is reviewed, as quoted (page 15 to 16 Political Constitution of the Plurinational State of Bolivia):</p> <p>The new constitutional text of the Bolivian State states that: "Within the framework of state unity and in accordance with this Constitution, indigenous peoples</p>

	<ul style="list-style-type: none"> • Art. 352: Free, prior and informed consent (Consulta libre, previa e informada). • Gaceta oficial de Bolivia (1991): Act N° 1257 of July 11 1991. Available at: http://www.gacetaoficialdebolivia.gob.bo/index.php/normas/descargar/21748 [Accessed on 3 March 2017]. • Single article: Ratifies ILO Convention 169 concerning Indigenous and Tribal Peoples in independent countries (Ratifica Convenio 169 de la Organización Internacional del Trabajo sobre Pueblos Indígenas y Tribales en países independientes) • Forestry Act 1700 (Ley Forestal 1700) (1996). Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml Article 32: Authorisation to harvest in indigenous lands (Autorización de aprovechamiento en tierras indígenas) • Ministerial Order N° 136 of 1997 Technical standard for management plans in indigenous community lands (Resolución Ministerial N° 136 de 1997: Norma técnica para planes de manejo en tierras comunitarias indígenas.) https://rmpportal.net/library/content/libros/normas-tecnicas-tcos.pdf [Accessed on 2 March 2017]. <p>Legal Authority</p> <p>Ministry of Autonomies</p> <p>Legally required documents or records</p> <p>N/A</p>	<p>NEv-NH3UcY11VvKKmb8K320Ka09vFg [Accessed on 7 June 2019]</p> <p>Non-Government sources</p> <ul style="list-style-type: none"> • Ameller, C. Chavez (2012): Right to prior consent of indigenous peoples in Latin America. Edited by De La Vega and Heins. Konrad Adenauer Foundation. La Paz, Bolivia. (El derecho a la consulta previa de los pueblos indígenas de America Latina. Editores De la Vega y Heins. Fundación Konrad Adenauer. La Paz, Bolivia). Available at: http://www.kas.de/wf/doc/kas/33592-1522-4-30.pdf?130221162744 [Accessed on 3 March 2017]. • Foundation for due diligence (2015): Right to consultation and free, prior informed and informed consent in Latin America. Progress and challenges for implementation in Bolivia, Brazil, Chile, Colombia, Guatemala and Peru. Washington. D.C. (Fundación para el debido proceso. 2015. Derecho a la consulta y al consentimiento previo, libre e informado en América Latina. Avances y desafíos para su implementación en Bolivia, Brasil, Chile, Colombia, 	<p>and nations have the following rights: [...] 15. To be consulted through appropriate procedures, and in particular through their institutions, whenever legislative or administrative measures are likely to affect them. In this context, the right to obligatory prior consultation, carried out in good faith by the State, will be respected and guaranteed, whenever there is a view to exploit non-renewable natural resources in the territory they inhabit."</p> <p>In turn, regarding the nature of the consultation, the Political Constitution of the State stipulates that: "The exploitation of natural resources in a given territory will be subject to a consultation process of the affected population, which is convened by the State and which will be free, prior and informed. Citizen participation is guaranteed in the environmental management process and the conservation of ecosystems will be promoted, in accordance with the Constitution and the Act. The consultation with indigenous people's nations and indigenous peasants will take place in accordance with their own rules and procedures."</p> <p>Consent is implied in the legislation and is applicable in cases of exploitation of non-renewable natural resources in indigenous territories (see Article 403 of the Constitution). In this context, in terms of indigenous territoriality, the constitutional text states that (Art 403, page 152): "I. It recognizes the integrity of the native indigenous peasant territory, which includes the right: to land; to the exclusive use and management of renewable natural resources, as determined by the Act; to prior and informed consultation; to participation in exploiting non-renewable natural resources in their territories; to apply their own rules, managed by their structures of representation and their cultural criteria and principles of harmonious coexistence with nature. Indigenous peasant territories may consist of communities. II. The native indigenous peasant territory comprises areas of production, areas for the use and conservation of natural resources and spaces for social,</p>
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		<p>e-informado.pdf [Accessed on 3 March 2017].</p> <p>Interviews with experts Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>Recently, comprehensive forest and land management plans (PGIBT) have been established, are technical planning and community management tools for the management of forests and lands prepared according to the needs and interests of the group. Some examples can be found on ABT (2018)</p> <p>Description of risk</p> <ul style="list-style-type: none"> • Vargas (2015) in his analysis of the consultation processes, highlights that "the obligation to carry out consultations on decisions that limit the collective use and enjoyment of the territory and natural resources implies that: a) the State can not delegate this obligation to third parties, far less so to private companies seeking to begin economic undertakings that would affect indigenous territories; b) the procedures, timescales and decision-making processes of indigenous peoples must be respected and duly incorporated into the consultation process; c) Indigenous peasant peoples and communities should have the possibility to consider independent technical studies and analyses to help them assess the consequences of decisions taken in relation to their future as peoples; and d) the decision for which consultation is being done should always include the content and result, which should be clearly reflected in the final decision". • So far, based on expert consultation in 2016, it was mentioned that oil has been the one most affected industry by discussions and the application of consultation processes. In forestry, this has not been done since indigenous peoples already control their resources and have exclusive access to their products. However, in case of oil activity is done within production forests, the consultation process would be applied. • During expert consultation for this report, AFIN indicated that since the adoption of the new
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			<p>constitution in 2009, indigenous rights have been institutionalized. However, there are things that are not complied with, since there is no coherence between government discourse and practices. AFIN argues that the relationship between communities and companies has been uneven, and there has been no long-term strategic alliance. Agreements are rare and consultations are, in general, formalities that are not being reviewed by authorities. Companies take contracts directly to communities and sign them there and then, and the community become witnesses rather than decision-makers because they do not often know or understand the scope of the contract. The price, volume, species and other variables are negotiated previously between leaders and the company, without the community. This is not the case with management plans in private properties, where the owner is the one who looks for the client.</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: identified laws are not upheld consistently by all entities and/ or are often ignored, and/ or are not enforced by relevant authorities.</p>
<p>1.15 Indigenous peoples' rights</p>	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Political Constitution of the Plurinational State of Bolivia (2009): Harmony with Nature. Available at: http://www.harmonywithnatureun.org/content/documents/157Bolivia_Ley_300.pdf [Accessed on 3 March 2017]: Article 36: Right of indigenous peoples to voluntary isolation (Derecho de aislamiento voluntario de pueblos indígenas) 	<p>Government sources</p> <ul style="list-style-type: none"> ABT (2012/2013): Annual Management Report. Santa Cruz, Bolivia. Accessed in September 2016. (Informe Anual Gestión 2012 y 2013. Autoridad de Fiscalización y Control Social de Bosques y Tierras. Santa Cruz, Bolivia. Accedido en septiembre 2016 en) Available at: http://www.abt.gob.bo/image 	<p>Overview of Legal Requirements</p> <p>In Bolivia, much progress has been made in legislation on the rights of indigenous peoples. Act 1715 recognizes the right to territory and self-determination over the use of their natural resources, culture and development. Indigenous peoples are organized at the national level in the Confederation of Indigenous Peoples of East Bolivia (CIDOB), which encompassed the majority of the lowlands indigenous. At regional level, indigenous peoples have parent organizations that</p>

	<ul style="list-style-type: none"> • Article 255: Respect of the rights of indigenous peoples (Respeto de los derechos de los pueblos indígenas) • Article 289: Indigenous autonomy (Autonomía indígena) • Article 290: Indigenous autonomies are based on ancestral territories (Autonomías indígena se basa en territorios ancestrales) • Infoleyes (1996): Act 1715 of July 12 1996. Available at: https://bolivia.infoleyes.com/norma/1274/ley-del-servicio-nacional-de-reforma-agraria-1715 [Accessed on 3 March 2017]: <ul style="list-style-type: none"> • Article 2: Social function of original community land (Función social de las tierras comunitaria de origen) • Article 3: Enshrines the right of indigenous peoples on their land and natural resources (Garantiza el derecho de los pueblos indígenas sobre su territorio y sus recursos naturales) • Article 40, Paragraph III. Indigenous peoples exempt from agricultural property taxes (Pueblos indígenas exento de impuestos de inmueble agrario) • Article 41, Paragraph I. Recognises the original community land as a space for the life and development of indigenous peoples (Reconoce la tierra comunitaria de origen como el espacio de vida y desarrollo de los pueblos indígenas) • Article 42: Free awarding of original community lands (Dotación de las tierras comunitarias de origen a titulo gratuito) • Forestry Act 1700 (Ley Forestal 1700) of 12 July 1996: <ul style="list-style-type: none"> • Article 32: Authorisation to harvest in indigenous lands (Autorización de aprovechamiento en tierras indígenas) • Lexivox (1996): Supreme Decree 24453 (21 December 1996). Forestry Act Regulation 1700. 	<p>/stories/Transparencia/InformesAnuales/Memoriaavanceresultados2012-2013.pdf [Accessed on 3 March 2017].</p> <p>Non-Government sources</p> <ul style="list-style-type: none"> • Cronkleton, P., Pacheco, P., Ibarguen, R. and Albornoz, M.A. (2009): Land tenure reform in Bolivia. Communal management in the lowlands. CIFOR-CEDLA, La Paz, Bolivia. (Reformas en la tenencia forestal en Bolivia. La gestión comunal en las tierras bajas. CIFOR-CEDLA. La Paz, Bolivia). Available at: http://www.cifor.org/publications/pdf_files/Books/BCronkleton0901.pdf [Accessed on 3 March 2017]. • Vargas, M., Teresa, E. Osinaga (2009) Who is on charge of the forest in Bolivia? Consequences of the possession in forestry management and in the rural livelihood (¿En manos de quién están los bosques en Bolivia? Implicaciones de la tenencia en el manejo forestal y en los medios de vida rurales). Santa Cruz, Bolivia. Available at: http://webcache.googleusercontent.com/search?q=cache:jcB0yU03754J:www.fao.org/f 	<p>bring together other community structures to reach the community.</p> <p>Forestry Act 1700 grants indigenous communities the right of exclusivity to using forest in their territories. However, they must comply with the same rules as the contracted companies, and even have additional requirements like keeping minutes of consultations in all participatory processes. In fact, Ministerial Regulation 136/97 establishes the requirements that the indigenous peoples must meet to obtain approval of their management plans.</p> <p>From the Article 32 of the Forest Law 1700: Forest Management Plans in Indigenous Communities consider a prior information procedure for beneficiaries (community members) regarding forest management, scope, distribution of obligations and rights as well as the profits that emerge.</p> <p>The same Article 32 from Law 1700 states: Indigenous peoples are guaranteed exclusivity in forest use in the community lands of origin duly recognized in accordance with Article 171 of the Political Constitution of the State and Law N° 1257 that ratifies Convention N° 169 of the International Labor Organization.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • Cronkleton et al. (2009) mentions that developing the forest management plan is generally out of reach for most rural communities, due to the difficulties of meeting technical requirements and the lack of financial resources to pay for them. Thus, much of the community forest management plans have been supported or subsidized by forestry development institutions and projects or logging companies interested in gaining access to forests. But this support has been given only to a minority of indigenous management plans. Private logging companies under third-party harvesting
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	<p>Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 3 March 2017]:</p> <ul style="list-style-type: none"> Article 28: Consultation process for management plans with indigenous peoples (Proceso de consulta para planes de manejo en pueblos indígenas) Ministerial Order 136/97 of 9 June 1997. Approves technical regulation for management plans in original community lands (Aprueba norma técnica para planes de manejo en tierras comunitarias de origen) <p>Legal Authority</p> <ul style="list-style-type: none"> National Institute for Agrarian Reform – INRA. Land titles in original communal lands (INRA para la titulación de las tierras comunitarias de origen) ABT for the approval of management and clearing plans (ABT para la aprobación de planes de manejo y planes de desmonte) <p>Legally required documents or records</p> <ul style="list-style-type: none"> INRA resolution awarding land titles to original community territories ABT resolution to approve management plan ABT Resolution to approve Annual Operational Forestry Plans (POAFs) 	<p>orestry/download/17518-0db7130921b2b66b5062df8093b8cccf5.pdf+&cd=1&hl=es&ct=clnk&gl=es</p> <p>Interviews with experts Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>contracts have financed the bulk of management plans. In this context, indigenous peoples lose actual control over forest operations, and in many cases become spectators. There are few recent cases where community members participate in field operations, some of the cases are Santa Monica Community in the Monte Verde TIOC and Cururu Community in Guarayaos TIOC (in the case of Cururu, the community lost the FSC Certification and now the success of forest management from the economic point of view is unknown. In most cases, community management has not been economically successful, and many have stopped managing it for several reasons. However, these community forest management plans have had successful results for the communities because it has allowed them to consolidate their administration and rights over the territory, something that no other activity could do; based on expert consultation). In its 2014 annual report the ABT states that more communities are now party to forest management plans, to the extent that almost half of the area under current management at national level is under the control of the communities. Vargas, M., Teresa, E. Osinaga (2009) mentions on the article the historical change in the forest tenure of indigenous peoples, especially from the east, where tenure reaches around 24 percent of the forests (this change was corroborated by experts during consultation in 2016). However, it should be noted that many of these lands are in process of demand and the surface to holder is still uncertain. With the approval of the new Political Constitution of the State, In January 2009, indigenous and peasant communities acquired exclusive rights over all its natural resources, including forests.</p> <ul style="list-style-type: none"> There are many ways the rights of indigenous peoples can be violated in forest harvesting
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			<p>operations, but this happens mainly in fixing the price of timber, non-compliance with contracts, making it impossible to change contracts, the non-purchase of all agreed timber volumes, hiring of people from the community without considering legal labour requirements - among others. It is common to see cases in which the buyer fails to extract the entire harvested volume in the forest due to weather factors or bad planning. The volume left in the forest is not paid for and the community loses out. The method of same price payment for any species is the most common way of agreeing prices. On the other hand, there are no problems of third-party dispossession of land. Much progress has been made in the consolidation of indigenous peoples rights over land tenure (Based on communication and interview with the Director of the Indigenous Forestry Association (Asociación Forestal Indígena) 2016).</p> <ul style="list-style-type: none"> • According to National indigenous Forest Association (interview 2016), there are issues between state discourse and what happens in practice. The Decree No 2167 on food security has been created to expand agricultural activity to 1 million hectares per year, which means an increase in clearings and risks to the preservation of forests, which could affect above all the rights of indigenous peoples living in the forest. • According to the Forest Chamber of Bolivia, there is a risk when indigenous people sell management of forests to third parties (contractors) who only provide harvesting services, acting as a commercial link but not a long-term one. No data exists, but it is thought that this type of business makes up a high percentage (Interview 2016).
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			<p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: identified laws are not upheld consistently by all entities and/ or are often ignored, and/or are not enforced by relevant authorities.</p>
Trade and transport			
<p>1.16 Classification of species, quantities, qualities</p>	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Lexivox (1996): Forestry Act 1700 (12 July 1996), Article 11, 74, 95, 96. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on 3 March 2017]. BOLFOR (1996): Supreme Decree 24453 Forestry Act Regulation, Article 69 - b.9, 70, 74, 94, 96. Available at: http://www2.congreso.gob.pe/sicr/cendocbib/con4_uibd.nsf/29C02ACDA16F561A05257DCB00544B53/\$FILE/Ley_Forestal_varios_bolivia.pdf [Accessed on 3 March 2017]. USAID (1997): RM 136/97, technical regulations for management plans on indigenous community lands (Reglamentos técnicos para planes de manejo en tierras de comunidades indígenas). Available at: https://rmportal.net/library/content/libros/normas-tecnicas-tcos.pdf [Accessed on 3 March 2017]. Ministerio de Desarrollo Sostenible y Planificación (1998): RM 248/98, technical regulations for management plans and inventory (Reglamentos técnicos para planes de manejo e inventario). Available at: https://www.scribd.com/doc/314916829/Normas-Tecnicas-248-98 [Accessed on 3 March 2017]. ABT (2011): Technical instruction ABT-DGGTBT 005/2011. Available at: http://www.abt.gob.bo/images/stories/formularios- 	<p>Government sources</p> <ul style="list-style-type: none"> ABT (2015): Annual Report (Informe anual) Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/informe_anual_2015.pdf [Accessed on 8 May 2019]. ABT (2016): POA Monitoring and Evaluation Report. Second semester and Annual (Informe de Seguimiento y Evaluación POA. Segundo semestre y Anual). Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/INFORME_2DO_SEMESTRE_Y_ANUAL_POA_2016_ABT_opt.pdf#page=40&zoom=100,0,94 [Accessed on 8 May 2019]. <p>Non-Government sources</p> <ul style="list-style-type: none"> WWF (2015): Bolivia promotes forest legality (Bolivia promueve legalidad forestal). Available at: http://www.wwf.org.bo/noticias 	<p>Overview of Legal Requirements</p> <p>Regulation 248/98 states that the annual operational forestry plans (POAFs) should describe the species and the volumes registered for harvesting. This requires the completion of a technical data file containing the list of species to be harvested, the volume of the product, and numbers per hectare. This file is the summary of the database that contains the forest census for the annual harvest area (AAA) and is the basis to calculate the patent and the forest regulation tax (TRF).</p> <p>For transportation, timber and any other forest products are registered in the Certificate of Forest Origin (CFO), specifying species (scientific name), type of product and units. The contents of the CFOs are checked by ABT technicians in the fixed inspection posts, located on main roads where the forest products are transported. The regulation states that the information on the data file and what is transported in the truck must match fully, with goods being confiscated if this is not the case. Regulation 248/98 also requires a sawmill yield study for each species.</p> <p>Technical instruction ABT-DGGTBT 005/2011 describes the requirements, instructions to follow up when on the POAF there are species outside the PGMF management and the company wants to commercialize them. This technical instruction will indicate several scenarios: that the species has not been inventoried, that the species does not have the minimum abundance</p>

	<p>reglamentos/Instructivos/IT-DGGTBT-005-2011.PDF</p> <p>Legal Authority</p> <p>Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras, ABT)</p> <p>Legally required documents or records</p> <ul style="list-style-type: none"> • Annual Operational Forestry Plans (POAFs) • Technical data file for each species • Certificate of Forest Origin 	<p>/noticias_nacionales/?uNewsID=256171 [Accessed on 3 March 2017].</p> <p>Interviews with experts</p> <p>Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>or that there are no individuals in the diametric clues immediately inferior to the minimum cutting diameter. The consequences may be the non-authorization of exploitation for the species in question exposing the reasons and that will have to be excluded from the technical sheet for approval. And so, would not be permitted to be commercialize.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • In the past, there have been problems in relation to the volumes, since when measuring and loading the wood in the truck, the volume is greater than that indicated in the CFO. The ABT confiscates and initiates proceedings against those responsible for non-compliance with regulations (interviews with experts in Bolivia in 2016). For example, in the records length measurements often include a margin of between 10 and 20 cm to avoid shrinkage due to deterioration of the cups, but in the CFO the commercial measure is included, which becomes a punishable error. Currently, with the validity of the SICOB (Sistema Integrado de Control de Bosques- Integrated Forest Control System) the CFOs for transportation of processed wood are issued once the romaneo worksheets that detail the number of pieces, species and measurements of the detailed tables are attached. If the situation occurs that a vehicle transports more volume than authorized by the CFO or transport different species as the ones described on the CFOs, in both cases the ABT confiscates and opens administrative process against those responsible for non-compliance with regulations (Based on expert consultation in Bolivia in 2016). The frequency is important to have been noted on this assessment. Based on ABT 2016, a total of 866 mobile control operations were carried out (Terrestrial and fluvial), 392 inspections for pre-
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			<p>issuance of forest origin certificate (CFO), 491 inspections to centers of: processing, storage and commercialization of timber and non-timber forest products, 318 operative inspections of product intervened and 13 operations of performance study, 191 exploitation operations, 201 inspections to clearings, 298 inspections to burn and 6 inspection for illegal settlement. As a result of the national jurisdictional operations carried out, a total volume of 751,175 pt and 232pza of sawn wood was intervened; a total volume of 7,584 m3r of logs was also intervened (see ABT 2016). According to expert consultation in 2016, another type of non-compliance concerns using species not included in the group of commercial species outlined in the management plan. In this case, timber is subject to confiscation, and the administration (ABT) open a process to determines its illegality or legality. If the species were not selected as commercial species in the basket of species of the General Management Plan, it is sufficient to demonstrate to the Authority that these species would have been inventoried and that it has an abundance greater than 0.25 trees per hectare. This action should preferably be done prior to the census and the use. If the Authority approved that species in a POAF without verifying its existence in the inventory or basket of commercial species of the General Management Plan, it can be used and does not constitute any "crime". This procedure is reflected in the technical instruction ABT-DGGTBT 005/2011 and is legally binding.</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
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<p>1.17 Trade and transport</p>	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> • Presidente constitucional de la republica (2000): Supreme Decree 24453 (Decreto Supremo 24453) (12 July 1996). Forestry Act 1700 Rules (Reglamento de la Ley Forestal 1700). Available at: http://biblioteca.unmsm.edu.pe/redlieds/Recursos/archivos/Legislacion/Bolivia/DS_24453_Reg_Ley_Forestal.pdf [Accessed on 3 March 2017]. <ul style="list-style-type: none"> • Articles 70 and 74 (Art. 70° y 74°): Certificates of origin for transportation of forestry products. • Article 95 (Art. 95°): Forest surveillance checkpoints Article 95, Paragraph IV (Art. 95°, Paragrafo IV) Prohibits transport and trade without a forestry certificate of origin (Certificado Forestal de Origen or CFO). • Article 96, Paragraph I (Art. 96°, Paragrafo I). Seizing illegal forest products. • Ministerial Order (1997): Technical regulations on raw material supplying programs (Normativa técnica sobre programas de suministro de materia prima). 134/97 (RM 134/97). Available at: http://docplayer.es/22726485-Normas-tecnicas-sobre-programa-de-abastecimiento-y-procesamiento-de-materia-prima.html [Accessed on 1 March 2017]. • ABT (2012) Administrative Resolution RA-ABT-253-2012 Methodology for the elaboration of studies of conversion for the primary transformation of products wooden and procedure for approval. Available at: http://www.cfb.org.bo/downloads/RA-ABT-253-2012_DI-ABT-004-2012.pdf 	<p>Government sources</p> <ul style="list-style-type: none"> • ABT (2012/2013): Annual Management Report (Informe Anual Gestión 2012 y 2013). Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras). Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/Informe_sAnuales/Memoriaavancesres ultados2012-2013.pdf [Accessed on 3 March 2017]. • ABT (2016/2015): Annual Report Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras). Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/Informe_sAnuales/informe_anual_2015.pdf [Accessed on 3 March 2017]. <p>Non-Government sources</p> <ul style="list-style-type: none"> • Andaluz, R. and Mancilla (2006): National preliminary analysis on good governance and compliance with the legislation in Bolivian forestry (Análisis nacional preliminar sobre gobernabilidad y cumplimiento de la legislación 	<p>Overview of Legal Requirements</p> <p>Based on the Ministerial Resolution No. 134/97, transporting timber in Bolivia requires obtaining a Forestry Certificate of Origin issued by the Authority for the Social Audit and Control of Forests and Lands in accordance with the authorised timber volumes. In accordance with Ministerial Resolution No. 134/97, provides that in the case of trading companies (barracas), the product sold must be supported by the purchase-sale invoice when the volume is less than 200 board feet. When its trading is bigger than 2000 board feet, a Forestry Certificate of Origin must be granted. When the forestry organisation submits the Annual Operational Forestry Plan (Plan Operativo Anual Forestal, POAF), it submits as well the database of timber to be extracted in the area of annual harvesting (AAA is the Spanish acronym). Then, each time that the forestry organisation requests a Forestry Certificate of Origin (Certificado Forestal de Origen, CFO), the ABT removes or cancels from the database the volume transported with the Forestry Certificates of Origin that have been granted. This in order to prevent their re-utilisation.</p> <p>According to Article 74 of the DS 24453 (Art. 74° del DS 24453), the transport of forest products must be conducted always holding the corresponding certificate of origin, duly undersigned by the appointed public officer, or else a seizure warrant shall be issued, in accordance with current legislation. Article 95 (Art. 95°) establishes that forestry checkpoints, strategically located on hotspot roads or crossroads of walking paths or river paths, shall regulate the transport of forest products. By virtue of this article the transport, storage, processing and trade of forest products is prohibited as well in the entire national territory, for those who do not hold the corresponding certificate of origin, duly undersigned by the appointed public officer or the export permit; and provides for a punishment of seizure, fine</p>
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	<p>Legal Authority</p> <p>Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras)</p> <p>Legally required documents or records</p> <p>Overall, the documents that have to be submitted to the Authority for the Social Audit and Control of Forests and Land (ABT) in order to obtain a forestry certificate of origin (CFO) are these:</p> <ul style="list-style-type: none"> • Annual Operational Forestry Plan (POAF is the Spanish acronym) including the database of registered trees • Landing report (Informe de rodeo) (volume of timber stored in landings) • Bank slip as prove of payment for the forestry certificates of origin 	<p>en el sector forestal de Bolivia). World Bank. Washington D.C. Available at: http://documents.worldbank.org/curated/en/136341467998179650/pdf/804960WP0SPANI0Box0379805B00PUBLIC0.pdf [Accessed on 3 March 2017].</p> <ul style="list-style-type: none"> • TFT (2013): Country Guide for Timber Legality – Bolivia. Available at: http://www.tft-earth.org/wp-content/uploads/2013/03/TTA_P_Guide_to_Legality_Bolivia.pdf [Accessed on 3 March 2017]. <p>Interviews with experts: Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>and ban for those who fail to comply with the aforementioned requirement, in accordance with this legislation.</p> <p>Article 96 (Art. 96º) provides for the seizure of products and means of non-compliance with the Act in cases of illegal harvesting, transport, production and commercialisation of forest products, as well as of tools for illegal or unauthorised deforestation or slash-and-burn practices. It establishes as well that in order to transport timber or any other forest product, each truck used for transporting the goods shall carry a Forestry Certificate of Origin (CFO). The Forestry Certificates of Origin (CFOs) are issued by the Authority for the Social Audit and Control of Forests and Lands (ABT) upon payment at the Banco Unión bank.</p> <p>The Administrative Resolution RA-ABT-253-2012 establishes the methodology for the elaboration of studies of conversion for the primary transformation of products wooden and procedure for approval.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • When illegal harvesting takes places in Bolivia, it is often in unauthorised areas, which become authorised thanks to the forestry certificates of origin from the legally approved management plans or deforestation plans. This involves using legal documents (the forestry certificates of origin or CFOs), issued by the ABT for the transport of timber from authorised sources, to extract timber from unauthorised (illegal) sources. This has been common practice over the last few years. However, this trend has recently started to die down thanks to the ABT's search and control operations on the landings (Andaluz, 2006). This work is old but still valid because the problem has not completely disappeared (based on interview with experts)
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			<ul style="list-style-type: none"> • Another way to avoid this obligation is to transport timber without a CFO (and thus, illegally) concealing the load under a fruit load. Finally, the most widespread method is the one where the police and civil servants in the checkpoints are bribed by the offender so that the truck is allowed to keep going without a CFO (Andaluz 2006). It is extremely difficult to prove these occurrences because there is no related literature nor official records. However, the interviews with different stakeholders led to the conclusion that they exist. • Every year, the ABT publishes in its annual report data on the administrative claims filed by this institution against those who breach the acts that regulate forests (ABT, 2014; ABT, 2016), and on the volumes of forest products that have been seized for non-compliance with the requirement of including a forestry certificate of origin to prove their legal origin. For example, in the 2013 management the ABT (2014) reports that there were 549 administrative processes for illegal transportation, 492 processes for illegal clearing, 306 processes for illegal storage of wood, and the volume seized in the period reported by the ABT has been 2.5 million board feet in 2012 and 1.9 million board feet in 2013. It is clarified that these processes do not necessarily mean definitive confiscation or illegality, they are investigative processes. However, the ABT data demonstrates the latent risks of illegality in the forestry sector. • During the interviews with experts in 2016 it was often stressed that illegal timber is hidden and legalised in processing centres thanks to overestimated sawmill outputs (the technical regulation 134/97 establishes a 55% outcome while the actual outcome is in fact a much lower percentage). Through Administrative Resolution RA-ABT-253-2012, processing centers were
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			<p>required to carry out their performance studies in response to this "referential" value of 55%.</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
1.18 Offshore trading and transfer pricing	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Lexivox (2014): Act No. 549 (Ley N° 549) of 21st July 2014- Article 2 (Art. 2°). Transfer pricing. Available at: http://www.lexivox.org/norms/BO-L-N549.pdf [Accessed on 3 March 2017]. Ley general de Aduanas (1999): Bolivia General Act on Customs No. 1990 of 28 July 1999 (Ley General de Aduanas Bolivia- Ley N°1990 de 28 de julio de 1999). Available at: http://www.cumbre.com.bo/procedimientos/LEY_GENERAL_DE_ADUANAS.pdf [Accessed on 3 March 2017]. <p>Legal Authority</p> <p>Ministry of Economy (Ministerio de Economía)</p> <p>Bolivian customs</p> <p>Legally required documents or records</p> <p>Accounting records that can be verified by the State.</p>	<p>Non-Government sources</p> <ul style="list-style-type: none"> CEPB Bolivian Businessmen Association (2016): Transfer pricing, regulations in Bolivia. Informative Bulletin. Year 4 No. Available at: http://www.cepb.org.bo/boletin_informativo/Noviembre2014/Boletin_Noviembre2014.pdf [Accessed on 3 March 2017]. Transparency International (2018). Corruption Perceptions Index 2018: Bolivia. Available at: https://www.transparency.org/country#BOL [Accessed on 3 April 2019]. <p>Interviews with experts:</p> <p>Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks</p>	<p>Overview of Legal Requirements</p> <p>The Act No. 549, Art. 2, includes the concept of “related parties” as a criterion to evaluate trade and/or financial operations. The norm includes a definition for “parties”, but it has not yet defined a minimum percentage with regard to the direction, control, and/or administration that an individual/corporate entity must have in the other company to be considered a related party. It only establishes that there is a relationship when an individual or a corporate entity participates in the direction, control, administration, or has capital in another company, or when a third party, directly or indirectly, participates in the direction, control, administration, or has capital in two or more companies. The Act recognises the capacity of the Bolivian tax authority to verify that all transactions between related parties are conducted in accordance with the norm and to adjust or re-assess as appropriate in cases where the Act is being applied in order to avoid paying taxes or if its application results in a reduction of the companies’ tax liability in Bolivia. The Customs Act authorises the customs administration to conduct and/or require transfer pricing studies from importers pertaining to their transactions with related parties, especially in the case of reasonable doubt regarding the declared value in the transactions. The Act aims to evaluate whether the relationship between buyer and seller has an effect on the transaction’s value</p>

		<p>associated with each indicator of legislation.</p>	<p>for customs purposes and whether or not it has an effect on the prices. For transfer pricing taxation, there is a 12-month deadline that starts at the beginning of the taxation process and finishes when the provisional tax debit order (Vista de Cargo) is issued. This deadline can be extended for another twelve months. The Act is effective as of the first day following the end of the Corporate Income Tax fiscal year in accordance with the economic activity of the taxpayer.</p> <p>Description of risk</p> <ul style="list-style-type: none"> • Those who were interviewed said that Act No. 549 of 21 July 2014 on Transfer Pricing (Ley 549 of 21 July 2014 sobre Precios de transferencia) had been passed, but only very slowly has it started to be implemented. The aim of this regulation is to avoid utilisation of the international trade system by way of under-invoicing to facilitate avoidance of import or customs duties. The rationale behind this measure is that there is a risk that national companies sub-invoice friend companies abroad for the purposes of evading taxes. • Bolivia has not applied nor raised awareness on this act so far and enforcement activities have not been carried out by the authorities (based on the interview with the Export Chamber). • The Transparency International Corruption Perceptions Index 2018 for Bolivia was 29 (on a scale from 0 to 100 where a score of 100 is lowest level of corruption) and the country ranked 132 out of 180 countries. This means that there are high levels of perceived corruption in Bolivia. <p>Risk conclusion</p> <p>Taking into account that there is no available information nor evidences for the assessment of enforcement of Act</p>
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			No. 549, the precautionary approach has been applied, thus this indicator has been evaluated as specified risk. Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.
1.19 Custom regulations	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> • Presidente constitucional de la Republica (1993): Act 1483 on Taxes on Exports (Ley 1483, Ley de Tratamiento Impositivo a las Exportaciones). Available at: https://www.lexivox.org/norms/BO-L-1489.html [Accessed on 3 March 2017]. • Supreme Decree 24453 (Decreto Supremo 24453) (1996). Forest Act Regulations (Reglamento de la Ley Forestal). Available at: http://www.lexivox.org/norms/BO-DS-24453.xhtml [Accessed on 3 March 2017]. Article 8 (Art. 8) Last paragraph of sub-section I. It shall be prohibited to export wood in the rough for a period of 5 years after these regulations comes into force. • Bolivia General Act on Customs No. 1990 of 28 July 1999 (Ley General de Aduanas Bolivia- Ley N°1990 de 28 de julio de 1999) http://www.cumbre.com.bo/procedimientos/LEY%20GENERAL%20DE%20ADUANAS.pdf <p>Legal Authority</p> <p>Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización de Bosques y Tierras), is in charge of the issuance of the Export CFO.</p> <p>Bolivian customs, is in charge for the rest of the documents described below.</p>	<p>Government sources</p> <ul style="list-style-type: none"> • CEPROBOL (2014): How to export – Guidelines for micro/ small businesses and producers (Cómo exportar - Guía para productores, micro y pequeños empresarios) - http://www.bolivia.de/fileadmin/Dokumente/ComoExportar_guia.pdf [Accessed on 3 March 2017]. • ABT (undated) website-frequent questions. Available at: http://www.abt.gob.bo/index.php?option=com_content&view=article&id=280&Itemid=144&lang=es [Accessed on 7 June 2019] <p>Non-Government sources</p> <ul style="list-style-type: none"> • Camara Forestal de Bolivia (2014). Imports-Exports of Forests Products in Bolivia (Exportación – Importación de Productos Forestales de Bolivia) http://tools.cfb.org.bo/downloads/2014-05-Export-import-bolivia-forestal.pdf 	<p>Overview of Legal Requirements</p> <p>The Act 1483 requires the submission of several certifications to export timber and other forest products (see documents legally required that have been listed in the second column of this table).</p> <p>The Supreme Decree 24453 has prohibited exports of rough timber since 2002. Ever since then, this type of product has not been exported.</p> <p>The steps and requirements that exporters must follow have been listed in institutional guidelines (mandatory-compilation of applicable legislation) such as the one provided hereby , “How To Export - Guidelines For Micro/Small Businesses And Producers, elaborated by Export Chamber (Cómo Exportar Guia Para Productores, Micro Y Pequeños Empresarios)</p> <p>There are two different procedures within the “Free Management” (“Libre Gestión”) to process an export. The first one involves hiring a Customs Brokerage Agent which shall deal with the process on behalf of the exporter, submitting all required documents and filling-in all the necessary forms. The second one consists of the exporter conducting the process herself by virtue of the rights granted to her under the Free Management provision.</p> <p>FUNDEMPRESA (FUNDEMPRESA (undated)) is a non-profit foundation that operates the Bolivian Trade Registry, providing an efficient service to entrepreneurs and the State, supporting business development in Bolivia.</p>

	<p>Legally required documents or records</p> <p>There are two different procedures within the “Free Management” (“Libre Gestión”) to process an export. The first one involves hiring a a Customs Brokerage Agent which shall deal with the process on behalf of the exporter, submitting all required documents and filling-in all the necessary forms. The second one consists of the exporter conducting the process herself by virtue of the rights granted to her under the Free Management provision.</p> <p>The main documents required for exports are:</p> <ul style="list-style-type: none"> • Commercial invoice of export (which must include: correlated invoice number, place and date of issue, business name and address of exporter, general information of importer or consignee, details and quantity of merchandise, unit and total value, condition of sale (INCOTERMS), signature of the exporter and stamp of the company) • Packing List (which must include: commercial export invoice number related to the packing list, place and date of issue, general information of the exporter, total number of packages, dimensions and weight of each package, exact Articles containing each box, package, packaging or other type of packaging, packaging description, marks and sizes of goods, total net and gross weight, signature of the exporter and stamp of the company) • Export Declaration (SINGLE EXPORT DOCUMENT - DUE) • Forest Certificate of origin (CFO2) • Phytosanitary certificate • Transport document (issued by the transport company contracted by the exporter to carry out the export operation, in the case of being a shipping agency is called: Bill of Lading) 	<p>[Accessed on 3 March 2017].</p> <ul style="list-style-type: none"> • La Patria (2011). Chile seizes 142 kilos of Bolivian drugs destined for Syria (Incautan en Chile 142 kilos de droga boliviana destinada a Siria). Available at: http://www.lapatriaenlinea.com/?t=incautan-en-chile-142-kilos-de-droga-boliviana-destinada-a-siria&nota=57204 [Accessed on 3 March 2017]. • El Siglo (2014). Seized 123 kilos of drugs hidden in cargo of wood in Bolivia (Decomisan 123 kilos de droga ocultos en cargamento de madera en Bolivia). Available at: http://elsiglo.com.pa/internacional/decomisan-123-kilos-drogaocultos-cargamento-madera-bolivia/23788889 [Accessed on 3 March 2017]. • Diario Nacional Independiente- Página Siete (2015). They commit 822 kilos of drugs destined for France (Decomisan 822 kilos de droga que tenía como destino a Francia) Available at: https://www.paginasiete.bo/nacional/2015/5/11/decomisan-kilos-droga-tenia-como-destino-francia-56244.html 	<p>The Trade Registry of Bolivia is the organ of the Plurinational State that grants legal status and quality of subjects of right to commercial companies. The main profits of the trade registry are detailed below:</p> <ul style="list-style-type: none"> • Certifies the legality of companies and commercial companies. • Certifies the birth and legality of your company through trade registration. • Guarantees that the name of any company (company name or denomination) is unique, within the same economic activity, throughout the national territory. • Generates a positive business image in front of clients, demonstrating reliability and trust. • Provide solvency to companies and commercial companies to offer products and services in public and private procurement processes. • The registration of companies is a comparative advantage because it gives better opportunities to a competitor who does not have commercial registration. • Promote and make visible companies and commercial companies through the virtual business directory (www.fundempresa.org.bo/directorio). • The trade register of Bolivia, sole proprietorships and commercial companies contribute to formalize the economy of the country. <p>Regarding required certificates, the CFO: forest certificate of origin consists of the following (source: ABT (undated)):</p>
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	<ul style="list-style-type: none"> • Insurance <p>For timber export, it will be necessary the following:</p> <ul style="list-style-type: none"> • CITES Certificate • Forest Certificate of Origin (CFO2) • Registry of the National Superintendence for Forests • Application letter addressed to the Departmental Director (Carta de solicitud de inscripción dirigida al Director Departamental) • Scheme for raw materials processing and supply of the current management unit, in accordance with the terms and conditions established under the Forestry Act regulations (Programa de abastecimiento y procesamiento de materias primas de la gestión presente [de acuerdo al Reglamento de la Ley Forestal]) • Company's data: Location of the warehouse, machinery. • A copy of the taxpayer identification number (NIT) • A copy of the entry in the exporters registry (Registro del Exportador or REX) • A copy of the FUNDEMPRESA incorporation certificate (Fotocopia de matrícula de FUNDEMPRESA) • Power of attorney for legal representatives (Poder de Representante legal) (when appropriate) • Exports Certificate (Certificado de Exportación) • CFO-4: Movement document or forest transport 	<p>[Accessed on 3 March 2017].</p> <ul style="list-style-type: none"> • FUNDEMPRESA (undated) - web description. Available at: http://www.fundempresa.org.bo/ [Accessed on 7 June 2019] <p>Interviews with experts Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>CFO2: National forest circulation or transport document for timber with primary or secondary transformation, and</p> <p>CFO4: Movement document or forest transport document that is used only in cases of export. CFO2 are used for the CFO4 application</p> <p>Description of risk</p> <ul style="list-style-type: none"> • No instances of non-compliance with legal requirements for exports have been identified in the preparation of this report. There are several requirements to comply with, which are to be verified by different institutions (first, the Authority for the Social Audit and Control of Forests and Lands [ABT], then the customs office, then CITES for species listed within CITES annexes, and finally the National Service of Food and Agricultural Health (SENASAG), in charge of spraying against pathogens. Customs control over exports is very efficient (Interview with Export Chamber). • During interviews conducted with guilds and professional associations of exporters, it was highlighted that there are no major issues regarding exports-related Act violations. Apparently, there are high levels of compliance with the legal requirements. There are even cases where it is international buyers themselves who verify their Bolivian suppliers' compliance with the Act. For example, in the interview with key players, Forest Company Manager said that his clients from the United States come personally to verify the chain of custody and legality of the timber to make sure everything is in order. • In spite of this, it was also mentioned that the ABT does not control timber containers, and that it is the customs' staff that is in charge of their surveillance. Allegedly, this staff is often unfamiliar with the types of species to watch for. However, no evidence was
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			<p>found during our research that confirmed this type of error in the identification of species or products (expert consultation 2016 with governmental and non governmental experts). During interviews with staff from ABT and people of the Export Chamber there were no reports of cases where the exporters were punished for non-compliance with the applicable rules.</p> <p>A key element that must be underlined is the concealment of drugs in wood products (expert consultation). Also, some examples can be found about this subject on these sources of information: La Patria (2011), El Siglo (2014) and Diario Nacional Independiente- Página Siete (2015).</p> <p>Risk conclusion</p> <p>In compliance with the precautionary approach and in the absence of more substantial evidence, this indicator has been evaluated as specified risk. Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
1.20 CITES	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Gaceta (1991): Act 1255 (05 July 1991) (Ley 1255). Available at: http://www.museonoelkempff.org/cgb/Informacion/leyes/CGB_ley_1255.pdf [Accessed on 3 March 2017]. Single Section: Ratifies the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), signed on 23 December 1974 and ratified on 6 July 1979 by Bolivia. Not available on line, can be requested to the Minister of Water and the Environment 	<p>Government sources</p> <ul style="list-style-type: none"> Aguayo, R. (2013): Project “Electronic procedure for issuing CITES permits in the Member States of the Amazon Cooperation Treaty Organisation OTCA” (“Emisión Electrónica de Permisos CITES en los Países Miembros de la Organización del Tratado de Cooperación Amazónica [OTCA]”). Available at: https://cites.org/sites/default/ 	<p>Overview of Legal Requirements</p> <p>Bolivia, in its capacity as a signatory to the Convention on International Trade in Endangered Species – CITES, ratifies its endorsement thereof on 3 March 1973. It became effective as of 4 October 1979, under Decree-Act No. 16464 (Decreto Ley N° 16464). Later on it was elevated to the status of Act under Act No. 1255 (Ley N° 1255).</p> <p>CITES provides for the international trade in specimens of fauna and flora species listed in its appendices through a system of Permits and Certifications issued by the countries of origin and destination upon compliance with certain conditions.</p>

	<p>Legal Authority</p> <p>The National Competent Environmental Authority (Autoridad Ambiental Competente Nacional [AACN]) is the Vice-Ministry for the Environment, Biodiversity, Climate Change and Forest Management and Development (Viceministerio de Medio Ambiente, Biodiversidad, Cambios Climáticos y de Gestión y Desarrollo Forestal or VMABCCGDF). This is the body which regulates and issues authorisations for national and international trade, as well as the transport and possession of fauna and flora specimens listed in the Convention's appendices.</p> <p>CITES has a Scientific Authority and an Administrative Authority.</p> <ul style="list-style-type: none"> The Scientific Authority has been appointed by the Minister of Water and the Environment (Ministro de Medio Ambiente y Aguas) through a Ministerial Order. Their role is to represent CITES in Bolivia and oversee the application of the international convention in the country. The Administrative Authority is bestowed upon the Deputy Minister of Biodiversity, Forests Development and the Environment (Viceministro de Medio Ambiente, Biodiversidad y Desarrollo Forestal), who deals with the administrative procedures that lead to the obtention of a CITES permit and with those to do with exports of species listed in the CITES appendices. <p>Legally required documents or records</p> <p>General and specific requirements for being granted a CITES permit General documents:</p> <ul style="list-style-type: none"> Application letter addressed to the CITES Administrative Authority: General Directorate for 	<p>files/common/docs/informes_ACTO/Bolivia/Informe Final E-Permit BOLIVA 30 12 13.pdf [Accessed on 3 March 2017].</p> <ul style="list-style-type: none"> CITES (1991): Conclusions report on the issuing of CITES permits and authorisations in the Plurinational State of Bolivia - current situation (Documento de diagnóstico de la emisión de permisos y autorizaciones cites en el estado plurinacional de Bolivia- situación actual). Available at: https://cites.org/sites/default/files/common/docs/informes_ACTO/Bolivia/ANEXO A_Documento Diagnostico Final BOLIVIA.pdf [Accessed on 3 March 2017]. CITES (1991): Procedures for issuing CITES permits at the CITES administrative authority in Bolivia (Procedimientos para la emisión de permisos cites de la autoridad administrativa cites de Bolivia). Available at: https://cites.org/sites/default/files/common/docs/informes_ACTO/Bolivia/ANEXO A4 Procedimientos CITES 	<p>Applications for import/export permits or re-export certifications are processed at the one-stop point of contact at the the Vice-Ministry for the Environment, Biodiversity, Climate Change and Forest Management and Development (Viceministerio de Medio Ambiente, Biodiversidad, Cambios Climáticos y de Gestión y Desarrollo Forestal or VMABCCGDF) in the city of La Paz. These applications are handed in person or by a company's proxy.</p> <p>Received applications for the export of a species listed in CITES are then sent to the Directorate-General for Biodiversity and Protected Areas (Dirección General de Biodiversidad y Áreas Protegidas, DGBAP), which in turn sends it to the CITES administrative office. It is there that the application's documents are checked. If all requirements are duly fulfilled and all information provided is valid, the data are registered in the database and a CITES permit is issued.</p> <p>During the application phase where the documents are assessed, the CITES Assistant and/or Coordinator at the administrative office checks the national and international CITES database in order to verify quotas allocated to companies, seal numbering, the adequacy of the values featured, Forestry Certificates of Origin (CFOs), appendices, species and other relevant data. These data are registered in the corresponding database and, whenever necessary and depending on the type of permit or certificate, the country's Scientific Authorities and/or the Administrative Authorities at the re-export country are consulted via e-mail.</p> <p>The CITES documents are requested by the customs authorities at the moment when the goods are to exit the country. Moreover, the National Service of Food and Agricultural Health (SENASAG) requests a CITES permit for specimens included in the CITES appendices before issuing their plant and cattle health certificate.</p>
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	<p>Biodiversity and Protected Areas (Dirección General de Biodiversidad y Áreas Protegidas).</p> <ul style="list-style-type: none"> • Bank slip for the transaction at Banco Unión bank, Account No. 1-3517288 MMAYA–CITES Original bank slip. • Other additional documents that might be requested in any specific cases. Requirements for being granted forest timber species certificates and permits. • Single copy of commercial invoice. • Packing list. • Executed copy of forestry certificates of origin CF0 4 Requirements for animal sub-products and derivatives (leather or fur, meat, bones and others). • CITES Permit 	<p>Bolivia_Final.pdf [Accessed on 3 March 2017].</p> <ul style="list-style-type: none"> • CITES database (2018). Available at: https://trade.cites.org/en/cites_trade/# CITES (2018) non-detriment finding (dictamen extracción no perjudicial). Available at: https://cites.org/esp/prog/ndf/index.php • MMAYa Environment and Water Ministry (2014): Illegal trafficking in wildlife in Bolivia (“Tráfico ilegal de vida silvestre en Bolivia”). Available at: http://es.slideshare.net/vladyvostok/guia-control-trfico [Accessed on 3 March 2017]. <p>Interviews with experts: Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator of legislation.</p>	<p>Description of risk</p> <ul style="list-style-type: none"> • The interviews conducted to experts in 2016 in the preparation of this report revealed that, in the CITES lists as of 10 March 2016, two timber species are registered in CITES II and three cedar species in CITES III: <ul style="list-style-type: none"> ✓ CITES II Species: <i>Swietenia macrophylla</i>, <i>Bulnesia sarmientoi</i> ✓ CITES III species: <i>Cedrela fissilis</i>; <i>Cedrela lilloi</i>; <i>Cedrela odorata</i>, These species cannot be exported without a CITES certificate. • The forest species featured in the CITES list for Bolivia are <i>Swietenia macrophylla</i> (CITES II) and <i>Cedrela</i> sp. Both species require a CITES certificate in order to be exported. However, exports of these species have been stagnant due to the lack of profitability they entail, because of the low number of specimens of this kind that can be found in the management units. As verified against the CITES database (https://trade.cites.org/en/cites_trade/#) between 2014 and 2015). • The paper “Illegal trafficking in wild fauna and flora in Bolivia” (“tráfico ilegal de vida silvestre en Bolivia”) by the Environment and Water Ministry (Ministerio de Medio Ambiente y Agua [MMAYa]) provides information on occurrences of trafficking in artisanal products made of giant tree fern from the Cyatheaceae family of species included in CITES list. • The interviewees of the CITES Bolivia office, according to their records, indicated that many species of timber are highly demanded for their quality. In particular, species from the Meliaceae family, namely mahogany (<i>Swietenia macrophylla</i>) and cedar (<i>Cedrela fissilis</i>, <i>Cedrela odorata</i> and
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			<p>other species), both in the local and international markets</p> <ul style="list-style-type: none"> • <i>Cedrela odorata</i> exports decreased considerably between 2014 and 2015 (Cites database 2014-2015). The 2015 figures are much lower than the figures for 2014. See table 1 on Annex 2 Category 1 tables. • During the interviews conducted with several experts of CITES and Exports Chamber, and confirmed on the CITES database 2018 it was found out that <i>Switenia macrophylla</i> has not been exported since 2011 due to the lack of the "Dictámen de extracción no prejudicial" (Non-detriment finding) for this species in CITES (CITES 2018). See table 2 on Annex 2 Category 1 tables. The purpose of these "non-detriment finding" - is to ensure that exports of products from species listed in the CITES Appendices and indicated in the "non-detriment finding" have not been harmful to wild populations or to ecosystems. • During the interviews with officers at the Deputy Ministry's office, it was stressed on several occasions that the CITES permit is granted in relation with the Forestry Certificate of Origin (CFO) issued by the Authority for the Social Audit and Control of Forests and Lands (ABT) for timber to be exported. In addition, public officers always verify that the exporting company's records are valid (ABT, Chamber of Exporters, etc.) Until 2012, the Deputy Minister's office would survey timber, but it no longer does so, since the ABT's CFO and the company's records are regarded as reliable enough. This means that there might be some risk involved because the normal way is: The export CFO is issued by the ABT, prior to the management must be made to the Directorate General of Biodiversity and Protected Areas of Bolivia for the CITES permit, this instance registers the company and requests information from the
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			<p>ABT, among others. CITES permits are delivered to the exporter and subsequently delivered (with the export CFO and the CITES permit) to the Customs authority.</p> <ul style="list-style-type: none"> • The risk of non-compliance with this requirement in the case of exports is high. Customs and SENASAG's authorities request the CITES certificate before granting their own permits. • In addition, since exports of these species have been stagnant, this risk has been considered to be high. <p>Risk conclusion</p> <p>This indicator has been evaluated as specified risk. Threshold (2) is met: identified laws are not upheld consistently by all entities and/ or are often ignored, and/or are not enforced by relevant authorities</p>
Diligence/due care procedures			
1.21 Legislation requiring due diligence/due care procedures	<p>Applicable laws and regulations</p> <p>In Bolivia, there are no laws regarding "due diligence", therefore this indicator is not applicable.</p> <p>Legal Authority</p> <p>N/A</p> <p>Legally required documents or records</p> <p>N/A</p>	N/A	N/A

Recommended control measures

The recommended control measures here are only indicative in nature, and are not mandatory. Recommended control measures might not have been provided for all the risks that have been identified in this risk assessment. Organizations shall evaluate and devise appropriate control measures to mitigate the risks identified in this risk assessment as applicable.

Indicator	Recommended control measures
1.1 Land tenure and management rights	<ul style="list-style-type: none"> • Regarding the concessions, it is necessary to verify that a license forest right (derecho forestal) resolution has been issued by the Competent authority (ABT). • Concerning private properties, it is necessary to verify that there is a property title or, if applicable, an INRA certificate stating that the property is undergoing a sanitation process. In addition, it is necessary to verify that the property is registered in the Royal Rights. It is also necessary to make a consultation with the Royal Right to determine if the property is subject to encumbrance or if the name of the owner has changed. • Concerning the community territories of origin, it must be verified that there is a property title registered in Royal Rights with the name of the mother organization of the TCO. At the same time, it is necessary to have a resolution issued by the management of the indigenous matrix organization, by virtue of which a specific surface is granted to a community or forestry organization for carrying out forest management activities. • Concerning all the possession cases: it is necessary to request Property Registration Certificate as updated as possible (allodium certificate). (http://magistratura.organojudicial.gob.bo/index.php/2013-05-07-15-26-51/2014-08-12-23-42-07) • As per field verification, it is mandatory to verify the absence of third parties occupying areas inside forestry concessions or properties. It is also desirable to consult with the neighbors about the territory boundaries or the existence of current or potential conflicts due to overlapping or other alleged rights.
1.2 Concession licenses	N/A
1.3 Management and harvesting planning	<ul style="list-style-type: none"> • Approved Management Plan and annual POAF shall be available. • ABT reports of inspections of the management areas shall confirm that plans are being complied with in the field. • Field visit to: <ul style="list-style-type: none"> ✓ Verify that the forestry census data (POAF) are accurate and that the legal and technical restrictions are respected in the field. ✓ Review the management area map and the proximities (following the approved management plan). ✓ Review whether there are legal conflicts in situ (subjugation, illegal harvesting, etc.).
1.4 Harvesting permits	<ul style="list-style-type: none"> • Review of ABT's authorisations and reports about the legal fulfillment of the forestry exploitation and management (POAF, IAPOAF) made by the title holder. • Audit in the field to verify the following: <ul style="list-style-type: none"> ✓ The exploitation shall be carried out in the AAA established in the POAF (duly approved by the ABT) (PGMF-Forest Management Plan also need to be approved by ABT). <i>(It shall be noted, that the competent authority also allows the use in AAA of the previous management if it was partially exploited, to complete balances)</i> ✓ Exploitation restrictions shall be respected in the field. ✓ Authorities shall be consulted to determine the existence of penalties or violations made by forestry managers. ✓ Forestry managers shall have their own monitoring program. ✓ The harvesting volumes shall be contrasted with the approved volumes. ✓ AAA maps including the existence and location of trees shall be verified in an audit.
1.5 Payment of royalties and harvesting fees	N/A

Indicator	Recommended control measures
1.6 Value added taxes and other sales taxes	<ul style="list-style-type: none"> • Management assessment and Financial audits of the companies shall be available to verify compliance • Tax payment receipts stamped by the relevant bank shall confirm that taxes have been paid • Request the company's debt clearance certificate, issued by the national taxing authority. • The volumes, species and qualities stated in the transport (CFO) and sale documents of forest products must match and be backed by what is stated in invoices (taxes). <p>The following measures only apply to private companies and not to communities:</p> <ul style="list-style-type: none"> • Verify through online consultations in the tax portal that the company is duly registered and shows that it has been regularly complying with its tax commitments. • Verify that the company has the register of employers of the ministry of labor and social security (mandatory).
1.7 Income and profit taxes	<ul style="list-style-type: none"> • Management assessment and Financial audits of the companies shall be available to verify compliance • Corporate profits tax payment receipts stamped by the bank • The volumes, species and qualities stated in the transport (CFO) and sale documents of forest products must match and be supported by invoices (taxes).
1.8 Timber harvesting regulations	<ul style="list-style-type: none"> • At the landing, before any transport can be carried out, roundwood must be measured, given a new code number and registered in a database to be sent to the ABT. The ABT reviews and takes each of the logs off the POAF (annual operational forestry plan) database. Afterwards, the ABT issues forestry certificates of origin (certificados forestales de origen, CFO) which allow transport of the timber to the sawmill. • After harvesting, an assistant drafts an annual report on the implementation of the POAF (IAPOAF), which must be reviewed and approved by the ABT. • Field visit shall verify: <ul style="list-style-type: none"> ✓ Harvesting is conducted within the authorised boundaries of the ABT and shall be limited to authorised trees. ✓ Harvesting shall not take place in areas where harvesting is legally prohibited. ✓ Tree species or selected trees found within the forest areas shall fulfil technical requirements. ✓ Harvesting restrictions shall be observed in the field. ✓ Authorities were consulted to check the sanctions or breaches committed by forest managers. ✓ Approved plans fulfil technical requirements and are observed in the field. ✓ Forest managers have their own monitoring and control system. ✓ Verify health and safety regulations in the workplace are observed, as set out in the labour and social security legislation. ✓ Check that harvested volumes match the data in the approved documents and that there are traceability registers available. <p><i>NOTE: Based on the concept: scale, intensity and risk, and the type of entity (company versus community forestry organizations (OFC)), different risk mitigations will be more appropriated to be used. It's important to note that OFC in general do not have their own legal entity, so, based on the Act, they cannot be considered strictly as companies. On the other hand, in many cases the OFCs do not hire employees, but the partners themselves carry out work and activities and these are developed temporarily during the harvest season.</i></p>

Indicator	Recommended control measures
1.9 Protected sites and species	<ul style="list-style-type: none"> • Field audit in order to shall ensure that all legally protected areas are not affected and that there is no harvesting in protected areas. Using geo-positioning information, confirm that forest operations are not carried out in national, departmental or municipal conservation or protection areas • Verify the application of environmental measures outlined in the management plan. • Verify inspection reports in the management area (on hunting). • Check the list of species harvested in Annual Operational Forestry Plans (POAFs) and compare with the CITES list. • Verify records on the monitoring of flora and fauna species as stated. • Interview technical and field staff to validate actions aimed at protecting flora and fauna, as well as improving their knowledge and accountability.
1.10 Environmental requirements	<ul style="list-style-type: none"> • Environmental restrictions must be enforced on the ground, such as those related to land damage, buffer zones, river zones, restrictions on the use of conditioned species, closures, if applicable. They are identified in POAF operational maps that identify and define areas with environmental restrictions. • AAA (annual harvesting area) field visits to show the protection of protected areas in general. • Visits to field areas to check the presence or absence of waste and its management. • Interview with key stakeholders on recent hunting and forest fires. • There are training and updating measures for the personnel involved, regarding environmental and protection regulations in forest areas (buffer zones, protection areas, pollutants and their management, etc.).
1.11 Health and safety	<ul style="list-style-type: none"> • All safety and health regulations shall be followed and all required safety equipment shall be used • All personnel shall observe occupational health and safety requirements involved in harvesting activities. • Interviews with staff and contractors shall confirm that legally required protection equipment is required/provided by the organisation. • All requirements on prevention of air and water pollution shall be followed and are verified through reports monitoring pollution (when applicable) • Payment receipt for medical insurance shall be available • Verify that the company has a document on Risks at Work, Policies and Actions. • All personnel involved in harvesting activities must have access to occupational health and • Safety requirements, in accordance with Bolivian regulations. Verify payroll to confirm payment of social security contributions. • Interviews with staff and contractors should confirm that the legally required protective equipment is provided by the organization. • Official audit reports on occupational health and safety are available, based on national standards. There are reports of how actions have been implemented, if required by the authority. • All those involved in forestry operations are covered by the social security and risks at work system, according to the Act. • Verification is made of the training process for personnel on occupational health and safety. • Regulatory compliance with safety at work is verified in the field. Visual inspections performed of: use of personal protection equipment, security signs and working spaces of the organization • If required, consult the Ministry of Labour on complaints or violations.

Indicator	Recommended control measures
	<p><i>NOTE: Based on the concept: scale, intensity and risk, and the type of entity (company versus community forestry organizations (OFC)), different risk mitigations will be more appropriated to be used.</i></p> <p><i>It's important to note that OFC in general do not have their own legal entity, so, based on the act, they cannot be considered strictly as companies. On the other hand, in many cases the OFCs do not hire employees, but the partners themselves carry out work and activities and these are developed temporarily during the harvest season.</i></p> <p><i>Additionally, in the forest areas there are no offices of the social security system. We recommend that for communities the focus will be done at minimum to the use of personal protective equipment and health practices at the scale of community operations and the adoption of measures to address health emergencies and accidents.</i></p>
1.12 Legal employment	<ul style="list-style-type: none"> • All workers are employed according to the regulation and required contracts are in place • Persons involved in harvesting activities shall be covered by obligatory insurances. • At least the legally established minimum salaries shall be paid for personnel involved in harvesting activities. • Salaries shall be paid officially and declared by the employer according to requirements for personnel involved in harvesting activities. • Minimum age shall be observed for all personnel involved in harvesting activities. • Minimum age shall be observed for all personnel involved in hazardous work. • Stakeholders shall confirm that forced or compulsory labour is not involved in harvesting activities. • Field audit shall verify: <ul style="list-style-type: none"> ✓ Employment contracts for all staff. Evidence that employment contracts are delivered to the worker. ✓ Contracts approved by the Ministry of Labour. ✓ Interviews with workers. ✓ Interviews with the regional labour inspector. ✓ Verification of payment forms duly registered with the Ministry of Labour. ✓ The company or organization must prove, by means of Certification from the Ministry of Labour, that it does not have any outstanding payroll debts, allegations of abuses, proceedings against it for non-payment, etc. ✓ In the case of indigenous communities, verify that contracting agreements are governed according to their customs and traditions (ILO Convention 169) and do not violate the rights of workers and labour act. <p><i>NOTE: Based on the concept: scale, intensity and risk, and the type of entity (company versus community forestry organizations (OFC)), different risk mitigations will be more appropriated to be used.</i></p> <p><i>It's important to note that OFC in general do not have their own legal entity, so, based on the act, they cannot be considered strictly as companies. On the other hand, in many cases the OFCs do not hire employees, but the partners themselves carry out work and activities and these are developed temporarily during the harvest season.</i></p>
1.13 Customary rights	N/A
1.14 Free prior and informed consent	<ul style="list-style-type: none"> • Consultation with the Confederation of Indigenous Peoples of East Bolivia (CIDOB) and the community mother organization to ensure a stakeholder process has been established that demonstrates prior and informed consent. • Consultation with community leaders to verify that a stakeholder process has been established that demonstrates prior and informed consent

Indicator	Recommended control measures
	<ul style="list-style-type: none"> • On site verification that, where applicable, a stakeholder process has been established that demonstrates prior and informed consent. Interviews with all stakeholders show that contracts and other elements have been agreed in a participatory and transparent manner between the relevant parties. • On site verification that the status and process of prior information received will be made available to communities, peoples or nations for consultation (<i>confidential information should be kept confidential on the information availability</i>) <p><i>NOTE: Based on the concept: scale, intensity and risk, and the type of entity (company versus community forestry organizations (OFC)), different risk mitigations will be more appropriated to be used. It's important to note that OFC in general they can do consultations through their uses and customs, with the validation of their communal authorities and / or the supra-communal parent organization. In this case, consultations with CIDOB would become an unnecessary bureaucratic requirement for the OFC.</i></p>
1.15 Indigenous peoples rights	<ul style="list-style-type: none"> • Interviews with indigenous leaders in parent organizations of original community lands to evaluate and confirm there is not any risk of violation of traditional /indigenous rights on the forest area where the wood come from • Visit or interviews through digital way, to the CIDOB in order to evaluate if there is any risk in relation with the forest area where the wood come from, in terms of indigenous/traditional people rights. • Even if there is a global confederation, on each region or community land, there is the matrix community responsible (leads), it's for that we include twice interviews with these important organisation. In the cases where communities are not part of indigenous territories, the consultation can be done with the Peasant Federations or equivalent. • Review communal records approving use of forest resources and distribution of economic benefits • It is important that through interviews and relevant documents such as communal assembly minutes, it is verified that the indigenous leaders of the OFC have duly consulted on the negotiations with purchasing companies with their partners and members of the community that do not participate directly in forest management activities. The conduct of open negotiations in a community assembly with buyers is an effective way to ensure transparency and effective participation. <p><i>NOTE: Based on the concept: scale, intensity and risk, and the type of entity (company versus community forestry organizations (OFC)), different risk mitigations will be more appropriated to be used. It's important to note that OFC in general they can do consultations through their uses and customs, with the validation of their communal authorities and / or the supra-communal parent organization. In this case, consultations with CIDOB would become an unnecessary bureaucratic requirement for the OFC.</i></p>
1.16 Classification of species, quantities, qualities	<ul style="list-style-type: none"> • Review annual POAF reports and the species list to verify the species on the CFO (transport) and invoices correlates with the actual species included on the POAF (annual planning of the management plan) and the list of species. • Review the technical data files of the approved POAF to see if they have only harvested the species authorized in the management plan • Products must be correctly classified (species, quantities, quality, etc.) in sales documents, customs declarations and other documents required by law • Physical inspections must be verified to ensure that the material in question is the same as the one that has been invoiced and dispatched in the CFOs
1.17 Trade and transport	<ul style="list-style-type: none"> • ABT reports on the management of legal compliance with forestry trade and transport regulations. The reports will show the level of conformance of different enterprises based on the national certification system in Bolivia (Bolivian System of

Indicator	Recommended control measures
	<p>Forests Certification and Incentives (ABT-Sistema Boliviano de Certificación de Bosques e Incentivos), more information: http://tools.cfb.org.bo/downloads/directriz-abt-005-2014-reglamentacion-sistema-certificacion-bosques-incentivos-sbcbi.pdf.</p> <ul style="list-style-type: none"> • Check volumes approved in the Annual Operational Forestry Plan (Plan Operativo Anual Forestal, POAF) against transported and commercialised volumes • Check the information on forest transport guidelines (forestry certificates of origin or CFOs) which support the entry and exit of timber • Profitability studies, to prove that the volumes sold are backed by timber profits.
1.18 Offshore trading and transfer pricing	<ul style="list-style-type: none"> • The products shall not have been traded through countries known as “tax havens”. • There shall be no illegal manipulation in relation to the transfer pricing.
1.19 Custom regulations	<ul style="list-style-type: none"> • Products shall be correctly classified (type, custom code, species, quantities, qualities, etc.). • All required import and exports permits shall be in place.
1.20 CITES	<ul style="list-style-type: none"> • All cross border trade of CITES-listed species shall be documented and accompanied by required export, import and re-export certificates issued by competent authorities (CITES Management Authorities). • On imports: rules for the import of furniture made of timber: http://abt.gob.bo/index.php?option=com_content&view=article&id=1041&catid=82&Itemid=279&lang=en
1.21 Legislation requiring due diligence/due care procedures	N/A

Controlled wood category 2: Wood harvested in violation of traditional and human rights

Risk assessment

Indicator	Sources of Information	Functional scale	Risk designation and determination
2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.	See detailed analysis below.	Country	Low risk. Justification: Low risk thresholds (1), (2), (3), (4) and (5) apply.
2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.	See detailed analysis below.	Country	Specified risk for rights to freedom of association and collective bargaining, child labour, forced labour and on gender wage discrimination Justification: Specified risk thresholds (14) and (15) apply. Low risk for all other forms of discrimination Justification: Low risk thresholds (11) and (12) apply.
2.3. The rights of Indigenous and Traditional Peoples are upheld.	See detailed analysis below.	Country (all territories with legal and/or customary rights of indigenous peoples, including uncontacted peoples and traditional peoples, namely Afro-Bolivians)	Specified risk Justification: Specified risk thresholds (22), (24) and (26) apply.

Recommended control measures

The recommended control measures here are only indicative in nature, and are not mandatory. Recommended control measures might not have been provided for all the risks that have been identified in this risk assessment. Organizations shall evaluate and devise appropriate control measures to mitigate the risks identified in this risk assessment as applicable.

Indicator	Recommended control measures
2.1	N/A
2.2	CM should be based on clear evidence that the Organization has policies in place that guarantee core labour rights, especially rights to freedom of association and collective bargaining and on equal payment of women

Indicator	Recommended control measures
2.3	<p>Clear evidence that a forest operation is not taking place in territories of indigenous or traditional peoples, Or,</p> <p>Clear evidence that the FMU is managed by the governance structures of indigenous or traditional peoples, Or,</p> <p>Clear evidence that the involved indigenous or traditional peoples have freely ceded their territorial and/or use rights in an agreement or settlement with the government, Or</p> <p>an (FPIC) agreement with the involved indigenous or traditional peoples with customary forest rights in the forest management unit, after a fair, transparent, cultural appropriate and inclusive procedure.</p>

Detailed analysis

Sources of information	Evidence	Scale of risk assessment	Risk indication ¹
<p>Context (the following are indicators that help to contextualize the information from other sources)</p> <ul style="list-style-type: none"> Searching for data on: level of corruption, governance, lawlessness, fragility of the State, freedom of journalism, freedom of speech, peace, human rights, armed or violent conflicts by or in the country, etc. 			
World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for 215 countries (most recently for 1996–2017), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption http://info.worldbank.org/governance/wgi/index.aspx#home	http://info.worldbank.org/governance/wgi/index.aspx#reports (click on table view tab and select Country) In 2017 (latest available year) Bolivia scores between 9.62 (for Rule of law) and 33.33 (Political stability and absence of violence/terrorism) on the percentile rank among all countries for four of the six dimensions. The fifth and sixth dimension score 37.50 (Government Effectiveness) and 45.81 (for Voice and accountability) (the scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes).	Country	
World Bank Harmonized List of Fragile Situations	http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/FY15FragileSituationList.pdf Bolivia does not feature in this list.	Country	
Committee to Protect Journalists: Impunity Index CPJ's Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred between January 1, 2004, and December 31, 2013, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index.	http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php Bolivia does not feature in this list.	Country	

¹ A risk indication is provided for each source analyzed, except in the first part that addresses the general country context as that is not a risk indicator. A cumulative risk assessment for each risk indicator is provided in the row with the conclusion on each risk indicator, based on all the sources analyzed and evidence found.

<p>Carleton University: Country Indicators for Foreign Policy: the Failed and Fragile States project of Carleton University examines state fragility using a combination of structural data and current event monitoring http://www4.carleton.ca/cifp/ffs.htm (Select Country Ranking Table)</p>	<p>https://carleton.ca/cifp/wp-content/uploads/CIFP-2017-Fragility-Report.pdf Bolivia is classified as a 'Moderately Functional state' on the 2017 Country Indicators for Foreign Policy Report.</p>	Country	
<p>Human Rights Watch: http://www.hrw.org</p>	<p>https://www.hrw.org/world-report/2016 <i>World Report 2016</i> <i>Chapter on Bolivia (pages 119-123)</i> “Impunity for violent crime and for human rights violations remains a serious problem in Bolivia. Extensive and arbitrary use of pretrial detention—and trial delays—undermine defendants’ rights and contribute to prison overcrowding, despite recent legal reforms. The administration of President Evo Morales has created a hostile environment for human rights defenders that undermines their ability to work independently. Threats to judicial independence, violence against women, and child labor are other major concerns.” Impunity for Abuses and Violent Crime “Efforts to bring to justice those allegedly responsible for killings during violent clashes in 2008 between supporters and opponents of President Morales have made little progress. As of September 2015, a La Paz court had yet to rule in a case involving Leopoldo Fernández, former prefect of Pando Department, and three local officials charged in 2008 for their roles in the killing of 13 people.” “Prosecutors have yet to investigate fully allegations that police in 2011 gagged, stripped, and beat protesters when dispersing a largely peaceful demonstration against a proposed highway in the Isiboro Secure National Park and Indigenous Territory (known as “TIPNIS”). In April 2015, the Attorney General’s Office dismissed the criminal case against a former vice minister of interior and at least 10 members of the National Police whom the Ombudsman’s Office had implicated in the violations. The lack of justice has led to mob attacks (or “lynchings”) against citizens or police officers believed responsible for crimes. Ten people were killed in lynchings from January to November 2014, according to the UN High Commissioner for Human Rights. In September 2015, a mob tied a suspected criminal to a pole and beat him to death in El Alto, according to press reports. Impunity for lynchings remains the norm.” Judicial Independence “The Bolivian justice system has been plagued by corruption, delays, and political interference for years. The 2009 constitution provided for judicial elections to overhaul Bolivia’s highest courts, but the Plurinational Assembly selected candidates through a process that lacked transparency and did not adequately consider their qualifications. In January 2015, President Morales</p>	Country	

	<p>announced a new judicial reform process, but the government has not yet defined its scope.”</p> <p>Human Rights Defenders “Human rights defenders continue to face harassment and threats, including from government officials, undermining their ability to work independently. In 2013, President Morales signed a law and adopted a decree granting the government broad powers to dissolve civil society organizations. Under the decree, any government office may request that that Ministry of Autonomy revoke an organization’s permit if it performs activities different from those listed in its by- laws, or if the organization’s legal representative is criminally sanctioned for carrying out activities that “undermine security or public order.” As of September 2015, a case brought by the Ombudsman’s Office challenging both provisions was still pending before the Constitutional Court. In August 2015, Vice President García Linera accused four Bolivian NGOs of trying to “impede the development” of Bolivia; in June, President Morales said that any international NGO engaged in activities “detrimental to the exploitation of natural resources would have to leave Bolivia.” In 2013, the government expelled the Danish nongovernmental organization IBIS, which had worked with indigenous groups, accusing it of engaging in “political interference.””</p> <p>Freedom of Expression “While public debate is robust, the Morales administration periodically lashes out at journalists, accusing them without basis of publishing what it calls lies and politically motivated distortions. In September, the minister of the presidency accused local outlets of participating in an international conspiracy against Bolivia and President Morales. Bolivia lacks transparent criteria for using government funds to purchase media advertisements, and some media companies have accused the government of discriminating against outlets that criticize government officials. There is no national law ensuring public access to information held by government bodies.”</p>		
US AID: www.usaid.gov Search on website for [country] + ‘human rights’	No relevant information found.	Country	
Global Witness: www.globalwitness.org Search on website for [country] + ‘human rights’	https://www.globalwitness.org/en/archive/major-breakthrough-fight-end-illegal-logging-interpol-arrests-200-across-12-countries/ MAJOR BREAKTHROUGH IN FIGHT TO END ILLEGAL LOGGING AS INTERPOL ARRESTS 200 ACROSS 12 COUNTRIES. Press Release, 20 February, 2013 “This is a major development in the fight against illegal logging, which is a much bigger global problem than most of us realise,” said Billy Kyte, forest campaigner at Global Witness. “Local people often get the blame, but they are usually not the real problem. Much more damage is done by big companies connected to business, political and criminal elites, who systematically skirt	Country	

	<p>laws and regulations in order to destroy forests at an industrial scale. This is a disaster for the people who live in the forest and for the planet as a whole.”</p> <p>The Interpol investigation called “Operation Leaf”, covered 12 countries and lasted three months in late 2012. It brought together law enforcement agencies to combat forestry crime in Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Paraguay, Peru, and Venezuela. The investigation pointed to the social impacts of the illegal logging, highlighting damaging impacts on forest-dependent communities and increases in murders and corruption as criminal groups move into remote forest areas.”</p>		
Chatham House Illegal Logging Indicators Country Report Card http://www.illegal-logging.info	No relevant information found.	-	
Transparency International Corruption Perceptions Index	<p>https://www.transparency.org/country#BOL</p> <p>Bolivia scores 29 points on the Transparency International Corruption Perception Index 2018 (on a scale from 0 to 100 where a score of 100 is lowest level of corruption) and the country ranked 132 out of 180 countries with rank no. 1 being the most clean country.</p>	Country	
Amnesty International Annual Report: The state of the world’s human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights	<p>https://www.amnesty.org/en/latest/research/2016/02/annual-report-201516/</p> <p><i>State of the Human Rights Report 2015/16</i> <i>Chapter on Bolivia (pages 88-90)</i></p> <p>“Truth, justice and full reparation for victims of human rights violations committed during past military regimes were still pending. Insufficient steps were taken to guarantee full enjoyment of sexual and reproductive rights. Discredit from the authorities of the work of NGOs, including human rights defenders, paired with strict regulation to obtain registration remained a concern.”</p> <p>Impunity</p> <p>“Measures to ensure truth, justice and full reparation for victims of human rights violations committed during past military and authoritarian regimes (1964-1982) were very limited. The authorities took no concrete steps to establish a truth commission following a commitment made in March following a public hearing at the Inter- American Commission of Human Rights.1 A bill that was presented by victims’ organizations to the Plurinational Legislative Assembly to create such a commission was pending at the end of the year. In July, the Public Ministry announced the creation of a genetic data bank to identify the remains of potential victims of enforced disappearance. It is estimated that around 150 people were forcibly disappeared during the military regimes. The Public Ministry called on the relatives of victims of enforced disappearances to undertake blood tests to establish possible matches. No progress was made to ensure full and fair reparation to victims of past human rights violations after the qualification process ended in 2012.”</p>	Country	

	<p>Torture and other ill-treatment</p> <p>“The absence of an independent mechanism to record and investigate allegations of torture deterred victims from pursuing justice. No efforts were made to ensure the full independence of the national preventive mechanism against torture, dependent on the Ministry of Justice. The regulation of this mechanism was pending at the end of the year.</p> <p>In June Juan Bascope lodged a complaint of torture, death threats and discrimination that he was subjected to while in detention in 2014 in Maripiri in the Yungas region. He was accused of killing three members of the security forces and a doctor during a joint police and military operation against illegal coca plantations in the municipality of Apolo in 2013. He was detained and brought before a judge three days later. However, no investigation is known to have been initiated.”</p>		
<p>Freedom House http://www.freedomhouse.org/</p>	<p>https://freedomhouse.org/report/freedom-world/freedom-world-2018 The status of Bolivia on the Freedom in the World index 2018 is ‘partly free’. https://freedomhouse.org/report/freedom-net/freedom-net-2018 Bolivia does not feature on this map. https://freedomhouse.org/report/freedom-press/freedom-press-2017 The status of Bolivia on the Freedom of the Press index 2017 is ‘partly free’.</p>	Country	
<p>Reporters without Borders: Press Freedom Index https://rsf.org/ranking</p>	<p>https://rsf.org/ranking 2018 World Press Freedom Index In 2018, Bolivia ranked 110 out of 180 countries on World Press Freedom Index Being no. 1 the most free country.</p>	Country	
<p>Fund for Peace - Fragile States Index - the Fund for Peace is a US-based non-profit research and educational organization that works to prevent violent conflict and promote security. The Fragile States Index is an annual ranking, first published in 2005 with the name Failed States Index, of 177 nations based on their levels of stability and capacity http://fsi.fundforpeace.org/</p>	<p>http://fsi.fundforpeace.org/ Fragile States Index 2018 Bolivia is ranked 76 out of 178 countries on the Fragile States Index 2018. (No. 1 being the most failed state). This ranks Bolivia in the category ‘Warning’.</p>	Country	
<p>The Global Peace Index. Published by the Institute for Economics & Peace, This index is the world's leading measure of national peacefulness. It ranks 162 nations according to their absence of violence. It's made up of 23 indicators, ranging from a nation's level of military expenditure to its relations with neighbouring countries and the level of respect for human rights. Source: The Guardian: http://economicsandpeace.org/research/iep-indices-data/global-peace-index</p>	<p>http://visionofhumanity.org/app/uploads/2018/06/Global-Peace-Index-2018-2.pdf 2018 Global Peace Index The state of Peace in Bolivia is labeled ‘medium’ with Bolivia ranking number 94 out of 163 countries (no. 1 being the most peaceful country) with a score of 2.092.</p>	Country	

Additional sources of information (These sources were partly found by Googling the terms '[country]', 'timber', or 'conflict', 'illegal logging')	Evidence	Scale of risk assessment	Risk indication
WWF	<p>http://assets.worldwildlife.org/publications/677/files/original/March_2015_Country_Risk_Profile_NA_Booklet.pdf?1429535765</p> <p><i>Global Forest & Trade Network</i> <i>Country Risk Profiles – 2015: Bolivia, Cameroon, China, Colombia, Indonesia, Lao PDR, Malaysia, Myanmar, Panama, Peru, Russian Far East, Vietnam</i></p> <p>“Bolivia’s Amazon and montane forests are home to some of the most diverse life on Earth, but illegal and unsustainable logging pose a significant threat to these forests and the biodiversity they host. Fortunately, wood products buyers can play a key role in forest conservation through their purchasing decisions. This fact sheet is designed to assist wood products buyers with evaluating and reducing their sourcing risk in Bolivia.</p> <p>Regions with high levels of illegal logging activity:</p> <ul style="list-style-type: none"> • Guarayos and El Choré municipalities <p>in Santa Cruz Province:</p> <ul style="list-style-type: none"> • Ixiamas in La Paz Province • Chiquitania in Velasco Municipality” 	Country	
Ecology and Society	<p>http://www.ecologyandsociety.org/vol9/iss1/art12/</p> <p><i>Impacts of Unsustainable Mahogany Logging in Bolivia and Peru</i> <i>Report in Ecology and Society 9(1): 12. Published in 2004.</i></p> <p>“Mahogany logging has attracted international concern because it is commercially unsustainable (CITES 2002a). It can also harm indigenous peoples (Watson 1996), catalyze subsequent deforestation (Verissimo et al. 1995), and threaten the viability of the species (Snook 1996). Attempts to improve the management and secure the conservation of mahogany have included boycotts (Hering and Tanner 1998), logging moratoria, and the promotion of sustainable forest management (CITES 2002a, Grogan et al. 2002). Despite these efforts, the threat to mahogany populations remains, and concerned parties have attempted to secure protection for the species under the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) four times since 1990. This objective was finally realized in November 2002, when bigleaf mahogany was listed on CITES Appendix II (CITES 2002b). CITES scientific authorities in exporting countries will now be required to verify that mahogany shipments are not detrimental to the survival of the species (CITES 2002b: Article IV, Paragraph 2) and do not harm mahogany’s ability to maintain itself throughout its range at a level consistent with its role in the ecosystem (CITES 2002b: Article IV, Paragraph 3).</p> <p>In this paper, we present a systematic and rigorous expert-survey methodology</p>	Amazon	

	that can be used to collect information over large areas at a low cost. We applied this methodology to assess the conservation status of mahogany in Bolivia and Peru. These two countries represent different snapshots in the logging trajectory of local depletion and shifting supply that has typified mahogany's exploitation across its entire range (Robbins 2000). Mahogany logging began in Bolivia in the late 1960s. As a result of overharvest and increasing regulation (Management Authority of Bolivia 2001, TRAFFIC 2001a), Bolivia's exports dropped precipitously in the late 1990s (Fig. 1). Logging has now shifted to Peru, where exports have increased dramatically. Our study documents a species depleted or under threat across its entire range in the two countries, providing significant support for the decision to list bigleaf mahogany on Appendix II."		
From national CW RA: Info on illegal logging	Not available	-	-
Conclusion on country context: Bolivia scores medium to low on all indices assessed in this country context analysis, with some of the World Bank Governance indicators being very low, especially indicator Rule of Law. The rule of law is under great pressure and important human and civil rights are not well protected, for example the rights of protesters in general. Deforestation is a major issue in Bolivia. Based on the available data, illegal logging seems to be a serious problem.		Country	
Indicator 2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.			
Guidance			
<ul style="list-style-type: none"> • Is the country covered by a UN security ban on exporting timber? • Is the country covered by any other international ban on timber export? • Are there individuals or entities involved in the forest sector that are facing UN sanctions? 			
Compendium of United Nations Security Council Sanctions Lists: www.un.org	https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/consolidated.pdf	Country	Low risk
US AID: www.usaid.gov	There is no UN Security Council ban on timber exports from Bolivia.		
Global Witness: www.globalwitness.org	Bolivia is not covered by any other international ban on timber export.		
	There are no individuals or entities involved in the forest sector in Bolivia that are facing UN sanctions.		
From national CW RA	Not available	-	-
Guidance			
<ul style="list-style-type: none"> • Is the country a source of conflict timber? If so, is it at the country level or only an issue in specific regions? If so – which regions? • Is the conflict timber related to specific entities? If so, which entities or types of entities? 			
www.usaid.gov	No information on conflict timber in Bolivia found.	Country	Low risk
Conflict Timber is defined by US AID as: - conflict financed or sustained through the harvest and sale of timber (Type 1),			

- conflict emerging as a result of competition over timber or other forest resources (Type 2) Also check overlap with indicator 2.3			
www.globalwitness.org/campaigns/environment/forests	No information on conflict timber in Bolivia found.	Country	Low risk
Human Rights Watch: http://www.hrw.org/	No information on conflict timber in Bolivia found. https://www.hrw.org/world-report/2016 No information found on conflict timber in Bolivia in the World Report 2016.	Country	Low risk
World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf Now: PROFOR http://www.profor.info/node/1998	No information found on conflict timber in Bolivia.	Country	Low risk
Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights http://www.amnesty.org	No information in the Amnesty International Report 2015-16 on conflict timber in Bolivia found.	Country	Low risk
World Bank: Worldwide Governance Indicators - the WGIs report aggregate and individual governance indicators for 213 economies (most recently for 1996–2017), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption http://info.worldbank.org/governance/wgi/index.aspx#home Use indicator 'Political stability and Absence of violence' specific for indicator 2.1	http://info.worldbank.org/governance/wgi/index.aspx#reports In 2017 (latest available year) Bolivia scores on the indicator <i>Political Stability and Absence of Violence/Terrorism</i> 33.33 on the percentile rank among all countries (ranges from 0 (lowest) to 100 (highest rank) with higher values corresponding to better outcomes. No evidence found that this rank has a relationship with conflict timber.	Country	Low risk
Greenpeace: www.greenpeace.org Search for 'conflict timber [country]'	No information on conflict timber or illegal logging in Bolivia found.	Country	Low risk
CIFOR: http://www.cifor.org/ http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm	No information on conflict timber or illegal logging in Bolivia found.	Country	Low risk
Google the terms '[country]' and one of following terms or in combination 'conflict timber', 'illegal logging'	No information on conflict timber or illegal logging in Bolivia found.	Country	Low risk
From national CW RA	Not available	-	-

<p>Conclusion on indicator 2.1: No information was found on Bolivia as a source of conflict timber and the forest sector is not associated with any violent armed conflict. There is no UN security ban, other ban or UN sanction.</p> <p>The following low risk thresholds apply: (1) The area under assessment is not a source of conflict timber²; AND (2) The country is not covered by a UN security ban on exporting timber; AND (3) The country is not covered by any other international ban on timber export; AND (4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND (5) Other available evidence does not challenge 'low risk' designation.</p>		Country	Low risk
<p>Indicator 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.</p> <p>Guidance</p> <ul style="list-style-type: none"> • Are the social rights covered by the relevant legislation and enforced in the country or area concerned? (refer to category 1) • Are rights like freedom of association and collective bargaining upheld? • Is there evidence confirming absence of compulsory and/or forced labour? • Is there evidence confirming absence of discrimination in respect of employment and/or occupation, and/or gender? • Is there evidence confirming absence of child labour? • Is the country signatory to the relevant ILO Conventions? • Is there evidence that any groups (including women) feel adequately protected related to the rights mentioned above? • Are any violations of labour rights limited to specific sectors? 			
General sources from FSC-PRO-60-002a V1-0 EN	Information found and specific sources	Scale of risk assessment	Risk indication
<p>Status of ratification of fundamental ILO conventions: http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO:: or use: ILO Core Conventions Database: http://www.ilo.org/ilolex/english/docs/declworld.htm C29 Forced Labour Convention, 1930 C87 Freedom of Association and Protection of the Right to Organise Convention, 1948 C98 Right to Organise and Collective Bargaining Convention, 1949 C100 Equal Remuneration Convention, 1951 C105 Abolition of Forced Labour Convention, 1957 C111 Discrimination (Employment and Occupation) Convention, 1958</p>	<p>http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102567 Bolivia has ratified all 8 fundamental ILO Convention. The status of all 8 conventions is 'in force'.</p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3189956:NO <i>Direct Request (CEACR) - adopted 2014, published 104th ILC session (2015) Forced Labour Convention, 1930 (No. 29) - Bolivia, Plurinational State of</i> "Articles 1(1), 2(1) and 25 of the Convention. 1. Forced labour in indigenous communities. In its previous comments, the Committee recognized the measures adopted by the Government to combat the practices of forced labour and servitude, of which certain members of the indigenous communities,</p>	<p>Country</p> <p>Country</p>	<p>Low risk</p> <p>Low risk on forced labour</p>

² "Conflict timber" limited to include "timber that has been traded at some point in the chain of custody by armed groups, be they rebel factions or regular soldiers, or by a civilian administration involved in armed conflict or its representatives, either to perpetuate conflict or take advantage of conflict situations for personal gain - conflict timber is not necessarily illegal. Please refer to FSC-PRO-60-002a V1-0.

<p>C138 Minimum Age Convention, 1973 C182 Worst Forms of Child Labour Convention, 1999</p> <p>Ratification as such should be checked under Category 1. In Cat. 2 we take that outcome into consideration. Refer to it.</p>	<p>particularly the Quechua and Guaraní peoples working in agriculture, are victims. It asked the Government to pursue efforts to eradicate these practices and protect victims. It noted in particular the activities carried out by the Fundamental Rights Unit of the Ministry of Labour within the framework of the Development Plan for the Guaraní People, the strengthening of labour inspection at regional level, and the land distribution process.</p> <p>(a) Institutional strengthening. The Committee notes the information provided by the Government in its report concerning the increase and strengthening of staff in regional labour units, which benefit from the assistance of officials trained in forced labour, with the purpose of bringing the State closer to the most vulnerable sectors and to areas with limited state presence. A strategic objective of the project on “the progressive eradication of forced labour and other similar forms of work in indigenous families in the Chaco zone, the Bolivian Amazon zone and the Santa Cruz region (Norte Integrado de Santa Cruz)”, implemented in 2011, is the capacity building of labour inspectors relating to the question of forced labour. In 2013, the regional labour units were equipped with vehicles. <i>The Committee encourages the Government to continue to strengthen the state presence in areas where incidents of forced labour have been identified, particularly by continuing to carry out awareness-raising and capacity-building activities among at-risk groups. The Committee also recalls the importance of measures to combat the root causes of the vulnerability of the victims, of policies aimed at ensuring greater autonomy of at-risk groups, and of combating poverty. It requests the Government to provide specific information on steps taken in this regard, particularly within the framework of the Development Plan for the Guaraní People. The Committee also requests the Government to strengthen the capacity of other actors involved in combating forced labour, such as prosecution authorities and judges.</i></p> <p>(b) Strict enforcement of penal sanctions. In its previous comments, the Committee emphasized that the absence of complaints by victims of forced labour before the competent administrative and judicial authorities does not necessarily indicate an absence of violations but could reveal a limited access to law enforcement authorities, a lack of awareness, on the part of the victims, of their rights, or fear of reprisals. As the imposition of forced labour constitutes a crime, prosecution must be conducted “ex officio” by the police and prosecution authorities, without depending on the initiative of victims. The Committee notes in this regard that no criminal proceedings have been initiated on the basis of section 291 of the Criminal Code or any other criminal law provisions. The Government indicates that, in the various regional labour units, it has not been necessary to use section 291 of the Criminal Code, mainly owing to the awareness raising that has been carried out at different levels, among both Guaraní families and employers, which led employers to seek solutions to avoid prosecution for this crime. The Government also refers to comprehensive mobile inspections which are conducted in various</p>	<p>Country</p> <p>Country</p> <p>Country</p> <p>Country</p>	<p>Low risk on forced labour</p> <p>No assessment</p> <p>Specified risk on forced labour</p> <p>No assessment</p>
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	<p>communities of the Chaco zone, the Bolivian Amazon zone and the Santa Cruz region to investigate situations of forced labour and restore victims' rights. The Committee notes the statistics provided in this regard for 2012–13, which show that an increasing number of workers have had their rights restored and that the amounts awarded to workers further to conciliation procedures between the labour inspectorate and employers are increasing.</p> <p><i>The Committee welcomes the action taken by the labour inspectorate. It nevertheless emphasizes the importance of continuing to enhance its powers and its capacity to identify situations of forced labour.</i> The Committee recalls that the effective imposition of penalties for violations of labour legislation is an essential element in combating forced labour, as it is characterized by the concurrence of a number of violations of labour legislation which must be punished as such. Moreover, taken as a whole, these violations constitute the criminal offence provided for in section 291 of the Criminal Code of "reduction of a person to a condition akin to slavery", which in itself gives rise to specific penalties. <i>The Committee therefore requests the Government to take the necessary measures to ensure close cooperation between the labour inspectorate and the Public Prosecutor so that no situation of forced labour goes unpunished, particularly given that victims are in vulnerable situations which prevent them from directly gaining access to justice.</i> Recalling the symbolic value of penal sanctions and their dissuasive function, the Committee hopes that the Government will be in a position to provide information on the application in practice of section 291 of the Criminal Code, which provides for prison sentences of between two and eight years for anyone reducing a person to a condition akin to slavery. Lastly, the Committee requests the Government to indicate how the National Agrarian Reform Institute (INRA) cooperates with the labour inspectorate and the judicial authorities, particularly in the framework of its duties related to land restitution, which is a process that is implemented when practices involving servitude or forced labour are reported in places where the use of the land does not respect its "social-economic function".</p> <p>2. Trafficking in persons. The Committee notes the adoption of the Organic Law against trafficking and smuggling of persons (Act No. 263 of 31 July 2012) and the implementing regulations (Decree No. 1486 of 6 February 2013). The Committee notes with interest that the Act defines the fundamental components of trafficking in persons and provides for penalties. It establishes a framework to combat trafficking through measures and mechanisms for prevention, comprehensive victim protection, international and national cooperation, and punishment. The Act also provides for the establishment of the Plurinational Council against the trafficking and smuggling of persons, which, in turn, shall develop and implement the plurinational policy against the trafficking and smuggling of persons and will be the coordinating body in this area." (..)</p>	Country	Specified risk on forced labour
		Country	Low risk on forced labour

	<p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3143330:NO</p> <p><i>Observation (CEACR) - adopted 2013, published 103rd ILC session (2014) Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Bolivia, Plurinational State of</i></p> <p>“Legislative issues. The Committee recalls that for many years it has been commenting on the following matters:</p> <ul style="list-style-type: none"> – the exclusion of agricultural workers from the scope of the General Labour Act of 1942 (section 1 of the General Labour Act, and its Regulatory Decree No. 224 of 23 August 1943), which implies their exclusion from the guarantees afforded by the Convention; –the denial of the right to organize of public servants (section 104 of the General Labour Act); –the excessive requirement of 50 per cent of the workers in an enterprise to establish a trade union, in the case of an industrial union (section 103 of the General Labour Act); –the broad powers of supervision conferred upon the labour inspectorate over trade union activities (section 101 of the General Labour Act, which provides that labour inspectors shall attend the deliberations of trade unions and monitor their activities); –the requirement that trade union officers must be of Bolivian nationality (section 138 of the Regulatory Decree) and permanent employees in the enterprise (sections 6(c) and 7 of Legislative Decree No. 2565 of June 1951); –the possibility of dissolving trade union organizations by the administrative authority (section 129 of the Regulatory Decree); –the requirement of a three-quarters majority of the workers in order to call a strike (section 114 of the General Labour Act and section 159 of the Regulatory Decree); the illegality of general strikes, subject to penal sanctions (sections 1 and 2 of Legislative Decree No. 2565 and section 234 of the Penal Code); the illegality of strikes in the banking sector (section 1(c) of Supreme Decree No. 1958 of 1950); and the possibility of imposing compulsory arbitration by decision of the executive authorities in order to bring an end to a strike, including in services other than those that are essential in the strict sense of the term (section 113 of the General Labour Act). <p>The Committee notes with satisfaction the information provided by the Government concerning the repeal of section 234 of the Penal Code following the adoption of Act No. 316 of 2012. <i>The Committee requests the Government to confirm whether, following the reform of the Penal Code, Legislative Decree No. 2565, referred to above, has been repealed.</i></p> <p>The Committee also notes the Government’s indication that: (i) a new General Labour Act is being prepared which, among other matters, provides for the inclusion of rural and agricultural workers so that they can benefit from all social rights, and envisages a requirement of 20 workers to establish a union at the enterprise or industrial level; and (ii) with regard to the right to organize of</p>	Country	Specified risk for the freedom of association
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	<p>public officials, a Bill on public servants has been prepared which is to be examined and approved by the legislative authorities.</p> <p><i>The Committee expresses the firm hope that the new General Labour Act and the Act on public servants will be adopted in the very near future and that they will be in full conformity with the provisions of the Convention. The Committee requests the Government to report any developments in this respect and recalls that, if it so wishes, it may have recourse to technical assistance from the Office.</i></p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3143346:NO</p> <p><i>Observation (CEACR) - adopted 2013, published 103rd ILC session (2014) Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Bolivia, Plurinational State of</i></p> <p>“The Committee recalls that for many years its comments have been referring to the following matters relating to Articles 1, 2 and 4 of the Convention:</p> <ul style="list-style-type: none"> -the need to adjust the amount of fines (of which the amount ranges between 1,000 and 5,000 Bolivian bolivianos (BOB)) envisaged in Act No. 38 of 7 February 1944 to make them sufficiently dissuasive against acts of anti-union discrimination or interference; and -the need to guarantee the right to organize of public servants and agricultural workers, and hence their right to collective bargaining (the Constitution already does so, but the General Labour Act has not been amended accordingly). <p>The Committee notes the Government’s indication in its report that the preliminary draft of the General Labour Act is undergoing consultation with the Bolivian Central of Workers. <i>The Committee expresses the firm hope that the new General Labour Act will be adopted in the very near future, that it will be the subject of consultations with all the most representative workers’ and employers’ organizations and that, as a result: (i) the amount of the fines for acts of anti-union discrimination or interference will be adjusted so that they are sufficiently dissuasive; and (ii) the guarantees afforded by the Convention will be explicitly granted to public servants who are not engaged in the administration of the State and to all agricultural workers, whether they are wage earners or own-account workers. The Committee requests the Government to provide information in its next report on any developments in this respect and reminds it that, if it so wishes, it may have recourse to the technical assistance of the Office.</i></p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3081359:NO</p> <p><i>Observation (CEACR) - adopted 2012, published 102nd ILC session (2013) Equal Remuneration Convention, 1951 (No. 100) - Bolivia, Plurinational State of</i></p>	Country	Specified risk for the right to collective bargaining for agricultural workers (unclear whether “forestry” is included in “agriculture”)
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	<p>“Principle of equal remuneration for men and women for work of equal value. In its previous comments, the Committee noted the Government’s indication that the preliminary draft amendment to the General Labour Act provided that “the State, through the Ministry of Labour, shall promote the inclusion of women at work and shall guarantee the same remuneration as for men for work of equal value”. In this respect, the Committee notes that, according to the Government, work on this draft has come to a standstill because the Bolivian Central of Workers (COB), which is involved in its drafting, has requested that the health and municipal sectors participate in the work on the Labour Act. The Committee also notes that, according to a communication sent by the Government from the Vice-Ministry of Justice and Fundamental Rights, the National Plan of Action for Human Rights 2009–2013 refers, in its Chapter 6 on women’s rights, to the formulation and implementation of a cultural campaign for “equal work, equal wages, equal opportunities and equal rights” and that the body responsible for implementing this chapter is the Ministry of Labour. <i>Recalling that article 48 of the Constitution refers to the principle of equal remuneration for work of equal value, the Committee hopes that the General Labour Act will be adopted in the near future and that it will give full effect to the principle of the Convention. The Committee asks the Government to send information on any developments in this respect. The Committee also asks the Government to send specific information on the measures adopted by the Ministry of Labour, in the context of the implementation of Chapter 6 on women’s rights of the National Plan of Action for Human Rights, for which it is responsible.</i>”</p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3081355:NO</p> <p><i>Direct Request (CEACR) - adopted 2012, published 102nd ILC session (2013) Equal Remuneration Convention, 1951 (No. 100) - Bolivia, Plurinational State of</i></p> <p>“Gender wage gap. The Committee notes the statistical information provided by the Government indicating that in 2009, 13.5 per cent of men and 24.5 per cent of women were underemployed (18.2 per cent of these women received a wage that was lower than the cost of the basic food basket). Furthermore, 51.9 per cent of men and 60.6 per cent of women were working in the informal sector. The Government also refers to Supreme Decree No. 1213 of 1 May 2012, which establishes the basic wage and makes no distinction between men and women. The Government adds that it is setting out to eradicate precarious work and underemployment under the National Development Plan. The Committee notes that in its report concerning the application of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Government refers to the National Equal Opportunities Plan, “Women building a new Bolivia to live well”, of which one of the objectives is to promote equal pay between men and women. The Committee notes, however, that the</p>	Country	Specified risk on gender wage discrimination
		Country	Specified risk on gender wage discrimination

	<p>Government has not provided specific information on the measures adopted with a view to reducing the wage gap and recalls that pay differentials remain one of the most persistent forms of inequality between women and men. This requires that governments, along with employers' and workers' organizations, take more proactive measures to raise awareness, make assessments and promote and enforce the application of the principle of equal remuneration for men and women for work of equal value. Collecting, analysing and disseminating this information is important in identifying and addressing inequality in remuneration (see General Survey on the fundamental Conventions, 2012, paragraphs 668 and 669)."</p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3189978:NO <i>Direct Request (CEACR) - adopted 2014, published 104th ILC session (2015) Abolition of Forced Labour Convention, 1957 (No. 105) - Bolivia, Plurinational State of</i> "Article 1(a) of the Convention. Punishment for expressing certain political views. In its previous direct request, the Committee requested the Government to provide information on the application in practice of certain provisions of the Criminal Code under which sentences of imprisonment could be imposed in cases which fall within the scope of the application of Article 1(a) of the Convention, namely, sections 123 (sedition), 126 (conspiracy), 132 (criminal association), 134 (public disorder and disturbances). These provisions may be used to punish, with forced labour, acts through which persons express political views or peacefully express views opposed to the established political economic or social system, as sentences of imprisonment involve the obligation to work under section 48 of the Criminal Code and sections 181 et seq. of Act No. 2298 of 2001 on the enforcement of sentences. The Committee notes that the latest information received on the manner in which these provisions of the Criminal Code are applied in practice by the courts is from 2007. <i>The Committee therefore requests the Government to provide copies of court decisions handed down under the above provisions of the Criminal Code so that it can assess the scope.</i>"</p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3189982:NO <i>Observation (CEACR) - adopted 2014, published 104th ILC session (2015) Abolition of Forced Labour Convention, 1957 (No. 105) - Bolivia, Plurinational State of</i> "Article 1(d) of the Convention. Punishment for having participated in strikes. In its previous comments, the Committee requested the Government to take the necessary measures to amend or repeal sections 2, 9 and 10 of Legislative Decree No. 2565 of 6 June 1951 and section 234 of the Criminal Code under which prison sentences could be imposed for participation in</p>	Country	Specified risk on forced labour
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	<p>strikes. The Committee notes with interest that section 234 of the Criminal Code has been repealed through Act No. 316 of 11 December 2012 on the decriminalization of the right to strike and the protection of the right to organize relating to criminal matters.</p> <p>The Committee notes however that Act No. 316 has not repealed sections 2, 9 and 10 of Legislative Decree No. 2565 of 6 June 1951 establishing criminal sentences for participation in general strikes and acts of solidarity. It recalls that compelling a person to work, including in the form of prison labour, for peacefully participating in a strike is prohibited under the Convention.</p> <p>Accordingly, prison sentences, when they involve compulsory labour, as is the case in the Plurinational State of Bolivia under the terms of section 48 of the Criminal Code and sections 181 et seq. of Act No. 2298 of 2001, lie within the scope of the Convention when they are imposed for a participation in a strike. <i>Noting the Government's previous indication that the provisions of sections 2, 9 and 10 of Legislative Decree No. 2565 of 6 June 1951 are not applied in practice, the Committee trusts that the Government will continue to align its legislation with the Convention and accordingly requests it to take the necessary measures to amend or repeal the above provisions.</i></p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3081367:NO</p> <p><i>Direct Request (CEACR) - adopted 2012, published 102nd ILC session (2013) Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Bolivia, Plurinational State of</i></p> <p>“Article 1(1)(a) of the Convention. Equality of opportunity and treatment between men and women. The Committee notes that article 48 of the National Constitution provides that the State shall promote the integration of women into the labour force and guarantee the same pay as that received by men for work of equal value, both in the public and private sectors, and that women “shall not be discriminated against or dismissed on account of their marital status, pregnancy, age, physical features or number of sons or daughters”. It also guarantees security of employment for women when they are pregnant, and for the parents, until the child has reached 1 year of age. Supreme Decree No. 0012 of 19 February 2009 and Supreme Decree No. 496 of 1 May 2012 regulate the employment security conditions of the mother and father of the newborn child working in both the public and private sectors during pregnancy and until the child reaches 1 year of age. The Supreme Decree adopted in 2012 grants two days’ paternity leave in the public sector and three days in the private sector. The Committee notes the adoption of Act No. 243 of 28 May 2012 against political harassment and violence against women, which stipulates in section 6(i) that mechanisms should be adopted to reduce gaps in gender inequality and to reverse situations of inequality, exclusion and political harassment and violence against women in various areas of political participation. The Committee also notes that the Government</p>	<p>Country</p> <p>Country</p> <p>Country</p>	<p>Low risk for the right to strike</p> <p>Specified risk on forced labour</p> <p>Low risk on gender discrimination</p>
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	<p>refers to the National Equal Opportunities Plan, “Women building a new Bolivia to live well”, adopted in 2008 under Supreme Decree No. 29850. It points out that this plan is based around six central themes, one of which centres on economic, productive and labour development to promote the exercise of women’s labour rights, with a view to achieving quality at work, equal pay and the elimination of sexist stereotypes, as well as the sharing of caregiving and domestic tasks between men and women. The Committee also notes that, according to available public information, national consultations on gender equality were initiated by various women’s organizations in March 2011, which were attended by the Vice-Ministry of Equal Opportunities. <i>The Committee requests the Government to provide information on the measures adopted to implement the National Equal Opportunities Plan, “Women building a new Bolivia to live well”, in particular since the adoption in 2009 of the new National Constitution and the results thereof. The Committee also asks the Government to provide information on the national consultations on gender equality held in 2011, the outcome of these consultations and any follow-up thereto. Please also indicate the way in which the National Plan and the consultations interrelate. The Committee requests the Government to provide statistical information on the labour market participation of men and women, disaggregated by economic activity and occupation.</i></p> <p>Sexual harassment. <i>Noting that article 15 of the National Constitution provides that all persons, particularly women, are entitled to be free from physical, sexual or psychological violence, both within the family and in society, and that the State shall adopt the necessary measures to prevent, eliminate and punish gender-based and generational violence, as well as any act of commission or omission intended to degrade the human condition or cause death, pain or physical, sexual or psychological suffering, either in public or in private, the Committee requests the Government to inform it of any measures adopted to prevent and address sexual harassment at the workplace.” (..)</i></p> <p>The rest of the report contains no other information pointing to specified risks on discrimination.</p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3081371:NO</p> <p><i>Observation (CEACR) - adopted 2012, published 102nd ILC session (2013) Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Bolivia, Plurinational State of</i></p> <p>“Legislation. National Constitution. <i>In its previous comments, the Committee noted the adoption of the new National Constitution, of February 2009, which stipulates that the State’s basic aims and functions are to establish a fair and harmonious society, without discrimination, with full social justice, with a view to consolidating plurinational identities while ensuring equal conditions between men and women. The Committee also notes that on 8 October 2010,</i></p>	<p>Country</p> <p>Country</p> <p>Country</p>	<p>Specified risk on gender discrimination (sexual harassment at the workplace)</p> <p>Low risk on discrimination</p> <p>Low risk on discrimination</p>
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	<p>Act No. 45 against racism and any form of discrimination was adopted, the objective of which is to establish mechanisms and procedures to prevent and punish racist behaviour and any form of discrimination through the establishment of public policies to provide protection against, and prevent, racist crimes and any form of discrimination. The Act applies to both the public and private sectors and to all Bolivian citizens and naturalized persons, as well as those living on the national territory. The Committee also notes that similar to the definition contained in the National Constitution, section 5(a) of the Act defines discrimination as all forms of discrimination, exclusion, restriction or preference based on a series of grounds; these include those listed in Article 1(1)(a) of the Convention, as well as additional grounds as foreseen in Article 1(1)(b): sex, colour, age, sexual orientation or gender identity, origin, culture, nationality, citizenship, language, religious belief, ideology, political or philosophical convictions, civil status, economic, social or health situation, profession, occupation or trade, level of education, different abilities and/or physical, mental or sensory disabilities, pregnancy, background, physical appearance, clothing, name or any other criteria that could nullify or impair the equal recognition of human rights and fundamental freedoms enshrined in the National Constitution and international law. Section 5(a) also stipulates that affirmative action measures shall not be considered discrimination. Section 5(b) establishes similar protection in the case of racial discrimination, considered to be any distinction, exclusion or preference based on grounds of race, colour, descent, or national or ethnic origin. Similarly, section 5(e) defines gender equality as being the recognition and valuing of the physical and biological differences of men and women, with a view to achieving social justice and equal opportunities, which guarantees that persons benefit fully from their rights irrespective of their gender in all areas of social, economic, political, cultural and family life. The Committee also notes Supreme Decree No. 0213 of July 2009, which establishes the mechanisms and procedures ensuring the right of every person not to be discriminated against in any selection and recruitment procedures in the public and private sectors. <i>The Committee requests the Government to provide specific information on the implementation in practice of the National Constitution, of Act No. 45 against racism and any form of discrimination and Supreme Decree No. 213. The Government is also asked, in particular, to indicate the particular problems and difficulties of application that have been encountered in practice, and the way in which it is envisaged to deal with these. It is also asked to provide information on complaints submitted to the administrative or judicial authorities that might have been lodged in this respect. The Committee asks the Government to provide information on the status of the preliminary draft General Labour Act and firmly hopes that this Act will be in full conformity with the provisions of the Convention.</i></p>		
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		Country	Specified risk on child labour
		Country	Specified risk on child labour

	<p>Article 3(2). Determination of hazardous types of work. <i>The Committee previously noted the revised list of hazardous types of work contained in section 136 of the Children's and Adolescents' Code of 17 July 2014, and also the Government's statement that children under 18 years of age are prohibited from carrying out the types of work included in the list. Noting that the list of hazardous types of work contained in section 136 of the Children's and Adolescents' Code of 17 July 2014 does not contain a minimum age requirement, the Committee again requests the Government to indicate which provision in its national legislation prohibits children under 18 years of age from engaging in hazardous work.</i></p> <p>Article 6. Apprenticeship. In its previous comments, the Committee noted that, under sections 28 and 58 of the General Labour Act, children under 14 years of age may work as apprentices with or without pay, and it reminded the Government that, under Article 6, the Convention does not apply to work done by persons at least 14 years of age in undertakings, where such work is carried out as part of a course of education or a programme of training or guidance. The Committee also noted the Government's indication that labour inspectors were responsible for implementing measures to ensure that children under 14 years of age do not engage in apprenticeships. The Committee recognized that measures to reinforce the labour inspection services were essential to combat child labour, but noted that labour inspectors needed a basis in law consistent with the Convention to enable them to ensure that children are protected against conditions of work liable to jeopardize their health or development. It noted that, although the Government refers to Act No. 070 Avelino Siñani–Elizardo Pérez of 20 December 2010 which regulates the system of education and apprenticeships, this Act does not prescribe a minimum age for apprentices to work.</p> <p>The Committee notes with regret that the Government's report contains no information on the steps taken to prohibit children under 14 years of age from engaging in apprenticeships. <i>Recalling that it has been drawing the Government's attention to this issue for over a decade, the Committee urges the Government to take the necessary steps to bring the provisions of the national legislation into conformity with Article 6 of the Convention by establishing without further delay a minimum age of at least 14 years for admission to apprenticeships.</i></p> <p><i>The Committee invites the Government to avail itself of technical assistance from the ILO in order to bring its law and practice into conformity with the Convention."</i></p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3248856:NO</p> <p><i>Observation (CEACR) - adopted 2015, published 105th ILC session (2016)</i> <i>Minimum Age Convention, 1973 (No. 138) - Bolivia, Plurinational State of</i></p>	Country	Specified risk on child labour
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	<p>“Article 2(1) of the Convention. Minimum age for admission to employment or work. Labour inspection. In its previous comments, the Committee noted that, under section 126(1) of the Children’s and Adolescents’ Code, the minimum age for admission to employment or work was 14 years, and that section 58 of the General Labour Act prohibited work by children under 14 years of age, which was in keeping with the minimum age specified by the Government at the time of ratifying the Convention. The Committee noted the observations submitted by the International Trade Union Confederation (ITUC) concerning the Government’s adoption of the new Children’s and Adolescents’ Code on 17 July 2014, which amends section 129 of the previous Code to lower the working age for children to 10 years for self-employed workers and to 12 years for those in an employment relationship, under exceptional circumstances. The ITUC argued that these exceptions to the minimum age of 14 years are incompatible with the Convention’s exceptions to the minimum age which are permitted for light work under Article 7(4), and which do not permit children under the age of 12 years to work. The Committee also noted the ITUC’s statement that allowing children to work as from the age of 10 years will inevitably affect their compulsory schooling, which in the Plurinational State of Bolivia comprises a 12-year period, namely at least until 16 years of age. The Committee noted the Government’s indication that the new exceptions to the minimum age of 14 years, as set out under section 129 of the Code, can only be registered and authorized on condition that such work does not threaten children’s rights to education, health, dignity or overall development. The Committee notes the joint observations of the IOE and the CEPB, to the effect that the new Children’s and Adolescents’ Code is the result of an incorrect application of the Convention. They point out that the amendment was undertaken without prior consultation of the employers’ and workers’ organizations and that it goes against the minimum age for admission to work of 14 years, as specified by the Government when ratifying the Convention. The IOE and the CEPB also point out that the high level of the informal economy in the country (70 per cent) favours child labour, since it is not subject to labour inspection. They add that there is no child labour in the formal employers’ sector. Lastly, they state that the Government needs to strengthen inspection services in both the formal and informal sectors.</p> <p>The Committee notes the statement made by the Government representative of the Plurinational State of Bolivia to the Conference Committee, to the effect that the exceptions to the minimum age for admission to employment established by the new Code are provisional, with a view to overcoming this problem by 2020. He said that the Government was not contravening the Convention but was seeking to broaden protection of child workers, the Code being an exceptional measure that contributed to the application of the public policies aimed at eliminating child labour. He referred to the measures that had been adopted with the aim of protecting children: the right to receive a wage equal to the national minimum wage, the right to social security, the promotion</p>	Country	Specified risk on child labour
		Country	Low risk on child labour in formal forest companies

	<p>of the right to education, and a 30-hour working week for work carried out for a third party by children between 12 and 14 years of age, including two hours per day devoted to study. The Government also indicates in its report that the Ministry of Labour, Employment and Social Welfare is applying the Convention through integrated, inter-sectoral routine or complaint-based inspections, conducted by the Department for the Protection of Children and Young Persons, to highlight the cases involving work by children under 14 years of age.</p> <p>The Committee notes that the Conference Committee, while duly noting the positive results of the economic and social policies put in place by the Government, urged the Government to repeal the provisions of the legislation setting the minimum age for admission to employment or work, and to immediately prepare a new law, in consultation with the social partners, increasing the minimum age for admission to employment or work in conformity with the Convention. It also asked the Government to provide the labour inspectorate with more human and technical resources and also to provide training for labour inspectors, with a view to adopting a more efficient and concrete approach to applying the Convention.</p> <p>The Committee once again <i>deeply depl</i>ores the recent amendments to section 129 of the Children’s and Adolescents’ Code, which authorizes the competent authority to approve the work of children and young persons between 10 and 14 years of age on a self-employed basis and the work of children and young persons between 12 and 14 years of age for a third party. The Committee emphasizes once again that the objective of the Convention is to eliminate child labour and that it encourages the raising of the minimum age but does not authorize the lowering thereof, once it has been fixed. The Committee recalls that the Plurinational State of Bolivia fixed a minimum age of 14 years at the time of ratifying the Convention, and that the exceptions to the minimum age for admission to work or employment under the terms of section 129 of the Children’s and Adolescents’ Code are not in conformity with this provision of the Convention. Furthermore, the Committee notes with deep concern the distinction made between the minimum age for self-employed children, fixed at 10 years, and the minimum age for children engaged in an employment relationship, fixed at 12 years. As the Committee noted in its 2012 General Survey on the fundamental Conventions (paragraphs 550 and 551), it is of the firm view that self-employed children should enjoy at least the same legal protection, especially as many of them work in the informal economy and under dangerous conditions. Lastly, the Committee observes that, further to its 2012 comments on the Labour Inspection Convention, 1947 (No. 81), the Government indicates that there are 86 chief inspectors and labour inspectors (Article 10). The Committee observes that, according to the 2012 General Survey (paragraph 345), the limited number of labour inspectors has made it difficult for them to cover the whole of the informal economy and agriculture. The Committee therefore calls on governments to strengthen the capacity of</p>	Country	Specified risk on child labour
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the labour inspectorate to address child labour in the informal economy. *The Committee therefore strongly urges the Government to take immediate steps to ensure that section 129 of the Children's and Adolescents' Code of 17 July 2014 fixing the minimum age for admission to employment or work, including own-account work, is amended, in order to align this age to the one specified at the time of ratification, namely a minimum of 14 years, and bring it into conformity with the provisions of the Convention. It also requests the Government to take the necessary steps to reinforce the capacity of the labour inspectorate, particularly by increasing the number of inspectors and their technical capacities with regard to child labour, so as to ensure that the protection afforded by the Convention is also enjoyed by children working in the informal economy.*

Article 7(1) and (4). **Light work.** *The Committee previously noted that sections 132 and 133 of the Children's and Adolescents' Code of 17 July 2014 permit children under the age of 14 years to work, subject to due authorization by the competent authority, under conditions which limit their working hours, do not endanger their life, health, integrity or image and do not interfere with their access to education.*

The Committee notes the conclusions of the Conference Committee, according to which these amendments permit all children under 14 years of age to carry out light work without fixing a lower minimum age for admission to such work. The Committee recalls that, under the flexibility clauses in Article 7(1) and (4) of the Convention, national laws or regulations may permit the employment or work of persons between 12 and 14 years of age in light work which is not likely to be harmful to their health or development, and not such as to prejudice their attendance at school, their participation in vocational guidance or training programmes approved by the competent authority or their capacity to benefit from the instruction received. The Committee notes, however, that sections 132 and 133 of the Children's and Adolescents' Code do not set a lower minimum age of 12 years, as required by Article 7(4). *The Committee once again urges the Government to take immediate measures to ensure that sections 132 and 133 of the Children's and Adolescents' Code of 17 July 2014 are amended in order to establish a lower minimum age of 12 years for admission to light work, in accordance with Article 7(1) and (4) of the Convention.*" (..)

http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186215:NO

Observation (CEACR) - adopted 2014, published 104th ILC session (2015)
Worst Forms of Child Labour Convention, 1999 (No. 182) - Bolivia,
Plurinational State of
 "Articles 3(a) and 7(2)(a) and (b) of the Convention. **Effective and time-bound measures. Preventing children from being engaged in the worst forms of child labour and providing assistance for their removal from such labour**

	<p>and for their rehabilitation and social integration. Debt bondage and forced and compulsory labour in sugar cane and Brazil nut harvesting. (..) Articles 3(d) and 7(2)(a) and (b). Hazardous work. Children working in mines. Effective and time-bound measures for prevention, assistance and removal.</p> <p>This report contains information about specified risks on child labour in the sugar cane, Brazil nut harvesting and in the mining sector. No information on child labour in the forest sector.</p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186211:NO <i>Direct Request (CEACR) - adopted 2014, published 104th ILC session (2015)</i> <i>Worst Forms of Child Labour Convention, 1999 (No. 182) - Bolivia, Plurinational State of</i> “Articles 3(a) and 7(1) of the Convention. Worst forms of child labour and the sanctions applied. Sale and trafficking of children. Further to its previous comment, the Committee notes with interest the adoption of Act No. 263, the Integral Law on the Sale and Trafficking of Persons, on 6 February 2012. The Committee notes, in this respect, that under section 27 of the Act, the Government will cooperate with other institutions to design and implement protocols on a national and international level for the early detection of trafficking, with special attention given to children. Further, under section 28(4), special attention will be given to child victims in order to reintegrate them into society. Section 30 specifically provides enhanced protections for child victims and witnesses, including during the judicial process, and section 34 modifies several provisions of the Penal Code to enhance the penalties for trafficking crimes that involve children. Finally, the Committee notes the Government’s information concerning its national plan of action against the sale and trafficking of persons, elaborated in 2012 under the Inter-Ministerial Council against Sale and Trafficking of Persons, which includes a criminal policy and a governmental vision concerning sale and trafficking. The Committee welcomes the Government’s programmatic and legislative measures. <i>It requests the Government to provide information on the effect given in practice to the Integral Law on the Sale and Trafficking of Persons, as well as to the increased sanctions in the Penal Code, including statistics on the number and nature of the offences reported and the investigations conducted, prosecutions and convictions in this respect.</i> Article 5. Monitoring mechanisms and practical application. The Committee recalls its previous comment, which noted the lack of resources concerning labour inspectors in the country and the difficulties that were encountered in gaining access to plantations in the Chaco region. The Committee also noted the child labour survey carried out by the National Statistical Institute (INS) in collaboration with the ILO-IPEC Statistical</p>	Country	Low risk on child labour in forest sector
		Country	Low risk on trafficking of persons
		Country	Specified risk on child labour

	<p>Information and Monitoring Programme on Child Labour (SIMPOC) during the last quarter of 2008, the results of which indicated hazardous types of work but failed to identify other forms of child labour, including its worst forms. (..)</p>		
<p>ILO Declaration on Fundamental Principles and Rights at Work. Country reports. http://www.ilo.org/declaration/lang--en/index.htm Source of several reports. Search for 'racial discrimination', 'child labour', 'forced labour', 'gender equality', 'freedom of association'</p>	<p>http://www.ilo.org/ipecc/news/WCMS_250366/lang--en/index.htm <i>New law in Bolivia</i> Statement 28 July 2014 <i>ILO's concerns regarding new law in Bolivia dealing with child labour</i> <i>The new Code for Children and Adolescents, Law No. 548, of 17 July 2014 published in the Official Gazette of the Government of Bolivia on 23 July 2014, deals with the "Right to protection of the child and adolescent at work" (Chapter VI).</i> "The Government of Bolivia has ratified ILO Convention No. 138 on minimum age for admission to employment and work and ILO Convention No. 182 on worst forms of child labour. The ILO's Committee of Experts on the Application of Conventions and Recommendations (CEACR), the only body invested with the authority to do so, will examine the conformity of new Code with the aforementioned Conventions during its November-December 2014 session. Without prejudice to any comment that may be made by the CEACR and pending this examination, the ILO raises the following concerns regarding certain aspects of the new Code. The new Code fixes the minimum working age at 14 years, as declared by Bolivia in 1997, when Convention No. 138 was ratified. However, this new Code allows for reducing that minimum age in certain cases. Firstly, it allows for children and adolescents aged 10 to 14 years to work in self-employment. It should be noted that Convention No. 138 does not allow work or employment (including self-employment) under the specified minimum working age, namely 14 years in the case of Bolivia. Secondly, it allows for children and adolescents aged 12 to 14 years to work for a third party. It should be noted that Convention No. 138 allows work as of 12 years only for light work which does not threaten children's health and safety, or hinder their education or vocational orientation and training. In addition, the ILO is concerned that the new Code might not adequately protect children engaged in hazardous work in the family or community sphere where children work in fishing on rivers and lakes, in agriculture, livestock breeding and in masonry. The law itself lists all these activities as hazardous, and therefore forbidden, while an exception is made if they are carried out within the family or community sphere. (..) It should be noted that both Convention No. 138 and Convention No. 182 forbid hazardous work for all children under the age of 18 years. No general exception is possible concerning the minimum age for hazardous work, whether the work takes place in an employment relationship or within the family or community sphere. (..) The new Code also goes against the global trend to progressively increase the minimum age for admission to employment, in line with the age for completing</p>	<p>Country</p> <p>Country</p>	<p>Specified risk on child labour</p> <p>Specified risk on child labour (in community forestry?)</p>

	<p>compulsory education. A number of countries, including several in Latin America, have in later years adopted legislation to this effect. According to the latest available data, in 2008, 746,000 children were considered to be in child labour in Bolivia. The ILO welcomes that, in the recent years, public education, health, labour and social protection services have been strengthened in Bolivia. It also welcomes that the age for completing compulsory education has been increased to 17 years (Education Law No. 70 “Avelino Siñani – Elizardo Pérez”, 2010). All these measures are clear proof of the Bolivian authorities’ intention and will to promote human and economic development for all its citizens.</p> <p>The ILO recognises the efforts made in Bolivia in updating its legislation to protect and guarantee the rights of Bolivian children and adolescents by means of this new Code.</p> <p>The ILO will continue to support the efforts made by the Bolivian authorities, employers’ and workers’ organizations and civil society to work towards the elimination of child labour and the promotion of decent work for adults.”</p> <p>file:///C:/Users/n.rojas/Downloads/Child_Labour_and_Education_in_Bolivia_Final.pdfILO. International Programme on the Elimination of Child Labour (IPEC) <i>CHILD LABOUR AND EDUCATION IN BOLIVIA</i> “A total of 436,000 children between 6-13 years of age are estimated to be in employment. 60 This figure corresponds to 22.8 per cent of all children in this age group. Employment rates among children aged 6-11 and 12-13 years are estimated to be 20.0 per cent and 31.5 per cent, respectively.”</p> <p>“WORKING CHILDREN BY SECTOR OF ACTIVITY A look at the sector of activity that children are engaged in by place of residence highlights the dominance of agricultural activities in rural areas (92.2 %) and of the services sector in urban areas (66.7%) (Figure 6).Overall, 64.6 per cent of working children are found in agriculture and 26.7 per cent in the services sector. Around 18 per cent of children in urban areas are found in the industry sector.”</p> <p>http://www.ilo.org/global/topics/forced-labour/WCMS_082040/lang-en/index.htm <i>Forced labour, discrimination and poverty reduction among indigenous peoples in Bolivia, Peru and Paraguay</i> “Recent ILO research indicates that forced labour affects at least 1.3 million people in Latin America. In-depth field research in the rural areas of Bolivia, Paraguay and Peru, has confirmed earlier perceptions that indigenous people are particularly vulnerable to a form of forced labour called debt bondage.”</p>	Country	Specified risk on child labour
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	<p>“Indigenous workers are recruited by labour intermediaries who – through wage advances and other manipulations - induce them into an artificial debt that they cannot repay. Long hours of work are not sufficient to repay this debt, thus trapping the workers into greater debt and a longer debt repayment period. This system perpetuates the poverty or extreme poverty of the workers. Such practices have been documented by the ILO in the Amazon region of Peru for illegal logging, in Bolivia for nut collection, in cattle farms and sugar plantations, and in Paraguay’s traditional cattle farms of the Chaco region. Because many victims are internal migrant workers, this practice represents also a form of trafficking of people for the purpose of labour exploitation.</p> <p>As a result of intensive ILO engagement over the last two years, the governments of Bolivia, Paraguay and Peru have all recognized the existence of forced labour. The technical programmes of the ILO in these countries started with in-depth field studies to investigate the mechanisms of debt bondage and to formulate recommendations. These studies were discussed in a series of workshops with governments, and with workers’ and employers’ organisations, which provided an opportunity for initial awareness raising and resulted in a number of important developments. Both Bolivia and Peru have created national commissions in order to devise effective national action plans against forced labour, while Paraguay has announced that it will open an office of the Ministry of Labour in the Chaco to increase inspections. In Bolivia, regional offices of the Ministry of Labour have also formally committed themselves to step up their action against forced labour. All three countries have explicitly requested further technical cooperation with the ILO. Such cooperation will benefit from ILO experience accumulated in a number of other countries, and especially in Brazil where an ILO project against “slave labour” is ongoing since 2002.</p> <p>National workers’ and employers’ organizations in all three countries strongly support this initiative. Employers, including associations representing various agricultural sectors, view the elimination of forced labour as contributing to overall development and welfare, as well as enhancing the image and productivity of the respective sectors. Workers’ organizations, which have already reached out to indigenous and agricultural workers and seek to organize them, are keen to become involved in order to strengthen and expand those efforts.</p> <p>Initial cooperation on forced labour also provides an important opportunity for scaling up cooperation on the larger issue of discrimination against indigenous people in the labour market. While forced labour is an extreme manifestation of such discrimination, a more widespread concern is the lower returns to education for indigenous people than for other groups. This holds particularly true for indigenous women. Disparities in earnings between indigenous and</p>	<p>Country</p> <p>Country</p>	<p>Specified risk on forced labour</p> <p>Specified risk on forced labour</p>
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	<p>non-indigenous workers are high and statistical evidence shows that, even after controlling for ethnic differences in human and physical assets, the gap remains huge. Thus, it is clear that indigenous people are at the bottom of the occupational ladder: they are engaged in low-pay, irregular and unprotected employment, and they are subject to discrimination in remuneration.”</p> <p>http://www.ilo.org/global/topics/forced-labour/publications/WCMS_144214/lang--en/index.htm <i>Trade unions and indigenous communities combating forced labour in the Peruvian Amazon region</i> Article, 15 December 2009</p> <p>“Indigenous peoples have for centuries been the most affected by practices of forced labour in Latin America. The region has the second highest number of victims of forced labour in the world, over 1.2 million people according to ILO estimates. In-depth field research in the rural areas of Bolivia, Paraguay and Peru, has confirmed that indigenous peoples are particularly vulnerable to a form of forced labour called debt bondage. Indigenous workers are recruited by labour intermediaries who – through wage advances and other manipulations - induce them into an artificial debt that they cannot repay. Long hours of work are not sufficient to repay this debt, thus trapping the workers into greater debt and a longer debt repayment period. This system perpetuates the poverty or extreme poverty of the workers and impedes human and social development.</p> <p>In Peru, a study carried out in 2004 by the ILO and the Peruvian Ministry of Labour and Employment Promotion confirmed the existence of forced labour practices in the context of illegal logging in the tropical Amazon region, with an estimated number of 33,000 victims, most of which belong to indigenous peoples.</p> <p>The study revealed two main forms of forced labour in logging activities in the Amazon:</p> <ul style="list-style-type: none"> • The most common modality is that indigenous communities are contracted to provide timber from their own land. The communities in return receive money, food or other goods that are advanced to them under the condition that the community members, who know the area, will deliver timber. • The second modality consists in situations where indigenous and other workers are hired to work in logging camps. <p>Both modalities use deception to entrap workers in a cycle of debt and servitude that is often passed on from one generation to the next.</p> <p>These forced labour practices are linked to the larger issue of discrimination against indigenous peoples in the labour market. They are frequently at the</p>	Country	Specified risk on discrimination of indigenous workers
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	<p>bottom of the occupational ladder, engaged in low-pay, irregular and unprotected employment and subject to discrimination in remuneration.</p> <p>In 2006 and 2007, the ILO office in Peru and the Building and Wood Workers' International (BWI) signed two agreements to specifically address forced labour. The two organizations committed themselves to a series of joint activities, on awareness-raising, dissemination of information, and efforts to organize workers in the forestry sector.</p> <p>As a result, a trade union pilot project to combat forced labour in the forestry sector in Bolivia and Peru was launched in August 2008, financed by the Netherlands Trade Union Federation (FNV). The project is implemented in the Ucayali Region by the National Federation of Workers in the Wood and Allied Industries (FENATIMAP), an organisation that comprises workers from several trade unions and associations linked to the forestry sector, mainly located in the Peruvian Amazon region. FENATIMAP has for many years coordinated its actions with representatives from indigenous communities, and has further extended its relations with indigenous organisations during the implementation of this project.</p> <p>The objective of the project is to contribute to the reduction of the number of workers in situations of forced labour through a series of awareness-raising and capacity-building activities. These activities include training of trade union promoters on issues such as forced labour, fundamental rights of workers and indigenous peoples, legal mechanisms to respond to violations of these rights, and organisational ways to advance collective action. Indigenous leaders participate in the training and later organise training and awareness-raising activities in their respective communities and organisations, together with FENATIMAP's promoters."</p>	Amazon Bolivia and Peru	Specified risk on forced labour in forestry sector
<p>ILO Child Labour Country Dashboard: http://www.ilo.org/ipec/Regionsandcountries/lang-en/index.htm</p>	<p>No additional information found that indicates a specified risk in relation to child labour in Bolivia.</p>	-	-
<p>The Guardian https://www.theguardian.com/international</p>	<p>https://www.theguardian.com/world/2012/nov/27/child-workers-bolivia-unite <i>Bolivia's Child Workers Unite To End Exploitation, Article by Sara Shahriari 27 November 2012</i></p> <p>"Shining shoes, mining and herding animals among the many jobs done by an estimated 750,000 children between five and 17. ...On paper, Bolivia bans under-14s from working, but nearly 750,000 children aged between five and 17 are involved in sometimes dangerous jobs. Luz Rivera Daza, an adult counsellor for Unatsbo in Potosí, says many child workers are in a legal blindspot: their work is prohibited and so they have very little defence if employers exploit them through long hours, physical or verbal abuse or refusing to pay a decent wage. "If you have to work, then you have to</p>	Country	Specified risk on child labour

	work exploited," she said of those situations. "This just makes you more vulnerable"..."		
Global March Against Child Labour: http://www.globalmarch.org/	<p>http://globalmarch.org/bolivia-on-the-verge-of-failing-its-children-article-by-mr-kailash-satyarthi/ <i>Bolivia On The Verge Of Failing Its Children - Article By Mr. Kailash Satyarthi</i> "July 16, 2014: Bolivian Congress' recent nod to the Bill that allows children as young as ten years to work is a sheer insult to the universal norms and standards that have historically evolved from the vast experience of the global community. They have turned deaf ear towards the independent voices of the global civil society. This regressive move is a blatant denial to the opportunity of education – the only weapon that can pave way for prosperity, equity, justice and sustainability in the society. Bolivia has slipped down several notches on the child rights reforms agenda by passing such a Bill. This clearly comes in the wake of arguments purported by some organisations giving poverty as the excuse. This step has shocked the global fraternity because the country has already ratified ILO Convention 138 on minimum age of employment; Convention 182 on worst forms of child labour and had vehemently supported Dakar Framework for Action towards Education for All."</p> <p>"Furthermore it is difficult to fathom that the Government still stakes a tall order that there would be no room for exploitation of working children and that the work done by them will be thoroughly monitored and regulated. With about 850,000 child labourers in Bolivia and only 78 inspectors, the monitoring task per inspector is 10,897 child labourers already. Reducing the minimum age of employment to 10 years will further multiply the workload on the inspectors and they would not be able to inspect and report violations of child rights at workplaces. Thus, reduction in minimum age would only accentuate the chances of the children of Bolivia being more susceptible to trafficking, slavery, servitude, forced labour and violence."</p>	Country	Specified risk on child labour
Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child: http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx	<p>Latest report is from 2009, which in principle is not considered recent enough for this assessment. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBOL%2fCO%2f4&Lang=en <i>UN Convention on the Rights of the Child Committee on the Rights of the Child Concluding observations: The Plurinational State of Bolivia. 16 October 2009</i> C. Main areas of concern and recommendations The Committee's previous recommendations</p>		

	<p>“5. The Committee notes that several concerns and recommendations made upon the consideration of the State party’s third periodic report have been addressed, but regrets that many others have been insufficiently or only partly addressed.</p> <p>6. The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations on the third periodic report (CRC/C/15/Add.256) that have not yet been implemented or sufficiently implemented, notably those related to the adoption of a national plan of action for children, the low and unequal legal minimum ages for contracting marriage, corporal punishment, children without parental care, police brutality, juvenile justice and children deprived of their liberty together with adults, and to provide adequate implementation and follow-up to the recommendations contained in the present concluding observations on the fourth periodic report.”</p> <p>“Child rights and the business sector</p> <p>17. The Committee is concerned that as the State party improves its ability to attract private foreign and domestic investment, in addition to increasing State investment, among others, in the mining, forest and soya sectors, the regulatory environment on social and environmental responsibility of business is not yet in place to prevent possible negative impact on children.</p> <p>18. The Committee suggests that the State party undertake efforts to ensure that foreign and domestic investment through private and State business is mindful and responsive to child rights and operates in a socially and environmentally responsible way to safeguard local communities and their children.”</p> <p>Latest report is from 2009, which in principle is not considered recent enough for this assessment.</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBOL%2fCO%2f4&Lang=en <i>UN Convention on the Rights of the Child Committee on the Rights of the Child Concluding observations: The Plurinational State of Bolivia. 16 October 2009</i></p> <p>C. Main areas of concern and recommendations</p> <p>“Economic exploitation including child labour</p> <p>73. The Committee expresses its concern and shares the concern of the Committee on Economic, Social and Cultural Rights at the persistence of economic exploitation of children, especially indigenous children (E/C.12/BOL/CO/2 para. 14(d)). The Committee is in particular concerned at the situation of the Guarani children living in conditions of servitude, forced labour and victims of abuses in the Chaco region, as well as children engaging in hazardous work in mining.”</p>	Country	Specified risk on child labour
		Country	Specified risk on child labour in forest sector
		Country	Specified risk on child labour but not in forest sector
		Guarani people in Chaco region	Specified risk on forced labour and child labour but not in forest sector

	<p>“Indigenous children 85. While welcoming political, legal and institutional reforms with the aim of reversing the situation of exclusion and marginalization of the indigenous peoples, the Committee shares the concerns of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people at the illegal appropriation of indigenous lands by farm operators, the pollution of soils and waters traditionally used by the indigenous communities, situations of servitude or forced labour, the failure to adapt the national education system to the traditional indigenous cultures, the indigenous population’s limited access to health services and the persistence of manifestations of racism against indigenous people.”</p>	Country	Specified risk on forced labour
<p>Committee on the Elimination of Discrimination against Women http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx (Use the link to ‘Key documents’ on the left hand side. Go to ‘observations’ and search for country.) (Refer to CW Cat. 1) Or: Right top select country click on CEDAW treaty, click on latest reporting period and select concluding observations</p>	<p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fBOL%2fCO%2f5-6&Lang=en <i>Committee on the Elimination of Discrimination against Women</i> <i>Concluding observations on the combined fifth and sixth periodic report of the Plurinational State of Bolivia</i> <i>25 July 2015</i> C. Principal areas of concern and recommendations “Constitutional and legislative framework 8. The Committee welcomes the inclusion of the principle of non-discrimination and gender equality in the Constitution and the pre-eminence of the Convention and all human rights treaties, but notes with concern: (a) That the profound legislative transformations in favour of women need reinforcement and solid administrative support; (b) That the Convention and the Optional Protocol thereto have limited visibility and there is a lack of awareness of the Committee’s general recommendations on the part of all branches of government; (c) The absence of information on court cases in which the provisions of the Convention have been directly invoked or applied.” “Trafficking and exploitation of prostitution 20. The Committee notes with concern: (a) The high and growing number of cases of trafficking in human beings, in particular women and children in border areas;” “Employment 26. The Committee is concerned about a persistent gender gap in employment, including: (a) Women’s limited access to formal employment, in particular managerial positions, in almost all sectors of the economy; (b) The lack of measures to protect women from harassment and discrimination in the workplace;</p>	Country Country Border areas Country	Low risk on gender discrimination Specified risk on gender discrimination Specified risk on trafficking of persons Specified risk on sexual harassment and discrimination at workplace

<p>World Economic Forum: Global Gender Gap Index 2016 http://reports.weforum.org/global-gender-gap-report-2016/ Search for country rankings for the adjusted and the unadjusted pay gap</p>	<p>http://www3.weforum.org/docs/GGGR16/WEF_Global_Gender_Gap_Report_2016.pdf Bolivia ranks no. 23 out of 144 countries for the overall Gender Gap Index with a score of 0.746. Bolivia ranks no. 98 for the more specific sub-index on Economic participation and opportunity out of the 144 countries that were included. Within that index, the most specific and most relevant indicator is the Wage equality for similar work. Here, Bolivia ranks no. 132 out 144 countries the with a score of 0.489.</p>	Country	Specified risk on gender wage discrimination
<p>use, if applicable: http://www.ilo.org/global/publications/books/WCMS_324678/lang-en/index.htm <i>Global Wage Report 2014/15</i> “The Global Wage Report 2014/15 analyses the evolution of real wages around the world, giving a unique picture of wage trends and relative purchasing power globally and by region.”</p>	Bolivia does not feature in this report.	-	-
<p>Google the terms '[country]' and one of following terms 'violation of labour rights', 'child labour', 'forced labour', 'slave labour', 'discrimination', 'gender pay/wage gap, 'violation of labour union rights' 'violation of freedom of association and collective bargaining'</p>	<p>https://www.hrw.org/news/2015/03/16/bolivia-universal-periodic-review-march-2015 <i>Bolivia: Universal Periodic Review, March 2015</i> <i>Human Rights Watch's Submission to the Human Rights Council, 16 March 2016</i> “Human Rights Watch deeply regrets that Bolivia rejected many recommendations to eradicate child labor and to respect ILO Convention 138. The Code on Children and Adolescents, adopted in July 2014, gave Bolivia the unfortunate distinction of being the first country in the world to legalize employment for children as young as 10. This legislation undermines the ILO Convention 138 regarding the minimum age of employment, which Bolivia ratified in 1997.”</p> <p>http://www.un.org/esa/socdev/unpfii/documents/UNPFII_Mission_Report_Bolivia%20EN.pdf UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES MISSION TO BOLIVIA REPORT AND RECOMMENDATIONS “These violations, as well as violations of the old and the new Bolivian Political Constitution, the General Law on Labour and the Bolivian Criminal Code, oblige the Government to adopt urgent measures to address the situation of the Guarani people in respect of the following issues ascertained by the Mission: • The existence of forced labour and servitude of Guarani men and women; • The existence of child labour and other violations of the rights of the child, such as sexual abuse of Guarani girls; • Inadequate labour conditions;</p>	Country Guarani communities in Bolivian Chaco	Specified risk on child labour Specified risk on forced labour, child labour and freedom of association

	<ul style="list-style-type: none"> • Restrictions on freedom of association and movement; • Systematic violence against indigenous peoples; • Inability to obtain identification documents and consequent exclusion from State allowances, such as the Dignity Income [Renta Digna] pension for senior citizens or the Juancito Pinto school vouchers, as well as other obstacles to the exercise of citizenship, particularly the right to vote; • Discrimination, lack of access to justice and lack of impartiality of the judicial system and of regional public administration; • Lack of legal security in respect of land ownership, be it collective or individual plots; deprivation of territory, lands and resources; inequitable land ownership; • Weak presence of State institutions to ensure the rule of law and the indigenous self-government provided for in the Constitution; • Little or no indigenous participation in decision-making bodies, especially at the departmental and municipal levels; and • The current critical food security plight of Guaraní communities.” <p>The report does not mention the forest sector or timber manufacturing.</p> <p>http://www.unicef.org/bolivia/02_UNICEF_Bolivia_CK - Children of Bolivia - Brochure_low.pdf UNICEF, 2015 <i>Children of Bolivia—one of the world’s most diverse nations</i> “The available data on child labour suggest that 11 per cent of children between the ages of 5 and 13 are involved in some form of labour.”</p> <p>“In July 2014, a new Child and Adolescents Act was passed by the Parliament marking a significant step towards protecting the rights of children in Bolivia. The Act brings much of the legislation for children in line with international treaties. It sets heavy penalties for sexual violence against minors and sexual harassment, and provides a new framework and the opportunity to promote alternative measures to deprivation of liberty for adolescents in conflict with the law. The Act also obliges the State to eliminate child labour within five years by implementing a more comprehensive social protection programme for working children and their families.”</p> <p>http://www.verite.org/Commodities/Cattle Cattle Where are cattle and beef products produced with forced labor? “<i>What does forced labor in cattle ranching look like?</i>” Forced labor in cattle ranching varies from country to country. In Bolivia, the International Labor Organization and the Inter-American Commission on Human Rights have documented the existence of debt peonage on cattle</p>	Country Country	Specified risk on child labour Low risk on child labour
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	<p>ranches in the Bolivian Chaco (ILO 2005; Garcia 2008). Indigenous Guarani are the main victims of forced labor in Bolivia, as they work on the plantations or ranches of large landowners, with family labor arrangements often going back generations. Low rates of payment often result in debt bondage or peonage. However, because the beef and agriculture goods produced in this system are destined for the domestic rather than the international market, this matter has received little attention globally.”</p> <p>http://ftp.iza.org/dp9210.pdf Forschungsinstitut zur Zukunft der Arbeit/Institute for the Study of Labor <i>Income Inequality in Bolivia, Colombia, and Ecuador: Different Reasons</i> IZA DP No. 9210. July 2015</p> <p>“Finally, we find substantial gender differences in earnings. Women earn up to 44 percent less than men, even when controlling for hours worked, education, occupational choices, and age. It is discouraging that the trend of punishing women in the labor market has actually intensified in Bolivia and Colombia, when comparing the results from the earlier samples to the most recent ones. Although it has been pointed out that women on average share different preferences and ethical standards than men (Grove et al., 2011), it is difficult to imagine that unobserved preferences and non-cognitive skills can explain more than one third in wage differences. Thus, it is likely that gender discrimination remains high in South American labor markets and, somewhat concerning, has actually intensified in the recent past (Angel-Urdinola and Wodon, 2006; Atal et al., 2009; Badel and Peña, 2009).”</p> <p>http://www.csmonitor.com/World/Americas/2009/1013/p06s07-woam.html The Christian Science Monitor <i>Latin America's worst wage gap for women and minorities? Powerhouse Brazil.</i> “In a new study by the Inter-American Development Bank (IADB), released Monday, Brazil sits at the bottom of a list of 18 regional countries when it comes to how much women and minorities are paid for the same job a white man does. Men earn 30 percent more than women of the same age and education level in Brazil. In Bolivia and Guatemala, that gap is essentially zero.”</p> <p>http://www.inesad.edu.bo/bcde2013/papers/BCDE2013-86.pdf <i>Seminar Spring 2011</i> <i>Economic Development in Latin America</i> <i>Gender and Income in Bolivia Using Matching to Decompose Income</i> Author: Frida Nannesson</p> <p>“The results show that there is a significant and substantial income gap in Bolivia: men earn, on average, 45% more than women. When decomposing the income gap, 26 percentage points of the gap remains unexplained. The rest of the gap can be explained by age, education, an urban-rural dummy and</p>	<p>Guarani communities in Bolivian Chaco</p> <p>Country</p> <p>Country</p> <p>Country</p> <p>Country</p>	<p>Specified risk on forced labour in agriculture and cattle ranching</p> <p>Specified risk on gender wage discrimination</p> <p>Specified risk on gender wage discrimination</p> <p>Low risk on gender and racial wage discrimination</p> <p>Specified risk on gender and racial wage discrimination</p>
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	a formal sector dummy. The explained income differences are mainly due to women having a lower educational level than men and women working in the informal sector where income is lower.”																				
Additional general sources	Additional specific sources																				
US Department of Labour	<p>https://www.dol.gov/agencies/ilab/resources/reports/child-labor/bolivia</p> <p>US Department of Labour <i>2014 Findings on the Worst Forms of Child Labor: Bolivia</i> <i>Minimal Advancement</i></p> <p>“In 2014, Bolivia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor increased its number of labor inspectors from 78 to 95, and dedicated 9 of these inspectors to investigating child labor in high-risk areas. The Government also published a national policy to combat human trafficking that aims to implement the Comprehensive Law against Human Trafficking and Smuggling. However, children in Bolivia are engaged in the worst forms of child labor, including in agriculture and in mining. Bolivia has received an assessment of minimal advancement because in July 2014, the Government passed a new Child and Adolescent Code that allows children as young as 10 years old to be self-employed under certain conditions. This action undermined the advancements made in eliminating child labor. In addition, the Offices of the Child Advocate, required by the new Code to authorize child work and assist victims of child labor, are absent or underfunded in many municipalities, leaving some children unprotected and vulnerable to the worst forms of child labor. The Government also lacks a comprehensive child labor policy.”</p> <p>Table 2. Overview of Children's Work by Sector and Activity</p> <table border="1"> <thead> <tr> <th>Sector/Industry</th> <th>Activity</th> </tr> </thead> <tbody> <tr> <td></td> <td>Planting and harvesting corn, cotton*, and peanuts* (2, 3, 7-10)</td> </tr> <tr> <td></td> <td>Production and harvesting of Brazil nuts/chestnuts† and sugarcane† (1-3, 10-15)</td> </tr> <tr> <td></td> <td>Ranching and raising cattle*† (2, 3, 9)</td> </tr> <tr> <td>Agriculture</td> <td>Plucking chickens* (15)</td> </tr> <tr> <td></td> <td>Mining† of gold, silver, tin, and zinc (1, 8, 14-17)</td> </tr> <tr> <td></td> <td>Construction, † including heavy lifting and shovelling (12, 15, 18)</td> </tr> <tr> <td>Industry</td> <td>Production of bricks† (8, 9, 15, 19)</td> </tr> <tr> <td>Services</td> <td>Street work, including vending, shoe shining, and working as transportation assistants (8-10, 12, 15, 20)</td> </tr> </tbody> </table>	Sector/Industry	Activity		Planting and harvesting corn, cotton*, and peanuts* (2, 3, 7-10)		Production and harvesting of Brazil nuts/chestnuts† and sugarcane† (1-3, 10-15)		Ranching and raising cattle*† (2, 3, 9)	Agriculture	Plucking chickens* (15)		Mining† of gold, silver, tin, and zinc (1, 8, 14-17)		Construction, † including heavy lifting and shovelling (12, 15, 18)	Industry	Production of bricks† (8, 9, 15, 19)	Services	Street work, including vending, shoe shining, and working as transportation assistants (8-10, 12, 15, 20)	Country	Specified risk on child labour
Sector/Industry	Activity																				
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		Country	Specified risk on child labour in forest sector																		

Recycling garbage* (9)
 Domestic service† (3, 9, 15, 20)
 Forced labour in ranching* and in the production and harvesting of Brazil nuts and sugarcane (1, 3, 21, 22)
 Forced labour in mining and domestic service (10, 20, 22)
 Forced begging* (22)
 Commercial sexual exploitation sometimes as a result of human trafficking (10, 22, 23)
 Forced to commit illicit activities, including robbery* and producing drugs* (22)

Categorical Worst Forms of Child Labour‡

<https://www.dol.gov/ilab/reports/child-labor/list-of-goods/countries/?q=Bolivia>
 List of Goods Produced by Child Labor or Forced Labor

List of Goods Produced by Child Labor or Forced Labor		
Country	Good	Exploitation Type
Bolivia	Brazil Nuts/Chestnuts	Child Labor, Forced Labor
Bolivia	Bricks	Child Labor
Bolivia	Cattle	Forced Labor
Bolivia	Corn	Child Labor, Forced Labor
Bolivia	Gold	Child Labor
Bolivia	Peanuts	Forced Labor
Bolivia	Silver	Child Labor
Bolivia	Sugarcane	Child Labor, Forced Labor

Country

Specified risk on child labour and forced labour in forest sector

	Bolivia	Tin	Child Labor		
	Bolivia	Zinc	Child Labor		
From national CW RA	Not available			-	-
Conclusion on Indicator 2.2:				Country	
<ul style="list-style-type: none"> Bolivia is signatory to all eight fundamental ILO Conventions and the social rights are largely covered by the relevant legislation. A large exemption that led to huge discussions and emotions is the recent law that under certain circumstances allows child labour at the age of 10. Next to this obvious non-compliance with a fundamental ILO Convention, many other laws are not fully consistent with these international standards. In addition, enforcement of existing laws is inadequate, especially for the issue rights to freedom of association and collective bargaining, child labour and forced labour. The rights to freedom of association and collective bargaining are not fully upheld. The ILO has observed a number of shortcomings, legal as well as regarding the implementation and enforcement of laws and policies. The ITUC categorizes Bolivia in the medium category 3 with “regular violation of rights”. Their explanation is that “governments and/or companies are regularly interfering in collective labour rights or are failing to fully guarantee important aspects of these rights. There are deficiencies in laws and/or certain practices which make frequent violations possible.” Limited information is available whether violations of labour rights are limited to specific sectors and the forestry sector cannot be excluded from this specified risk. This aspect is therefore assessed as a specified risk for the whole country. It speaks for itself that this specified risk only applies to organizations with employees. For example, if all people who are involved in a community forest are themselves members of the organization that manages the community forests, then obviously there is no right to freedom of association that can be threatened. There is strong evidence confirming that child labour is still a widely used practice in Bolivia. While large parts of the legislation and the policies and the practices to eliminate child labour have been improved in the recent past, there are also parts of that policy field that have been weakened, especially, according to the ILO, “the recent amendments to section 129 of the Children’s and Adolescents’ Code, which authorizes the competent authority to approve the work of children and young persons between 10 and 14 years of age on a self-employed basis and the work of children and young persons between 12 and 14 years of age for a third party.” The ILO Committee “deeply deplores” this change in legislation. <p>The ILO estimates that a total of 436,000 children between 6-13 years of age were in employment in 2012. This figure corresponded to 22.8 per cent of all children in this age group. Employment rates among children aged 6-11 and 12-13 years are estimated to be 20.0 per cent and 31.5 per cent, respectively. Other sources speak of about 850,000 child labourers in Bolivia. The Maplecroft Child Labour Index scores “extreme risk” for Bolivia.</p> <p>Child labour is especially high in rural areas and the sectors mentioned in different sources include herding animals, sugar cane, nut collecting and the mining sector. Here it is noted that nuts are a non-timber forest product (NTFP) considered in the FSC Standard Addendum FSC-STD-40-004a V2-1 EN. While these products will not be sold as controlled nuts this is an indication of specified risk in the forest sector. One other source, indirectly, mentions the forest sector in relation to child labour: the UN CRC “is concerned that as the State party improves its ability to attract private foreign and domestic investment, in addition to increasing State investment, among others, in the mining, forest and soya sectors, the regulatory environment on social and environmental responsibility of business is not yet in place to prevent possible negative impact on children.”</p>					Specified risk for rights to freedom of association and collective bargaining, child labour, forced labour and on gender wage discrimination Low risk for other forms of discrimination

Against the background of child labour being a widely used practice in Bolivia and these indication of risk in the forest sector, this aspect is therefore assessed as a specified risk for the whole country following the precautionary approach.

- There is also evidence for compulsory and/or forced labour in Bolivia. Similar to child labour, the ILO and others recognize legal and institutional strengthening in the recent years, for example against trafficking in persons, but the ILO also encourages the government of Bolivia to continue this process which means that the legislation and its implementation are still not fully in order. A system that was mentioned in several reports is the so-called debt bonding. It seems to occur in the Bolivian Chaco where "indigenous workers are recruited by labour intermediaries who – through wage advances and other manipulations - induce them into an artificial debt that they cannot repay. Long hours of work are not sufficient to repay this debt, thus trapping the workers into greater debt and a longer debt repayment period. This system perpetuates the poverty or extreme poverty of the workers." Such practices have been documented by the ILO in Bolivia for nut collection. Evidence was collected for forced labour in cattle ranching, chestnut collection, sugar cane and others. It is noted that nuts are a NTFP considered in the FSC Standard Addendum FSC-STD-40-004a V2-1 EN, leading to an indication of specified risk in the forest sector. Forced labour in relation to the forest sector is mentioned in one other source and although indirectly: a trade union pilot project to combat forced labour in the forestry sector in Bolivia and Peru that was launched in August 2008. Against the background of the evidence of compulsory and/or forced labour in Bolivia and these indication of risk in the forest sector, this aspect is therefore assessed as specified risk for the whole country following the precautionary approach.
- While Bolivia's Constitution refers to the principle of equal remuneration for work of equal value, the General Labour Act does not give full effect to that principle. An active policy to reduce the gender pay gap is missing, starting with the lack of statistical information. On the Global Gender Gap Index 2014 from the World Economic Forum, Bolivia ranks number 121 out 142 countries, indicating that gender wage discrimination is a strong factor in the gender pay gap. Other independent sources support this conclusion, one sources, on the other hand, assesses otherwise.
- Although legislation against discrimination against women needs reinforcement and although there is a lack of measure to protect women form harassment and discrimination at the workplace, there is limited evidence of discrimination at the workplace in general and no evidence for other types of discrimination in the forest sector in particular.

The following specified risk thresholds apply to rights to freedom of association and collective bargaining, child labour, forced labour and on gender wage discrimination:

(14) The applicable legislation for the area under assessment contradicts indicator requirement(s);

AND

(15) There is substantial evidence of widespread violation of key provisions of the ILO Fundamental Principles and Rights at work.

The following low risk thresholds apply to other forms of discrimination:

(11) Applicable legislation for the area under assessment does not cover all key provisions of ILO Fundamental Principles and Rights at work but other regulations and/or evidence of their implementation exist. Reports do not lead to conclusions of systematic violations of rights. When labour laws are broken, cases are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.

AND

(12) Other available evidence do not challenge 'low risk' designation.

Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.

	<p>“Communication from the International Organisation of Employers (IOE). The Government states that it understands the concern expressed by the IOE in August 2012 about the harm that private business could suffer in indigenous territories because of the requirements of prior consultation. The Government indicates that it respects and gives effect to the results of consultations, whether they concern the rights of indigenous peoples or of third parties, such as private enterprises interested in generating economic development projects in indigenous territories. The Government states that legal certainty exists in this field and that any difficulty in applying the consultation requirement or any other provision regarding the rights of indigenous peoples can be resolved under existing laws or through conciliation and negotiation between the parties concerned. The Committee invites the Government, in preparing its next report, to consult the social partners and indigenous organizations on the issues raised in these comments and to provide information on the results achieved by the measures taken to give effect to the Convention (Parts VII and VIII of the report form).</p> <p>Construction of a highway. Indigenous territories. In its observations of 2011 and 2012, the Committee took note of communications from two trade unions expressing support for the National Council of Ayllus and Markas of Qullasuyu, which was opposed to the construction of the Villa Tunari–San Ignacio de Moxos highway since it would affect the TIPNIS (Isoboro Sécore indigenous territory and national park) territories and because the right to free and informed prior consultation had not been observed. In the report received in October 2013, the Government indicates that three indigenous peoples organized in 69 communities affiliated to three groups or subcentrales were identified. The communal authorities convened assemblies in which information documents were distributed and consultations were held. According to the Government, these were prior consultations since there was as yet no pre-investment project for the second stretch of the highway and it was established that the road would be an ecological highway, its engineering design guaranteeing the functions and stability of the TIPNIS ecosystem. The Committee notes that 58 indigenous communities decided to exercise their right to consultation, while 11 communities declined consultation. The Committee asks the Government to provide in its next report new information enabling it to examine the manner in which appropriate solutions were found in accordance with the Convention, to overcome the difficulties caused by the construction of the Villa Tunari–San Ignacio de Moxos highway. Please also indicate whether the interministerial project has been implemented to eliminate extreme poverty in the TIPNIS territory.</p> <p>Regulation of consultation mechanisms. The Government indicates that between February 2012 and August 2013, a participatory process of consultation was held about a proposal for a law on prior consultation, with the participation of organizations of original indigenous and campesino (peasant farmer) communities, intercultural and Afro-Bolivian communities and</p>	<p>TIPNIS territories</p> <p>Country</p>	<p>Specified risk for right to FPIC</p> <p>Low risk for right to FPIC</p>
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representatives of the Executive, Legislative and Electoral Bodies. At the sixth meeting of the National Committee (August 2013), an agreement was reached on a proposal for a “law on free and informed prior consultation”, which will be submitted to the President of the Plurinational State and referred to the Plurinational Legislative Assembly for approval. *The Committee invites the Government to provide the text of the law on prior consultation as soon as it is enacted. It also invites the Government to include information on any use made of the new consultation mechanism, together with information enabling the Committee to examine the manner in which the new legislation ensures effective participation by indigenous peoples in decisions that may affect them directly and gives full effect to the corresponding provisions of Articles 6, 7, 15 and 16 of the Convention.*

Follow-up to the recommendations of the tripartite committee (representation made under article 24 of the Constitution of the ILO)

Forestry resources. In reply to the pending issues raised in the report of a tripartite committee approved by the Governing Body in March 1999 (GB.274/16/7), the Government indicates that the Forest and Land Audit and Social Control Authority (ABT), the authority that oversees forests and land, combats indiscriminate and unauthorized logging in woodlands located on Bolivian territory. Further to its request, the Committee notes that in November 2013 the Office once again transmitted the tripartite committee’s report to the Government. *The Committee requests the Government to indicate in its next report how the changes in the national legislation regarding participation, consultation and natural resources have enabled the specific situation of indigenous communities that may be adversely affected by logging to be dealt with.”*

http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186211:NO

*Direct Request (CEACR) - adopted 2014, published 104th ILC session (2015)
Worst Forms of Child Labour Convention, 1999 (No. 182) - Bolivia,
Plurinational State of*

“Article 7(2). **Effective and time-bound measures. Clause (d). Identifying and reaching out to children at special risk.** (..)

2. **Indigenous children.** In its previous comment, the Committee noted the Government’s indication that a National Plan of Action for the Elimination of **Forced Labour** was going to be adopted which would take account of Guarani families in a situation of debt bondage and include special measures for the children of these families.

The Committee takes into account the statistical information concerning the actions taken to restore the socio-labour rights of Guarani children, which indicates that the number of Guarani workers who benefited economically from the restitution of their labour rights in the agrarian sector increased from two workers in 2010 to 75 workers in 2014. However, the Committee notes that the

	Government's statistical information does not provide information concerning programmatic or legislative measures taken to assist Guarani children. In addition, it observes with regret that the Government's report supplies no information concerning the development of the national plan to which it previously referred, nor to any other effective and time-bound measures that would identify and reach out to indigenous children. Nevertheless, the Committee understands that the 2013–17 Plan of Action with UNICEF aims to provide special attention to indigenous children, including the development of strategic policies, education and professional programmes in indigenous languages, and collaboration with indigenous groups and children. <i>The Committee again reminds the Government that the children of indigenous peoples are often the victims of exploitation, and requests it to intensify its efforts to protect these children from the worst forms of child labour, including in cooperation with UNICEF. It again requests the Government to provide information on the measures adopted, including the development of the National Plan of Action for the Elimination of Forced Labour, to prevent these children from being in a situation of debt bondage or forced labour and from being recruited to carry out hazardous work in mines.</i> "		
Survival International: http://www.survivalinternational.org/	http://www.survivalinternational.org/news/7735 Bolivia suspends road project after indigenous protest. 27 September 2011 "Bolivia's President Evo Morales has suspended plans to build a major highway through indigenous peoples' land in the Amazon rainforest. His decision follows a 40-day protest march, which was brought to an abrupt halt on Sunday, when police used tear gas and truncheons to dispel 1,000 protesters. Morales faced pressure from within his government to use less force. His Defense Minister Cecilia Chacon resigned in protest at plans to intervene in the march. There are also reports the teargas caused a baby to die of asphyxiation. Morales said on Monday his decision to suspend the road was made in the 'midst of this national debate' and that he would 'let the people decide'. The proposed 300-kilometer highway would cut across the heart of the Isiboro Sécure national park. It is home to Chiman, Yurucare and Moxos Indians."	Amazon	-
Human Rights Watch: http://www.hrw.org/	https://www.hrw.org/world-report/2016 World Report 2016 Chapter on Bolivia (pages 119-123) Indigenous Rights "The 2009 Bolivian Constitution includes comprehensive guarantees for the rights of indigenous groups, including collective land titling, intercultural education, prior consultation on development projects, and protection of indigenous justice systems. A 2011 law establishing jurisdictional boundaries between indigenous and ordinary justice systems has yet to be fully implemented."	Country Country	Low risk for IP rights Specified risk for IP rights

	<p>Indigenous peoples' right to free, prior, and informed consent (FPIC) regarding legislative or administrative measures that may affect them is not fully embodied in Bolivian legislation. A current mining law limits FPIC to the exploitation phase of land concessions, but international standards call for FPIC through all stages of projects that impact on indigenous peoples' right to land and resources."</p> <p>https://www.hrw.org/world-report/2015/country-chapters/bolivia <i>World Report 2015: Bolivia</i> Indigenous Rights "The implementation of the right to prior, free, and informed consent, particularly with respect to extractive industry projects, remains pending. According to the UN Human Rights Committee, the development of a draft law on this topic has been accompanied by consultation but not adequate consent of indigenous communities."</p>	Country	Specified risk for right to FPIC
Amnesty International http://amnesty.org	<p>https://www.amnesty.org/en/latest/research/2016/02/annual-report-201516/ <i>State of the Human Rights Report 2015/16</i> Chapter on Bolivia (pages 88-90) "Indigenous peoples' rights In March the government issued a supreme decree to modify the 2007 regulation on consultation and participation in hydrocarbon activities. The decree contained new rules, including strict deadlines and a methodology to be set up by the authorities, which could obstruct the rights of Indigenous Peoples to consultation and free, prior and informed consent over projects that affect them.</p> <p>In April charges against 12 police officers for excessive use of force during a peaceful march against the construction of a road through the Isiboro-Sécure Indigenous Territory and National Park (TIPNIS) in 2011 were dismissed. The trial of six other police officers whose charges remained had not begun at the end of 2015."</p>	Country	Specified risk for right to FPIC
The Indigenous World http://www.iwgia.org/regions	<p>http://www.iwgia.org/regions/latin-america/bolivia <i>Indigenous peoples in Bolivia</i> Indigenous lands "To date, the indigenous peoples have consolidated almost 20 million hectares of land as collective property under the status of Native Community Lands (Tierras Comunitarias de Origen / TCO) – approximately 20% of the total land area.</p> <p>With the approval of Decree Number 727/10, the TCOs took the constitutional name of Peasant Native Indigenous Territory (Territorio Indígena Originario Campesino - TIOC).</p> Legislation on Indigenous Peoples Bolivia has been a party to ILO Convention 169 since 1991 and has ratified: <ul style="list-style-type: none"> • Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) 	Country	Low risk for IP rights

	<ul style="list-style-type: none"> • International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) • Convention on the Rights of the Child (CRC) • International Covenant on Economic, Social and Cultural Rights (ICESCR) • International Covenant on Civil and Political Rights (ICCPR) <p>The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was approved by means of Law No. 3760, on 7 November 2007.</p> <p>In 2014, Bolivia was due to discuss eight laws of relevance to indigenous peoples.</p> <p>http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2016/Bolivia_IW2016_web_redu.pdf</p> <p><i>IWGIA 2016 yearbook THE INDIGENOUS WORLD. Article on indigenous peoples in Bolivia</i></p> <p>“Elections for departmental and municipal authorities</p> <p>The 2014-2015 national and regional elections significantly reduced the political plurality being created by indigenous peoples within the Parliament and departmental authorities. Only in a few departmental assemblies where direct election according to practice and custom is still connected in some way to the indigenous organisations did their representatives manage to get elected without the patronage of political parties. Elsewhere, either President Morales’ Movement to Socialism (MAS) or the opposition groups control the indigenous seats. The seven indigenous representatives to the national Parliament were elected under the banner of the MAS and there has so far been no sign that they are likely to distance themselves from the party line. <i>In this context, there are serious difficulties in indigenous peoples exercising their political rights in line with an agenda constructed by their own organisations.”</i></p> <p>“Adoption of oil decrees in violation of indigenous rights</p> <p><i>Between November 2014 and May 2015, the national government approved three supreme decrees that affect indigenous peoples’ rights to their territories when hydrocarbon extractive activities are undertaken there without any consultation.</i></p> <p><i>The first decree was No. 2195/14 laying down the criteria for providing compensation for the impacts of these activities on their territories. An initial criterion is that the maximum possible amount is a percentage of the total project investment—1.5%, thus amending the Hydrocarbons Law, which indicated that compensation had to be economical. A second criterion is that the scope of compensation must be established according to the specific area in which the operation is taking place and the number of inhabitants living in its immediate vicinity, thus placing conditions on the scope of the environmental impact assessments and subsequent compensation. A third criterion is that a time limit has been established for completing the negotiations—180 days—after which, if there is no agreement, the State can then take the decision. The</i></p>	Country	Specified risk for IP rights
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	<p>aim of these criteria is to reduce the cost of company operations and the levels of conflict being suffered by these activities, in a context of State openness towards and incentives for foreign investment.</p> <p>The second decree is No. 2298/15, which has completely amended the consultation process established in Supreme Decree No. 29,033/07 on Consultation and Participation in Hydrocarbon Activities on Indigenous Territories.¹ Supreme Decree No. 2298/15 removes the indigenous peoples' right to receive accurate, prompt and appropriate information from the State with regard to projects, and to be provided with specialist advice on taking part in the consultation (Art. 2). In addition, it stipulates that the mere presence of the communities at meetings is sufficient to ensure the continuation of the consultation process, regardless of the participation of their representative organisations and traditional authorities (Art. 3). Furthermore, when the Competent Authority² or company is unable to obtain the free, prior and informed consent of the peoples, it will be possible to end the process with an Administrative Resolution, turning the consultation into an administrative procedure devoid of meaning and objectives.³</p> <p>A provision of Supreme Decree No. 29,033/09 which established that a consultation process would be null and void if it took place in violation of the initial Memorandum of Understanding has also been repealed. This thus gives the State the power to override the agreements made with indigenous peoples without any consequences whatsoever.</p> <p>Lastly, the final provisions establish that the Environmental Licence and Administrative Resolution of the Consultation Process thus modified gives operators the authority to implement their projects without any interruption, and that this can be guaranteed, if necessary, by the use of the Security Forces (Additional Provision II para. I).</p> <p>Finally, the third decree is Supreme Decree No. 2366/15, which enables hydrocarbon extraction operations to be conducted in any protected area of the country, even those with maximum protection such as the national parks (Art. 2 I). So called natural sanctuaries or monuments and RAMSAR sites are excluded (Art. 2 IV). With this provision, the national parks located in the sub-Andean strip are thus affected and more than 43% of this area is now set aside for oil exploitation. However, this area also overlaps to differing degrees with at least 17 indigenous territories in the Amazon and Chaco regions.⁴</p> <p>These decrees were challenged as unconstitutional by the Ombudsman but rejected in the first instance by the Constitutional Court, citing a failure to comply with the formal requirements."</p> <p>"Repression in Takovo Mora</p> <p>On 19 August, Guaraní from the Takovo Mora territory were violently repressed by the security forces during a road blockade they were holding at Km 90 on Highway 9, which connects Santa Cruz de la Sierra with the Argentine Republic. Days after these skirmishes, two women suffered</p>	<p>Country</p> <p>Indigenous territories in the Amazon and Chaco regions</p>	<p>Specified risk for right to FPIC</p> <p>Specified risk for IP rights</p>
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	<p>miscarriages as a result of the blows received. Some ten or so indigenous people were wounded and 26 taken into custody—including two children and five women—several of them snatched from the Yatirenda community, close to where the action was taking place, but who were not involved in the protest.</p> <p>The decision to stage the demonstration was taken by various assemblies of the Captaincy of Takovo Mora and the Assembly of the Guaraní People (APG) following the decision of the State company Yacimientos Petrolíferos Fiscales Bolivianos (YPFB) to drill three exploratory oil wells in the El Dorado block located on the Guaraní territory of Takovo Mora without any prior consultation. The protest was also demanding repeal of Decrees 2195, 2298 and 2366 due to their lack of consultation and violation of their rights.</p> <p>In a public statement, the Ombudsman severely condemned the repression, calling for clarification of the police action and for those responsible for the aggression to be identified. He denounced the fact that these actions related to the imposition of a predatory model of natural resource extraction that respects neither the environment nor indigenous rights and he called on the Legislative Assembly to convene the indigenous organisations to consider a new Law on Consultation.⁵</p> <p>The government tried to deflate these demands through the “pro-government” national organisation CIDOB,⁶ getting it to approve the document validating the three decrees at a national meeting. The government maintained that other hydrocarbon operations in Takovo Mora had been put out to consultation and compensation subsequently provided, clinging to an agrarian interpretation of indigenous rights based on Decree No. 2195/14 by which the indigenous territory ends where there are recognised rights of private third parties, ignoring the concept of living environment established in ILO Convention No. 169, the UN Declaration and the Bolivian Constitution itself. In addition, the Takovo Mora territory is one of the few territories that do not hold the title to its land, making it vulnerable to the granting of other rights over it. None of these concerns were addressed. On the contrary, the government militarised the whole zone, and took CIDOB’s statement as valid with regard to the legitimacy of the three decrees, the titling being once more postponed.”</p> <p>“Two laws to extend the agricultural frontier</p> <p>In September 2015, two laws were enacted that had been much-awaited by the agribusiness sector because they will enable them to extend the agricultural frontier from its current 3.7 million hectares to 20 million hectares by 2020.</p> <p>Law No. 740/15 was initially enacted, extending the period for verification of the agricultural use of medium- and large-sized properties. In other words, businessmen can retain their right of ownership over their lands for five years without the State being able to enter the property to check if the land is being worked or not. This rule addresses the concerns of businessmen, and above all the private banking sector, who hold large areas of unused land in the hope</p>	<p>Guaraní territory of Takovo Mora</p> <p>Country</p>	<p>Specified risk for rights to land and FPIC</p> <p>Specified risk for land rights</p>
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	<p>of making a good return on its sale or attracting foreign investment. This concession contradicts the constitutional principle that the land is for those who work it.</p> <p>Law No. 739/15 was also enacted, which applies a 90% reduction in the amount of fines payable by those who illegally logged an estimated 3.5 million hectares on agricultural properties between 1996 and 2011. In actual fact, it means that the constitutional grounds for reversion⁷ do not apply to properties that conducted this deforestation without prior permission, and the fine will be reduced accordingly, if they commit to signing up to a reforestation and production programme. This provision resulted in a hike in deforestation, albeit now “legal”, increasing Bolivia’s annual deforestation rate from 250,000 to almost 350,000 hectares, or 20 times higher than the world average.⁸”</p> <p>“Charagua Iyambae is autonomous</p> <p>On 20 September, a referendum took place in the Guaraní municipality of Charagua on the final adoption of its statutes and the entry into force of the “Charagua Iyambae” Indigenous Autonomy. The referendum was the final stage in a long process that commenced in 2009 and in which the municipality’s population has approved the decision to convert the municipal authority into a “Native Peasant Indigenous Autonomy”, to use its constitutional name. The vote was won by a majority of 53.25% in favour and 46.75% against. This is an important result given the social diversity of the municipality and the political tensions it has experienced, resulting in a polarisation of views around this issue.</p> <p>Charagua is the administrative capital of the municipality of the same name, and is located in the centre of the Chaco Boreal, in the south-east of Bolivia. It is the country’s largest municipality, with 71,745 km, inhabited by 70 Guaraní communities. The lack of consolidated indigenous territories and the significant presence of other actors in the municipality led the Guaraní to opt for accessing indigenous autonomy via municipal conversion rather than the feared “territorial” path, which would have involved demanding self-government in the territories titled by the State and would have exacerbated the territorial dispersion generated by the land titling process.</p> <p>One important element noted in the Autonomy Statutes is that the main functional bodies must include the direct participation of the social groups living in the area. They themselves will determine who represents them on these bodies, based on their own rules and procedures, i.e., the system of community democracy recognised in the State Political Constitution. The Statutes also recognise Indigenous Native Peasant and Natural Resource Jurisdiction, although this is limited to the powers defined by the Constitution and special laws on the subject, which have in any case sharply reduced the powers that can be exercised by the Indigenous Autonomy.¹³ The Indigenous Autonomy’s system of authorities and bodies has not yet been fully established and so the institutions of the new indigenous government are not yet up and</p>	Charagua municipality	Low risk for IP rights to land
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	<p>running. This will be the first indigenous autonomy to come into force on the basis of the Political Constitution resulting from the 2006 Constituent Assembly.”</p> <p>http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Bolivia_IW2015_web.pdf <i>IWGIA 2015 yearbook THE INDIGENOUS WORLD. Article on indigenous peoples in Bolivia</i> “Mining law On 28 May, President Evo Morales enacted new Law 535/14 on Mining and Metallurgy to replace the Mining Code (Law 1,777/97 of 17 March) adopted by then President Gonzalo Sánchez de Lozada.¹¹ This latter law was suspected of favouring this president’s interests as he was heavily involved in mining operations in the country. Law 535/14 was rejected by the indigenous organisations, including Conamaq¹² and CIDOB, along with a number of environmental and human rights organisations, for being in violation of their rights. The new law does not anticipate mechanisms to guarantee consultation or free, prior and informed consent, as established in ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples, when mining operations are conducted in indigenous communities or territories. Moreover, the law itself was not put out to consultation and nor was consent for its approval obtained, as it was negotiated only with the cooperativist mining sector (small and medium-sized private operators) and with some organisations of corporate water users in Cochabamba department.¹³ In this law, the whole of the national territory has been declared state lands open to the granting of mining concessions regardless of whether it is an ecologically fragile area or protected by law. It violates the right to access and use water, as it grants preferential and exclusive use of this and other natural resources to mining operations being implemented on indigenous territories, permitting mining in glaciers, protected areas and mountain basins, and putting the ecosystems and tropical forests, as well as the snow-capped mountains that feed the territories inhabited by indigenous peoples, at serious risk. In addition, it strengthens private and transnational mining, consolidating the primary export model with minimal state intervention that has dominated this activity since colonial times. Finally, the organisations challenged the fact that, in breach of the current Environment Law, this new law granted the Ministry of Mining cumulative powers to prevent control of and participation in environmental management, along with a decentralisation of tasks to the regional and local levels for this purpose.”</p> <p>http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2014/BoliviaIW2014.pdf <i>IWGIA 2014 yearbook THE INDIGENOUS WORLD. Article on indigenous peoples in Bolivia</i></p>	Country	Specified risk for IP rights, esp. right to FPIC
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	<p>the part of the peoples affected. This was one of the articles most challenged by the organisations.</p> <p>4. The State proposed that the consultation should be conducted before the final decision on implementation of the project or adoption of the measure, in clear contradiction with the international standard that the State is required to adhere to, namely that the process is a prior one "...before the design and implementation of natural resource exploitation projects on the lands and ancestral territories of the indigenous peoples..." (IACHR Bolivia Report 2007), or "...prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of the resources." (Art. 32.2 UN Declaration on the Rights of Indigenous Peoples).</p> <p>5. In relation to consent, it was observed that the government's bill stated that the consultation process was aimed at "...Reaching an agreement between the State and indigenous nations and peoples ... so that their development vision is incorporated into the implementation and execution of the legislative or administrative measure to achieve the philosophy of living well", an entirely new aim – and clearly regressive in relation to the constitutional requirements and those of the international human rights instruments."</p> <p>"The storming of CONAMAQ's offices</p> <p>On 9 December, the day before the Consultation Law proposed by the government was rejected, CONAMAQ was preparing to hold its Ja'cha Tantachawi, the assembly to renew its native authorities. However, a group of leaders who had for some time been acting separately from the national organisation⁷ called a similar event in which a new leadership was elected, outside of the proper channels. A few hours later, the leaders elected in the event outside of CONAMAQ's official auspices decided to physically take over the organisation's offices. After a commotion that resulted in aggression on both sides, the police intervened, momentarily consolidating the storming of the offices. It was a situation similar to that of July 2012 when CIDOB's offices were taken. However, there was an immediate reaction and, within a few hours of a message being broadcast on the social networks and in other media, the offices were besieged by a large number of people rejecting the situation. The next day, the communities closest to La Paz mobilised and, in a march involving more than 1,000 indigenous authorities, made for their organisation's headquarters where they demanded that the government return the offices to their legitimate representatives. After some hesitancy, and seeing that it would not be easy to repeat the CIDOB situation, the parallel leaders decided that the physical occupation of the offices "was no longer a priority" and even admitted that "they now had new seals and letterheads" that they could use from any location. The government's public support of this leadership and complaints of financing of this parallel event,</p>	Country	Specified risk for IPs self-representation
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	<p>highlight the fragility of the government in its relations with the indigenous movement.”</p> <p>http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2013/Bolivia.pdf <i>IWGIA 2013 yearbook THE INDIGENOUS WORLD. Article on indigenous peoples in Bolivia</i></p> <p>“Scarcely 90 days after the approval of Law No 180/11 banning the construction of the “Villa Tunari-San Ignacio de Mojos” highway through the Isiboro Sécure National Park and Indigenous Territory (TIPNIS), President Evo Morales decided to back down on this decision and, under the influence of some rather dubious social protests,¹ enacted Law No 222 on Consultation in TIPNIS. An analysis of the regulation shows that this law is aimed at getting the communities to accept the highway through their territory, applying a process that is in complete violation of their fundamental rights and which runs counter to the achievements gained via last year’s 8th Indigenous March (see The Indigenous World 2012).</p> <p>Indigenous rejection of Law No 222 was based on the following premises: a) the aim of the Law was to link the controversial issue of the intangibility of TIPNIS² with construction of the highway, such that by rejecting the intangibility of the area, the indigenous peoples would automatically have to accept the construction of the highway; b) it was called “prior” consultation while in fact the project had already been under regulatory development for nine years plus three years more of construction on the stretches entering the north and south of TIPNIS; c) it established a “sphere of application” that included the settlement area located outside the indigenous territory, inhabited by 17,000 coca producers who form the main supporters of highway construction; d) it ruled out any involvement on the part of TIPNIS’ representative organisations or traditional decision-making bodies, preventing them from representing their communities in the process; and e) it established a procedure that would be fully implemented by, and its outcomes defined and disseminated exclusively by, the Ministry of Public Works and the Ministry for the Environment.</p> <p>Behind closed doors, the government had already drawn up a protocol redefining the objective of the consultation as “to establish the best possible conditions for the construction of the first ecological highway in Bolivia ...”. In other words, the consultation was no longer one of whether the highway would be built or not but how.</p> <p>Following approval of Law No 222, the government approved a support programme for the TIPNIS communities. This was funded with the aim of mobilising resources and reaching all corners of the territory with “gifts”. These were handed out at ceremonies during which it was noted that the state of limbo in which these communities found themselves would come to an end if they accepted the highway, a project that would bring them progress and well-</p>	TIPNIS	Specified risk for right to FPIC
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being. This campaign was supported by the Naval Forces and the Special Drugs Control Force (Fuerza Especial de Lucha Contra el Narcotráfico - FELCN), which established strict control of all rivers, preventing the sale of fuel for indigenous craft, the Church or other support institutions, and shielding the area from organisations and people opposed to the highway. This about-turn in the TIPNIS conflict heralded a new era in relations between the government and the indigenous peoples of the lowlands. While the 7th and 8th Indigenous Marches had created tensions, it was thought that these had been overcome by the different agreements and dialogue processes. This situation changed radically in 2012, however, and the “natural” alliance between indigenous peoples and the government was temporarily destroyed due to the developments in, and handling of, this new phase in the TIPNIS conflict.”

“The 9th Indigenous March

Promulgation of Law No 222 was the main catalyst behind the 9th Indigenous March, which set off from Trinidad on 27 April. (..)

Faced with the possibility of both conflicts coordinating with each other, given the offer made by hundreds of police leaders to provide their support, a commitment not to suppress the protest and even a guaranteed entry into the Plaza Murillo, the ministers came out and said that the leaders of the march would be responsible for whatever the consequences might be. Refusing to be cowed by the government’s threats, the March nonetheless held a democratic consultation and decided to wait until the police conflict had been resolved before entering the city. In order to prevent social unrest, the government meanwhile took the opportunity to convene its own sectors: miners and peasant farmers primarily, who embarked on a “counter march” in the city centre, only a short distance from the route to be taken by the Indigenous March.

On 27 June, the 9th March finally entered La Paz and was received (and protected) by tens of thousands of people as it passed along its route. It tried to reach the Plaza Murillo but was severely suppressed by the very same police force who, earlier that morning had resolved their own conflict favourably.

After spending more than a week on the streets around the Plaza Murillo waiting in vain to be received by the government, the protesters began to return to their communities in order to organise their “Resistance” to the ongoing consultation process, which the government had temporarily suspended due to the conflict.”

“Constitutional Ruling No. 300/12

On 18 June, one week before the 9th March arrived in La Paz, the Plurinational Constitutional Court issued Ruling No. 300/12 with regard to two appeals for unconstitutionality brought against Law No 222 and Law No 180. The Court

	<p>decided that the consultation was constitutional but that it was conditional upon prior agreement with regard to everything relating to the implementation protocol, which had to be agreed in advance with the legitimate representative organisations of TIPNIS. It also urged the Legislative Assembly, the Executive and the indigenous peoples to reach an agreement concerning mechanisms, timescales and procedures for the process. None of this took place. The government did not accept this ruling and forged ahead regardless, commencing the consultation in the safe knowledge that it would validate its decision.”</p> <p>“Seizure of CIDOB As part of the strategy to prevent the 9th March from taking place, various ministers visited remote communities and towns in the east of the country offering to agree to a long-neglected set of demands provided these communities came out publicly against the leaders who had decided to organise the March. Leaders that refused to be subjected to such manipulation were ignored, removed from post or even found their organisations’ offices taken over. The government claimed that, of the 13 regional bodies that make up CIDOB, 12 had signed programme agreements with them, and had agreed not to march. The government was thus able to claim, throughout the whole course of the 9th March, that those marching were unknown leaders with political aspirations linked to the right-wing opposition, this being one of the main arguments used to refuse the protestors’ requests for dialogue. Once the march had come to an end, and concluding that this had been a political failure, a group of indigenous people met on 27 July in a closed assembly at which they removed CIDOB’s current president from office and, at the end of the assembly, with the support of the police and state intelligence corps, they stormed and took over CIDOB’s offices, where they remain to this day.”</p> <p>“Visit of the Inter-institutional Commission to TIPNIS The TIPNIS leadership, along with the Mojeño people’s regional organisation – CPEMB - and CIDOB itself, decided to turn to the international – regional and universal – human rights protection mechanisms. One such mechanism is the UN Special Rapporteur on the rights of indigenous peoples, and they requested that he make an in situ visit. There was no question that this would be possible since Bolivia has, since 2009, offered an “open and permanent invitation”⁵ to all UN rapporteurs. When the Rapporteur tried to coordinate his visit to TIPNIS with the Bolivian Embassy in Geneva, however, the diplomatic representation there refused him permission, considering the trip inappropriate and inconvenient and thus denying the fundamental guarantees that an “open and permanent invitation” offers with regard to a visit to the country on the part of a Rapporteur.</p>	Country	Specified risk for the rule of law
		Country	Specified risk for right to self-representation of IPs

	<p>Faced with this situation and seeing what was going on in TIPNIS, his representatives approached the institutions that are the historic “guarantors” of human rights in Bolivia: the Catholic Church, the Permanent Human Rights Assembly and the Ombudsman,⁶ and asked them to conduct a study into how the state was implementing the consultation process in the territory. An Inter-institutional Commission was thus established, which in the end did not include the Ombudsman although the International Human Rights Federation (FIDH) did take part. In a preliminary report, they concluded that: a) the government’s “consultation” process was not in line with the standards for prior consultation established in national and international regulations; b) the government consultation was preceded and accompanied by gifts, benefits and promises of development and services that undermined the criteria of “free” and in “good faith”; c) the rules and procedures of the indigenous communities and peoples of TIPNIS had not been respected; d) the consultation revolved around the dilemma of “intangibility or development”, with intangibility being given to mean that none of TIPNIS’ natural resources could be used for the indigenous families’ survival; e) it did not comply with the condition of being “informed” because the environmental, social, economic and cultural impact studies for construction of the highway through TIPNIS were not made known; f) most of the communities visited had rejected the construction of the Villa Tunari - San Ignacio de Mojos highway through TIPNIS, to which they had been historically opposed since the 1990s, as illustrated by the 8th and 9th Indigenous Marches.”</p> <p>http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2011/bolivia_2011.pdf <i>IWGIA 2011 yearbook THE INDIGENOUS WORLD. Article on indigenous peoples in Bolivia</i> “Implementing indigenous peoples’ constitutional rights (...) Despite the fact that the indigenous organisations contributed a proposed Law on the Electoral System, the law that was finally approved was virtually the same as its predecessor (Law 4021/09) in terms of the constitutional violations it contained, namely the violation of the right to elect indigenous representatives to the Legislative Assembly according to the peoples’ own rules and procedures, and reduced seats in the departmental and plurinational assemblies.”</p> <p>http://www.iwgia.org/iwgia_files_publications_files/0617_ENGELSK-AISLADOS_opt.pdf <i>INDIGENOUS PEOPLES IN VOLUNTARY ISOLATION AND INITIAL CONTACT</i> <i>IWGIA – IPES – 2013</i> Introduction</p>	TIPNIS	Specified risk for right to FPIC
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“Given that they live in isolation, it is difficult to know with certainty how many people belong to these groups and where they live. According to some estimates, there are about 10,000 people living in voluntary isolation, and they are known to exist in Bolivia, Brazil, Colombia, Ecuador, Paraguay, Peru and Venezuela, especially in parts of the Amazon and tropical forests where access is difficult.”⁴”



“The Bolivian case needs to be mentioned as its Constitution does recognise rights to isolated and recently contacted Indians (Article 31) but does not provide for the implementation of state-promoted public policies or actions in this regard.”

Bolivia

Violence And Ethnocide In The Bolivian Lowlands

“For the indigenous peoples who live in the Bolivian

Country

Presence of IPs in voluntary isolation

	<p>in the Amazon and Gran Chaco Region” (...) The meeting, held in the north of the country, enjoyed the participation of representatives from the Vice Ministry of Peasant, Native and Indigenous Justice, the Confederación de Pueblos Indígenas del Oriente Boliviano (CIDOB), the Central Indígenas de la Región Amazónica de Bolivia, the Central de Pueblos Indígenas de Pando, the National Institute for Agrarian Reform, the United Nations, the Riberalta Regional Human Rights Office, and others. Participants analysed the current situation of highly vulnerable indigenous peoples in relation to the legal provisions established in the Political Constitution of the State. This stipulates that the native indigenous nations and peoples in danger of extinction, in voluntary isolation and un-contacted shall have their individual and collective ways of life protected and respected, and that they shall enjoy the right to remain as such, and to the demarcation and legal consolidation of the territory they occupy and inhabit.</p> <p>The organizations highlighted the draft bill being promoted by the Vice-Ministry of Peasant, Native and Indigenous Justice in this regard. This is aimed at protecting the rights of people in isolation, which are being violated by loggers, settlers, drugs traffickers, traders, miners, oil companies and others, and to put a stop to the large infrastructure works being undertaken on their territories for extraction projects.”</p> <p>“The fact that the Confederación de Pueblos Indígenas de Bolivia called a national meeting about isolated indigenous peoples indicates the importance and the urgency of the issue for the indigenous peoples of the lowlands.”</p> <p><i>“First Meeting for the Defense of Highly Vulnerable Indigenous Peoples in Isolation and Initial Contact in the Amazon and Gran Chaco Cobija, 7 and 8 December 2011</i></p> <p>We confirm our belief that the defense of the right of highly vulnerable indigenous peoples in isolation and initial contact involves strict compliance with and observance of historic Article 31 and all of the Political Constitution of the Plurinational State, the</p>	Territory of peoples in voluntary isolation	Specified risk for IP rights, including from logging
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	<p>principle of no contact, the UN Declaration on Indigenous Rights, full respect for human rights and strict respect for peoples' right of self-determination. Within this framework, it is urgent and necessary to approve a framework law defending and protecting Highly Vulnerable Indigenous Peoples in Isolation and Initial Contact and, in this respect, we welcome the draft bill being produced by the Vice-Ministry of Justice to protect these peoples. However, we feel that this text should be revised, adapted and agreed with CIDOB and all the indigenous organizations until its final approval to ensure that it forms the best guarantee of complying with the spirit of Article 31.</p> <p>At the same time, it is essential to begin a process of land "immobilisation", followed by a technical process of demarcation and indigenous territorial control of all indigenous territories, but particularly those which are inhabited by Highly Vulnerable Indigenous Peoples in Isolation and Initial Contact.</p> <p>This process of immobilisation, demarcation and territorial control is the only guarantee that effective action will commence to defend and protect these peoples, whose territories are being constantly invaded by outsiders, whether loggers, settlers, drugs traffickers, traders, miners, oil companies or others. Given this situation, we protest at the development model and the large infrastructure works for extraction projects and agro-industry that continue to demand victims, devouring peoples and promoting ethnocide and genocide. The common good, and Living Well cannot be understood, far less implemented, without respect for the rights of these peoples. Because of its urgent nature, in addition to work to develop this bill of law, we call on the different institutions of the Plurinational State, the Ombudsman, the Armed Forces and all relevant national and UN organizations to facilitate, contribute to, ensure fulfilment of and/or safeguard the following tasks, which form a minimum action plan as emerging from the discussions and presentations of the meeting organised by CIDOB in Cobija, namely:</p> <p>Toromona Absolute Reserve Zone Proceed to its demarcation, urging the Armed Forces,</p>	Territory of IP in voluntary isolation	Specified risk for IP's right to land, including from logging
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	<p>these segments by implementing the project for physical and effective territorial control that is being spearheaded by the T'simane Grand Council itself. For this, the Bolivian Navy, the Military Geographic Institute, the Forests and Lands Authority and other relevant bodies need to be urged to coordinate the necessary and sufficient actions to make the stated territorial control project effective.</p> <p>Refuge Zones In the light of all of the above, but especially the draft bill of law of the Vice-Ministry of Justice and the work being done by CIDOB, the T'simane Grand Council and support organizations in the T'simane Indigenous Territory, we call for multidisciplinary and interinstitutional work commissions headed by CIDOB to be established to identify other refuge zones for indigenous peoples or segments of indigenous peoples living on the national territory, such as segments of the Araona, Chacobo, Yuki, Mosestén Ese Eja, Yuracaré and other peoples to be determined. These refuge zones will need to be safeguarded through the implementation of physical and effective territorial control projects such as that being promoted in the T'simane Indigenous Territory.”</p> <p>“In Bolivia, as elsewhere, indigenous minorities in danger of extinction, or in initial contact or isolation, are in a critical situation. The country's main indigenous organizations are all agreed in this regard. Most of these peoples live in tropical forests that are being pillaged by settlers, loggers, coca growers and public and private oil and mining companies. Highways and large infrastructure projects are also threatening them. (..)</p> <p>If the law protecting these peoples were approved, it would thus form a significant milestone in the exercise of their human, cultural, economic, political and social rights and with regard to implementation of Article 31 of the Political Constitution of the State.”</p> <p>“Location of peoples at risk in Bolivia Most of these peoples are located in the lowlands of the East, the Amazon and the Chaco regions, in the departments of Pando, Beni, Santa Cruz and Tarija. These peoples have, at different times in their history, been</p>	<p>T'simane Indigenous Territory</p> <p>Other refuge areas</p> <p>Territories of IP in voluntary isolation or danger of extinction</p>	<p>Specified risk for IP's right to land</p> <p>Specified risk for IP's right to land</p> <p>Specified risk for IP's right to land, including from logging</p>
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forced off their territories and systematically attacked by miners, loggers, chestnut sellers, rubber workers, cattle farmers and coca growers. Some have been used as forced labour, others moved into urban areas once they had lost their lands, yet others found themselves relegated to marginal parts of what used to be their ancestral territories. In all cases, because of this unequal contact, they have suffered illnesses, food insecurity, discrimination and exploitation of their labour to levels that have depleted their physical strength. Women were also physically ill-treated in this process, and now form the most vulnerable sector of the population. Although most of these peoples now have their own territories, the diminished size of their populations and the persistence of the aggression mean that special measures are needed to protect them and their lands. The actual size of the populations of these minority peoples is not very clear as the census seems to have higher levels of under-recording in the territories inhabited by these peoples, as demonstrated by CIDOB's Indigenous Territorial Management Unit.³¹"

Peoples and groups in voluntary isolation and total size of their population

People	Population contacted*	In isolation**	Area of TCO (km ²)
Araona	171		950
Ese Eja	761	No data	4,414
Yuqui	208	No data	1,272
Ayoreo	Between less than 1,000 and 4,000 ³⁶	4 families No data	2,447
Pacahuara	60	5 families	5,108
Yuracaré	2,136	No data	
Total	4,937		

* Estimates from Mario Haibara, Ministry of Rural Development and Environment, 2006.

** Estimated in Vincent Brackelaire. *Los últimos pueblos indígenas aislados del planeta. Pueblos indígenas no contactados de Bolivia, un tesoro cultural sin protección*, Brasilia, no editor or date.

Territories of peoples in voluntary isolation

Presence of IPs in voluntary isolation

“In 2011, Alvaro Díez-Astete systematised the available information on populations in isolation or intermittent isolation in more detail, indicating their possible areas of habitation and movement.”

Territories of peoples in voluntary isolation

Presence of IPs in voluntary isolation

People	Location		
	Department	Province	Area
Toromona (total isolation)	La Paz	Iturrealde	Madidi National Park and Natural Integrated Management Area: Toromona Absolute Reserve Zone. Colorado and Enhajehua rivers. Municipality of Ixi-amas.
Araona (self-separated from the TCO)			Río Manurimi near to Alto Manupare. Municipality of Ixi-amas.
Ese Eja (nomads with intermittent cross-border contact)			Río Heath: Peru/Bolivia border zone. Area of Sonene (Peru) and right bank of Río Heath (Bolivia). Municipality of Ixi-amas.
Mosetene (intermittent isolation)		Sud Yungas	Pilón Lajas Indigenous Territory and Biosphere Reserve. Pariquia and Suapi rivers, on the Río Quiquibey. Municipality of Palos Blancos.
T'simanes (intermittent isolation)			Pilón Lajas, Río San Luis, tributary of Río Quiquibey. Dispersed families near the Mosetene community of San Luis. Municipality of Palos Blancos. People in isolation on the Río Pachena in the municipality of San Borja.
Ayoréode (total isolation)	Santa Cruz	Cordillera	Kaa Iya del Gran Chaco National Park and Natural Integrated Management Area and its surrounding area, Médanos del Chaco, Palmar, Chovoreca, Patrimonio.*
Yuki (isolation not confirmed)		Ichilo	El Chore Forest Reserve. Chore and Vibora rivers. Municipality of Yapacaní.
Pacahuara (isolation not confirmed)	Pando	Federico Román	Arroyo Cayuvín between the Río Pacahuara and the Río Negro. Municipality of Nuevo Manoa.
Yora (Ese Eja)		Manuripi	Arroyo Biyuyo in the municipality of Arroyo Grande.
Yuracaré (intermittent isolation)	Cochabamba	Carrasco	Río Chapare, municipality of Chimoré.
Yuki (move around the north-east of the Yuki TCO Yuki)			Río Usehuta, municipality of Puerto Villarroel.
Chacobo (self-separated from the TCO)	Beni	Vaca Díez	TCO Chacobo-Pacahuara, municipality of Riberalta.

	<p>The book further contains extended information on the following peoples: Toromona, Araona, Ese Eja, Yuki, Yuracaré, Ayoreo, and Pacahuara and an annex with more demographic and territorial data.</p>		
<p>United Nations Special Rapporteur on the rights of indigenous peoples http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx</p>	<p>The most recent report from the UN Special Rapporteur is from February 2009, which is considered outdated.</p> <p>http://www.un.org/esa/socdev/unpfii/documents/UNPFII_Mission_Report_Bolivia%20EN.pdf</p> <p>United Nations Permanent Forum On Indigenous Issues <i>Mission to Bolivia: Report and Recommendations (Date of report unclear. Probably from 2010)</i></p> <p>IV. Findings of the Mission D. Lands</p> <p>“43. Findings: The Agrarian Reform Law is being implemented, but slowly and with interruptions, despite the Community Reorganization law (Reconducción Comunitaria). The reorganization of lands being carried out by the INRA, which consists of a revision of title deeds and land tenure in rural areas of Bolivia, has met with open and violent resistance from hacienda owners, as have the measures aimed at expropriating and regrouping lands for public utilities on behalf of indigenous communities and the Guaraní people. Since February 2008, the INRA, the Vice-Minister of Lands and numerous Guaraní leaders anxious to begin the reorganization of lands in Alto Parapetí have been beaten, harassed and kidnapped and prevented from entering the area to do their work. The attacks on them, to this day, have been led by the owners of <i>haciendas</i> themselves and by local authorities in the Cordillera Province. Government officials have not only been prevented from doing their work. Two congressional representatives of Santa Cruz even filed criminal charges with the District Attorney of Santa Cruz against the Vice-Minister of Lands for trespassing on private property. Reorganization in Alto Parapetí did not resume until November 2008, when INRA officials went into the haciendas accompanied by police.</p> <p>44. In February 2009, the INRA issued reorganization resolutions ordering the reversion to the State of 36,000 hectares of lands owned by four hacienda owners in the Cordillera province of Santa Cruz because of proof of the existence of relations of servitude and, therefore, of noncompliance with the economic and social function established under article 157 of the Implementing Regulation of Law No. 1715, amended by Law No. 3545 on the Community Reorganization of Agrarian Reform. In March 2009, President Evo Morales (accompanied by army and police officers) awarded the first rural property title deeds resulting from this reorganization to both Guaraní families and non-Guaraní small farmers in the area. The affected hacienda owners responded by challenging the decisions taken by the INRA before the National Agrarian Tribunal,³⁰ even though the reversion of lands ordered is constitutional. It is</p>	-	-

	<p>not yet known when the National Agrarian Tribunal will adopt a resolution. Given previous cases, this could take years, in which case the matter could be forwarded to the Plurinational Agricultural and Environmental Tribunal envisaged in the Constitution, which could be expected to perform better.</p> <p>45. There are no recent land tenure data in Bolivia, as the last agricultural and livestock census was carried out in 1984.³¹ That is why the INRA is beginning to investigate the reorganization of land. This process has been and still is slow, given the natural resistance of the hacienda owners.³² According to INRA, in December 2008, 52 per cent of the lands still have to be reorganized and in 12 per cent the process is under way. In other words, only 35 per cent had been examined as part of the titling process. The result of this long bureaucratic process has been a severe worsening of living conditions for the Guaraníes. The disputed lands remain intact, despite the handing over of titles. Many Guaraníes were expelled from the haciendas just months ago and have no access to land; and those that do have access to a small amount of land lack seeds and materials. They should have been provided under the Interministerial Transition Plan for the Guaraní People (PIT), which has, however, also suffered long administrative delays.”</p> <p>V. RECOMMENDATIONS OF THE UN PERMANENT FORUM</p> <p>“D. Land Reform</p> <p>29. The Permanent Forum considers the Policy for the Re-constitution of the Territory of the Guarani Nation of fundamental importance, and a good example of an effective application of the UN Declaration on the Rights of Indigenous Peoples. The Government of Bolivia must ensure, including through the provision of an adequate budget, the expeditious completion of the process of Saneamiento, land titling for indigenous peoples and the implementation of process of redistribution of land. This is urgent now that the new constitution is in force. UN Agencies such as FAO and the World Bank should provide, as requested by indigenous peoples, support and finance to the Government of Bolivia in this regard.</p> <p>30. While the process of saneamiento remains ongoing, officials and staff of the National Institute for Agrarian Reform (INRA) should enjoy special protection while carrying out their official duties.</p> <p>31. In so far as the National Agrarian Tribunal (TAN) is not replaced, it must address in an efficient and timely manner the cases under its jurisdiction, within the deadlines set by law. Additionally, it is recommended that TAN contribute towards genuine agrarian justice, ensuring the rights of access to land, including the right of indigenous peoples to their territories. The State must assure sufficient resources to enable TAN to fulfill its duties.</p> <p>32. As lands were taken from indigenous peoples without consent, due process or compensation, where indigenous land claims are challenged, the burden of proof should fall to the non-indigenous party with regard to the land in question. “</p>	Country	Specified risk for right to land
	<p>29. The Permanent Forum considers the Policy for the Re-constitution of the Territory of the Guarani Nation of fundamental importance, and a good example of an effective application of the UN Declaration on the Rights of Indigenous Peoples. The Government of Bolivia must ensure, including through the provision of an adequate budget, the expeditious completion of the process of Saneamiento, land titling for indigenous peoples and the implementation of process of redistribution of land. This is urgent now that the new constitution is in force. UN Agencies such as FAO and the World Bank should provide, as requested by indigenous peoples, support and finance to the Government of Bolivia in this regard.</p> <p>30. While the process of saneamiento remains ongoing, officials and staff of the National Institute for Agrarian Reform (INRA) should enjoy special protection while carrying out their official duties.</p> <p>31. In so far as the National Agrarian Tribunal (TAN) is not replaced, it must address in an efficient and timely manner the cases under its jurisdiction, within the deadlines set by law. Additionally, it is recommended that TAN contribute towards genuine agrarian justice, ensuring the rights of access to land, including the right of indigenous peoples to their territories. The State must assure sufficient resources to enable TAN to fulfill its duties.</p> <p>32. As lands were taken from indigenous peoples without consent, due process or compensation, where indigenous land claims are challenged, the burden of proof should fall to the non-indigenous party with regard to the land in question. “</p>	Country	No assessment
	<p>32. As lands were taken from indigenous peoples without consent, due process or compensation, where indigenous land claims are challenged, the burden of proof should fall to the non-indigenous party with regard to the land in question. “</p>	Country	Specified risk for right to land

	<p>“34. So long as Guarani autonomy has not been established, the Government of Bolivia must undertake extensive consultation with Guarani communities regarding land use, land ownership and collective or individual titling of land for the Guarani people. (..)”</p>	Guarani territory	Specified risk for IP rights, esp. right to land
<p>UN Human Rights Council Universal Periodic Review http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx</p>	<p>http://www.ohchr.org/EN/HRBodies/UPR/Pages/BOSession20.aspx <i>Report of the Working Group on the Universal Periodic Review Plurinational State of Bolivia. 17 December 2014</i></p> <p>I. Summary of the proceedings of the review process</p> <p>A. Presentation by the State under review</p> <p>“7. The adoption of the new Constitution marked an important change in the country, as a basis for restructuring the Plurinational State, with the cultural diversity that characterized the population determining the basis for social justice. The Constitution recognized the rights of nations and indigenous peoples, native and peasant, to exercise their own justice system. Legislation was important to achieve buen vivir (“Good Living”) for the peoples, but it could not disregard their needs. During the period 2010–2014, the Plurinational State of Bolivia had adopted a broad spectrum of laws for the effective realization of rights, including laws for the protection of the right to education, health, housing, the rights of peoples in vulnerable situations, older persons and persons with disabilities, as well as the rights of nations and indigenous peoples, native and peasant, and Afro-Bolivians.”</p> <p>“22. With regard to progress made on the rights of nations and indigenous peoples, native and peasant, incorporated in the Constitution, the Plurinational State of Bolivia highlighted the importance of adopting a draft bill on prior, free and informed consultation. The Plurinational State of Bolivia emphasized its willingness and interest in establishing consultation processes to enable communities to introduce their own vision of development. Reference was also made to the importance of a law for the protection of nations and indigenous peoples and natives in highly vulnerable situations, adopted in 2013.”</p> <p>II. Conclusions and/or recommendations</p> <p>“113. The recommendations formulated during the interactive dialogue/listed below have been examined by the Plurinational State of Bolivia and enjoy the support of the State party:” (..)</p> <p>“113.46 Ensure that legislation on consultation with indigenous groups is well-formed, takes into account indigenous peoples’ concerns, and is effectively implemented (Australia).”</p> <p>“115. The recommendations below did not enjoy the support of the Plurinational State of Bolivia and would thus be noted:” (..)</p> <p>“115.3 Advance in the commitment to incorporate into the national human rights law the United Nations Guiding Principles on Business and Human</p>	<p>Country</p> <p>Country</p> <p>Country</p> <p>Country</p>	<p>Low risk</p> <p>Low risk</p> <p>Low risk</p> <p>Specified risk for IP/TP rights</p>

	Rights, with special attention to labour rights, rights of indigenous communities and environmental rights (Spain);”		
<p>UN Human Rights Committee http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx search for country Also check: UN Committee on the Elimination of All Forms of Racial Discrimination http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx</p>	<p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fBOL%2fCO%2f5-6&Lang=en Committee on the Elimination of Discrimination against Women <i>Concluding observations on the combined fifth and sixth periodic report of the Plurinational State of Bolivia. 28 July 2015.</i> Rural women “32. The Committee welcomes the measures taken by the State party to improve the living conditions of rural women, but remains concerned about: (a) Rural women’s limited access to land titles and ownership owing to the lack of identification documents to demonstrate land ownership and lack of knowledge of the regulations and procedures for obtaining land titles; (b) Limited participation of women in decision-making processes concerning the use of land and means of production; (c) Rural women’s limited access to adequate health care, education, public transportation, food, water and sanitation, income-generating opportunities and social protection. 33. The Committee recommends that the State party: (a) Ensure that rural women have equal access to land as men, including by raising awareness among them and the public in general of the importance of women’s equal access to land as a factor for development and for achieving substantive equality of women with men; (b) Ensure that the interests of local communities, including those of rural women, are protected when developing land policies and allocating land, and ensure that the traditional users of land can enjoy access to property; (c) Ensure that rural women have equal access to basic services and infrastructure, such as health care, education, public transportation, food, water and sanitation, income-generating opportunities and social protection on an equal basis with men and also with their urban counterparts, including through the adoption of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee’s general recommendation No. 25. Indigenous and Afro-Bolivian women 34. The Committee notes with concern that indigenous and Afro-Bolivian women lack appropriate means to express their free, prior and informed consent in the approval of large-scale projects for the exploitation of natural resources. The Committee is also concerned about the multiple impacts of such projects on women’s living conditions. Further concern exists about the situation of Guarani women who depend on working in agriculture and livestock and do not receive compensation or remuneration.</p>	<p>Country</p> <p>Country</p> <p>Country</p> <p>Country</p> <p>Country</p> <p>Guarani territory</p>	<p>Specified risk for right to land of indigenous women</p> <p>Specified risk for right to land of indigenous women</p> <p>Specified risk for right to land of indigenous women</p> <p>Specified risk for FPIC right of IP/TP women</p> <p>Specified risk on exploitation of Guarani women</p>

	<p>35. <i>The Committee recommends that the State party:</i></p> <p>(a) <i>Implement adequate consultation processes to seek the free, prior and informed consent of indigenous and Afro-Bolivian women in decision-making processes that authorize large-scale projects for the exploitation of natural resources in their ancestral territories;</i></p> <p>(b) <i>Take measures to ensure that companies executing projects for the exploitation of natural resources adequately compensate women living in territories and areas affected by such projects;</i></p> <p>(c) <i>Take measures to prohibit and discourage all forms of slave labour affecting Guarani women.”</i></p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fBOL%2fCO%2f3&Lang=en <i>International Covenant on Civil and Political Rights</i> 6 December 2013. Human Rights Committee Concluding observations on the third periodic report of the Plurinational State of Bolivia</p> <p>C. Principal subjects of concern and recommendations</p> <p>“7. Although the Committee applauds the legislative and regulatory framework adopted to eliminate all forms of discrimination, it is concerned by the inadequacy of the mechanisms and resources for its implementation and by the lack of information on the progress of criminal or administrative proceedings involving discrimination cases. (..)”</p> <p>“15. The Committee repeats its previous recommendation (CCPR/C/79/Add.74, para. 24) and takes note with concern of reports of excessive use of force by law enforcement officers during demonstrations, as occurred in Chaparina during the Seventh Indigenous March in 2011 and in Mallku Khota in 2012 (arts. 6, 7 and 9). <i>The State party should continue taking steps to prevent and put a stop to the excessive use of force by law enforcement officers, strengthen the human rights training that it provides and hold regular human rights courses, and ensure that officers comply with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. The State party should also ensure that all complaints of excessive use of force are investigated promptly, effectively and impartially and that those responsible are brought to justice.”</i></p> <p>“22. The Committee repeats its previous concluding observations (CCPR/C/79/Add.74, para. 19) and takes note with concern of the continuing reports of widespread political interference and corruption in the judicial system. The Committee is also concerned that the criteria used for the appointment of judges effectively exclude lawyers who have defended anyone convicted of offences against national unity. The Committee is also concerned at the long delays in the administration of justice, the poor geographical</p>	<p>Country</p> <p>Country</p> <p>Country</p>	<p>Specified risk for rule of law</p> <p>Specified risk for the right to self-organize</p> <p>Specified risk for rule of law</p>
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	(CERD/C/63/CO/2, para. 17). It is also concerned about the lack of clarity in the Jurisdiction Demarcation Act with regard to levels and mechanisms of coordination and cooperation between the indigenous original campesino justice system and other judicial systems in the State party (arts. 4, 5 (a) and 6)."		
Intercontinental Cry http://intercontinentalcry.org/	<p>http://www.scribd.com/doc/216154458/Indigenous-Struggles-2013 <i>Indigenous struggles 2013</i> "The Tsimané people have traditionally lived a nomadic lifestyle in the northern lowlands department (province) of Beni, Bolivia. However, they have gradually settled into sedentary communities, on land that ranchers and other outsiders are trying to take. Since rejecting some small payments offered for their land Tsimané village of El Jatatal, have experienced intimidation and attacks. Carmelo Tayo, a "corregidor" or traditional community leader says "we just want to be allowed to live in peace. We don't want them to take our things away from us. And above all, we want recognition that this is ours, that most of us were born here and that it is here we want to die."</p> <p>"Indigenous Bolivians are joining efforts to save South America's second largest wilderness area, Gran Chaco, from constant threats related to narcotraffickers, and unsustainable farming and ranching practices. Though the portion of Gran Chaco nestled within the Bolivian border is lauded as the best preserved, the biodiverse region has been impacted by a gas pipeline and drug war activity in the region."</p> <p>"The government of Bolivia implemented a new law designed to instill harsh penalties on any entity found to be endangering the livelihood and preservation of Bolivia's Indigenous Peoples. Offenses cited in the law include 'cultural genocide', which carries a sentence of 15-20 years in prison; 'cultural disruption', which carries a sentence of 6-10 years; 'financing of cultural disruption', 8-12 years; and 'environmental damage', also 8-12 years. The new legal move also gives birth to a new government agency known as DISEPIO, translated to English as "The General Directorate of Indigenous Nations and Peoples at Risk of Extinction, in Voluntary Isolation or Without Contact"."</p> <p>http://intercontinentalcry.org/wp-content/uploads/2013/01/Indigenous-Struggles-2012.pdf <i>Indigenous struggles 2012</i> No additional information found that indicates specified risks for IP/TP rights in the forest sector, only on the conflict around the highway in TIPNIS.</p>	Beni	Specified risk for IP rights
		Chaco	Specified risk for IP rights (logging not mentioned)
		Country	Low risk, esp. for uncontacted peoples
		Country	Low risk for IP rights

<ul style="list-style-type: none"> - Inter-American Court of Human Rights http://www.corteidh.or.cr/index.php/en - Inter-American Commission on Human Rights http://www.oas.org/en/iachr/ http://www.oas.org/en/iachr/indigenous/ - African Commission on Human and Peoples' Rights - African Court on Human and Peoples' Rights - European Court of Human Rights 			
Data provided by National Indigenous Peoples', Traditional Peoples organizations;	No additional information could be found in English.	-	-
Data provided by Governmental institutions in charge of Indigenous Peoples affairs;	No information could be found in English.	-	-
Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing);	See the information collected above and below.	-	-
National land bureau tenure records, maps, titles and registration (Google)	<p>A reference to data from INRA (found in this article: http://nacla.org/blog/2013/3/31/bolivia-unfinished-business-land-reform) is not available anymore: http://www.inra.gob.bo:8081/InraPb/upload/INRA-Resumen%20Resultados.zip</p> <p>http://www.inra.gob.bo/InraPb/paginaController?cmd=inicio The general website from INRA does not contain information in English.</p>	-	-
Relevant census data	<p>The information from the 2012 National Population and Housing Census (Censo De Población Y Vivienda 2012) is only available in Spanish.</p> <p>The relevant governmental website: http://censosbolivia.ine.gob.bo/ Link to the census itself: http://www.ine.gob.bo:8081/censo2012/PDF/resultadosCPV2012.pdf</p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3142857:NO <i>Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014) Indigenous and Tribal Peoples Convention, 1989 (No. 169) - Bolivia, Plurinational State of</i> "The Committee also notes the results of the 2012 National Population and Housing Census. According to the census, out of a total of 6,916,732 respondents, 2,806,592 claimed membership of an Afro-Bolivian or an original indigenous and campesino people."</p> <p>http://www.iwgia.org/regions/latin-america/bolivia</p>	Country	Presence of IPs and TPs

	<p><i>Indigenous peoples in Bolivia</i></p> <p>“According to preliminary data from the most recent national census (2012), published in 2013, 2.8 million people over the age of 15 – or 41% of the total population – are of indigenous origin.</p> <p>There are 36 recognised indigenous peoples, the largest being the Quechua and the Aymara, who live in the western Andes.</p> <p>The 34 indigenous peoples who live in the eastern lowlands of the country include the: Chiquitano, Guaraní, Moxeños.”</p> <p>http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Bolivia_IW2015_web.pdf</p> <p><i>IWGIA 2015 yearbook article on indigenous peoples in Bolivia</i></p> <p>“The Population and Housing Census</p> <p>The results of the Population and Housing Census conducted in November 2012 were made known in 2013. These indicate that the total population of Bolivia is 10,27,254 and that the most populated department is Santa Cruz with 2,655,084 inhabitants.⁴</p> <p>Data on indigenous self-identification for the population above 15 years old was also published and shows a significant fall in numbers in both absolute and relative terms: a little more than 2.8 million people identified themselves as belonging to one of the indigenous peoples living in the country: 2.4 million in the highlands and 178,000 in the lowlands.</p> <p>The numbers identifying as Aymara and Quechua fell by 6.83% and 17.76% respectively. In the case of the lowlands, the proportion of the three most representative peoples (Chiquitano, Guaraní and Mojeño) declined by an average 24.78%. The five largest peoples showed the greatest decline in both absolute and relative terms. However, information on the other peoples varied considerably.</p> <p>Some lowland peoples have expanded their numbers substantially, even some inexplicably so, such as the Araona, increasing from 90 to 910, and the Guarasuwè, from 9 to 42. The Yuki, who numbered 112 in 2001 have increased to 202. The average recoveries noted involve a doubling or tripling of the 2001 population. In this regard, the Itonama, who live in the southern Amazon region, grew from 1,416 to 10,275 individuals, the Baure from 465 to 2,419, the Cayubaba from 326 to 1,424 and the Joaquiniano, from 169 to 2,797. One of the reasons for this growth is an improvement in these peoples’ living conditions, and the titling of their territories has played a major role in this regard.</p> <p>With more than 11 million hectares, the indigenous peoples of the lowlands are the people who have gained the most land, titled collectively in their favour since 1996, when the process of regularisation and titling ordered by the INRA Law No. 1715 began. Access to land has not solved their problems of marginalisation and exclusion once and for all but their growing socio-political involvement has enabled them to attract the attention of different policies,</p>	Country	Presence of IPs
	<p>Country</p> <p>Presence of IPs</p>	Country	Presence of IPs

	<p>primarily in terms of health, education and basic services, as well as access to political and cultural rights.</p> <p>Despite the significant increase in numbers of some Amazonian peoples, however, indigenous peoples as a whole are not managing to reverse their downwards trend in absolute and relative terms. The figures show that, in 2001, there were almost 3.5 million indigenous peoples in Bolivia over the age of 15 and yet today there are only 2.8 million identifying as such. To these people must be added the Afro-Bolivians, who number 16,329.”</p> <p>http://www.un.org/esa/socdev/unpfii/documents/UNPFII_Mission_Report_Bolivia%20EN.pdf</p> <p>United Nations Permanent Forum On Indigenous Issues <i>Mission to Bolivia: Report and Recommendations</i> “There are no recent land tenure data in Bolivia, as the last agricultural and livestock census was carried out in 1984.”</p>		
<p>- Evidence of participation in decision making; (See info on implementing ILO 169 and protests against new laws)</p> <p>- Evidence of IPs refusing to participate (e.g. on the basis of an unfair process, etc.); (See info on implementing ILO 169 and protests against new laws)</p>	<p>Information reported above and below indicates that participation in decision making strongly depends on several factors, such as land ownership and autonomy.</p>	Country	Risk level depends on factors such as land ownership and autonomy
National/regional records of claims on lands, negotiations in progress or concluded etc.	Not found.	-	-
Cases of IP and TP conflicts (historic or ongoing).) Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes)	See evidence of cases of conflicts above and below.	-	-
Social Responsibility Contracts (<i>Cahier des Charges</i>) established according to FPIC (Free Prior Informed Consent) principles where available	Not applicable.	-	-
Google the terms '[country]' and one of following terms 'indigenous peoples organizations', 'traditional peoples organizations', 'land registration office', 'land office', 'indigenous peoples', 'traditional peoples', '[name of IPs]', 'indigenous peoples+conflict', 'indigenous peoples+land rights'	<p>http://www.ituc-csi.org/spotlight-interview-with-carlos</p> <p>International Trade Union Confederation <i>Spotlight Interview with Carlos Mamani Condori (UN Permanent Forum on Indigenous Questions)</i> “In your own country, Bolivia, there have been some very real advances in the fight for Indigenous Rights. What can we learn from the Bolivian experience?</p> <p>The exploitation that’s happening here is the same as in other Developing countries. All that governments and trans-national companies want to do is to exploit indigenous lands. They destroy homes, establish private police forces and divide the communities. All these entities have so-called “Social Responsibility” laws and programmes. But these are only cosmetic operations, designed to deflect criticism and avoid true responsibility.</p> <p>Paraguay still has a very weak system because of the long legacy of dictatorship. But in Bolivia there have been great advances. We have adopted the UN Declaration on Indigenous Rights as internal Bolivian law. In Bolivia we</p>	Country Country	Specified risk for IP rights, esp. right to land Low risk

	<p>view indigenous territories as stolen land and so we have been returning it since 2008. What's happening in Bolivia is an example to the rest of El Chaco.”</p> <p>http://nacla.org/blog/2013/3/31/bolivia-unfinished-business-land-reform <i>NACLA. Reporting on the Americas since 1967</i> <i>Bolivia: The Unfinished Business of Land Reform</i></p> <p>“Land reform in Bolivia, and the promise of land redistribution from wealthy latifundistas and agrobusiness elites to poor farmers and indigenous communities, has been a hallmark of President Evo Morales’s administration. Recent data from the National Agrarian Reform Institute (INRA) provide a useful picture of what the Morales government has accomplished to date, as well as the unfinished business that lies ahead.</p> <p>According to INRA, 157 million acres of land have been surveyed and titled since 1996 under Bolivia’s land regularization laws, benefiting more than 1 million people. Some 134 million acres, or 85%, have been titled during the last seven years under Morales, compared to just 23 million between 1996 and 2005 under past neoliberal governments.</p> <p>One-third of all regularized land is now held collectively by indigenous and peasant organizations in the form of self-governing Native Community Lands (TCOs or TIOCs)—primarily, but by no means exclusively, in Bolivia’s eastern lowlands. Another 22% is owned in the form of individual or family plots by small farmers and “colonizers” (western highland farmers who have resettled in the lowlands). Together, peasants and indigenous communities hold 88 million acres of titled land (55%), more than double the amount they controlled in 1992, according to INRA.</p> <p>Another 57 million acres (37%) of regularized land is now titled to the Bolivian government—a virtually non-existent category pre-INRA. Of this total, some 3.5 million acres has been redistributed to peasant and indigenous groups, benefiting 11,373 families and 271 communities—virtually all under Morales. Another 11.6 million acres is potentially available for redistribution (most state lands, protected as forests and national parks, are not available). The remaining 7% of titled land is owned by large and medium-sized owners. Of the 290,000 land titles issued, more than 90% have been issued under Morales. Almost one-quarter have been granted to women, and another 37% to men and women jointly. This marks an historic shift for Bolivia, where women have long been excluded from land ownership.</p> <p>Still, the pace of land titling has fallen short of legal requirements and popular expectations. The amount of land regularized to date represents only 60% of the total 262 million acres in Bolivia that is legally required to be titled by October 2013. INRA officials say they will need another five years to complete the process, with the most complicated and conflicted ownership situations yet to be addressed.</p> <p>Critics, including Juan Carlos Rojas, former director of INRA under Morales, charge that the land titling and redistribution process has slowed considerably</p>	Country	Specified / Low risk for right to land (depending on redistribution)
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in the last couple of years. The data shows between June 2011 and October 2012, only 11 million acres were titled—less than half the average annual rate achieved under the first five years of the Morales government (based on Rojas's statistics). Additionally, in 2012 only 136,000 acres of government land were redistributed (to peasant and indigenous communities), compared to an annual average of 222,000 acres over the previous 6 years.

Growing pressures for land redistribution and conflicts between social sectors over land have posed major challenges for the Morales government. Western highlands campesinos, representing 70% of Bolivia's rural population, are increasingly land-poor, as their "minifundios" (small parcels) secured in the 1952 Revolution have been compromised by subdivision over successive generations—and more recently, by climate change. Many have migrated to the eastern lowlands and settled on the fringes of protected areas, clashing with indigenous groups who regard these territories as their ancestral lands. A case in point is the ongoing TIPNIS highway controversy, fueled in large part by a conflict over land.

Increasingly, peasant and settler organizations view lowland indigenous groups as the "new latifundistas," controlling vast tracts of seemingly idle land (through their TCOs and TIOCs) while they themselves have little. In part, this reflects a contrast in worldviews and economies between nomadic lowland peoples, who regard their territory as a collective resource to support fishing, hunting, and other subsistence activities, and highland campesinos, who see land as belonging to those who use it productively. Campesino groups also resent the current legal prohibition against redistributing state lands through individual and family titles, their traditional form of ownership.

According to the NGO Fundación Tierra, much of the 11.6 million acres of state land that could be made available for redistribution is compromised and not suitable for productive use. Still, vast tracts of desirable agricultural land in the eastern lowlands continue to be held by agrobusiness and ranching elites (including many foreigners)—dating back to the 1970s, when military dictators awarded patronage land grants to their political cronies to promote export agriculture. While holdings that predate the 2009 Constitution are exempt from the legal limit of 12,350 acres, critics argue that much of this land is speculatively held, not serving a socioeconomic purpose as required by law, and could be reclaimed by the government through an aggressive land titling process.

By some estimates, the Morales government has seized around 25 million acres from owners who have failed to demonstrate a productive or legal use of their land, including several high profile cases involving debt servitude, fraudulent deeds, or obvious lack of investment by conservative political opponents. Still, there is growing concern that the government's new focus on agroindustrial productivity has compromised its willingness to confront large estate holders, and its commitment to land redistribution in general.

In an effort to promote food security and expand the agricultural frontier, Morales has recently sought to forge alliances with the agro-business sector. A new law could exempt more than 12 million acres of illegally deforested land (outside the national parks) from reverting to the state, if owners pay a small fine and commit to agricultural reuse. To facilitate owners' access to credit, the government has also agreed to suspend until 2018 the verification process required to determine whether land holdings are serving a socioeconomic purpose (it's currently unclear whether this controversial proposal has been modified to exclude the largest estate holders).

For Rojas, such measures suggest "not only [that] the process of agricultural transformation [has] stalled, but that there is the risk of it being reversed." In any case, they will serve to intensify the current conflict between highland campesinos and lowland indigenous groups over Bolivia's land policy. A law proposed by the national peasant organizations would legitimize illegal settlements in protected areas such as the TIPNIS, allow the reversion of indigenous lands, and permit private ownership of redistributed state lands—confirming the worst fears of lowland indigenous groups.

Unless the Morales government is willing to confront the twin challenges of the minifundio and the latifundio through a more aggressive and strategic land redistribution policy, the growing controversy over land could shape up to be even more powerful than the TIPNIS conflict."

<http://theconversation.com/evo-morales-champions-indigenous-rights-abroad-but-in-bolivia-its-a-different-story-38062>

The Conversation

Evo Morales champions indigenous rights abroad, but in Bolivia it's a different story

February 27, 2015

"Those were words primarily for an international audience, however. At home, Morales' popularity is based less on things like indigenous resistance or environmentalism than on his commitment to social welfare and infrastructure spending.

The benefits of these policies, financed by hydrocarbon revenues, primarily from natural gas, have been distributed throughout broad sectors of the population. Morales' economic stewardship of Bolivia has also earned him praise from the likes of the IMF and the World Bank.

Yet this has come at significant cost to Bolivia's indigenous peoples, particularly in the Amazonian lowlands in the north and east of the country. The government has repeatedly stalled on land-titling for indigenous territories; created bureaucratic obstacles to the implementation of promised indigenous self-determination; and continues to pursue environmentally destructive projects on indigenous lands. In the most recent example, the Bolivian government is keeping its options open regarding fracking of shale gas and oil."

Additional general sources for 2.3	Additional specific sources	Scale of risk assessment	Risk indication
US AID	<p>https://www.usaid.gov/news-information/congressional-testimony/written-statement-senior-deputy-assistant-administrator <i>WRITTEN STATEMENT BY SENIOR DEPUTY ASSISTANT ADMINISTRATOR JANET C. BALLANTYNE, BUREAU FOR LATIN AMERICA AND THE CARIBBEAN, BEFORE THE TOM LANTOS HUMAN RIGHTS COMMISSION</i> Thursday, April 29, 2010 “Mr. Chairman, Members of the Commission, it is an honor and a privilege to present this testimony to the Tom Lantos Human Rights Commission. I welcome the opportunity to outline how the United States Agency for International Development is helping to address the challenges faced by indigenous peoples in Colombia, Panama, and Peru and throughout Latin America. Over 30 million Latin Americans are indigenous. In countries such as Guatemala, Bolivia, Ecuador, and Peru, close to half the population is indigenous. In Latin America, indigenous peoples have, in general, not received the full benefit of development. They suffer from high childhood mortality rates, lack of education, low income levels, and high rates of crime and violence against women. They are often caught in the crossfire between opposing governmental factions and in Andean countries, targeted by narco-traffickers who pressure them to develop coca rather than sustainable licit agricultural products. They are also vulnerable to industries who want to use their territories for extractive industries, often without prior consultation.”</p>	Country	IP presence
Minority Rights Group International World Directory of Minorities and Indigenous Peoples	<p>http://minorityrights.org/country/bolivia/ <i>Bolivia: Peoples</i> “Indigenous peoples constitute some 4.1 million or 62 per cent of the total population, and include Aymara, Quechua, Chiquitano, Ese Eja, Guaraní and Moxeño (Data: unless otherwise stated, 2001 Census). Other minority groups include Afro-Bolivians 30,000 (UN, 2003), and small communities of Japanese and Europeans including Germans (Mennonites). Highland Quechua (2.5 million) and Aymara (2 million) make up more than 50 per cent of the population. Lowland peoples include the Chiquitano (180,000), Guaraní (125,000), Moxeño (43,000), Ese Eja and Ayoreo. There is also an Afro-Bolivian population, small communities of Japanese and people of European origin including Germans (Source for this paragraph, CIA World Factbook 2006). Ayoreo people in the Chaco region have been harassed by the New Tribes Mission (see Paraguay). Many have been ‘deported’ to the town of Santa Cruz, where they are reduced to begging.</p>	Country	Presence of IPs and Afro-Bolivians

	<p>About 150 Uru still live around Lake Titicaca; they use traditional reed boats for their fishing, but in many other respects have adopted Aymara lifestyle. The Nación Originaria Uru was formed in Oruro in 2001. Between 1,500 and 2,000 Chipaya live in the salty marshes in south-west Bolivia, close to the Chilean frontier. Their weaving is distinctive, as are their round thatched houses, and they maintain a determined independence.”</p> <p>http://minorityrights.org/minorities/lowland-indigenous-peoples/ <i>Bolivia - Lowland indigenous peoples</i> “Profile Indigenous peoples in lowland Bolivia include the Chiquitano, Ese-Eja, Guaraní, Moxeño and Ayoreo. They are much more marginalized than the country’s highland indigenous peoples; numbering some 0.5 million they make up only a minority of the local population. They are also more dispersed and have different cultural attributes and practices.</p> <p>Historical context Despite such organizational disadvantages, it was the lowland indigenous peoples of Bolivia who initiated the most dramatic example of indigenous mobilization and protest in the 1990s, with the March for Territory and Dignity (1990). The march started in September in Trinidad, in the Amazon rainforest, and marchers reached La Paz 35 days later. Their main demand was recognition of lowland indigenous peoples' territorial rights and protection from the incursions of loggers and other colonists. The relationship between highland and lowland groups at the time was ambivalent – there was very little shared sense of identity or purpose and the regional movements were very distinct – but highland Aymara and Quechua joined the march along the way. As a result of the mass protest, the government recognized 1.5 million hectares of land as indigenous territory. Despite being the catalyst for political mobilization and a great national debate about indigenous rights, lowland indigenous groups have since lost the political initiative.</p> <p>Current issues Lowland indigenous peoples in Bolivia have found themselves largely marginalized from national political processes since the mass protests of the early to mid-1990s, although they are still involved in (or protected by) a number of cultural and political organizations. Violent attacks by colonists and logging interests continue to be a major problem. In December 2006 Chiquitano indigenous leaders and their offices were attacked in the Department of Santa Cruz. The Comité Civico (Civic Committee) of Santa Cruz, a racist group with much power in the region, has been accused of carrying out the attacks.</p>	<p>Lowland Bolivia</p> <p>Lowland Bolivia</p>	<p>Presence of IPs (Chiquitano, Ese-Eja, Guaraní, Moxeño and Ayoreo)</p> <p>Specified risk for IP rights, esp. violence against indigenous leaders</p>
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	<p>part of much larger government strategy aimed at controlling the region's hydrocarbon resources and dissolving the local municipalities. Conflicts in Alto Parapetí between INRA and large landowners escalated at the end of February 2008 when in an effort to halt the land titling process, a major landowner in Santa Cruz, and other ranchers held Bolivia's Vice-minister of Land, hostage at gunpoint for several hours when government officials tried to enter the region. (..)</p> <p>Despite the threats, at the end of 2008 INRA reiterated its commitment to complete the titling as required by the law, and the Grand Captain of the Guaraní community in Alto Parapetí publicly condemned the ranchers for trying to impede the titling process.”</p> <p>http://minorityrights.org/minorities/afro-bolivians/ <i>Bolivia - Afro-Bolivians</i> “Profile Most of the 30,000 Afro-Bolivians live in the Yungas region of the Department of La Paz, where they are employed on farms, cultivating the coca-leaf, coffee or citrus fruits (data: UN report on Bolivia, May 2003). Many Afro-Bolivians are bilingual in Aymara and Spanish and their religion shares the Roman Catholic Andean syncretism. They are usually distinguished from ‘whites’ and mestizos in economic rather than racial terms, and the majority tend to think of themselves as Bolivian rather than African. ‘Afro-Bolivian’ was adopted as a self-description with the emergence of a black consciousness movement in the early 1990s; but the movement has faced organizational problems as well as a split between the interests of urban intellectuals and rural peasant farmers.</p> <p>Historical context Bolivia’s Afro-Latin population is descended from slaves who were brought to work in the silver mines in Potosí in the early 1500s. Many died due to maltreatment and inhumane conditions. They were also unaccustomed to the high altitude and cold temperatures. When mining declined they migrated to the Yungas, where they were exploited as slaves on the large haciendas. The agrarian reform of 1953 ended this form of slavery. Since the 1980s a large number of Afro-Bolivians have migrated from the Yungas to the cities of La Paz, Santa Cruz and Cochabamba. Over time many Afro-Bolivians adopted Aymara language and culture, and the Afro-Bolivian Spanish dialect, and their music and dance, became less distinctive. However, this trend was reversed in the late twentieth century with the revival of the saya dance, as part of a black consciousness movement. The Movimiento Cultural Negro was formed in 1994; literature on the country also makes reference to a Casa Afro-Boliviana in Santa Cruz and a Centre for Afro-Bolivian Development in La Paz. The most well-known group, however, is the</p>	<p>Yungas region of the Department of La Paz</p>	<p>Presence of Afro-Bolivians (TPs)</p>
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	<p>Movimiento Saya Afro Boliviano, which aims to recuperate, strengthen and promote the values and cultural identity of Afro-Bolivians. Due to improving access to education since the revolution of 1952, some Afro-Bolivians have been successful in areas such as medicine, law and teaching, but most are extremely poor farmers. They have shared the same problems as other rural workers: environmental deterioration, low prices for agricultural produce and US-sponsored demands for coca eradication. In contrast to Bolivia's indigenous peoples, the census of 2001 failed to recognize Afro-Bolivians as a distinct ethnic/cultural group.</p> <p>Current issues <i>(This information is outdated)</i></p> <p>The Afro-Bolivian community does not figure in the constitution and many people complain that the government fails to recognize and appreciate the contribution of black people to Bolivian society. Afro-Bolivians have repeatedly demanded that they be included in the official population census; in 2001 these demands were rejected, but government authorities in Santa Cruz have since agreed to a census of Afro-Bolivians for 2006. In April 2005 a 'March for Afro-Bolivian Dignity' was organized in La Paz.</p> <p>Human rights organizations report continuing discrimination against Bolivians of African descent, claiming they face severe disadvantages in health, life expectancy, education, income, literacy and employment. Rural areas are still lacking in many basic services such as running water, electricity, drains and roads. The election of Evo Morales in 2005 was welcomed by many Afro-Bolivians: he vowed to improve the living standards of Bolivia's socially excluded, indeed, to end their exclusion, and since his election he has stopped the US sponsored coca-eradication campaigns (affecting many Afro-Bolivian coca-growers in the Yungas).</p> <p>In mid-2006 there were complaints about the lack of Afro-Bolivian candidates included in Morales' new Constituent Assembly, however, since then the government has taken a step forward by recognizing and naming Afro-Bolivians as a legitimate minority ethnic group belonging to the Bolivian nation in the new Bolivian Political Constitution of the Plurinational, Communitarian State, approved by the Constituent Assembly in June 2007."</p>		
From national CW RA	Not available	-	-
<p>Conclusion on Indicator 2.3:</p> <ul style="list-style-type: none"> • According to the most recent national census (2012), 2.8 million people over the age of 15 – or 41% of the total population – are of indigenous origin. <ul style="list-style-type: none"> ○ There are 36 recognised indigenous peoples, the largest being the Quechua and the Aymara, who live in the western Andes. The 34 indigenous peoples who live in the eastern lowlands of the country include the: Chiquitano, Guaraní, Moxeños. A complete list of the 36 indigenous peoples and their territory couldn't be found in English. ○ Bolivia is also home to uncontacted peoples or peoples living in voluntary isolation. As far as it is known, these peoples include the Tormora, Araona, Ese Eja, Mosekene, T'simanes, Ayoróde, Pacahuara, Yora, Yuracaré, Yuki, and the Chacobo. All of these 		Country (all territories with legal and/or customary rights of indigenous peoples, including	Specified risk

<p>peoples are in danger of distinction. Most of these peoples are located in the lowlands of the East, the Amazon and the Chaco regions, in the departments of Pando, Beni, Santa Cruz and Tarija. Other departments are La Paz en Cochabamba.</p> <ul style="list-style-type: none"> ○ The census also identified 16,329 Afro-Bolivians, although Minority Reports speaks about 30,000 Afro-Bolivians. According to FSC, Afro-Bolivians are Traditional Peoples (TPs) if they affirm rights to their lands, forests and other resources based on long established custom or traditional occupation and use. It is concluded that this condition is met. Further according to FSC, TPs have the same rights as IPs if their rights are acknowledged in national law to be the equivalent of those of Indigenous Peoples. This condition is also met because, although the Government states that Afro-Bolivians are not an indigenous people, the Constitution treats Afro-Bolivians as a community and, the Constitution establishes that they shall enjoy “in all relevant areas, the economic, social, political and cultural rights which the Constitution ascribes to original indigenous and campesino nations and peoples”. Afro-Bolivians mostly live in the Yungas or in the cities of La Paz, Santa Cruz and Cochabamba. <ul style="list-style-type: none"> ● Bolivia has been a party to ILO Convention 169 since 1991, has ratified relevant UN Conventions such as CEDAW and ICERD and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was approved by means of Law No. 3760, on 7 November 2007. The 2009 Bolivian Constitution includes comprehensive guarantees for the rights of indigenous groups, including collective land titling, intercultural education, prior consultation on development projects, and protection of indigenous justice systems. During the period 2010–2014, the Plurinational State of Bolivia had adopted a broad spectrum of laws for the effective realization of rights, including laws for the rights of nations and indigenous peoples, native and peasant, and Afro-Bolivians. The country’s legislative and regulatory framework has been applauded by international institutions, amongst others. On the other hand, it seems that changes in laws are ongoing which makes it difficult to get a clear picture (see Category 1 for further information). There is also evidence of governing through decrees, that certain laws contradict the Constitution and that laws are not always sufficiently implemented. In this regard, it is also important to take into account the fact that the context-section of this analysis shows that Bolivia scores very low on the indicator Rule of Law from the World Bank’s Worldwide Governance Indicators. Some highlights of legal issues include: <ul style="list-style-type: none"> ○ Municipalities can obtain conversion into original indigenous and campesino autonomies (AIOCs). In the course of 2012, five municipalities finished drafting the requisite statutes for this conversion and six other indigenous municipalities were in the process of completing the formalities for conversion. According to the IWGIA Yearbook 2016 “on 20 September 2015, a referendum took place in the Guaraní municipality of Charagua on the final adoption of its statutes and the entry into force of the “Charagua Iyambae” Indigenous Autonomy”. “This will be the first indigenous autonomy to come into force on the basis of the Political Constitution resulting from the 2006 Constituent Assembly.” There is criticism on the process of establishing these autonomies and a comprehensive overview of the process or of municipalities that gained this status could not be found. ○ Similar conclusions are drawn regarding the process of redistribution of land titles. From the report of a mission from the UN Permanent Forum on Indigenous Issues (probably from 2010): “The Agrarian Reform Law is being implemented, but slowly and with interruptions, despite the Community Reorganization law (Reconducción Comunitaria). The reorganization of lands being carried out by the INRA, which consists of a revision of title deeds and land tenure in rural areas of Bolivia, has met with open and violent resistance from hacienda owners, as have the measures aimed at expropriating and regrouping lands for public utilities on behalf of indigenous communities and the Guaraní people.” A report from 2013 says that one-third of all regularized land is now held collectively by indigenous and peasant organizations in the form of self-governing Native Community Lands (TCOs or TIOCs). There is also evidence that the pace of land titling has fallen short of legal requirements and popular expectations. The amount of land regularized to date represents only 60% of the total 262 million acres in Bolivia that was legally required to be titled by October 2013. The most complicated and conflicted ownership situations have yet to be addressed. ○ A 2011 law establishing jurisdictional boundaries between indigenous and ordinary justice systems was not fully implemented in 2015. ○ The indigenous peoples’ right to FPIC regarding legislative or administrative measures that may affect them is not fully embodied in Bolivian legislation. Examples were found in which the president claims are full FPIC process with the participation of IPs/ and TPs while at the same time IP organisations criticize that process as flawed. 	<p>uncontacted peoples and traditional peoples, namely Afro-Bolivians)</p>	
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<ul style="list-style-type: none"> ○ In 2013, proposal for a “law on free and informed prior consultation” was submitted to the President. Clear reports of the results of implementation of this law could not be found but several sources criticizing the scope of this law and the lack of mechanisms for its implementation. Based on the information available, it is concluded that this law does not offer the full right to FPIC as it is intended within FSC. <ul style="list-style-type: none"> ▪ A current mining law limits FPIC to the exploitation phase of land concessions. ▪ In March 2015 the government issued a supreme decree to modify the 2007 regulation on consultation and participation in hydrocarbon activities. The decree contained new rules, including strict deadlines and a methodology to be set up by the authorities, which could obstruct the rights of Indigenous Peoples to consultation and free, prior and informed consent over projects that affect them. ▪ In the IWGIA Yearbook 2016, three supreme decrees are analysed that affect indigenous peoples’ rights to their territories when hydrocarbon extractive activities are undertaken there without any consultation. ○ In September 2015, two laws were enacted that are supportive of the agribusiness sector. Their impact on IPs’ land and rights is uncertain at this moment but one law (Law No. 740/15) is being criticized because it is supposed to contradict the constitutional principle that the land is for those who work it ○ The Government of Bolivia informed the ILO that in the framework of the Amazon Cooperation Treaty Organization (ACTO) work is under way for the development of a regional agenda to protect indigenous peoples living in voluntary isolation and initial contact. While on paper uncontacted peoples are protected, in practice many threats still exist and there is ample evidence of insufficient protection given by the government. <ul style="list-style-type: none"> • There is strong evidence of conflicts of substantial magnitude about IPs’ rights to land, rights to resources and rights to FPIC. There is evidence of conflicts of substantial magnitude for many years about the construction of the Villa Tunari–San Ignacio de Moxos highway. This road building would affect the TIPNIS (Isoboro Sécure indigenous territory and national park) territories and because there is evidence for specified risk for the right to free and informed prior consultation. This case is an example for the issues regarding land, FPIC. It is also an example of reports of widespread political interference and corruption in the judicial system and therefore for the weak rule of law in Bolivia. There is also ample evidence of conflicts of substantial magnitude about mining concessions and -projects and oil and/or gas exploration or exploitation projects. In all those cases, there is conflict about violations of the right to FPIC, often combined with conflicts about the right to self-organize (violence against and suppression of IP representatives or their organization), the right to demonstrate and access to justice. • It is noted that no information was found about conflicts of substantial magnitude between IPs/TPs and the forestry or logging sector. In all the above, the logging sector is only explicitly mentioned in relation to the threats for uncontacted peoples, and to illegal logging, which is reported mainly in the lowlands. There is, nevertheless, an indirect link because mining, hydrocarbon exploitation and expansion of agriculture/agribusiness are all new activities taking place in territories that are currently forested. That deforestation is, at least partly, done by logging companies and it results in timber entering the market. All these sources of timber are to be assessed as specified risk for all IPs/TPs rights. • Other conflicts between IPs/TPs and the forestry sector are not reported. That, however, does not mean that they do not occur and that there are specified risk of logging concessions resulting in specified risk for IP/TP rights. The two main reasons for specified risks are, first, the fact that the legislation of the State of Bolivia regarding land ownership, land rights and right to FPIC are not fully in order, and, second, that the rule of law is weak in Bolivia, laws are not always implemented and potential cases of conflicts are in areas far away from the big cities. On the other hand, there are territories in which land titles have been redistributed and autonomy has been given. These are the primary areas in which low risk can be assumed. Unfortunately, an overview of such territories could not be found. • As mentioned above, there are laws and/or regulations and/or processes in place to resolve conflicts of substantial magnitude pertaining to TP or IP rights and/or communities with traditional rights. The most important are the legal option of autonomy, including indigenous autonomy and the opportunity to gain land title and the law on consultation, although all have been criticized. 		
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- Finally, there are specified risks for rural women as there is evidence that they have limited access to land titles and ownership owing to the lack of identification documents to demonstrate land ownership and lack of knowledge of the regulations and procedures for obtaining land titles. There is also limited participation of women in decision-making processes concerning the use of land and means of production.

The following specified risk thresholds apply, based on the evidence:

(22) The presence of IP and/or TP is confirmed or likely within the area. The applicable legislation for the area under assessment covers key provisions of ILO governing identification and rights of IP and TP and UNDRIP but risk assessment for relevant indicators of Category 1 confirms 'specified risk';

(24) Substantial evidence of widespread violation of IP/TP rights exists; AND

(26) There is evidence of conflict(s) of substantial magnitude pertaining to the rights of IP and/or TP. Laws and regulations and/or other legally established processes do not exist that serve to resolve conflicts in the area concerned, or, such processes exist but are not recognized by affected stakeholders as being fair and equitable. Note under threshold No 20 applies.

Controlled wood category 3: Wood from forests in which high conservation values are threatened by management activities

Overview

Forest area:

Bolivia is one of the countries in the world that hosts some of the largest areas of tropical forests (FAO, 2011). There are approximately 57.2 M. ha. of forest in the country, about 80% of which are located in the lowlands, and the remaining 20% are found on the eastern slope of the Andes, in the inter-Andean valleys and to a lesser degree, in the highlands. There is a very high level of diversity of forest ecosystems due to the great variety of climatic conditions. The main biomes in Bolivia are the jungle, forest, savannah, tundra, steppe, desert, and wetlands. Bolivia biomes also host a lot of endemism. (142)

Approved through the Supreme Decree N° 26075 (Decreto Supremo N° 26075, 16th February 2001), an area of 41,235,487 ha was classified as Permanent Forest Production Land (PFPL) and the different PFPL types and area include (136):

Area of Permanent Forest Production Land (PFPL)

Types of Forest lands of permanent production	Area (ha)
Forests without any management restrictions (TPFP)	28,190,625
Forest with management restrictions (Tucumano-Boliviano region)	2,364,670
Protected areas	10,680,192
TOTAL	41,235,487

Source: Supreme Decree N° 26075 (Decreto Supremo N° 26075).

Of the 28 M. ha classified as TPFP, approximately 32% are under forest management with plans approved by the authority and the remaining 68% of the area exists without authorized forest management. It is likely that much of this latter area is land with other types of land use rights, which may have been converted into land uses such as agricultural land and livestock management (141).

Plantations:

Bolivia has an area of 60,000 ha. of planted forests, most of which are located in the Province of Santa Cruz de la Sierra and part of Cochabamba. However, many of these plantations have disappeared due to lack of management. According to the records provided by Oscar Llanque (Autonomous University of BENI), the country has committed to the reforestation of 4.5 M. ha. of plantations by 2030, mainly in Cochabamba and with *Pino radiata* and *Eucalyptus E*. According to the experts consulted there is not HCV occurrence in plantations in Bolivia, thus all HCV categories will be considered low risk due to lack of occurrence.

Institutions:

Government institutions that participate in the management of forest resources in Bolivia do so in accordance with Article 19 of New Forest Law 1700 (12th July 1996 - Nueva Ley Forestal No. 1700 del 12 Julio de 1996). The main institutions involved with forest governance in Bolivia are:

- The Ministry of Environment and Water has the responsibility to define the country's forestry policy and the overall responsibility of the national forest regime. The Vice Ministry of Environment, Biodiversity, Climate Change and Forest Management and Development is dependent on the Ministry of Environment

and Water, which in turn has two directorates: Directorate General of Biodiversity and Protected Areas (DGBAP) and the General Directorate of Forest Management and Development, which is responsible for forestry policy.

- The Land and Forest Audit and Social Control Authority (Autoridad de Fiscalización y Control Social de Bosques y Tierra; ABT) has the responsibility for the regulation, supervision, and control of the production, processing, and transportation of forest products.
- The National Fund for Forestry Development (FONABOSQUE) was created due to the Law 1700 of July 12, 1996 (Forest Law), as a public entity under the supervision of the Ministry of Environment and Water, with the purpose of promoting financing for the sustainable use and conservation of forests including PFPL forest lands.

The Forest Law does not establish any administrative link between these three institutions. Law 1700 grants departmental governments' responsibility (prefectures) for the implementation of public investment programs and projects related to the forestry sector and the development of programs to strengthen the institutional capacities of the municipalities. According to the law, municipal governments have the responsibility of controlling logging activities and inspection of raw material supply and processing programs. They also allocate municipal forest reserves to ASLs. The municipal governments are in charge of creating municipal forest units (UFMs) (2) and (137).

Land ownership:

Bolivia has been one of the leading countries in South America on agrarian reform. The backbone of the Bolivian agrarian institutions was instituted with the Agrarian Law of 1953, which was redesigned in 1996 with the promulgation of the INRA Law. The 1996 redesign kept the five property types defined in 1953 (by size) unchanged but added a new type of collective character: Indigenous Communal Lands (Tierra Comunitaria de Origen, TCO). The six property types are as follows (143):

1. Campesino parcel (solar campesino).
2. Small holding.
3. Community holding.
4. Medium-sized holding.
5. Agro-livestock enterprise.
6. TCOs/TIOCs.

The Land Law or INRA Law was applied on 97 percent of the Bolivian territory (106.7 M.M. ha), excluding the main urban spots, water bodies (lagoons, lakes, main rivers), salt fields, peaks covered by snows, roads, and other demarcations.

The results of land titling do not provide data on the productive quality of the properties or on who benefits from what type of land and natural resources. Land titling reports are mainly focused on exposing and comparing titled land sizes without regard to whether they have more or less productive potential or whether they are subject to environmental protections and restrictions. However, in general terms, vast tracts of land in Bolivia's lowland tropical regions (Beni and Santa Cruz) are owned by farmers and, especially in Santa Cruz, by agricultural companies and large farmers. Land tenure in the valleys and mountainous regions of Bolivia has a different pattern than the lowlands, with mainly small properties dedicated to subsistence agriculture and livestock livelihoods. Insecurity of land

tenure, due to incomplete titling, overlapping of titles and social conflicts, jeopardizes the sustainable management of forests and biodiversity by discouraging investment in sustainable land use (143).

Forest property:

The agrarian legislation does not recognize forest ownership, but private property (individual and collective) on land, and the Forest Law recognizes the exclusive right to use forest on private land, and the sole usufruct granted in the form of concessions for public forests – which determine access to forest resources. This includes lands assigned to indigenous communities known as TCOs/TIOCs, as well as local social groups known as ASLs (143). As of December 2010, the TCO's Origin Community Lands have been renamed to Native Peasant Indigenous Territories (TIOC's). In practice, many organizations continue to refer to their territories as TCOs/TIOCs (Oetting, 2012). As both TIOC and TCO terms and acronyms are still in use, both will be referred to in this document.

- TCOs/TIOCs: are collective properties conceived for indigenous populations. The TCO/TIOC modality was created for individual indigenous communities, ethnic groups distributed in several settlements or various ethnic groups on a significant land surface. (143)
- ASLs: Collectives of persons with legal personality or who acquire it for that purpose, made up of traditional users, peasant communities, indigenous peoples and other users of an area with forest resources, within the jurisdiction of a Municipality or Commonwealth of Municipalities, to be beneficiaries of Concessions in the reserve areas intended for this purpose. (143)

Both in area and volume of timber, forests in the hands of TCOs/TIOCs and private owners provide Bolivia's main source of timber and non-timber products.

Biodiversity in Bolivia:

Bolivia is one of the most biological diverse countries in the world. It is estimated that about 25% of the world's biologic richness is found in the Andean region; and that the countries that are in this region, including Bolivia, are considered as the most diverse and rich in animal and plant species throughout the world. At the international level, Bolivia has signed and ratified the following conventions on Biodiversity and Conservation: RAMSAR, CITES, Convention for the Conservation and Management of Vicuna, Convention on the Conservation of Migratory Species of Wild Animals - CMS, Convention on Biological Diversity, The Cartagena Protocol on Biosafety and the International Agreement on Tropical Timber. The areas that make up Bolivia's National System of Protected Areas comprise a set of 49 nationally and departmentally protected areas legally constituted, covering a total of approximately 22.5% of the territory. (139)

Timber harvesting in Bolivia:

Bolivian forests are generally rich in diversity of species and number of trees. The exploitation of timber species in Bolivia is long-standing. Initially, wood was exploited to be used in mining, later for railways and, finally, for internal and external trade. The timber forest resources of Bolivia are classified as "non-coniferous" and are considered internationally as precious woods of tropical forests. There are more than 200 tree species. However, the current level of technical information only covers 134 timber species. The pressure of the timber industry on forests has mainly focused on the extraction of five species: Mara, Cedar, Ochoo, Palo maría and Oak; in which the level of extraction has represented 60% of the wood harvested over the past decades. (140). In general, the intensity of harvesting in Bolivia is low, with an average volume of logging of less than five m³/ha, compared with other countries like Brazil (Aguilar, 2017).

In order to approve legal forest harvesting, the competent forest authority (ABT) must approve a General Forest Management Plan (PGMF). This plan includes the forest management strategy and activities, including cutting cycles, seedlings, usable volume, silvicultural interventions, monitoring and improvement of practices based on the results of monitoring, protection of management area, protection of wildlife and rare or threatened species, and other activities typical of a management plan. After its authorization, the ABT verifies annually the activities of the Operative Plan for Forest Utilization (POAF), which consists of the harvesting part, but not the management plan.

Main activities carried out in an average management plan in Bolivia.

Management plan preparation	<ul style="list-style-type: none"> - Forest inventory (updated every 10 years) - Elaboration of thematic maps including hydrography, topography, type of forests, etc. - Elaboration of the General Forest Management Plan (PGMF) (updated every 5 years), considering: <ul style="list-style-type: none"> · Minimum harvesting cycle of 20 years. · Species and volumes of commercial species. · Minimum diameters required by the norms. · Seedling trees (minimum 20% for each species). · Conservation areas or ecological assessments
Pre-harvesting	<ul style="list-style-type: none"> - Determination of the annual harvesting area (AAA). - Forest census and elaboration of harvesting maps. - Identification of commercial tree species excluding those that are scarce (< 25 tree/ha, > 20 cm diameter). - Installation of permanent plots for monitoring. - Elaboration of the Forestry Operative Annual Plan (Programa operativo anual forestal (POAF)). - Map of commercial trees. - Map of seedling trees. - Occasional application of some silvicultural treatments such as cutting of lianas and marking of seedling and commercial trees. - Harvesting planning and road and log yard construction.
Harvesting	<ul style="list-style-type: none"> - Low-impact logging
Post-harvesting	<ul style="list-style-type: none"> - Exceptionally scarification or enrichment planting. Few companies carry out post-harvest monitoring activities.

Source: Quevedo, 2010. (Correction *Scare, scarified)

According to information of BOLFOR (2016), wood extraction continues to decline due to the crisis in the sector in recent years. This has meant that private and community operators do not dare to invest in forest management because the domestic market remains saturated with imported timber products.

NTFP in Bolivia:

In addition to the large quantity and diversity of timber resources, Bolivian forests contain a considerable abundance of non-timber forest resources. These resources have been used since ancient times by the native peoples, and they play an important role in the subsistence economies. Research on the Amazon Cooperation Treaty (TCA) shows that 90% of the economic value from the forest comes from a variety of products other than wood. (138)

From the country's forests, a variety of NTFPs (Non-Timber Forest Products) stand out, such as the Brazil nut, Palm leaf, Palmito, Tacuara, and Toco, being the main producers the departments of La Paz, Cochabamba, Tarija, San Cruz, Beni and Pando. Statistics for the year 2010 indicated that more than 50% of forest exports corresponded to non-timber forest products, mainly represented by chestnut and to lesser extent palm hearts. (138)

Ecosystem services:

Bolivia is located in the hotspot of the Tropical Andes. At present, this large area has a human population of more than 57 M. inhabitants, who depend heavily on goods and services from the region's ecosystems. Numerous cities, including ten with populations of over 500,000 inhabitants, four of which are national capitals, are located within the hotspot (Caracas, Bogotá, Quito, La Paz and Cochabamba). In addition, inhabitants of cities located hundreds or even thousands of kilometers away from the tropical Andes also benefit directly from services such as the provision of water supplied by this hotspot. (1)

Among sourcing services, water is the most abundant and important, providing potable water and energy production. The watercourses that originate in the high moorlands, highlands, and Mountain forests, as well as in the Andean glaciers, supply water to the towns and villages of the hotspot and to all the extensive drainage located downstream of these basins in the north and west from South America. Andean rivers provide most of the irrigation water for cropland in the area and for hydroelectric plants that generate about half of the region's electricity.

Other provisioning services include: food such as fish (especially large lakes in the highlands of Peru and Bolivia), fruits, seeds and other plant products extracted from natural ecosystems; the wild relatives of the crop plants that present genetic variety to obtain new varieties; medicinal plants and animals; grazing livestock in non-forest ecosystems (especially punas); firewood and wood.

Support services in the tropical Andes include crop pollination and soil formation. Native pollinators are essential for pollination of Andean crops such as coffee, potato, tomato, lulo (*Solanum quitoense*, used in fruit drinks, mainly in Colombia and Ecuador, also known as naranjilla), the chocho or tarwi (*Lupinus mutabilis*), the *capulí* (*Prunus salicifolia*) and passion fruit. Soils and rivers contribute to the disposal of human waste. Cultural services without monetary value are provided by extraordinary biodiversity and landscape. The scenic value supports at the same time a prosperous ecotourism industry that contributes income at the local, national and international level. Likewise, the hotspot also has an important role to play in carbon storage to regulate the global carbon budget and cushion climate change.

In relation to the implementation of the laws and regulations that apply to the forestry sector, and at the same time to the conservation of high biodiversity values, Bolivia has developed control mechanisms, through the Forest and Land Audit and Social Control Authority (ABT). The state agency has established fixed forest control posts on the country's main roads in order to verify that all transportation of forest products comes from a legal source. Along the same lines, the ABT, has established a Transparency Unit, in which it fights against corruption within the ABT, investigating acts of corruption denounced even against the highest authority (1).

The CPI (Corruption Perception Index) in Bolivia for 2018 was 29 (on a scale from 0 to 100 where 100 is lowest level of corruption) and the country ranked 132 out of 180 countries, which means that there is a high perception that Bolivia is a corrupt country (157).

Bolivian Forest and Incentive Certification System (SBCBI):

The Bolivian Forest and Incentive Certification System – (SBCBI) was approved in November 2014 through Directive ABT/007/2014. The SBCBI is applied at different levels: at the Forest Management Units (FMUs) with an approved forest management plan and Chain of Custody for wood and other product transformation sites, traders and service companies of forest product legally established. There are 3 standards developed under this system: Forest Management Standard, Primary and secondary manufacturers Standard and Trade Standard (153).

Operations are evaluated by the ABT against the specific standard and as result a level of implementation category is issued. Certificates are valid for 2 years. The standard includes its Principle 2 - Forest Management Plan implementation and Principle 4 - Implementation of conservation, protection and restoration measures in the forest, that is developed through several criterion and indicators and cover FSC Controlled Wood requirements for HCV. (153)

As result of the evaluation process, the forest management operation obtains a specific classification in 3 levels of performance: Green, Yellow and Red.

Green certification: the forest managers of FMUs are given a green certificate when obtained the score > 70 points, which means that the risk associated with these operations to threatening potential HCV values is very low as confirmed by experts interviewed. Lower scores ³are associated with yellow and red certificates due to high non-compliance with the national standard (<http://tools.cfb.org.bo/downloads/abt-resolucion-326-2014-directriz-007-2015-sbcbi-certificacion.pdf>). But it is important to note that yellow nor red certificates do not indicate where non-compliance is equated to illegality, but corrective actions are required to improve the forest management according to the national standard. When the authority detects situations of illegality, the regular channels for these situations are followed (see Category 1 for more details on illegal logging risks) (153).

In addition, ABT has also implemented a traceability system (SICOP) for the granting of transport permits, which is complemented by a field inspection (according to experts consulted. An online system has been implemented to avoid "wood washing", which consists in issuing the transport permit once the wood has been cleared in the field.

³ 50- 70 points for yellow and <50 points for red certificates

During the development of this CNRA, it was agreed with experts consulted that certificates with green categories can be classified as low risk for HCV in Categories 1, 3 and 4. At the time of finalizing this report, the national certification system does not have a full implementation. The areas that obtained green, yellow or red certification have not had their surveillance audits, so it is currently not possible to verify its implementation status and then the SBCBI will not be used to evaluate the risk categories in this CNRA.

Experts consulted

No.	Name	Organization	Area of expertise (category/sub-category)
1.	Damian Rumiz	Simon and Patiño Foundation (Fundación Simón y Patiño)	Biodiversity, HCV 3
2.	Fernando Aguilar	CFV & FSC Bolivia	FSC, HCV
3.	Oscar LLanque	Autonomous University of Beni (Universidad Autónoma del Beni)	HCV 4 – soil and water
4.	Carmen Soraya Paiva	Independent	HCV5 and 6
5.	Mario Arrien	Socially Responsible Maderera San Luis S.R.L Wood Industry (Responsable Social de Industria Maderera San Luis S.R.L)	HVC5 and 6
6.	Lincoln Quevedo	Chiquitano Forest Foundation (Fundación del Bosque Chiquitano)	HCV 1,2,3
7.	Maria del Carmen Carrera	WWF Bolivia	HCV 1,2,3
8.	Eduardo Quiroga	ABT - Authority of Control and Social Control of Forests and Land website (Autoridad de Fiscalización y Control Social de Bosques y Tierra)	HCV 1,2,3

Risk assessment

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical/ Functional scale	Risk designation and determination
3.0	II - III	<p><u>HCV occurrence</u></p> <p>In terms of guides and documents supporting the certification process, the CFV/FSC Bolivia has participated in various processes for the development of national and international indicators and standards. In 2004, CFV developed a "Guide for Identification of Attributes to Define High Conservation Value Forests" (HCVF). The Paper conducts an initial analysis to define HCVF in Bolivia to help establish useful strategies to implement Principle 9, which is a requirement of the Forest Stewardship Council (FSC) for Forest Certification. The guide for identification of attributes to define HCVF does not in itself present a classification or determination of HCVF zones in Bolivia, but rather it is a guide for companies that are implementing their forest certification processes and thus comply with the FSC certification requirements.</p> <p>In Bolivia, there is various public information and data which are available as proxy information determine the presence of High Conservation Values (HCV). (See sources of information 3 to 23).</p> <p>Sources of HCV Occurrence proxy data:</p> <p>HCV 1 – HCV 3</p> <ul style="list-style-type: none"> ● RAMSAR sites in Bolivia ● Critical Ecosystem Hotspots ● WWF Global 200 Ecoregions ● Guide for Identifying Attributes to Define High Conservation Value Forests in Bolivia (2004) and Annexes HCV Bolivia national interpretation – High Conservation Network ● IUCN red list ● Intact Forest Landscapes (IFLs - Bosques Frontera) maps from Global Forest Watch/World Resource Institute and IFLs.org ● Biosphere Reserves World Map ● Conservation International Hotspots ● 5th Bolivia National Report United Nations Convention on Biological ● Conservation International Bolivia Threatened Species List ● Red Book of Threatened Flora of Bolivia Volume I - Andean Zone 	Country	<p>Low risk for HCVs 2, 3, 4, 5 and 6.</p> <p>Thresholds (1) and (2) are met: (1) Data available are sufficient for determining HCV presence within the area under assessment; AND (2) Data available are sufficient for assessing threats to HCVs caused by forest management activities.</p> <p>Specified risk for HCV 1. The following threshold is met: (4) Data available are not sufficient for assessment of the threats to HCVs caused by forest management activities.</p>

		<ul style="list-style-type: none"> • Important Bird and Biodiversity Area Search Areas (IBAS) Bird Life International • CITES Threatened Species of Fauna and Flora and reports • Supreme Decree No. 385, of December 2009, on Conservation, management and sustainable use of the vicuña; • UNESCO Biosphere Reserves. • Maps of Protected Areas in Bolivia <p>HCV 4</p> <ul style="list-style-type: none"> • Guide for Identifying Attributes to Define High Conservation Value Forests in Bolivia (2004) and Annexes (Guía de Identificación de atributos para definir Bosques de Alto Valor de Conservación en Bolivia. Publicado por el Consejo Boliviano para la Certificación Forestal Voluntaria (CFV)). • Disaster Risk Management Group Bulletin <p>HCV 5</p> <ul style="list-style-type: none"> • Guide for Identifying Attributes to Define High Conservation Value Forests in Bolivia (2004) and Annexes - Guía de Identificación de atributos para definir Bosques de Alto Valor de Conservación en Bolivia. Publicado por el Consejo Boliviano para la Certificación Forestal Voluntaria (CFV). <p>HCV 6</p> <ul style="list-style-type: none"> • UNESCO World Cultural Heritage sites • Guide for Identifying Attributes to Define High Conservation Value Forests in Bolivia (2004) and Annexes (Guía de Identificación de atributos para definir Bosques de Alto Valor de Conservación en Bolivia. Publicado por el Consejo Boliviano para la Certificación Forestal Voluntaria (CFV)). • IUCN Cultural Environmental Centers Bolivia -IICN: Centros Culturales Ambientales – Bolivia. <p><u>Threats & Safeguards identification and evaluation</u></p> <p>The general data used to assess the threats to HCVs 1 to 6 from forest management activities included the following:</p>		
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		<p>HCV 1-6</p> <ul style="list-style-type: none"> • Guide for Identifying Attributes to Define High Conservation Value Forests in Bolivia (2004) and Annexes - Guía de Identificación de atributos para definir Bosques de Alto Valor de Conservación en Bolivia. Publicado por el Consejo Boliviano para la Certificación Forestal Voluntaria (CFV). • Publications on a Practical guide for the identification of forests of High Conservation Value in the north of La Paz and Forest Management in the Lowlands of Bolivia. • Interviews with stakeholders and expert reviewers. <p>Additionally, specific sources of information were used for assessing threats & safeguards under each indicator. All sources used are listed in the table at the end of this category in rows V, VII, IX, XI, XIII and XIV. As example, a sample of these sources are listed here:</p> <ul style="list-style-type: none"> • Quevedo L. Urioste JL. No date. El estado del manejo forestal en los bosques naturales tropicales de Bolivia - The state of forest management in the tropical natural forests of Bolivia. • Contreras-Hermosilla A. And Vargas M^a T. 2002 Forest Trends. Las Dimensiones Sociales, Ambientales y Economicas de las Reformas a la Política Forestal de Bolivia - The Social, Environmental and Economic Dimensions of the Reforms to the Forest Policy of Bolivia. • Marshall E. Schreckenber K. 2006. Comercialización de Productos Forestales No Maderables - Marketing of Non-Timber Forest Products. • IV Informe Nacional Convenio de las Naciones Unidas sobre la diversidad biológica 2014 – Bolivia - IV National report United National Convention on biological diversity. • Araujo, N., R. Müller, C. Nowicki & P. L. Ibisch (eds.). SERNAP, FAN, TROPICO, CEP, NORDECO, GEF II, CI, TNC, WCS, Universidad de Eberswalde. 2010. Prioridades de Conservación de la Biodiversidad de Bolivia - Bolivia's Biodiversity Conservation Priorities. Editorial FAN, Santa Cruz, Bolivia. • Wanderley et al., 2018. Los desafíos del desarrollo productivo en el siglo XXI - The challenges of productive development in the XXI century. <p>There is no enough information to assess threats for HCV1, thus the risk for this HCV category is considered as specified. For the other indicators more</p>		
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		updated and focus sources have been found where threats and safeguards were described enough to assess the threats to HCVs 2, 3, 4, 5 and 6.		
3.1 HCV 1	IV, V	<p><u>HCV Occurrence</u></p> <p>Bolivia is one of the 10 most biologically diverse countries in the world. It is estimated that about 25% of the world's biological richness is found in the Andean region. The Andean countries, among which is Bolivia, are considered as the most diverse and rich in animal and plant species in the world. The great ecological variability of the Andean countries is due to the intertropical location, combined with the presence of the Andes Mountain Range that defines an altitudinal gradient and constitutes an important barrier that crosses all the countries and divides them into ecological areas of great biodiversity. (47 and 35)</p> <p>Bolivia is considered a mega diverse country, with about 20,000 species of native plants with seeds (not including ferns), mosses, algae, more than 400 species of mammals, (of which at least 17 are endemic); Almost 1400 species of birds, 17 of them endemic; 204 amphibian species with 41 endemic species; 267 species of reptiles with 27 endemics; And 635 species of fish and an indeterminate number of endemic species. In particular, the dry valleys of Bolivia located between 1,500 and 3,200 m are rich in vascular plants: almost 1,300 recorded species and potentially perhaps more than 2,000. A remarkable fact relates to the high level of endemism in Bolivia, 18% of native species are endemic. (55 and source from 34 to 47).</p> <p>Bolivia comprises part of its territory in the Amazon basin covering an area of approximately 6,300,000 km.² This area hosts the Amazon forests which are characterized by their high-level diversity of organisms. The Amazon region extends to the north-central part of Bolivia, which represents 25% of the entire surface of the country. However, there are few quantitative flora studies of these forests. Few comparative studies on flora diversity and composition have been reported, except for some in the Madidi region (38)</p> <p>In addition, according to the concept of Ecoregion defined by WWF (11, 44), understood as "a large unit of land or water containing a geographically distinctive mix of species, natural communities, and environmental conditions", Bolivia consists of 12 eco-regions that can be subdivided into 23 ecological regions or sub-regions. Although the Bolivian territory is home to only 3.5% of</p>	<p><u>Geographical scale:</u></p> <ul style="list-style-type: none"> - Country - Departments <p><u>Functional scale:</u></p> <p>Protection scheme:</p> <ul style="list-style-type: none"> - Protected areas - Non-protected areas <p>Type of forest area:</p> <ul style="list-style-type: none"> - Natural forests - Forest plantations 	<p>Low risk for forest plantations. Threshold (5) is met: There is no HCV 1 identified in the area under assessment and its occurrence is unlikely.</p> <p>Specified risk for the rest of the country. Threshold (8) is met: HCV 1 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p>

		<p>the world's forests, its biological diversity represents between 30% and 40% of the world's total. In relation to the Conservation of Wetlands, in 2015, Bolivia has 11 wetlands included on the RAMSAR list (3), which covers 13.5% of the national territory, positioning the country as one of the countries with the largest number of wetlands worldwide.</p> <p>In Bolivia, there are areas that contain subcategories of HCV1 which are governed under national legislation and/or international conventions, some of which are subject to restrictions imposed by national legislation including:</p> <ul style="list-style-type: none"> • National and international protected areas • Threatened or endangered species • Concentrations of Endemism and/or High Diversity, Relicts and Special Areas • Critical seasonal or temporal concentrations <p>According to the "Guide for the Identification of Attributes to defined Areas of High Conservation Value in Bolivia" (23), the following are considered areas hosting HCV1 values:</p> <ol style="list-style-type: none"> 1. Forests that are within the National Protected Areas or Municipal Reserves considered important by The National Service of Protected Areas (SERNAP). 2. Any area with endangered species (depending on their IUCN / CITES categories), or a high total number of threatened species in relation to other forest areas in the region. 3. Those areas that have high to very high biodiversity and endemism according to the classification of Ibsch et al. (2003), or, which are overlapping with primary endemism areas for birds (EBAs), primary areas in the Andean or low Amazonia region of Birdlife, are potentially HCV. 4. The Amazonian Várzea forest; the islands of dry land forest in flooded forests, wildlife refuges in rainy season; the palm groves of the royal palm in the Amazon, the "motacusaes" (<i>Attalea phalerata</i>) and other riparian forests of the Chiquitanía that are source of fruits and shelter for a varied fauna; the cliffs where parrots and raptors nest, "salitales" and water sources in the dry season should be specifically evaluated to determine their critical significance as HCV. 		
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		<p>The following is a review of information on the thresholds for each subcategory mentioned above:</p> <p>Protected areas:</p> <p>The areas that make up Bolivia's National System of Protected Areas comprise a set of 49 nationally and departmentally protected areas legally constituted, covering a total area of approximately 22.5% of the national territory (35). The current legislation establishes the management mechanisms for national and departmental protected areas, while there are still several legislative gaps regarding the management of municipal protected areas.</p> <p>Protected areas (PAs) of national importance occupy 15.5% (over 17 M.M. ha.) of the national territory. Regarding departmental and municipal PAs, there is no official record of their area, but there are estimates they occupy 7% of the national territory. The system of protected areas houses most of the country's biodiversity containing most representative ecosystems; approximately 80% of the higher plant species and ferns; and vertebrate taxa between 65% and 80% of species. Protected areas also include a considerable part of the nation's cultural heritage (National Protected Areas System (SNAP)); (35) (http://www.sernap.gob.bo/).</p> <p>See Annex 1 – Category 3 Map 1. a map of protected areas of Bolivia with productive forests and Table 1. a List of Protected Areas of Bolivia with Productive Forests.</p> <p>The country's protected areas contain representative samples of 11 of Bolivia's 13 large ecoregions: the sub-Andean Amazon forests are best represented, followed by the Chiquitania mountains, the Pantanal, Yungas, Chaco and the high Andes region vegetation (WCS, Wildlife Conservation Society). (https://bolivia.wcs.org/es-es/).</p> <p>In relation to the risk of affecting protected areas during timber extraction activities, a list of protected areas of Bolivia with productive forests is presented in Annex 1 – Category 3, Table 2.</p> <p>According to Table 2 (See Annex 1 – Category 3), productive forestry activities could have effects on the conservation values identified by the national system of protected areas of the country, in the departments of Santa Cruz, La Paz, Cochabamba, Tarija, Pando, Beni, and Chuquisaca. According to the opinion of</p>		
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		<p>Damian Rumiz (2016), for the determination of areas that can be classified as HVC1, it is also necessary to consider the adjacent forests and that have important functions to conserve biodiversity such as ecosystem connectivity and where there is productive forestry activity (considering these areas with HVC1), such as:</p> <ul style="list-style-type: none"> • San Matías Integrated Management Area, is a protected area of multiple use and borders with forest concessions. • Noel Kempff Mercado National Park, which borders on forest concessions. • National Park and Community Land of Origin (TCO) Isiboro Sécure (TIPNIS), no forestry taking place currently. <p>For Conservation International (CI), Bolivia is one of the 15 most important biological diverse countries in the world. Therefore, the Binational Conservation Corridor Vilcabamba-Amboró is considered a priority region for CI activities, since it forms part of the Tropical Andes Hotspot, the most diverse, in terms of species, at a global level (also see Annex 1 Category 3, Map 2. Amboró-Madidi Corridor).</p> <p>Likewise, the Amazon is an extremely important wilderness area due to its richness and variety of fauna and flora and contains high level of endemism, containing many rare and endemic species as well as many threatened and endangered species. As of 2010, Conservation International has focused its work on the municipalities of Rurrenabaque (Beni), San Buenaventura, Ixiamas and Apolo (La Paz), territories that host the Madidi National Park, with its Uchupiamona, Tacana and Lecos TCOs/TIOCs, and Biosphere Reserve and Indigenous Communal Land (TCO) Pilón Lajas. http://www.conservation.org.bo/index.php?mc=56</p> <p>For its part, UNESCO has identified the following Biosphere Reserves, some of which coincide with national parks or other priority areas of international connotation. There are UNESCO Reserves in areas with productive forests, such as the Pilón-Laja Biosphere Reserve and the Beni Biological Bio Station Biosphere Reserve (which coincide with sites Protected within the National System of Protected Wild Areas of Bolivia).</p> <ul style="list-style-type: none"> • Pilón-Laja Biosphere Reserve - See Annex 1 Category 3, Map 3. Pilón-Laja Biosphere Reserve 		
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		<p>Located in the Departments of Beni and La Paz, this Biosphere Reserve is also a TIOC and is a natural reservoir of a huge diversity of genetic resources. It is found in the biogeographic subregion of the Yungas Mountainous Forest and the Humid Forest of Madeira (36).</p> <ul style="list-style-type: none"> • Beni Biological Bio Station - See Annex 1 Category 3, Map 4. Beni Biological Bio Station <p>The Estación Biológica del Beni (also called Reserva Biológica del Beni) is a 135,000 ha reserve situated along the Río Maniqui, about 150 km east of Rurrenabaque. It is home to the Chimane people, as well as more than 500 species of bird and 200 different mammals. There are thought to be more than 1500 species of plant life.</p> <p>This reserve is notable for the presence of relic spots of Mara or Mahogany (tree species in danger of extinction), with giant specimens, and subject to a strict control and surveillance system.</p> <p>For more details on illegal logging threats in protected areas see indicator 1.9 of Category 1.</p> <p>These two reserves form part of the Amboró-Madidi Biological Corridor mentioned above, corresponding to an extensive area of relatively well-preserved ecosystems located in the Andean Northeast. (Source: Araujo et al., 2010. Priorities for Biodiversity Conservation in Bolivia) and (36).</p> <p>Threatened or endangered species</p> <p>According to the Red Book of Threatened Species of Bolivia (2005), in the Andean zone of Bolivia 897 plant species have been registered subject to different degrees of threat. However, it does not consider commercial species growing in the lowland region. There is no record for the Amazon region since the Red Book II of the Amazon region is in preparation and the date of publication is unknown.</p> <p>In Bolivia, there are 211 species of animals in danger of extinction according to the "Red list of the wild vertebrate fauna of Bolivia", published in 2009 by the Ministry of Environment and Water. Some of the examples of endangered mammals include: the "titi" or Andean cat (<i>Leopardus jacobitus</i>), the Guanaco</p>		
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		<p>(<i>Lama guanicoe</i>), the Quirquincho (<i>Chaetophractus nationi</i>), the giant otter (<i>Pteronura brasiliensis</i>), the Quilimero or Chanco del Chaco (<i>Catagonus wagneri</i> o <i>Parachoerus wagneri</i>), and the Taruca (<i>Hippocamelus antisensis</i>) or mountain deer. Among the vulnerable (VU) species are the giantgiant armadillo or Pejichi (<i>Priodontes maximus</i>), spider monkey (<i>Ateles hybridus</i>), Bufe or pink dolphin (<i>Inia geoffrensis</i>), jaguar jaguarari (<i>Panthera onca</i>) and Andean bear (<i>Tremarctos ornatus</i>).</p> <p>According to the background of the book "State of conservation of birds in Bolivia", 13 species of birds are in danger of extinction, 21 are in a vulnerable state (VU) and 44 are near threatened. Of the 13 species in danger of extinction, two are in critical danger: The Bluebeard Paraba (<i>Paraba Barba Azul</i>), of which only 350 to 500 individuals would remain and the Remolinera Real of which 50 to 100 individuals would remain. The other 11 species are in endangered category: Macaque (<i>Macaca spp.</i>), Titicaca grebe (<i>Rollandia microptera</i>) Titicaca, Crowned Eagle (<i>Stephanoaetus coronatus</i>), Blue-throated Macaw (<i>Ara glaucogularis</i>), Red-fronted Macaw (<i>Ara rubrogenys</i>) , White-winged Nightjar (<i>Eleothreptus candicans</i>), Ash-breasted Tit-tyrant (<i>Anairetes alpinus</i>), Yellow-rumped Antwren (<i>Euchrepomis sharpie</i>), Bolivian Spinetail (<i>Cranioleuca henricae</i>) and Bolivian monterita (<i>Compsospiza garleppi</i>).</p> <p>As reported by experts (Rumiz, Quevedo, 2016), IUCN's global categorizations for timber species come from regional (macro) assessments, with little information from Bolivia. In some cases, an overestimation of the risk of extinction of species of wide distribution and abundance has been found. Although there is the Red Book of Cultivated Wild Crop Relatives and the Red Book of the Plants of the Cerrados of the Eastern Bolivian (Libro Rojo de las Plantas de los Cerrados del Oriente Boliviano), none of these books include exploitable timber species.</p> <p>The study Estimated State of Conservation of Chiquitania Wood Species in Bolivia (158) identified 7 species considered as Vulnerable, 12 species as Near Threatened, and 14 species of Least Concern.</p> <p>There is also a list of Threatened Species of Wildlife and Flora CITES for Bolivia. Species included in CITES have been incorporated into three lists or appendices. Species used for forest production are included in the CITES appendices: Appendix I: <i>Podocarpus parlatoarei</i> (Pino de Cerro); In Appendix II:</p>		
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		<p><i>Bulnesia sarmientoi</i> (Palo Santo) and <i>Swietenia macrophylla</i> (Mahogany); In Appendix III: <i>Cedrela odorata</i> (Red Cedar).</p> <p>Concentrations of Endemism and/or High Diversity, Relicts and Special Areas</p> <p>Bolivia is considered a megadiverse country with more than 20,000 species of native plants with seeds, not including ferns, mosses, algae; more than 400 species of mammals, of which at least 17 are endemic; almost 1400 species of birds, 17 of them endemic; 204 amphibian species with 41 endemic species; 267 species of reptiles with 27 endemics; and 635 species of fish of which have an indeterminate number of endemic species. In particular, the dry valleys of Bolivia located within 1,500 - 3,200 meter altitudes are diverse ecosystems in vascular plants: almost 1,300 recorded species and potentially more than 2,000.</p> <p>Bolivia also host a very high level of endemism, 18% of native species are considered endemic. Due to the lack of an up-to-date list of Bolivia's vascular plants led to the preparation of a modern catalog comparable to that of neighboring countries in 2000 (Jørgensen et al., 2006). From the existing collections in the different herbariums we have mentioned approximate numbers of plants that can be observed in the Annex 1 – Category 3, Tables 2 (showing number of species by family and group) and 3 (comparing number of plant species by category of threat for 1998, 2005 and 2009 in Bolivia).</p> <p>Bolivia comprises part of its territory in the Amazon basin covering an area of approximately 6,300,000 km² in South America. In this basin, the Amazon forests are characterized by their high levels of biodiversity of organisms. The Amazon region extends to the north-central part of Bolivia, which represents 25% of the entire surface of the country. However, there are few quantitative flora studies of these forests. Few comparative studies on flora diversity and composition have been reported, except for some in the Madidi region.</p> <p>Regarding species types, the most important endemic areas are the montane forests (Departments of Cochabamba, Potosí, and southwest of La Paz), where the epiphytes, ferns, mosses, and orchids are known to have a high level endemism, especially in the Yungas de La Paz, Santa Cruz and Cochabamba. Thirty-three percent of the species present are endemic, most of them present in the binational Conservation Corridor Amboró Madidi (CAM) located in the Yungas of these departments (akin to states/provinces). This corridor is made</p>		
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		<p>up of 16 protected areas that are recognized as the most biologically diverse places on the planet in the Tropical Andes region, and are therefore protected under the National Protected Areas System.</p> <p>Other endemic plants are Cactaceae (74% endemic), especially those that are distributed in the inter-Andean dry valleys and the bromeliads (46% endemic) typical of humid forests.</p> <p>The most biodiverse ecoregions of fauna are found in the lowland region (Pando, Beni, Santa Cruz, Norte de La Paz and Norte de Cochabamba) and the eastern slope of the Andes, being larger in the forests of the Southwest of the Amazon and the Yungas. Among the endemic species are the primates of the genus Callicebus and Alouatta sara, 14 rodents and a small marsupial, distributed in semi-humid forests or savannas, inter-Andean dry valleys and Yungas. The Andean ecosystem of the Yungas stands out for its high endemism.</p> <p>BirdLife International has identified 42 Bird Areas (IBAs) in Bolivia covering a total of 1,090,249 km², which corresponds to 19.19% of the national surface area. The 23 globally threatened species of Bolivia are covered by IBAs. The five IBAs and four Secondary Areas of the country are represented by 20 sites. The sites for the congregational species are found mainly in the Altiplano, five IBAs in this inventory harbor important populations of the Andean flamingos. As in most countries in the tropical Andes, there is very little information on waterbird populations. Although the size of the IBAs varies, the majority have an area of approximately 230,000 ha, since in Bolivia there are still largely unaltered areas, with well-preserved forests and a small human population. There is much less information from the southern part of the country. In Bolivia, due to its unique geographical situation, there are important areas for migration (austral and boreal) of raptors, highlighting places such as Concepción. (46).</p> <p>Critical seasonal or temporal concentrations</p> <p>The rocky outcrops of the Cerrado Chiquitano located in the Department of Santa Cruz are centers of endemism of plants, including species new to science. The different forms of sculpture on the surface of the rock generate a great variety of microhabitats with specific microclimatic conditions, which create opportunities for the establishment of a highly specialized and endemic flora. ,</p>		
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		<p>Each year, more than 250,000 km² of Amazonian floodplains are covered by water that overflows the rivers during the wet season. This annual phenomenon forms the most extensive riparian floodplain forests system in the world, producing a drastic revolution in the landscape of vital importance for the efficient functioning of the Amazon Basin (WWF). Flooded forests represent between 3% and 4% of the area of the Amazon Basin. These are highly productive areas along the rivers that flood during the rainy season and receive abundant sediment from the Andes Mountains. These factors have resulted in the evolution of ecosystems and habitats with a large number of species, and have also led to the growth of the economic activities of riparian communities.</p> <p>Non timber Forest Products (NTFP): In relation to the production of NTFP, the most important species from the forestry point of view is Brazil nut. Brazil nut trees are sensitive to deforestation, and only seem to produce fruit in undisturbed forest. They depend on agoutis for seed dispersal, bees for pollination and other plants in the rainforest for their continued survival. If these other species disappear, so will the Brazil nut tree (http://www.rainforest-alliance.org/species/brazil-nut-tree). The threats to Brazil nuts are those related to natural forests, so it is not treated as an independent risk category.</p> <p>According to experts consulted HCV 1 values does not exist in plantation forest.</p> <p><u>Threats & Safeguards identification and evaluation</u></p> <p>In general, the main threat to the areas surrounding protected areas; threatened species; areas with concentrations of endemism and / or high density, relics and special areas; seasonal or temporal critical concentrations of RTE species, is deforestation and degradation occurring in all of Bolivia's forested ecosystems, mainly in the Amazon forest, transition forest, dry Chiquitano forest, sub-Andean forest and Chaco. The expansion of the agricultural frontier in Bolivia will be the main cause of deforestation and is estimated to surpass 33 M.M. ha. of forest by 2100 (48).</p> <p>The three main causes of deforestation are cattle ranching (50%), mechanized agriculture (30%) and small-scale agriculture (20%) (Müller et al., 2014). In addition, the current boom in infrastructure investments such as roads and waterways will have negative effects on the rates of forest conversion. Another</p>		
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		<p>important threat lies in the mining and hydrocarbons exploitation that has begun to affect areas classified as protected (49).</p> <p>According to the opinion of Eduardo Quiroga, Responsible of the Bolivian System of Certification of Forests and Incentives, there has been a policy of endowment of lands to communities, and property titles have been delivered within reserves or protected areas in the North of La Paz. Once property titles are transferred there is an increased likelihood of land clearance by the communities for agricultural use. In addition, there is a lot of forest clearing authorized through the DL 337 under the "Food Production Program And Restoration of Forests" program which has regularized clearings made without authorization between 1996 and 2011. The wood from clearings is sold to local sawmills and depending on the wood quality could be end up in an exported product.</p> <p>Protected areas:</p> <p>Protected areas are not exempt from these deforestation processes (50 and 144) and there still are several legislative gaps regarding the management of national and municipal protected areas as for example the lack of regulations to build roads in protected areas, overlap of different users and limited installed capacity to enforce laws. In fact, from 1970-2005, logging in Bolivia grew from 140,000 to 281,283 ha., with 76 percent concentrated in the Department of Santa Cruz. Deforestation reached extensive areas of Beni, Pando and northern La Paz, including into its protected areas (Apolobamba, Cotapata, Isiboro Sécure, Manuripi, Beni Biological Bio Station Biosphere Reserve, Pilón Lajas Biosphere Reserve and Indigenous Communal Lands (TCO), and Madidi National Park and Integrated Management Area. (34)). The institutional weakness for environmental conservation of protected areas and indigenous territories is expressed in the lack of financial and human resources allocated for this purpose, the subordination of environmental management instruments and the granting incentives for the expansion of extractive activities in these areas (147).</p> <p>In the last decade, threats have multiplied and come from centrally of extractivist policies. In principle, in the Morales government, the extractive frontiers were extended to protected areas. In the case of the hydrocarbon sector, the oil frontier grew from 13.1 million hectares in 2007, to 24.7 million in 2014 (154). Recent government announcements show that this frontier will continue to grow. Currently of the 18,271,699 ha of existing protected area</p>		
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		<p>nationwide, 3,043,797 are affected by the overlap of oil contracts and new areas destined to the oil frontier under the figure of reserved areas of YPFB, this state entity admitted recently that eight protected areas would be affected and that from 2016 these works would begin. Protected Areas such as Ñao, Pílon Lajas, Madidi and Aguaragüe transform, in fact, their object of creation to be oil areas. This measure ignores technical conservation criteria and all previous efforts to know and recognize the conservation needs expressed in the different protection categories and the respective management plans of the parks. They have suddenly been converted into hydrocarbon exploration areas. (154)</p> <p>Clearing has also been targeted on selected species that are commercialized through smuggling – and this illegal logging has also led to the near extinction of the Mara in the Amazonian north (La Prensa, 2007). According to the study "Map of Deforestation of the Lowlands and Yungas of Bolivia 2000-2005-2010" (152), the forests of the national parks Amboró, Carrasco, and TIPNIS have suffered the greatest loss of forests, which were replaced for coca cultivation for drug trafficking.</p> <ul style="list-style-type: none"> • Pílon-Laja Biosphere Reserve: This reserve faces a heavy threat of habitat removal and fragmentation from timber companies, which mainly exploits <i>Swietenia macrophylla</i> (Mara). • Beni Biological Bio Station: The most serious threats that faces are the illegal exploitation of the diverse wooden varieties existing in the area and poaching (Source: Biobol.org). <p>Protected areas are also threatened by the hunt for animals, unplanned human settlements, hydrocarbon exploitation, disordered tourism, highway opening, state and industrial megaprojects (154).</p> <p>Threatened or endangered species For the Chiquitania wood species legal or illegal overexploitation – via commercial logging, deforestation and fires would be the most important threats to the sustainability of this timber HCV 1 resource. (48 and 123)</p>		
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		<p>Critical seasonal or temporal concentrations</p> <p>The main threats to the rocky outcrops of the Cerrado Chiquitano formations are mining, flower extraction and ecotourism (42). However, these formations partly correspond to Permanent Production Forests (PPF) and are subject to the impacts of forestry activities.</p> <p>Floodplain forests are among the most threatened of all ecosystems in South America due to logging and forest clearing. Intensive logging and selective exploitation of the kapok tree (<i>Ceiba pentandra</i>) are accelerating deforestation. (155). Amazon freshwater ecosystems are suffering escalating impacts caused by expansions in deforestation, pollution, construction of dams and waterways, and overharvesting of animal and plant species. The natural functions of these ecosystems are changing, and their capacity to provide historically important goods and services is declining. Existing management policies—including national water resources legislation, community - based natural resource management schemes, and the protected area network that now epitomizes the Amazon conservation paradigm—cannot adequately curb most impacts (156).</p> <p>Safeguards:</p> <p>There are several management and planning tools for protected areas. However, the main instrument is the management plan that contains guidelines and policies for the administration of the area according to the law. According to the experts consulted, management plans are not fully implemented due to lack of resources and thus this management tool cannot be considered as a sufficient safeguard for the identified threats at this stage.</p> <p>Of the 22 protected areas managed by the National Service of Protected Areas (Sernap), 16 have integrated development plans, documents that determine the perspective on sustainable development within these PAs for the benefit of its inhabitants and protection against threats that affect them. SERNAP has developed the tool "State Management and Effectiveness of management" for the 22 national Protected Areas managed by the National Service of Protected Areas, it is a strategic instrument to identify the current situation and plan the strategic areas that should be improved in future planning and management processes. Monitoring is assessed through 6 areas: Context, planification,</p>		
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		<p>Incomes, Process, Outputs and Impacts. Evaluation for each PA can be found here: http://egem.sernap.gob.bo/es# (145). Although in many cases the indicators of the conservation status of the protected areas get high values and the Management Plans implementation also obtains high ranges, there are some cases such as Pilón Lajas in which still low rates are obtained in key indicators such as the achievements of the conservation objectives or the state of conservation of the protected area values. Therefore, further analysis on the management of protected areas by using this tool is necessary to consider it as a sufficient element to make a risk differentiation in this assessment.</p> <p>CBD</p> <p>Convention on Biological Diversity was ratified in Bolivia in 1994. The Plurinational State of Bolivia planned to update the National Biodiversity Strategy and Action Plan (NBSAP) for the period 2015-2025 in the framework of the new policies implemented since 2006. However, the progress towards the effective implementation of the Aichi Targets will depend on the provision of funding.</p> <p><u>Risk conclusion</u></p> <p>In conclusion, HCV1 is identified in the area under assessment and it is threatened by management activities through habitat removal and/or fragmentation. Specially, based on the analysis above HCV 1 areas in the whole country are considered as specified risk. Threshold (8) is met, HCV 1 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p> <p>Lastly, plantations are of low risk due to containing no HCV 1 values. Threshold (5) is met: There is no HCV 1 identified in the area under assessment and its occurrence is unlikely.</p>		
3.2 HCV 2	VI - VII	<p><u>HCV Occurrence</u></p> <p>Bolivia has a high proportion of natural ecosystems in relatively good conservation status. Approximately more than half of Bolivia's territory maintains blocks of ecosystems with high ecological viability (Araujo et al., 2010). The most extensive and well-preserved areas are found in the lowlands of Bolivia, while in the Andes the ecosystems are more disturbed and</p>	<p><u>Geographical scale:</u></p> <ul style="list-style-type: none"> - Country - Departments <p><u>Functional scale:</u></p>	<p>Low risk:</p> <ul style="list-style-type: none"> • Forests in the departments of Tarija, Chuquisaca, Potosí and Oruro • Forest plantations.

		<p>fragmented. According to "Guide for the Identification of Attributes to Define Areas of High Conservation Value in Bolivia" (34), the following are considered as HCV 2:</p> <ul style="list-style-type: none"> • Intact Forest Landscapes/Frontier forests • Inaccessible areas • Blocks of habitats not very degraded and very extensive. <p>Intact Forest landscapes (IFL):</p> <p>Bolivia is home to several areas of intact forest landscape. In addition, according to the official source and spatial map of the Intact Forest Landscape.org Bolivia is among the countries with the highest rate of degradation of intact forest landscapes. Regarding its location, the IFL are in the departments of Beni, Pando, Santa Cruz and northern Cochabamba (FSC Bolivia, 2016 – also see Annex 1 Category 3, Map 3.FSC certified Intact Forest Landscapes in Bolivia). A significant area of certified areas in Bolivia overlaps with these IFL areas, which represents 2% of the area of concessions. In addition, according to FSC, more than 70% of forest concessions with commercial activities are overlapped with these areas.</p> <p>Other HCV 2 areas:</p> <p>Below are presented the inaccessible areas and forests with poorly degraded and very extensive habitats. Although these areas are included in the IFLs, their more detailed description allows giving clearer antecedents of its location and characteristics:</p> <p>1. Inaccessible areas:</p> <p>The Bolivian Pantanal is located to the east of the department of Santa Cruz where there is a biological reserve of marshes and wet and dry forests, places mostly inaccessible by man. It is located between the regions of Chaco, Cerrado and the Amazon basin in the Department of Santa Cruz. Although the world attention has focused on the conservation efforts of Brazil, the Bolivian Pantanal can have a greater biological importance, due to the existence of great extensions of dry and uninterrupted forest that form the western periphery of this region.</p>	<p>Protection scheme:</p> <ul style="list-style-type: none"> - Protected areas - Non-protected areas <p>Type of forest area:</p> <ul style="list-style-type: none"> - Natural forests - Forest plantations 	<p>Threshold (9) is met: There is no HCV 2 identified in the area under assessment.</p> <p>Specified risk:</p> <ul style="list-style-type: none"> • Forests in the departments of Beni, Pando, Santa Cruz and northern Cochabamba and La Paz. <p>Threshold (12) is met: HCV 2 is identified and/or its occurrence is likely in the area under assessment, and it is threatened by management activities.</p>
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		<p><u>Threats & Safeguards identification and evaluation</u></p> <p>The main threat to extensive forest areas or so-called Intact Forest Landscapes (IFL), inaccessible areas and forests with less degraded and very extensive habitats is deforestation and degradation occurring in all forest ecosystems in Bolivia, mainly in the Amazon forest, in the transition forest, in the Chiquitano dry forest, in the sub-Andean forest and in the Chaco. The expansion of the agricultural frontier in Bolivia will be the main cause of deforestation and is estimated to surpass 33 M.M. ha. of forest by 2100 (48).</p> <p>The deforestation threats are equal to all HCVs and those mentioned under HCV 1. The three main causes of deforestation are cattle ranching (50%), mechanized agriculture (30%) and small-scale agriculture (20%) (Müller et al., 2014). In addition, the current boom in infrastructure investments such as roads and waterways will have negative effects on the rates of forest conversion. Another eminent threat lies in potential mining and hydrocarbons exploitation that has begun to affect areas classified as protected (49). Since forest activities take place along the area identified as IFL, the main threats are fragmentation through logging and infrastructure like road building. As detailed in HCV 1, Protected areas are not exempt from deforestation and fragmentation processes (50 and 147) and there still are several legislative gaps regarding the management of national and municipal protected areas. Deforestation reached extensive areas of Beni, Pando and northern La Paz, including into its protected areas (Apolobamba, Cotapata, Isiboro Sécore, Manuripi, Beni Biological Bio Station Biosphere Reserve, Pilon Lajas Biosphere Reserve and Indigenous Communal Lands (TCO), and Madidi National Park and Integrated Management Area. (147).</p> <p>According to the opinion of Eduardo Quiroga, Responsible of the Bolivian System of Certification of Forests and Incentives, there has been a policy of endowment of lands to communities, and property titles have been delivered within reserves in the North of La Paz. Once property titles are transferred there is an increased likelihood of land clearance by the communities for agricultural use. Through DL 337 under the program "Food Production Program and Forest Restitution", logging carried out without authorization between 1996 and 2011, which generated a fragmentation of the landscape, has been regularized. The wood from clearing is sold to local sawmills and, depending on the quality of the wood, it can end up being an exported wood product.</p>		
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3.3 HCV 3	VIII - IX	<p><u>HCV Occurrence</u></p> <p>51% of Bolivia's total land area is covered by tropical forests and savannas, and given its wide variation in altitude and latitude, includes a wide variety of ecosystems and vegetation types.</p>	<p><u>Geographical scale:</u></p> <ul style="list-style-type: none"> - Country - Departments 	<p>Low risk for forest plantations.</p> <p>Threshold (13) is met: There is no HCV 3 identified and its</p>

		<p>To determine the existence of the HCV 3 types described above, the following sources of information were used in this analysis (24, 3, 132):</p> <ol style="list-style-type: none"> 1. WWF has drawn up the ecoregion map and estimated its conservation priority (Dinerstein et al., 1995). These ecoregions have been classified by their levels of biodiversity, such as high species richness and / or endemism. 2. On the other hand, the regions that are refuge from a great diversity of endemic species and that are significantly impacted by human alteration, are called "hotspots" and have been taken into account to define this attribute of HCV. The "hotspots", developed by Conservation International, take into account mainly the species endemic because they are the most susceptible to extinction under pressure of human alteration (Myers 2003). 3. Wetlands identified under the RASMAR list provide valuable diverse habitats which support genetic, species, and ecosystem biodiversity 4. Finally, Navarro (1997) defines in detail the state of conservation of the different types of vegetation in Bolivia. <p>The Yungas forests of the northeastern Andes are the main center of biological diversity in Bolivia, especially at altitudes between 1,000 and 3,000 meters above sea level, corresponding to the south-central zone of the Department of La Paz, Cochabamba and the west end of Santa Cruz. In addition to the Yungas forests, other endemic centers are located in the Tucumano Boliviano forest (or Yungas of southern Bolivia) in the departments of Sucre and Tarija, with a small area in the central west of Santa Cruz. Followed by the Llanos de Moxos (Department of Beni) and the Amazonian forests (Departments of Pando, Beni and North of Santa Cruz).</p> <p>In addition, according to the concept of Ecoregion defined by WWF, understood as "large unit of land or water containing a geographically distinct assemblage of species, natural communities, and environmental conditions", Bolivia consists of 12 ecoregions that can be subdivided into 23 ecological regions or sub eco-regions, among which we can cite the following: Dry Chiquitano forest, Yungas of Bolivia, Dry Montane forests, Savannahs of Beni, Cerrado, and Chaco. In order to define HCVFs in Bolivia according to these criteria, only those "endangered" or "critical" ecoregions corresponding to the Chiquitano Dry Forest, Yungas and montane Dry Forest have been considered.</p>	<p><u>Functional scale:</u> Protection scheme: - Protected areas - Non-protected areas</p> <p>Type of forest area: - Natural forests - Forest plantations</p>	<p>occurrence is unlikely in the area under assessment.</p> <p>Specified risk for the rest of the country.</p> <p>Threshold (17) is met: HCV 3 is identified is likely in the area under assessment and it is threatened by forest management activities.</p>
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		<p>Wetlands identified under the RASMAR list provide valuable diverse habitats which support genetic, species, and ecosystem biodiversity and play key roles in the life cycles of many species and in annual migration patterns (3). At the departmental level, Ramsar sites are concentrated mainly in Beni and Santa Cruz, representing 58% and 41% respectively, and a minimum proportion of 1% in the north of the department of Cochabamba. Seven of these Ramsar sites are located in the Lowlands and Yungas with 11.8 M.M. ha (14% of the total), of which 58% are in the Department of Beni (62).</p> <p>There are 25 regions that are equivalent to 1.4% of the world surface and are considered "hotspots" for their high diversity of endemic or threatened species and their high conservation priority (Myers 2003). The "hotspot" of The Tropical Andes is one of the richest in endemic species (~ 20 thousand endemic species) and it extends through the Andean zones of Bolivia above 500 m.s. (Mittermeier et al., 1998). On a larger scale, Navarro (1997) defines in detail more than 60 forest types found in the production forestry areas. Most of these forests are below 1800 m.s.n.m. (132)</p> <p>Also, see the Annex 1 Category 3, Map 4. Ecoregion map of Bolivia</p> <p>As conclusion and according to the "Identification Guide for Attributes to Define High Conservation Value Forests in Bolivia", the following proxy areas are considered HCV3:</p> <ul style="list-style-type: none"> • Yungas, dry montane forests and the dry Chiquitano forest (WWF and UICN). • RAMSAR Sites • All the areas bordering the Andes of Bolivia, above 500 m altitude (Conservation International hotspots) • At local scale by different forest types under Navarro's criterion (132) , all forests endangered of extinction or in critical situation should be considered as HCV. <p>According to experts consulted HCV 3 values does not exist in plantation forest.</p>		
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3.4 HCV 4	X-XI	<p><u>HCV Occurrence</u></p> <p>A basic service of all forests is the regulation and protection of the watersheds because their influence on the flow, accumulation and quality of water. In some cases, forests are critical to river drainage basin conservation, e.g. when protecting against drought or flooding or loss of water sources for human consumption. Forests also ensure the stability of the terrain, averting or minimising soil erosion, landslides and other events. Although all terrain naturally is affected by some degree of erosion, there are areas of high-risk and that is where forest cover can be critically important.</p> <p>Forest Law 1700 classifies forest resources for harvesting, protection and conservation and sets out the procedures that need to be followed by different entities to harvest forest resources. Protected Lands are those with or without vegetal cover, that by their degree of vulnerability to the degradation and importance to the ecological services they provide, are not susceptible of agricultural or forestry use. These areas are limited to hydropower utilization, recreational purposes, research, education and any other non-consumptive indirect uses. This definition is operative so protected land must be identified in the management plan and mapped in the harvesting plans.</p> <p>The definition of protected lands considers criteria such as topography, slope, degree or susceptibility to erosion, quality of edaphic material, vegetation cover, susceptibility to floods, climatic factors and their level of exposure to risk factors.</p>	<p><u>Geographical scale:</u></p> <ul style="list-style-type: none"> - Country - Departments <p><u>Functional scale:</u></p> <p>Protection scheme:</p> <ul style="list-style-type: none"> - Protected areas - Non-protected areas <p>Type of forest area:</p> <ul style="list-style-type: none"> - Natural forests - Forest plantations 	<p>Low risk for forest plantations.</p> <p>Threshold (19) is met: There is no HCV 4 identified and its occurrence is unlikely in the area under assessment.</p> <p>Specified risk for the rest of the country.</p> <p>Threshold (22) is met: HCV 4 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p>

		<p>Protected forests are those forest areas intended for the protection of watersheds, watershed headwaters, soil conservation and the provision of ecological services in general. All national protection forests should be declared as such by provisional means within a period of two years from the date of promulgation of the Regulation of Law 1700 of 1996. To date, there is no map showing the location of these areas, but they are outside the Permanent Forest Production Lands (Tierras de Producción Forestal Permanente; TPFP). Protective forest masses that are within the domain of the State are declared and delimited as protected forests. By private initiative, it is possible to establish reserves of natural heritage that enjoy all the legal security of protected lands.</p> <p>According to this definition, Protected Lands can be considered as HCV4 because of their protective nature. Irrespective of the designation of protective forests, other areas are identified were due to their vulnerability and erosion, floods and mudslides are also considered as HCV4 forests.</p> <p>According to the background of the “Attributes Identification Guide to define High Conservation Value Forests in Bolivia” (83) all forests have influence in the watersheds where they are located. However, forests are designated as critical for watershed protection when it protects against:</p> <ul style="list-style-type: none"> a) catastrophic floods or droughts, b) extensive irreversible loss of non-replaceable water sources for human consumption, agriculture, hydroelectric systems, or other uses, c) habitat destruction of fish that are protected by flooded forests or bordering forests, and d) changes in the hydrology of the basin that would seriously and irreversibly degrade protected areas within the basin. <p>Additionally, according to the Field Guide for Identification of Attributes of High Conservation Value Forests (77), many of the forests contribute to the management and control of erosion. It is therefore, important to find out the variables that determine the presence of HCV 4 areas within an FMU/s, such as:</p> <ul style="list-style-type: none"> a) Presence of riparian forests well constituted in bodies of water with medium and large flows. b) Presence of soils easily eroded by their characteristics. 		
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		<p>c) Forest Management Units (FMU) in mountainous areas and slopes greater than those established in Bolivia's technical standard for forest management (> 45%).</p> <p>d) Evidence that the area of management is susceptible to landslides and when they affect different water bodies inside and outside the area of management. In addition, consideration should be given to the maintenance or improvement of the quality of life of the surrounding communities due to the effects of forest harvesting.</p> <p>Considering these recommendations, for the analysis of this HCV category, the approach of risk analysis was adopted in relation to the most important natural disasters such as floods, landslides, risk of erosion and assess their occurrence in the presence of protective forests in vulnerable areas. The importance and susceptibility of the main river basins were also considered.</p> <p>Risks of natural disasters in Bolivia</p> <p>Bolivia is located in an area of intense climatic activity, marked periodically by the phenomenon El Niño (ENSO) that is manifested in increasingly extreme events of floods, droughts, frosts, landslides, seismic activity and fires that affect the territory (78).</p> <p>The departments of La Paz, Potosí, Cochabamba, Chuquisaca, Oruro and Tarija are vulnerable to landslides and mudslides; While the departments of Pando, Beni, Santa Cruz and part of the Amazonian (La Paz) are threatened by floods.</p> <p>a) Flooding:</p> <p>The flood-prone areas are associated with the hydrographic configuration covering the three watersheds in the country (Amazon Basin, Cuenca del Plata and Cuenca Cerrada del Altiplano), with a considerable burden in the rainy season that usually affects its area of influence.</p> <p>The greatest threat of flooding occurs in the Amazon basin, affecting especially the municipalities located on the banks of the Mamoré sub basin, the Rio Grande sub-basin and along the rivers that have the same name and the river San Julián. The largest number of affected municipalities are in Beni, Santa Cruz, La Paz and Cochabamba.</p>		
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		<p>In recent years, floods have increased in Beni, mainly due to flooding of the Mamoré River. The recurrent flood areas in La Paz correspond to the Rio Abajo and Luribay areas. In Cochabamba, the Chapare area where there is flooded every year. In Santa Cruz, the Pailón area is the most prone to flooding, as is the lower basin of the Rio Grande, where large areas of deforestation by Mennonites have occurred.</p> <p>Flooding is becoming increasingly severe because of: (i) a change in the hydrological regime, (ii) the growth of the agricultural frontier, mainly in the north of the department of Santa Cruz (soybean, rice), (iii) rice crops in the provinces of Marbán and Cercado del Beni; and (iv) development of infrastructure such as road works in the plains, roads built on embankments with insufficient bridges and without sewage that obstruct drainage and prolong the duration of floods. Also, see Annex 1 Category 3 Map 5. Flood Hazard Map N° 7</p> <p>According to historical records collected, the highest number of floods between 1970 and 2006 occurred in the Departments of La Paz, Santa Cruz and Cochabamba (Salamanca and Condori, 2012) – see Annex 1 Category 3 Table 4. Number of floods per Department (1970-2006) in Bolivia.,</p> <p>As for forest formations, the flood zones correspond to the flooded savannas of the Llanos de Moxo in Beni; the area of the Chiquitano Amazon forest in the Department of Santa Cruz and the Amazon forest of the Departments of Santa Cruz and Cochabamba.</p> <p>b) Landslides:</p> <p>The area with high propensity to suffer the threat of landslide is located along the Eastern Cordillera, forming an arc from west to south, from the north of Lake Titicaca to Tarija, passing through the valleys and Yungas of the Department of La Paz, Cochabamba, Chuquisaca and Tarija.</p> <p>According to the data provided in the Report of the Bolivia National Mine Geology and Technical Service (Sergeotecmin), landslides and mudslides affect at least 200 sectors of the national territory, in the headwaters of the valley, as Sorata and Luribay in the department of La Paz, Cochabamba high valley, Chuquisaca, Tarija and something in Potosí and Oruro.</p>		
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		<p><u>Threats & Safeguards identification and evaluation</u></p> <p>As in the cases of HCV1 and HCV3, the main threats to the provision of forest ecosystem services under critical conditions are deforestation processes, mainly due to the advance of the agricultural frontier and unauthorized invasions of settlers in Abandoned territories. The government's policy of allocating land to communities through authorized clearing and the legalization of illegal logging in 2011 are also a threat (for more information on illegal logging threats please see Category 1).</p> <p>These processes are particularly important where risks of natural disasters exist. Such is the case of inundations, which occur mainly in the Lowlands, in the flooded forest ecoregion of the Llanos de Moxos in the department of Beni and the flooded savannas of the Pantanal in Santa Cruz. At the basin level, the greatest risk is in the Mamoré river basin in the Beni Department, the Itenez River basin in the Santa Cruz and Beni departments and the Rio Grande basin in the Santa Cruz and Cochabamba departments. In these departments, deforestation processes have caused soil degradation. (78)</p> <p>The lands susceptible to landslides are associated with the forests of Yungas (departments of La Paz and Cochabamba) and the Boliviano Tucumano forest (departments of Sucre and Tarija). In these areas, deforestation has caused severe to most severe erosion. The area of the Lowlands, mainly the departments of Pando, Beni, and Norte de Santa Cruz are less susceptible to erosion and landslide due to their vegetation cover and topography. (73)</p> <p>Deforestation in several departments has impacted highly fragile ecosystems and humid mountain regions, putting water production areas at risk (78). For example, in several zones of the Yungas of La Paz, and to the west of the city of Santa Cruz, the zone that surrounds the Piraí river. Soybean cultivation on an industrial scale has contributed 60%, constituting the largest contributor to the elimination of vegetation. This is a contemporary deforestation dating back to the 1990s (74). In addition, mining megaprojects, agroindustrial complexes, geothermal projects, bioceanic corridors, biofuel initiatives have generated large-scale impacts, destroying fertile soils and affecting the water supply. The wood from these harvesting activities (clearings) is sold in the local markets to sawmills and could be eventually sold and exported. In spite of the fact that activities other than forest management (megaprojects, agroindustrial sector, etc.) are the main drivers of these threats, harvesting activities occurs as a</p>		
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		<p>consequence and forest management does not represent a sufficient safeguard.</p> <p>In the case of protected areas, the protected-area management plans monitored by SERNAP are considered a safeguard. According to the experts consulted, management plans are not fully implemented due to lack of resources and thus this management tool cannot be considered as a sufficient safeguard for the identified threats at this stage (See HCV1 for more information).</p> <p><u>Risk conclusion</u></p> <p>In conclusion, forest plantations are considered as low risk due to containing no HCV 4 values. Threshold (19) is met: There is no HCV 4 identified and its occurrence is unlikely in the area under assessment.</p> <p>For the rest of the country, HCV 4 is identified and it is threatened by management activities due to logging linked to increased soil erosion and sedimentation into water ways, thus is considered as specified risk. Threshold (22) is met: HCV 4 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p>		
3.5 HCV 5	XII-XIII	<p><u>HCV Occurrence</u></p> <p>The relationships that the communities establish with the forests are related to the productive patterns from which basic subsistence needs can be satisfied (for example, food, medicine, clean water, religious items, fuel and construction materials to provide a level of self-sufficiency). At the same time, the usual location of forest communities in remote areas means that they have poor access to basic services such as quality education and good healthcare (160) and tend to be more reliant than other communities on forest resources for their fundamental subsistence.</p> <p>Many local communities in Bolivia rely heavily on forests for their livelihoods and income. The benefits they get from them are, for example, materials for housing construction, protein from fish and bush meat, water, fruits from several palm trees for food, etc. In addition, forests also provide other assets, such as water easements for human consumption of riparian communities (36).</p>	<p><u>Geographical scale:</u></p> <ul style="list-style-type: none"> - Country - Departments <p><u>Functional scale:</u></p> <p>Protection scheme:</p> <ul style="list-style-type: none"> - Protected areas - Non-protected areas 	<p>Low risk for forests with management and harvesting activities carried out by TIOCs/TCOs with a management plan in force and approved by the authority in the departments of Pando, Beni, Santa Cruz, Northern La Paz (Amazonian part), Cochabamba, Chuquisaca and Tarija.</p> <p>Threshold (25) is met: HCV 5 is identified and/or its</p>

		<p>Another aspect is to distinguish the different users of these services. In the particular case of Bolivia, the main focus should be on the Indigenous Peasant Native Territories (TIOCs) communally-managed territories, which are spaces that the indigenous and other local communities effectively use to satisfy their fundamental material needs (areas for agriculture, livestock, hunting, fishing, and gathering forest products) as well as spiritual needs. The communities living in the TIOCs are heterogeneous and are distributed throughout the lowlands of Bolivia. In general, they are extremely poor groups that rely heavily on forest goods and services (28).</p> <p>Amazonian forests have been inhabited by human groups that have developed a way of life according to their environment and learned for years to use them in a sustainable way.</p> <p>These groups are part of the ecosystems; therefore, it is crucial to take into account their knowledge and the traditional use that affect the management of species and ecosystems. They develop their civilization based on the knowledge of nature, the ecoregions that inhabit and the variation of the climate (42). The main economic activities of the TIOCs according to the ecoregion are presented below (38).</p> <table border="1" data-bbox="651 743 1444 1157"> <thead> <tr> <th>Ecoregions</th> <th>Main economic activity</th> </tr> </thead> <tbody> <tr> <td>Southwest Amazon moist forests</td> <td>Brazil nut harvesting</td> </tr> <tr> <td>Flooded Savannas</td> <td>Cattle ranch</td> </tr> <tr> <td>Yungas</td> <td>Agriculture Forestry</td> </tr> <tr> <td>Chiquitano forest</td> <td>Agriculture and agroindustry Livestock Mining Forestry</td> </tr> <tr> <td>Chaco</td> <td>Hydrocarbons Livestock Agriculture</td> </tr> </tbody> </table> <p>It is difficult to know the quantitative contribution of the forest to the livelihoods of this social group. This is because, on the one hand, communities vary, among many other factors, depending on the type of forest they inhabit, infrastructure, and access to the market. On the other hand, and since forest-</p>	Ecoregions	Main economic activity	Southwest Amazon moist forests	Brazil nut harvesting	Flooded Savannas	Cattle ranch	Yungas	Agriculture Forestry	Chiquitano forest	Agriculture and agroindustry Livestock Mining Forestry	Chaco	Hydrocarbons Livestock Agriculture	<p>Type of forest area: - Natural forests - Forest plantations Country</p>	<p>occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p> <p>Low risk for forest plantations</p> <p>Threshold (23) is met: there is no HCV 5 identified in the area under assessment.</p> <p>Specified risk for the rest of the country.</p> <p>Threshold (26) is met: HCV 5 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p>
Ecoregions	Main economic activity															
Southwest Amazon moist forests	Brazil nut harvesting															
Flooded Savannas	Cattle ranch															
Yungas	Agriculture Forestry															
Chiquitano forest	Agriculture and agroindustry Livestock Mining Forestry															
Chaco	Hydrocarbons Livestock Agriculture															

	<p>related economic activities are seasonal (from November to March), they are generally not sufficient for the subsistence of the family year-round. Thus, indigenous and peasant communities vary their income generation strategies. In most cases, communities combine the sale of timber, non-timber forest products (NTFPs), hunting and fishing, small-scale agricultural activities and self-consumption, temporary employment and business (143). All communities that have forests they depend upon for their water supply (streams, rivers, groundwater) for consumption and with complementary provisions of NTFP food products as cassava, rice, forest products such as chestnut (Oscar Llanque personal communication).</p> <p>In order to know the relationship between communities and their environment to the satisfaction of these basic needs, direct consultations should be carried out with local stakeholders, complemented with official sources of information. This implies an effort to contact authorities (leaders) and representatives, as well as experts, experts, academic institutions (universities, training institutes), non-governmental organizations working locally, and civil groups (28).</p> <p>Finally, for the analysis of this indicator, the following fundamental basic needs and the dependence of water, fuel, food and health for communities have been considered:</p> <p>1. Availability of water for consumption:</p> <p>Bolivia is among the countries with the greatest availability of water resources in the world, as it is located in the head of two important continental basins, the Cuenca del Plata Basin and the Amazon Basin, and in the lower part of the Titicaca water system. Their spatial and temporal distribution is not homogeneous, with areas with greater availability and others with a significant water deficit, such as Cochabamba and northern Santa Cruz. For this reason, the Bolivian government considers water a non-renewable resource because, due to overexploitation and the effects of climate change - as well as the consequences of erosion, pollution, and deforestation - many regions of Bolivia suffer water scarcity and continued depletion of sources.</p> <p>In Bolivia, half of the people who do not have access to water, and sanitation services live in rural areas. The problem of the rural population becomes more relevant because 80% live in communities of less than 500 inhabitants. They are, therefore, dispersed communities. According to the Ministry of Water, approximately 1.7 M.M. people in rural areas lack an improved water supply</p>		
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	<p>system. Most live in small isolated communities or on the outskirts of rural villages with populations of up to 10,000 inhabitants (78).</p> <p>In the rural area, the population is supplied with water directly from the rivers and lagoons. In other cases, they obtain it from well drilling, which they do without proper technical knowledge. For this reason, the provision of drinking water in these areas is threatened by droughts and floods, depending on the region where the communities are located, and also by the absence of adequate water management. In the Bolivian rural area, there are "ancestral knowledge" and communal water management practices, mainly for irrigation, but these are disappearing practices (159).</p> <p>There is no record on the dependence of rural communities on numerous local water sources. The main efforts of the State and international cooperation have been aimed at increasing access to drinking water and sanitation, quantifying the effects of climate change and addressing the challenges of transboundary water. Deforestation due to change of land use for livestock and extensive crops, dams, and mining activity are some of the threats to the availability of water for rural communities (29). The wood from these clearings is often sold in the local market to sawmill(s) and could eventually be exported.</p> <p>As a way of having a geographical approximation of the areas where the water supply could be more critical for the indigenous communities (TIOc), the map of water availability of the ecosystems (see Annex 1 Category 3, Map 8. Water availability map of Bolivia) of the Lowlands and Yungas was compared to the map of TIOCs (Annex 1 Category 3, Map 10. The geographical distribution of indigenous groups in Bolivia). Through comparing the maps, it can be seen that there is a greater availability of water in 1) the Yungas area, 2) partially in the Amazon because of its larger presence of wetlands and 3) the Northeastern Amazon of the Lowlands. On the other hand, the Bolivian-Tucuman and Chaqueña provinces show the most extreme conditions of water deficit.</p> <p>There are numerous rights of forest use in Santa Cruz, in the area with regular water balance. Likewise, there are three important TIOCs in the southern area of the Department of Santa Cruz where there is a very poor water balance.</p> <p>The transformation of important ecosystems of the Lowlands and Yungas to areas of agricultural production, along with hydrocarbons (exploration and exploitation) and mining are affecting water resources, modifying the regional balance and causing a sudden decrease of water (63). On the other hand,</p>		
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		<p>according to the opinion of Mario Arrien (2016), in Bolivia the forest activity is carried out in native forests that protect the water sources.</p> <p>2. The forest as a source of food, medicine and firewood:</p> <p>Bolivian forests contain an abundance of non-timber forest products. Almost all of them have been used since ancient times by the native peoples and play an important role in their domestic economy.</p> <p>The use of non-timber products such as the Brazil nut and gum has a long tradition associated with the Amazon forest in the Departments of Pando, Beni, Northern La Paz, Santa Cruz and Cochabamba. Other important products are the Asaí palm (<i>Euterpe precatoria</i>), leaves of Jatata (<i>Geonoma deversa</i>), wild Cocoa (<i>Theobroma cacao</i>), natural rubber (<i>Hevea brasiliensis</i>), Cusi (<i>Attalea speciosa</i>) oil, Motacú (<i>Attalea phalerata</i>) and the Brazil nut (<i>Bertholletia excelsa</i>). The latter species is the most economically significant NTFP.</p> <p>The collection of the Brazil nut is a work that indigenous and community performs from December to March each year entering the jungle in search of trees up to 50 meters high. These trees live 100-year maximum and only grow in the wild in the Amazon jungle. Brazil nut income can represent up to 90% of the total income of the communities. This species is a strategic resource of importance between Riberalta (Beni) and Pando. There is a strong economic movement between December and April. Given their economic importance, some communities do not respect the harvesting period (Carmen Paiva, personal communication).</p> <p>Palmares are another non-timber forest product of importance for the domestic use of the communities. For example, the jatata (<i>Geonoma deversa</i>) is a palm tree used for the roofing of houses of the community and also for the commercial sale. These species are located in the departments of Beni, La Paz, and Pando. Other palm trees such as the royal palm (<i>Mauritia flexuosa</i>), the majo (<i>Oenocarpus bataua</i>) and the asaí (<i>Euterpe precatoria</i>) are highly required for their edible fruits, used in food preparation and marketed in the departments of Beni, Cochabamba, La Paz, Pando and Santa Cruz.</p> <p>In relation to the consumption and dependence of NTFP, it is necessary to differentiate between TIOC (Community Territory of Origin) and ASL (Social Associations of the Place). The Social Groups of Place (ASL) are collectives of persons with legal personality or who acquire it for such purpose. They are made up of peasant communities, indigenous peoples, and other local users</p>		
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		<p>who use the forest resources within the municipal jurisdiction. ASL is constituted according to the Forestry Law and its Regulation to be beneficiaries of forest concessions. These groups do not necessarily have a traditional reliance on forest services.</p> <p>The communities living in TIOCs are heterogeneous and are distributed throughout the lowlands of Bolivia. In general, they are extremely poor groups that rely heavily on forest goods and services. However, it is difficult to know the quantitative contribution of the forest to the livelihoods of this social group. As an example, in the northern Amazon, specifically in the TIOC Yaminahua-Machineri (Pando), the forest products that are used by the Yaminahua and Machineri families are wild fruits such as acai, chocolate, papaya, majo, pachy, guava, bi, cagasa, achachairú, honey, tacuara, palm, and some species of lianas. The medicinal plants most used are the blood of dragon (sangre de grado), cat's claw, ayahuasca, pachy, chuchuwasi, motacú, and sacoba.</p> <p>Among the animals hunted by the community are lowland tapir (<i>Tapirus terrestris</i>), deer (<i>Mazama gouazoubira</i>), yacaré (<i>Caiman yacare</i>), manechi (<i>Alouatta sara</i>) and other monkeys, taitetú (<i>Pecari tajacu</i>), tropero (<i>Tayassu pecari</i>), turtle <i>Chelonoidis carbonaria</i>, jochi (<i>Cuniculus taczanowskii</i>), pava (<i>Penelope obscura</i>), capivara (<i>Hydrochoerus hydrochaeris</i>), parrot (<i>Amazona sp.</i>), tatú (<i>Dasyopus novemcinctus</i>) and partridge (<i>Perdix sp.</i>), among others. In addition to the meat of these animals, leather, bones, fangs and feathers are used. From the fishery, it is possible to obtain blanquillo (<i>Pinirampus pirinampu</i>), piranambu (<i>Brachyplathystoma filamentosum</i>), surubí (<i>Pseudoplatystoma sp.</i>), general (<i>Phractocephalus hemiliopterus</i>), cachorro (<i>Roeboides affinis</i>), curimata (<i>Curimata sp.</i>), mandi (<i>Parapimelodus valenciennes</i>), ray, bentón (<i>Hoplias malabaricu</i>), tarpon (<i>Megalops atlanticus</i>), pacusillo (<i>Piaractus brachypomus</i>), giant otocinclus (<i>Hypoptopoma gulare</i>), pacú (<i>Piaractus mesopotamicus</i>), bagre (<i>Calophysus macropterus</i>) among others. It has been recorded that the productive preferences of the Machineri are more agricultural than the Yaminahua. Even so, in general, between the two groups, the following order of priority is given to resources:</p> <ol style="list-style-type: none"> 1. Brazil nut 2. Agriculture 3. Wood utilization 4. Use of natural medicine <p>Forest resources considered critical by these families are:</p>		
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Forest resource	Value Assigned by the Community
Brazil nut	food, commercial value
Wild animals (taitetú, venado, yacanta)	Provision of animal protein
Wild fish (blanquillo, piranambú, surubí)	Provision of animal protein
Palm trees	Crafts, commercial value

The natural resources of major importance for the communities change by region. For example, for the TIOCs located in Beni, the critical resources are 1) Brazil nut, 2) water bodies (rivers and lakes, Beni river and surrounding streams), 3) taitetú, tropero, deer and tapir hunting, and 4) tucunaré, pacu, and palometa fishing. In the central Amazon, the population considers the hunting of the pig, deer, and jochi, and all water bodies to be critical. In the Chaco area (Santa Cruz), priority activities are 1) maize, beans and peanuts, 2) livestock, 3) soil conservation, 4) logging, 5) handicrafts, and 6) use of wild animals.

It can be summarized that the critical resources for the subsistence of the communities are the areas for agriculture (conservation of soils) and the major and minor cattle. Likewise, water bodies, honey and firewood are considered as important resources (34). Regarding the effect of timber harvesting on the availability of NTFPs, the sources consulted point out that current low intensities of harvesting would not affect the density of seedlings and small trees of the most demanded species. In relation to the consumption of wild animals, the most demanded are taitetú, deer, and tapir; And fishery, blanquillo, piranambú, and surubí, because of their size (for commercialization) and protein value, but they are not exclusive resources, since there is a wide variety of animals that are consumed.

High brazil nut thefts reported in Pando. Preliminary results of a comparative study (107) show that the dominant role of Brazil nut in the Pando household economy, coupled with unclear property rights, creates an extremely high degree of conflict during the harvest season – primarily theft of nuts. The actors involved in conflicts over Brazil nuts vary, but thousands of temporary workers during the harvest season who immigrate into large private forested landholdings, known as barracas, likely account for the vast majority (107);

	<p>The Brazil nut is the most important non-timber product for the community due to its economic value. In addition, communities alternate this crop with the production of wood. Finally, there are no examples of species in forest concessions being used for medicinal purposes. The silvicultural management of Brazilian nut trees is fundamental since its reproduction is critical (151).</p> <p>3. Fuelwood consumption:</p> <p>Fuelwood is the second most-used fuel for cooking in the country, with a share of 24% of total fuel consumption. In communities dispersed through the valleys, 91% of the demand for cooking is covered by firewood. In addition, fuelwood is the fuel most used in the departments of Cochabamba and Potosí.</p> <p>According to a study on the socioeconomic impact of renewable energies in rural Bolivia (46), rural families have problems to access fuelwood for their traditional uses. These include the increase in distances to obtain the resource and the lack of means necessary for transportation. It is also pointed out that the activity of collecting firewood is a very demanding lengthy work. The study explains that the biomass is mostly harvested and there is also a firewood market.</p> <p>The supply of biomass used by households is located in dispersed communities, particularly firewood for cooking is carried out by household collection. Eighty-two percent of rural households collect fuelwood from more or less nearby forests, and average household consumption is estimated at 2.1 tonnes yearly.</p> <p>Departments with less access to energy and therefore the most dependent on biomass are Chuquisaca, Beni, and Potosí (with coverage ranging from 20 percent to 30 percent). In Oruro, Pando and Santa Cruz, coverage levels are over 30 percent. Finally, the Departments of Tarija, La Paz and Cochabamba, are the ones with the greatest coverage, between 40 and 50 percent. (46)</p> <p>According to experts consulted HCV 5 values does not exist in plantation forest.</p> <p><u>Threats & Safeguards identification and evaluation</u></p> <p>The transformation of important ecosystems of the Lowlands and Yungas to areas of agricultural production, along with hydrocarbons (exploration and</p>		
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		<p>exploitation) and mining are affecting water resources, modifying the regional balance, and causing a sudden decrease of water (63). The processes of deforestation by the advance of the agricultural frontier and the construction of dams are factors that affect the availability of forest goods and services for the subsistence of the communities that depend on them. The wood coming from these processes can enter the local market and according to the quality be transformed by the primary industry and potentially eventually exported.</p> <p>The main threats to the provision of forest products identified by the consulted experts are:</p> <ol style="list-style-type: none"> 1) The processes of deforestation in the headwaters of watersheds and contamination of watercourses by the activities of forest harvesting. 2) Unsustainable forest management directly affects to Brazil nut because its optimal natural regeneration of the species depends on intact, healthy forests to support large-bodied bee pollinators and ground dwelling mammal seed dispersers (148 ,149 and 150); 3) The dominant role of Brazil nut in the Pando household economy, coupled with unclear property rights, creates an extremely high degree of conflict during the harvest season – primarily theft of nuts. The actors involved in conflicts over Brazil nuts vary, but thousands of temporary workers during the harvest season who immigrate into large private forested landholdings, known as barracas, likely account for the vast majority (1107); 4) The recent interest of logging companies to extract not only timber but high-value non-timber forest products (NTFPs) which can lead to a conflict between timber and non-timber use and; <p>Many of the forests that are titled or immobilized by indigenous communities in the TCOs/TIOCs are still very healthy and in the opinion of the experts consulted, forest areas in the hands of communities function almost as a wildlife reserve, generating benefits for the communities that inhabit them and do not threaten HCV5 (143). Therefore, it can be considered that a TIOCs will make an integrated use of its territory, maintaining the spaces that support the basic needs of local communities.</p> <p>According to Rumiz and Mostacedo (2004) (24), there is little information on the critical forest for communities, and it is even more difficult to define the thresholds. For this reason, forest managers before harvesting activities commence should consider consultations with potentially affected local</p>		
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		<p>communities. According to expert consulted this source of information from 2004 is still valid taking in consideration the current country context.</p> <p><u>Risk conclusion</u></p> <p>In conclusion, Forests with management and harvesting activities carried out by TCOs/TIOCs with a management plan in force and approved by the authority are considered as low risk. Threshold (25) is met: HCV 5 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p> <p>On the other hand, forest plantations are considered low risk. Threshold (23) is met: there is no HCV 5 identified in the area under assessment.</p> <p>Taking into consideration the threats described in the previous section, the rest of the country is considered as specified risk. Threshold (26) is met: HCV 5 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p>		
3.6 HCV 6	XIV	<p><u>HCV Occurrence</u></p> <p>Every group of people requires a particular identity or a set of them from which they can maintain themselves as a distinguished group. In this sense, just as forests are essential for the livelihoods of communities living in the forest, they are also important for the maintenance of their cultural identities. In Bolivia, this is an irrefutable fact given the number and variety of ethnic groups that until today maintain strong bonds with the forests where they live.</p> <p>As a precautionary principle, this evaluation will focus on identifying those areas that are part of the cultural heritage of indigenous communities in Bolivia. It has been taken into account whether forests contain or offer values without which the community would undergo a drastic or negative cultural change, for which there are no substitutes (34). The study developed by Rumiz et al. (2004) has been used as the main basis for this analysis.</p> <p>The following communities need to be considered for HCV 6:</p>	<p><u>Geographical scale:</u></p> <ul style="list-style-type: none"> - Country - Departments <p><u>Functional scale:</u></p> <p>Protection scheme:</p> <ul style="list-style-type: none"> - Protected areas - Non-protected areas <p>Type of forest area:</p>	<p>Specified risk for forests in the Departments of Pando, Beni, Santa Cruz, Northern La Paz (part of the Amazon region), Cochabamba, Chuquisaca and Tarija where management and harvesting activities are carried out:</p> <p>a) in forest concessions, or b) by forestry companies, or c) by ASLs, or d) in private lands</p> <p>Threshold (30) is met: HCV 6 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p>

		<ul style="list-style-type: none"> • Communities with collective land titles (TCOs TIOCSs). • Communities in voluntary isolation and/or initial/minimal contact. • Isolated cultures. • Communities of ethnic and peasant groups which there is national consensus regarding their vulnerability. • Communities of ethnic groups and peasants with lands and territories already titled by the INRA, in the process of titling or formally raised as territorial demands. • Communities of ethnic groups and peasants who present forms of self-government and territorial self-management. • Communities of ethnic groups and peasants whose livelihoods depend on forests. • Areas that have an internationally recognized cultural, archaeological or religious significance and, which are an important part of the cultural identity of the indigenous peoples. <p>1. Communities with collective land titles (TCOs/TIOCSs):</p> <p>Through the INRA law (1996), the system of distribution and allocation of land to lowland and highland indigenous peoples was created, the so-called Indigenous Communitally-Managed Territories or TCO/TIOCs. TCOs/TIOCs are geographic areas that constitute the habitat of indigenous and native groups and communities to which the latter have traditionally had access and on which they develop and observe their own types of economic, social and cultural organization in such to ensure their survival and development. TCOs/TIOCs are inalienable, indivisible, irreversible, collective, composed of communities or associations. In the complementary regulations, in 2010 was promulgated D.S. 0727 by which it is determined that the Community Land of Origin (TCO) will be denominated Indigenous Territories Native Peasant (TIOCs). In practice, many organizations continue to refer to their territories as TCOs/TIOCs (101).</p> <p>Most of the 298 titled indigenous territories (TCOs/TIOCs) are in the Highlands, in the departments of Oruro and Potosí, with a 30% share each. The departments of La Paz (14%), Santa Cruz (7%) and Beni (5%) follow in importance in the lowlands. The lowest TCO presence is in Cochabamba (5%), Chuquisaca (4%), Tarija and Pando each with a 1% participation (97). Also, see Annex 1 Category 3, Map 9. TIOCs by region in Bolivia.</p> <p>Several TCOs/TIOCs have a great extent surpassing hundreds of thousands of hectares. They are even more extensive than many municipal and provincial</p>	<ul style="list-style-type: none"> - Natural forests - Forest plantations 	<p>Low risk for forests with management and harvesting activities carried out by TIOCs/TCOs with a management plan in force and approved by the authority in the departments of Pando, Beni, Santa Cruz, Northern La Paz (Amazonian part), Cochabamba, Chuquisaca and Tarija.</p> <p>Threshold (29) is met: HCV 6 is identified the area under assessment, but it is effectively protected from threats caused by management activities.</p> <p>Low risk for forest plantations and forests in other departments.</p> <p>Threshold (27) is met: There is no HCV 6 identified and its occurrence is unlikely in the area under assessment.</p>
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		<p>territories. For example, in the department of Santa Cruz the TCOs/TIOCs of Guarayo, TIPNIS, and Monte Verde border a M.M. ha. each. In the lowlands, TCOs/TIOCs are concentrated in the Departments of Pando and Northern Santa Cruz. Mainly the vegetation of the Amazon covers these territories. In economic terms, they have a potential for management and harvesting of forest resources. In contrast, Andean TCOs/TIOCs are located in areas with little vegetation, suitable for extensive grazing of animals (98).</p> <p>Given that the importance of forestry is found in the Lowlands Area, the following is a description of the indigenous peoples present in six sub regions: Northern Amazon, Southern Amazon, Chapare-Moxos, Iténez-Mamoré, Chiquitanía and Chaco (99):</p> <p>1.1. Northern Amazon:</p> <p>The region of the Northern Amazon of Bolivia includes the five provinces of the department of Pando, the province Vaca Diez of the department of Beni and the extreme north of the province Iturrealde of the department of La Paz. Historically it has been inhabited by several indigenous groups (Chácobos, Pacaguaras, Ese ejjas, Araonas, etc.) with Amazonian characteristics and belonging to large linguistic families that have a presence in Brazil and Peru. This region includes seven TCOs/TIOCs (Annex 1 Category 3 Table 5. Population and political location of the TIOC in the Northern amazon).</p> <p>1.2. Southern Amazon:</p> <p>The Southern Amazon corresponds to the "tropical north of La Paz," except for the areas near Pando, which are already included within the North Amazon region (specifically the territories of Araona and Takana II). It also covers parts of the departments of Beni and Cochabamba. (Annex 1 Category 3 Table 6. Population and political location of the TIOC in the Southern Amazon).</p> <p>1.3. Iténez-Mamoré Region:</p> <p>This sub-region is located between two of the most extensive rivers in Bolivia: Iténez river and Mamoré river. It is an area of natural prairies and with forest islands. It presents a high heterogeneity among the indigenous peoples whom inhabit it. It is possible to distinguish between the towns that live mostly in the river basin of the Mamoré river (Canichanas, Movimas, Cayubabas), those in the Iténez river basin (Moré, Joaquiniano, Itonamas) and those in the southern</p>		
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		<p>zone Baures and Sirionó). (Annex 1 Category 3 Table 7. Population and political location of the TIOC in the Iténez-Mamoré Region).</p> <p>1.4. Chapare-Moxo Region:</p> <p>This sub-region is located between the departments of Beni and Cochabamba. It covers from the last foothills of the Andean mountain range to the floodplains of Beni and also in a small part of Santa Cruz.</p> <p>This area has been historically inhabited by three indigenous peoples: Moxeño, Yuracaré and T'simane. The Yuquis were moved in the middle of the 20th century and are a small group compared to the others. Among the three main indigenous tribes, the interrelationships have been permanent and the reflection of this is that three TIOCs are multi-ethnic (TIPNIS, Multiethnic I and Pallar). In each territory, at least two of the three indigenous people communities live together, and each community has an exclusive territory: Yuracaré, Mojeño or T'simane. (Annex 1 Category 3 Table 8. Population and political location of the TIOC in the Chapare-Moxo Region).</p> <p>1.5. Chiquitanía Region:</p> <p>The Chiquitana region is located in the northeast of the city of Santa Cruz. This region is shared between Chiquitanos, Guarayos, and Ayoreos indigenous groups. La Chiquitanía is an administrative as well as ecological unit. It belongs to the department of Santa Cruz and is ecologically dominated by the Chiquitano shield. It presents a type of vegetation that receives the name of "chiquitano dry forest," that is a transition between the Chaco and the Amazon.</p> <p>1.6. Chaco Region:</p> <p>In this large region, there are numerous indigenous groups, including the Weenhayek, Tapieté, Chane, and Guarani. With the arrival of the Republic, the vast region of the Chaco was divided among three departments and five provinces: Santa Cruz (Cordillera province); Chuquisaca (provinces Luis Calvo and Hernando Siles) and Tarija (provinces of O'Connor and Gran Chaco). (Annex 1 Category 3 Table 9. Population and political location of the TIOC in Chaco Region).</p> <p>The Chaco region does not have large renewable natural resources. However, there has been exploitation of some timber species. This activity has not been</p>		
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		<p>in sufficient quantity to be considered systematic exploitation. Under this situation, the TIOCs in this region have some reassurance that any use will be for their use and occasionally for the market.</p> <p>See Annex 1 Category 3 and Map 10. The geographical distribution of indigenous groups in Bolivia.</p> <p>Cultural values of TCOs/TIOCs:</p> <p>Cultural values attributed to forests are generally prevalent in ethnic groups still occupying areas characterized by significant forest resource coverage. Given that the best examples of possible cultural attributes for forest conservation lie primarily in an indigenous reality, a description of the major native groups relevant to forestry is presented (34):</p> <p>a. TCO Yaminahua-Machineri (Pando) The Yaminahua and Machineri retain beliefs linked to the forest. These are concentrated in the rivers Acre, Shamayacu and Yacu (the channel and the margins) and other bodies of water, in the sense that every body of water is considered as a kind of road that leads to the sacred. Animals also have cultural values because they are believed to be people. Cemeteries are also given cultural values, which are located in places of traditional domestic occupation.</p> <p>b. TCO Cavineño (Beni) The Cavineños have identified different elements of historical and cultural value. Among these are numerous rivers (Beni, Madidi, Geneshuaya, Tsati Matina, Niro Matina, Akuri, Biata, Colorado, Siringal, Poza in the Pampa, Bequeti, among others) and ancient buildings from the Jesuit missions, such as the Mission Cavinatas where their ancestors are buried, and the site called Sawa Sepere (Lost Mission).</p> <p>Among the Cavineños, there is a series of beliefs linked to the forest. In general, the values that revolve around the resources are the good and the bad, duality from which a complex system of beliefs is preserved. Rivers and other water bodies, mainly currents (as in the northern Amazon), are considered as the way to return to the sacred and contain a principle of protection, abundance, life, solidarity and justice among human beings. Furthermore, animals are considered central in the local belief system since some are considered as the "owners" of these water bodies, while others are</p>		
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		<p>recognized a duality in their being: they are both animals and people. Within this framework of beliefs, prayers are still being made around these sites. And some traditions are still preserved, such as the prohibition on hunting. Other sites of special interest are the cemeteries located in the domestic settlements.</p> <p>c. TCO Tacana (Beni) The indicators of historical and cultural value among the Tacana are the hills, the land, the salt flats (where offerings are given to the owners of the mountain) and the different water bodies (mainly the Elmer Carmen, Tequeje, Esperanza Del Enapurera and the Undumo River). Ancient sites and settlements with archaeological material have also been reported.</p> <p>Among the beliefs linked to the forest, are those connected with the Caquehuaca hill, which is considered the center of the world. The Edutsi, who is the spirit of the phenomena of nature that live on stones or hills and Mother Earth, who is the protector of nature like other owners or spirits of the jungle. Between the animals, the dog, the viper and the jaguar are mythical beings. The hummingbird is the physical representation of the Edutsi, and the toad and tortoise are associated with Mother Earth. In the salitales, the hunters leave offerings to the spirits of the mount. The Mapajo, black bibosi, and toborochi are trees where another owner of the mountain lives.</p> <p>d. TCO Movima (Beni) Among the Movima, it is traditional to use elements such as tobacco and alcohol to promote a ritual environment. The objective of this ceremony is to ask for permission and good luck in the hunt, to the supernatural beings that inhabit and govern the forest, as for example to Bolaun (owner of the animals).</p> <p>The movima do not identify specific sacred places. However, it can be said that many of the streams, such as Montes de Oro, the Maniquicito River, the Maniqui River and the hunting and fishing areas in general, are of vital importance for this population. There is also a series of rituals that express deep respect for nature around them. The sacred has a close relationship with the habitat they occupy. In other words, the movima are considered children of the forest, lakes, and rivers. In relation to natural phenomena, the Movima retains a deep respect and fear of lightning and thunder.</p> <p>The jaguar is an animal that plays a very important role in its belief system since from the past, it is linked to Aramamako, a species of a supreme</p>		
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		<p>emperor. This belief system is also characterized by being a system of oppositions, where good and evil is a regulating principle of life. Hence, there are negative beings linked to forests (such as the cannibaba kilmo).</p> <p>In spite of the missionary influence, the Movima maintain a strong belief about the "owners" of the mount, of the animals and of the water; From which comes an enormous legacy of ritual knowledge and practices, which are preserved as part of the ways of managing the forest.</p> <p>Likewise, the Movima identifies a series of indicators of omens associated with plants, animals, places and stars. Such is the case of flowers of bejuco, or animals such as guaracaki (bad weather), macono (strong winds), owl (death) and manechi (good weather); On the other hand, in elements such as the yellow aura of the moon. There is also a deep knowledge of the medicinal properties of wild plants.</p> <p>e. TCO Chiquitano de Lomerío (Santa Cruz) Until today, a strong belief in the Jichis, creature representing nature, constituting themselves as masters of the "spheres" linked to the forest (water, pampa, hills and chacos) is preserved. Jichis are masters of animals and plants. For this reason, before beginning any extractive activity, the Chiquitanos ask for permission and also thanks for the products that result from the incursions carried out in the forest.</p> <p>To obtain and preserve permission, luck, and protection from the incursions of the mountain, the Chiquitano make offerings of tobacco leaves to each Jichi. Every place has sacred attributions. Based on that, the Chiquitanos identify with different values (rituals, sacred and historical), the central places of each community, the archeological zones of the area (e.g. Piedra Marcada, which is one of the places where there are ancient petroglyphs); the Lajas, hills and pebbles (which in addition to containing archaeological remains, are considered as the habitat of the jichis), cemeteries (located outside the urban radius of the communities), sites where ancient settlements were located; and streams and rivers (as is the Zapocó river of vital importance for this population).</p> <p>f. TCO Guaraní de Charagua (Santa Cruz) The Guaraní of Charagua has identified elements of historical and cultural value of natural origin and areas of traditional occupation. Natural values include rivers, ravines, water springs and lagoons. The areas of traditional occupation correspond to existing archaeological sites such as caves, old</p>		
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		<p>settlements, serranías and sites where historical episodes happened. Cemeteries, current and ancient, do not represent cultural values of importance for this group.</p> <p>Among the beliefs linked to the forest, the existence of the Iya Reta, who owns the forest and are responsible for regulating the relationship between people with the resources available in the forest. According to the Guaraní oral tradition, these characters inhabit different parts of the forest.</p> <p>g. TCO Guaraní de Kaami (Santa Cruz) The Guaraní maintain a system of beliefs centered on the Iya Reta, who, as "owners" of the mountain, are part of the system of representations that regulate man's relationship with nature. To this system belong Tumpa reta (superior divinity, the creator), Iya reta (gods or owners of nature, of the animals, wild plants or other resources), and Iyangarekóá reta (care of nature, about which believed to be the souls of punished hunters), and other deities.</p> <p>The Guaraní has associated elements of the habitat they occupy with categories of values such as good and evil. Specific places like the hills (Ñuu) and the rivers have attributes that determine the life of the human beings and the balance of these with nature. Other examples are the places associated with revelations received by wise men (the paye) or places where evil forces are concentrated. The specific places identified with these values are water bodies, rivers and streams (Parapetí, Guatíovi, Karuputi, Itakua, Ivomi, Yaendi), ancient hunting sites (such as Mangariti) human settlements.</p> <p>The Guaraní also maintains an extended knowledge of the properties that plants and animals have in aspects such as weather forecasts, life, and death. Like the Chiquitanos, the Iya Reta are associated with a specific animal, as is the case of Mbo Ibusu, which is the Iya of the Parapetí river, which is attributed the shape of a viper.</p> <p>The cases described above show that for lowland indigenous peoples in general, forests are not a resource that can be separated from the notion of territory (Chirif et al., 1991). And even though local definitions of territory vary according to each group, and the historical reality lived until today, there are some common elements linked to these basic principles that can refer to any case.</p> <p>See Annex 1 Category 3 Map 9. TIOCs by region in Bolivia</p>		
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		<p>2. Communities in voluntary isolation</p> <p>The term “voluntary isolation” describes groups of indigenous peoples who have either never had contact with those outside their culture or who actively refuse any such contact, sometimes by force. In the case of the Araona, the Esse Ejja, the Yuki, the Pacahuara, the Ayoreo and the Yuracaré, only a limited number of families have chosen to live in isolation. As in many countries, most Bolivians who fit this description have had highly traumatic encounters with outsiders, including experiences of enslavement, kidnapping of their children, massacres, and devastating epidemics from diseases previously unknown to them. There were unwanted incursions by missionary expeditions up to the 1980s and more recently by those seeking to exploit raw materials. In 2008 loggers murdered at least two Pacahuaras (104).</p> <p>Indigenous peoples in voluntary isolation and initial contact are holders of human rights in a unique situation of vulnerability, and one of the few who cannot advocate for their own rights. This reality makes ensuring respect for their rights of particular importance.</p> <p>In Bolivia, there are several uncontacted tribes or indigenous groups in different areas of the Amazon (Departments of La Paz, Beni, Pando and Santa Cruz) and Chaco (departments of Santa Cruz and Tarija). There are references of varied quality of the location of these groups. However, it can be said with some certainty that they are located in the following departments:</p> <ul style="list-style-type: none"> • Department of La Paz: Toromona, Araona, Ese Ejja. • Department of Santa Cruz: M'bya Yuki, Ayoreo. • Department of Pando: Pacahuara. • Department of Beni: Yuracaré, T'simanes, Mosekene. <p>Another research has identified at least five areas with indications of these groups, most of which are in National Park areas and border areas, such as the Kaa Yya Park in the Gran Chaco, next to Paraguay (93 and 94):</p> <ul style="list-style-type: none"> • Kaa Iya del Gran Chaco National Park (Ayoreo). <p>During the research for the process of creating the park, the Ayoreo living in the Bolivian part spoke of a group of Ayoreos who remain isolated and without contact. For this reason, they are mentioned in the decree creating the Park and are recognized rights of use. It is not clear whether it is groups (or several</p>		
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		<p>groups) that enter periodically from Paraguay, or if they have always lived in Bolivian territory.</p> <ul style="list-style-type: none"> • Region of TCO Yuqui - Río Chimoré (Santa Cruz) (Bia o Yuqui) According to Bernardo Fischermann and the French anthropologist David Jabin, there would still be isolated Yuqui families, crossing an area where there is now forest exploitation north of the Yuqui TCO, which is bordered by the rivers Chapare and Chimoré. • TCO Yurakaré Region along the Chapare river (Yukararé) The Yurakaré constitutes an indigenous group living in riparian areas. Its population is about 2,500 people. There are rumors of the existence of isolated Yurakaré families in two different places of the TCO Yurakaré. Other unconfirmed reports refer to the existence of isolated Yurakaré families in Carrasco Park. • Norte de Pando (Pacahuara) According to different versions, the Pacahuara not yet contacted would constitute between 1 to five families (they can be 50 individuals). One source places them in the municipality of Santa Rosa de Abuná, in the Federico Román province of the Department of Pando (near the border with Brazil), where they could move inside the forest concessions of the companies CIMAGRO and Pacahuara, between the Rio Negro And the Pacahuara River. • TCO Araona, North of La Paz (Araona) About 90 Araona live in the Tona Araona in the North Department of La Paz. According to the French anthropologist Mickaël Brohan (who studies Araona culture), there are families without contact in the region, probably in the vicinity of the Manurimi River. • Madidi National Park in Northern La Paz (Toromona) There are antecedents of the existence of groups Toromona and Nahua (Pano) protected by the Park, those that would be in zones unexplored and unknown. Since August 2006, there has been a Resolution of "Intangible Zone and Integral Protection of Absolute Reserve" for the territory inhabited by these isolated indigenous people. • Bolivia – Peru border (Ese Eja) There could be Ese Eja groups without contact in the border region between Bolivia and Peru. There are preliminary contacts between organizations of the 		
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		<p>two countries working across the border to facilitate cooperation for the benefit of the rights of the Eja people on both sides of the border.</p> <p>3. Isolated cultures:</p> <p>They are indigenous groups whose contact is recent. They maintain their traditional practices and live in poor contact with "Westernized" society. Although its population is composed of a few monolingual families, in many cases under roaming patterns in the jungle. The Araonas, Pacahuaras, Yuqui, a considerable number of Chimanes, and perhaps two itinerant groups that travel through the jungles of Pando still live in these conditions in the Bolivian Amazon (85).</p> <p>4. Indigenous peoples at risk:</p> <p>In Bolivia, several villages and segments of indigenous peoples, mainly in the Amazon region and the Chaco, are in a situation of high risk, both in terms of physical and cultural survival. The Plurinational State of Bolivia recognized in 2013 that at least 15 of the 36 indigenous peoples of the country are very threatened in their physical and cultural survival. The problem has to do with the gradual loss of its own sociocultural identity in the face of the expansion of globalized society.</p> <p>Most of these groups are located in the lower regions, the Amazon and the Chaco. In the departments of Pando, Beni, Santa Cruz and Tarija. A study by Carlos Camacho Nassar on "Violence and Ethnocide in the Lowlands" emphasizes that historically the indigenous communities were stripped of their territories and systematically attacked by miners, loggers, castañeros, gomeros, cattle ranchers and cocaleros at different times of their existence.</p> <p>In this context, a Law for the Protection of Highly Vulnerable Indigenous Peoples was promulgated in 2013 (Law N°450). This extends special protection to isolated indigenous peoples, as well as others who face severe threats to their health, territory or capacity to protect their culture. There are seven indigenous cultures that are believed to include people living in isolation, unconnected to the broader society. According to a recent report by the International Working Group on Indigenous Affairs, as many as 21 indigenous peoples could be termed as being at high risk from ethnocide. While a handful of large indigenous groups make up half of Bolivia's population, these small groups represent less than 0.3% (104).</p>		
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		<p><u>Threats & Safeguards identification and evaluation</u></p> <p>The main threat to cultural values is the deforestation and degradation, which includes forest management, and occurs in all of Bolivia's forested ecosystems, mainly in the Amazon forest, the transition forest, the dry Chiquitano forest, the sub-Andean forest and the Chaco, All areas with presence of indigenous population. This generates a negative cultural change, altering the patterns of adaptation of the populations to their natural environment. Deforestation for agricultural empowerment, the use of agrochemicals, hunting and the use of machinery significantly reduced the diversity of fauna, many of which have spiritual connotations for some indigenous peoples. Ravens, mountain pigs, badgers, jochis, foxes, felines, armadillos, reptiles, and snakes are now confined to national parks. (100).</p> <p>In the case of the population living in Indigenous Communally-managed Territories (TCO, TIOC), there may be overlap with forest concessions and protected areas. Indeed, in Bolivia, protected areas can enjoy a dual category, as a protected area and indigenous territory. This ensures ownership of indigenous peoples and also engages the State and communities in shared management. The dual status areas are part of the national system of protected areas. This management has made compatible management plans with life plans of TCO holders, as in the case of the Pilon Lajas Biosphere Reserve (Cisneros and McBreen, 2010).</p> <p>In all the above cases, it is possible to determine the geographical location of the native groups and communities, which facilitates the identification of cultural and spiritual values present, and the definition of management practices to protect those values.</p> <p>The situation of uncontacted or voluntarily isolated indigenous peoples is different. By definition, these groups are not easy to identify geographically. Moreover, there are not enough legal, political and institutional elements to guarantee the survival of the different groups who have chosen to live in isolation from modern Bolivian society.</p> <p>The uncontacted peoples show a dynamic of seasonal migrations using the natural resources of the upper reaches of the Amazonian rivers. The presence of illegal loggers in these areas usually puts pressure on their territory, pushing them permanently to other areas where they find food, bringing them closer to settler settlements or invasion of territories of other nearby indigenous</p>		
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		<p>populations (for more information see Categories 1 and 2). This leads to clashes, exposure to illness and death. Finally, according to the opinion of experts interviewed, the main threat to these indigenous peoples is oil exploitation.</p> <p>Forestry operations often harvest some commercially valuable species such as cedar and mahogany, without respecting allowed cutting volumes, in what is known as the "descreme". This practice degrades and impoverishes the ecosystem and forces the forest managers to progress permanently on new areas in search of these species, inevitably arriving at indigenous territories, which are the only spaces that still have well-preserved forests.</p> <p>The main threats from forestry activities are the impacts of management and harvesting operations on the patterns of adaptation of a population to its natural environment; negatively altering (limiting, hindering, altering, etc.) access to cultural resources, such as:</p> <ol style="list-style-type: none"> 1. Alterations of the areas where people in isolation are transiting and inhabiting. 2. Extraction of natural resources that are part of the cultural integrity of indigenous peoples (flora, fauna, landscape elements, etc.). 3. Destruction or alteration of the landscape by activities of use, construction of roads, among others. 4. Access to sectors of interest during forestry operations. 5. Modification of water bodies. 6. Hunting of wild animals as food for forest workers. <p>(This conclusion is based on all sources listed in row XIV)</p> <p>Safeguards:</p> <p>The safeguards that provided the control and traceability activities carried out by the Authority of Fiscalization and Social Control of Forest and Land (ABT) through the management plan and the certification process that was valid for the categories HCV1 - HCV4, do not provide tools sufficient to ensure the protection of the cultural values described in this indicator. In effect, the management plan establishes the harvesting and silvicultural activities that will be executed according to the general management plan and does not include the identification or protection of values such as those described in HCV6.</p>		
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		<p>Many of the forests that are titled or immobilized by indigenous communities in the TCOs/TIOCs are still very healthy and in the opinion of the experts consulted, forest areas in the hands of communities function almost as a wildlife reserve, generating benefits for the communities that inhabit them and do not threaten HCV6 (Vargas and Osinaga, undated). Therefore, it can be considered that a TIOCs will make an integrated use of its territory, maintaining the spaces that support its identity.</p> <p>In relation to vulnerable peoples, including: 1) danger of extinction 2) voluntary isolation, 3) forced isolation, 3) not contacted, 4) in initial contact and 4) transboundary, Law 450 provides a set of measures of protection in the territorial scope, health and monitoring, as well as the creation of the General Directorate for the Protection of Indigenous and Indigenous Peoples and Nations (DIGEPIO), as the body in charge of promoting the implementation of the Law in coordination with municipal, departmental and sectoral governments.</p> <p><u>Risk conclusion</u></p> <p>In conclusion, HCV 6 is identified in the area under assessment and in some areas threatened by management activities. Specifically, forests in the Departments of Pando, Beni, Santa Cruz, Northern La Paz (part of the Amazon region), Chuquisaca, Tarija, and Cochabamba where management and harvesting activities are carried out in:</p> <ul style="list-style-type: none"> a) in forest concessions, or b) by forestry companies, or c) by ASLs or d) in private lands <p>are considered specified risk of threatening HCV 6 associated with indigenous communities.</p> <p>Threshold (30) is met: HCV 6 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p> <p>Whereas, forests where management and harvesting activities are carried out by TCOs/TIOCs with a management plan in force and approved by the</p>		
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		<p>authority in the departments of Pando, Beni, Santa Cruz, Northern La Paz (Amazonian part), Chuquisaca, Tarija and Cochabamba are considered as low risk.</p> <p>Threshold (29) is met: HCV 6 is identified the area under assessment, but it is effectively protected from threats caused by management activities.</p> <p>Lastly, plantations and forests in other departments are considered as low risk due to the fact that contain no HCV 6.</p> <p>Threshold (27) is met: There is no HCV 6 identified and its occurrence is unlikely in the area under assessment.</p>		
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Recommended control measures

The recommended control measures here are only indicative in nature, and are not mandatory. Recommended control measures might not have been provided for all the risks that have been identified in this risk assessment. Organizations shall evaluate and devise appropriate control measures to mitigate the risks identified in this risk assessment as applicable.

Indicator	Recommended control measures
3.0	N/A
3.1 HCV 1	<p>For management and harvesting activities the following evidence must be provided:</p> <ol style="list-style-type: none"> 1. Management plan approved 2. Identified and mapped, with the participation of local stakeholders (NGOs, Authority), high-value areas and protection of riparian zones. Demarcated on maps and in the terrain, the presence of threatened species and is defined to be preserved as detailed in the management plan as cross referenced by field visits. 3. The management unit boundaries are clearly identified on maps and on site. 4. Compliance with the requirements of the Management Plans. The levels of extraction of wood and the species authorized are done according to the management plan as cross referenced by field visits. 5. Roads and extraction routes are designed to minimize the transit through protected areas, wildlife refuge areas and native forest fragmentation. 6. Harvesting practices are aligned with respect to areas with native vegetation, protected areas, threatened species and will not threatening these values. 7. Signage has been installed for hunting control and illegal cutting. 8. Access control of unauthorized persons to avoid the risk of fire and hunting. 9. Field staff have been trained to identify threatened species of flora and fauna that could potentially be found in areas of operations and will notify the manager whenever any of these species are identified.
3.2 HCV 2	<p>For management and harvesting activities in areas classified as IFL and/or other HCV 2 the following evidence must be provided:</p> <ol style="list-style-type: none"> 1. Confirm wood material does not originate from Intact Forest Landscapes: verify via www.globalforestwatch.org and crossed checked through field visits to verify if IFL boundaries are within forest management concession boundaries. 2. Evidence that management activities have no commercial harvesting purposes. 3. Audit of compliance with Management Plans to verify that the forest management activities comply with the technical requirements and is carried out according to the general management plan approved by the authority. 4. Review monitoring reports of the management plan. 5. Evidence that operations in areas adjacent to large blocks of forests are managing corridors to encourage the transit of animal populations and protect species and landscapes with existing forest manager's FMUs.

	<p>6. The construction of roads and access roads must be made following the design and as far as possible these roads should be limited in size, number and amount of forest cover fragmentation they create.</p> <p>7. A pre-operational assessment has been carried out to evaluate the condition of the forest and potential risks of the operations, in those forest operations located at a distance of less than or equal to 5 km of the areas identify as IFL (see www.globalforestwatch.org for IFL locations)</p> <p>8. Monitoring of HCV 2 values through the use of images to evaluate and confirm no impact by management practices.</p>
3.3 HCV 3	<p>For management and harvesting activities, the following evidence must be sought:</p> <ol style="list-style-type: none"> Identify with the participation of local stakeholders (NGOs, Authority) if the Management Unit is located in one of the following habitats: <ul style="list-style-type: none"> Corredor Ambororo Madidi Llanos de Moxo Yungueño forests Alto Madera Amazon forest Chiquitano Amazon forest Serranías de Sunsa in the Departament of Santa Cruz. RAMSAR sites Evidence of management practices that respect and do not threaten the HCV 3 values of areas identified above such as: <ul style="list-style-type: none"> Extraction routes and roads have been designed to minimize transit through protected areas, wildlife refuge areas and native forest fragmentation. Buffer areas around the identified HCV3, to avoid its gradual degradation due to forest management activities, have been established and crossed referenced with field visit(s). Keep Management unit boundaries clearly identified on maps and on site. Comply with the requirements of the Management Plans as demonstrated with a Green or yellow Certificate from the authority. Forest workers have been trained in the identification of threatened species of flora and fauna that could potentially be found within the areas in operations. Notify the forest manager whenever any of these species is identified. Control the access to unauthorized persons to avoid fire and hunting risk.
3.4 HCV 4	<p>For management and harvesting activities in all country forest:</p> <p>Seek the following evidence in the management plan:</p> <ol style="list-style-type: none"> Extraction areas have been limited, especially in the rainy season, as demonstrated in the management plans and cross referenced with a field visit. Roads have been designed with precautions to prevent flooding and landslides as demonstrated in the management plans and cross referenced with a field visit. The construction of roads for logging in the dry season should be done in a way to prevent future flooding affecting other areas, for example minimizing the number of roads, locating roads away from streams, lakes, wetlands; minimizing the number of water crossings and design culverts and bridges for minimal impact on water quality among others. The location of watercourses, wetlands and their protection areas are demarcated on maps. Water sources, rivers and streams that feed wetlands which are close and/or within the operation are protected. Protection strips of watercourses, as required by law, are maintained. Management prohibits logging residues to be expelled into water courses. The natural vegetation cover, avoiding the felling of trees, in areas with very high erosive potential, are maintained. In regions of "high" erosion potential, the impact of the timber harvest should be minimized by protecting the drainage network by using buffer zones of forests around streams or rivers.
3.5 HCV 5	<p>For the forest management and harvesting activities seek the following evidence from wood suppliers and corresponding forest managers:</p> <ol style="list-style-type: none"> Evidence that Brazil nut trees are not damaged during timber harvesting activities. Management measures that aim to protect the forest against Brazilian nut thefts, such as access control to the FMU. Management measures that prohibit and stop the hunting of wild animals, especially in management units close to communities, e.g., controlling access.

	<p>4. Evidence of collaboration with local communities where maps indicating the areas where the forest resources are located to meet their basic needs have been made and management plans have been adapted to respect areas of interest to the communities during forest interventions.</p> <p>5. Evidence of mechanisms for conflict resolution between the producer and local communities and no disputes of substantial magnitude are present in the area.</p>
3.6 HCV 6	<p>To consider a HCV6, the following criteria shall be evaluated in the forest management area:</p> <ul style="list-style-type: none"> • Evidence of ancient ruins, which form part of a cultural lineage. • The presence of sacred and/or religious sites (cemeteries of ancient cultures and/or ritual sites). • Areas where there is evidence of utensils used by ancient cultures (before and after colonialism). • Areas with the presence of cave relics of ancient cultures. • Areas of displacement of uncontacted (nomadic) peoples. • Communal and/or indigenous territories that are considered vulnerable to the loss of their identity and integrity as a people. • Areas where forest management is part of the cultural identity of a people. • Areas of cultural, religious, ecological and economic importance identified by the community <p>For forest concessions, forestry companies, ASLs and private lands in the Departments of Pando, Beni, Santa Cruz and Northern La Paz (part of the Amazon region), Chuquisaca, Tarija, and Cochabamba), seek evidence from wood suppliers and forest managers, of:</p> <ol style="list-style-type: none"> 1. Consultations with indigenous community and competent authorities, the areas of interest for farming, livestock, hunting, fishing, gathering and settlements within the management area and identified areas have been marked on maps. 2. Consultations with indigenous community and competent authorities, areas where rituals or sacred sites are practiced, and identified areas have been demarcated on maps 3. Consultations with the community areas with natural resources with high cultural value (sacred water bodies, hills and mountains, plant and animal species and sites of mystical beliefs) and identified areas have been marked on maps. 4. If buffer areas have been assigned to these sites according to their size and excluded from harvesting activities and incorporated into management plans. 5. If field staff have been trained to identify the cultural values identified above and will notify the manager whenever any of these areas are identified.

Information sources

No.	Source of information	Relevant HCV category and indicator
I	<p>1) Authority of Control and Social Control of Forests and Land website (Autoridad de Fiscalización y Control Social de Bosques y Tierra) http://www.abt.gob.bo http://www.abt.gob.bo/index.php?lang=es. Date it was retrieved Sept 2016</p> <p>2) Forest Law 1700. July 12th, 1996. Administration responsibilities. https://bolivia.infoleyes.com/norma/2491/ley-forestal-1700</p> <p>136) Quevedo L. Urioste JL. Sin fecha – No date. El estado del manejo forestal en los bosques naturales tropicales de Bolivia - The state of forest management in the tropical natural forests of Bolivia http://www2.congreso.gob.pe/sicr/cendocbib/con4_uibd.nsf/630713E1F882F97D05257CC40073118C/\$FILE/Quevedo_Lincoln.pdf</p> <p>137) Contreras-Hermosilla A. And Vargas M^a T. 2002 Forest Trends. Las Dimensiones Sociales, Ambientales y Economicas de las Reformas a la Política Forestal de Bolivia - The Social, Environmental and Economic Dimensions of the Reforms to the Forest Policy of Bolivia http://www.cifor.org/publications/pdf_files/Books/BoliviaEspanol.pdf</p> <p>138) Marshall E. Schreckenber K. 2006. Comercialización de Productos Forestales No Maderables - Marketing of Non-Timber Forest Products https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/3771.pdf</p> <p>139) USAID. Bolivia's Country Strategy 2004-2009. Bolivia Country Analysis of Tropical Forestry and Biological Diversity. https://rportal.net/library/content/1/118_bo/view</p> <p>140) Camara Forestal de Bolivia. Sin fecha – no date. Potencial de los bosques naturales de Bolivia para la Producción Forestal Permanente - Potential of Bolivia's natural forests for Permanent Forest Production https://www.cfb.org.bo/bolivia-forestal/potencial-forestal</p> <p>141) Quevedo L, de Urioste, J.L. 2010. El Manejo Forestal en las Tierras Bajas de Bolivia. En: LIDEMA (Ed.). Informe del Estado Ambiental de Bolivia 2010 - Forest Management in the Lowlands of Bolivia 2010. LIDEMA, La Paz, Bolivia, pp.323-335</p> <p>142) IV Informe Nacional Convenio de las Naciones Unidas sobre la diversidad biológica 2014 – Bolivia - IV National report United National Convention on biological diversity – Bolivia 2014. En: https://www.cbd.int/doc/world/bo/bo-nr-04-es.pdf</p> <p>143) Vargas M., Edil Osinaga. Sin fecha – No date. En manos de quién están los bosques en Bolivia? Implicaciones de la tenencia en el manejo forestal y en los medios de vida rurales -. In whose hands are the forests in Bolivia? Implications of tenure in forest management and rural livelihoods. http://docplayer.es/316159-En-manos-de-quien-estan-los-bosques-en-bolivia-implicaciones-de-la-tenencia-en-el-manejo-forestal-y-en-los-medios-de-vida-rurales.html</p> <p>153) Sistema Boliviano de Certificación de Bosques e incentivos - Bolivian Forest Certification and incentives System. http://usi.abt.gob.bo:82/Certificacion/</p> <p>157) Transparency International. 2018. Índice de Percepción de la Corrupción – Corruption Perception Index https://www.transparency.org/country#BOL</p>	Overview

II

HCV 1 – HCV 3

- 3) Sitios RAMSAR en Bolivia: cuenta con 11 humedales de importancia internacional - RAMSAR sites in Bolivia: it has 11 wetlands of international importance. Sin fecha/No date. <http://www.ramsar.org/wetland/bolivia-plurinational-state-of>
- 4) Critical Ecosystem. Sin fecha/No date - <http://www.cepf.net/resources/hotspots/South-America/Pages/Tropical-Andes.aspx>
- 5) Eco región Global 200 WWF - Eco region Global 200 WWF. <http://www.worldwildlife.org/publications/global-200>
- 6) HCV Resource Network website. <https://www.hcvnetwork.org>
- 7) IUCN: www.iucnredlist.org
- 8) Bosques Frontera – Frontier Forests: www.intactforest.org
- 9) Reservas de la Biosfera de la UNESCO - Biosphere Reserves World Map: <http://unesdoc.unesco.org/>
- 10) Conservación Internacional – International Conservation: <http://www.conservation.org/How/Pages/Hotspots.aspx>
- 11) Eco región Global 200 WWF - Eco region Global 200 WWF
http://wwf.panda.org/about_our_earth/ecoregions/ecoregion_list/
- 12) Potapov, P., Hansen, M. C., Laestadius L., Turubanova S., Yaroshenko A., Thies C., Smith W., Zhuravleva I., Komarova A., Minnemeyer S., Esipova E. 2016.6. Paisajes Forestales Intactos - Intact Forest Landscapes – <http://www.intactforests.org/world.map.html>
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- 15) Conservación internacional. Sin fecha – no date. Especies amenazadas en Bolivia, según Conservation International - Threatened species in Bolivia, according to Conservation International; <http://www.conservation.org.bo/index.php?mc=121>
- 16) Ministerio de Medio Ambiente y Agua. 2012. Libro Rojo De la Flora Amenazada de Bolivia Volumen I – Zona Andina - Red Book of the Endangered Flora of Bolivia Volume I - Andean Zone https://www.researchgate.net/profile/Alfredo_Fuentes4/publication/264309753_Weinmannia_Libro_Rojo_Bolivia/links/53d7e7890cf2a19eee7fe042/Weinmannia-Libro-Rojo-Bolivia.pdf
- 17) Nota de prensa sobre Libro Rojo - Press release on Red Book: http://www.pieb.com.bo/sipieb_notas.php?idn=7832
- 18) Bird Life International . Sin fecha – no date. Áreas de Aves (IBAS) Bird Life International, ha identificado en Bolivia 50 IBAS (Búsqueda de Áreas Importantes para Aves y Biodiversidad) - Bird Areas (IBAS) Bird Life International, has identified in Bolivia 50 IBA´s (Important Bird and Biodiversity Area Search). <http://www.birdlife.org/datazone/userfiles/file/IBAs/AmCntryPDFs/Bolivia.pdf>
- 19) Especies Amenazadas de Fauna y Flora CITES - Threatened Species of CITES: www.cites.org, <https://cites.org/esp/app/2013/S-Appendices-2013-06-12.pdf>
- 20) Aguayo R. 2013. Informe final de consultoría Bolivia. Proyecto “Emisión Electrónica de Permisos CITES en los Países Miembros de la Organización del Tratado de Cooperación Amazónica (OTCA)” E-Permit - Final consulting report Bolivia. Project "Electronic Issuance of CITES Permits in the Member Countries of the Amazon Cooperation Treaty Organization. [https://cites.org/sites/default/files/common/docs/informes ACTO/Bolivia/Informe%20Final%20E-Permit%20BOLIVA_30_12_13.pdf](https://cites.org/sites/default/files/common/docs/informes_ACTO/Bolivia/Informe%20Final%20E-Permit%20BOLIVA_30_12_13.pdf)

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- 23) Áreas Protegidas de Bolivia – Protected Areas of Bolivia, <http://sernap.gob.bo/areas-protegidas/>

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- 24) Rumiz, D. I., Mostacedo, B., Cochrane, T. and Rozo, B. 2004. Guía de Identificación de atributos para definir Bosques de Alto Valor de Conservación en Bolivia. Publicado por el Consejo Boliviano para la Certificación Forestal Voluntaria (CFV) - Guide of Identification of attributes to define Forests of High Value of Conservation in Bolivia. Published by the Bolivian Council for Voluntary Forest Certification. <https://www.hcvnetwork.org/resources/national-hcv-interpretations/BAVC%20Bolivia%20contenido.pdf>
- 25) Boletín del Grupo de Gestión del Riesgo de Desastres - GRUS Enero 2015 – Newsletter of the Disaster Risk Management Group – GRUS January 2015. http://grus.org.bo/wp-content/uploads/2016/02/Bolet%C3%ADn_GdRD_Enero-2015_-BID-29-ene.pdf

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V	<p>48) Urioste A. 2010. Deforestación en Bolivia una amenaza mayor al cambio climático. Fundación Friedrich Ebert – Deforestation in Bolivia a greater threat to climate change. Friedrich Ebert Foundation. http://library.fes.de/pdf-files/bueros/bolivien/07570.pdf</p>	HCV 1 Threats

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Note: All website address listed in this table were retrieved in September 2016.

Controlled wood category 4: Wood from forests being converted to plantations or non-forest use

Risk assessment

Indicator	Source of information	Functional scale	Risk designation and determination
4.1	<p>Legislation:</p> <ul style="list-style-type: none"> Forestry Act 1700 (1996) (Ley Forestal 1700). Article 28: Types of authorisations. Article 35: Deforestation permits. Article 37: Harvesting licenses fees. Article 38: Allocation of the harvesting license fee's contribution. Available at: http://www.lexivox.org/norms/BO-L-1700.xhtml [Accessed on September 2016]. Supreme Decree No. 24453 (1996) (Decreto Supremo N° 24453): Regulations of the Forestry Act (Reglamento de la ley forestal). Article 86: Request for land-use planning for the land. Article 87: lies down the special regulations concerning deforestation and controlled use of fire. Article 94: confirms the fee to be paid for harvesting licenses. Article 96: sanctions for illegal deforestation. Available at: http://www.lexivox.org/norms/BO-DS-24453.xhtml [Accessed on September 2016]. Ministerial Order 131/97 (Resolución Ministerial 131/97) (1997): Special regulations concerning deforestation and controlled use of fire. Available at: http://estrucplan.com.ar/Producciones/entrega.asp?IdEntrega=1540 [Accessed on September 2016]. Act 337 (Ley 337) (2013): Law that provides for the legalisation of deforestation and food security. Available at: https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/92465/107725/F-1108435951/BOL92465.pdf [Accessed on September 2016]. Supreme Decree No. 2243 (Decreto Supremo N° 2243) of 8 January 2015. It increases the size of deforested land to be fee-exempt from 5 hectares to 20 hectares. Available at: http://www.lexivox.org/norms/BO-DS-N2243.pdf [Accessed on September 2016]. 	-	<p>Assessment based on legality</p> <p>Content of Law Forestry Act 1700 (Ley Forestal 1700). The Forestry Act 1700 provides for forest conversion for farming in Multiple Use Land, but prohibits it in Permanent Production Forest Lands, where the only allowed use is forest management, unless the land-use plan (POP approved by the competent authority) establishes otherwise. It allows conversions for other uses as well, such as roads, oil extraction, etc. The law lays down the requirements for the conversion of forests for farming or other uses. These are some of the main requirements: that the deforestation plan be elaborated and signed by a forester or agricultural engineer registered with the Authority for the Social Audit and Control of Forests and Lands or ABT (auxiliary agent), that a harvesting license be issued upon payment of a USD 15/ha fee and, additionally, that 15% of the value of the wood in the rough harvested in the deforested area be paid as a fee, in compliance with applicable regulations. However, deforestation of up to 5 hectares in land suitable for farming is indemnified from harvesting license. Buyers of timber harvested during land clearing shall pay 15% of its value as a raw product in order to transport it, according to applicable regulations. Supreme Decree No. 24453 (Decreto Supremo N° 24453): Forestry Act Regulations (Reglamento de la ley forestal). These regulations establish that prior to deforestation, the land to be cleared shall have been subject to a land-use plan where all land-use categories are clearly defined. Deforestation is illegal in permanent forestry production territories, but it can be allowed in cases where the land-use planning (POP is the Spanish acronym) establishes so according to the micro-characterisation of a specific land. These regulations also ratify the harvesting license or fee as set forth in the applicable legislation, but they additionally lie down the sanctions for illegal deforestation, such as seizing the tools that have been utilised and forcing the deforester to pay a fine.</p>

	<p>Sources:</p> <ul style="list-style-type: none"> • Association of Oilseeds and Wheat Producers ANAPO (Asociación de Productores de Oleaginosas y Trigo) (2015): 2015 Annual Report (Informe anual 2015). Santa Cruz, Bolivia. http://www.anapobolivia.org/images/publicacion_documentos/MEMORIA.pdf [Accessed on September 2016]. • Authority for the Social Audit and Control of Forests and Lands (ABT) (2014): 2012 and 2013 Annual Management Report (Informe Anual Gestión 2012 y 2013) Authority for the Social Audit and Control of Forests and Lands (Autoridad de Fiscalización y Control Social de Bosques y Tierras). Santa Cruz, Bolivia. Available at: http://www.abt.gob.bo/images/stories/Transparencia/InformesAnuales/Memoriaavancesresultados2012-2013.pdf [Accessed in September 2016]. • Authority for the Social Audit and Control of Forests and Lands (ABT) 2016: More than 300,000 hectares have been registered in the programme for food production and restitution of forests. Available at: http://www.abt.gob.bo/index.php?option=com_content&view=article&id=961&catid=87&lang=es [Accessed in September 2016]. • Muller, R., Pacheco, P., Montero, J.C. (2014): The context of deforestation and forest degradation in Bolivia (El contexto de la deforestación y degradación de los bosques en Bolivia). Documentos Ocasionales 100. Bogor, Indonesia. Available at: http://www.cifor.org/library/4482/el-contexto-de-la-deforestacion-y-degradacion-de-los-bosques-en-bolivia-de-los-bosques-en-bolivia/ [Accessed in September 2016]. • Pacheco, P. (1998): Styles of forest development, deforestation and degradation in Bolivian lowlands (Estilos de desarrollo, deforestación y degradación de los bosques en las tierras bajas de Bolivia). Center for International Forestry Research (CIFOR), Labour and Agriculture Development Studies Centre (CEDLA). Tierra Foundation. La Paz, Bolivia. 	<p>Ministerial Order 131/97 (Resolución Ministerial 131/97): Special regulations concerning deforestation and controlled use of fire. This norm sets forth the methodology (protocol) for creating the deforestation plan, namely the requirements (land-use planning, land property title deed, outline of the deforestation project or removal work [plan de trabajo del desmonte], maps, etc.). These are the requirements:</p> <ul style="list-style-type: none"> • Document that proves the applicant's right to access this measure is sufficiently justified. • Land-use planning (Plan de Ordenamiento Predial) duly approved by the corresponding institutions, from the date that is applicable according to current regulations on this matter. • Submitted outline of the deforestation project (plan de trabajo del desmonte) that complies with the requirements established in the law for such documents. • For deforestation and burning in colonisation areas, the application proving that the requirements are fulfilled can be submitted either by the individual or by groups (trade unions, Territorial Base Organisations or OTBs is the Spanish acronym, and colonies). <p>In the case of private properties, a deforestation project must be submitted for each property. However, in the case of multicultural communities (formerly known as colonies), the norm only allows for one deforestation project for the entire community. Small farmers (be them individuals or communities) operating in < 5 hectares of land are exempt from paying the harvesting license. The deforestation project is then checked and approved by the ABT, which goes on to issue an administrative order of approval for the deforestation project. When the deforestation is finished, the owner must write an implementation report and submit it to the ABT for evaluation and approval. Both documents (the management plan and the implementation report) must include maps of the area of implementation as well as a database on timber to be harvested (or harvested timber), the volume of which shall be used by the ABT to calculate the fee to be paid. Forests Restitution Act No. 337 of 11 January 2013 (Ley de restitución de bosques N° 337, de 11 de enero de 2013). This act regulates illegal deforestation occurrences that happened between 1996 and 2011. All illegal deforestation instances which happened during that period were given the chance to join the programme for food production and restitution of forests upon payment of a fine within</p>
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	<p>Available at: http://www.academia.edu/3500798/Estilos_de_desarrollo_deforestacion_y_degradacion_forestal_en_las_tierras_bajas_de_Bolivia [Accessed in September 2016].</p> <ul style="list-style-type: none"> • Tierra Foundation (2014): For a responsible increase of the total farmland area (Ampliación responsable de la frontera agrícola). Fundación Tierra. Santa Cruz Bolivia. Available at: http://www.ftierra.org/index.php?option=com_mtree&task=att_download&link_id=119&cf_id=52 [Accessed in September 2016]. • Urioste, A (2010): Deforestation in Bolivia (Deforestación en Bolivia). A major threat that contributes to global warming (Una amenaza mayor al cambio climático). FAN. Santa Cruz, Bolivia. Available at: http://library.fes.de/pdf-files/bueros/bolivien/07570.pdf [Accessed in September 2016] • Expert consultation conducted in Bolivia in 2016: Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator. 		<p>a 2-year period (period 2013-2014, afterwards extended until 2016). This measure involves the identification and mapping by the owner of all illegal deforestation instances occurred in his or her land. Then he or she shall pay a fine and agree to reforest windbreaks, conservation easements, and 10% of the deforested area in cases where the deforestation has taken place in Permanent Forestry Production Territories (TPFP is the Spanish acronym). If the deforestation has taken place in Multiple Use Territories (TUM is the Spanish acronym), the owner shall only have to reforest any conservation easements. These cases of deforestation were legalised in this manner.</p> <p>The Act 337, only mention that a compensation should be done only on the illegal conversion (including illegal conversion of forests in buffer zones of protected areas). For the “legal” conversion the compensation is not applicable.</p> <p>Supreme Decree No. 2243 (Decreto Supremo N° 2243) increased the minimum land size that can be licensed-free for small farmers, from 5 hectares to a new minimum of 20 hectares. Despite the fact that they do not pay this fee for the deforested land, they do pay for the timber that is harvested and commercialised as mentioned above.</p> <p>The ABT has a specialised unit specifically to conduct a systematisation of the information on deforestation plans authorised by the ABT and to monitor illegal deforestation occurrences through satellite imaging. This unit is called Geographical Information Monitoring Unit (Monitoreo de Información Geográfica or UMIG). They have information on areas that have suffered legal or illegal deforestation. Their database is fed on a daily basis.</p> <p>The Vice-Ministry for the Environment and Biodiversity (Vice Ministerio de Medio Ambiente y Biodiversidad) has implemented an additional monitoring unit for the country’s forests with a somehow more holistic approach. This unit is called Deforestation and Forestry Hazards Monitoring Unit (Unidad de Monitoreo de Deforestación y Riesgos Forestales). They use year 2000 as a benchmark because that was the year where they took the first measurement of the forest canopy. They conducted a second study in 2010 and another one in 2013, the latest conducted yet. They created the Forestry Map where they apply a 9-region classification and cover an area of 51.2 M hectares. The Supreme Decree 2914 (Decreto Supremo 2914), which set up the Deforestation</p>
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			<p>Monitoring Programme, was passed in 2016.</p> <p>Is the law enforced? Deforestation in Bolivia has not stopped. In fact, it goes on and has entered a phase of consolidation. The Authority for the Social Audit and Control of Forests and Lands (ABT), in its 2012-2013 report, informs that it has filed 492 administrative complaints against 492 offenders for illegal deforestation and 178 for illegal harvesting in 2012. It reports as well that 1.9 M board feet of illegal timber were seized in 2013. In its 2015 Annual Report (ABT 2016) it is stated that 95566 hectares of land constituted the legal surface authorised for deforestation in 2014, while this figure increased to 161044 hectares of deforested land in 2015. 38% of the total number of deforested hectares would have been caused by cattle farming (1.9 M hectares), 28% by agroindustrial activities (1.4 M), 17% by foreign colonisers (850.000 hectares), 12% by farmers (600,000 hectares) and 5% by indigenous peoples (250,000 hectares)”. During the interviews conducted with officers at the General Directorate for Forestry Management and Development (Dirección General de Gestión y Desarrollo Forestal), the following data on the total area of deforested land was accessed:</p> <ul style="list-style-type: none"> • For the period until 2000: 3,666,520 hectares; an average of 154,000 ha/year • For the period 2000 - 2010: 2,123,195 hectares; an average of 217,000 ha/year • For the period 2010 - 2013: 630,738 hectares; an average of 213,000 ha/year • For the period 2013 - 2014: 249,889 hectares; an average of 249,889 ha/year • For the period 2014 - 2015: 202,508 hectares; an average of 202,508 ha/year <p>Deforestation in Bolivia has been taking place steadily over the last 20 years. The annual deforestation rate varies depending on the author and/or the year. In a recent study, CIFOR reported that 200,000 hectares were deforested every year between 2000 and 2010, out of which 50% were transformed for cattle pasturing, 30% for mechanised farming (namely for soybean crops) and 20% for the use of small farmers. “It is</p>
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		<p>true that Forestry Act 1700 (Ley Forestal 1700) has hugely encouraged forests management and that over the last 10 years the government has been promoting the integral management of forests. However, deforestation in the country is still a major issue and in fact, the rate of deforestation has consolidated” (Muller et al., 2014). Lately, the government has been promoting, through the Authority for the Social Audit and Control of Forests and Lands (ABT), a zero-target illegal deforestation programme. This shall translate into more deforestation occurrences that shall, however, be intended to be made legal.</p> <p>Other former studies such as that conducted by Pacheco (1998) suggest that for the period 1975-1992 the annual deforestation rate was of 80,086 ha/year, and that deforested land has sometimes reached the size of even 300,000 hectares per year, with most occurrences taking place in eastern Bolivia.</p> <p>According to Urioste (2010), “forest deforestation and degradation happens in all forest ecosystems in Bolivia, but primarily in the Amazon forest, in transitional forests, in the Chiquitano dry forests, in sub-Andean forests and in Chaco”. “In a likely 2100 scenario, the increase of land dedicated to farming shall have become the main cause of deforestation, and deforestation shall have had an impact over 33 M hectares of forest”. In its 2012 and 2013 annual performance report the Authority for the Social Audit and Control of Forests and Lands (ABT) states that it authorised new legal deforestation occurrences over 80,000 hectares of land. In the same report, this institution establishes that, for that same period, around 66,000 hectares of illegally deforested land have applied Act 337 (which grants amnesty for illegal deforestation), with part of these hectares being located in permanent forestry production territories, something which is expressly prohibited under Forestry Act 1700 (ABT 2014). These cases of deforestation have, however, been legalised under Act 337 (Ley 337) (upon payment of a fine and a commitment to reforest 10% of the area deforested in Permanent Forestry Production Territories [TPFP is the Spanish acronym]). According to ABT data, 4 M hectares suffered illegal deforestation between 1996 and 2011 (ABT 2016).</p> <p>In 2014, the Bolivian government published the policy for national development that has been named “Patriotic Agenda 2025” (“Agenda Patriótica 2025”), which lies down the strategy for Bolivia to achieve social development and food sovereignty by 2025. For this policy to succeed in its aim to guarantee food sovereignty, the Government suggests</p>
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		<p>increasing the size of the national total farmland area from the current 3 M hectares to 13 M hectares by 2025, at a growth pace of 1 M hectares per year (Tierra foundation, 2014).</p> <p>In private properties and communal land, the Authority for the Social Audit and Control of Forests and Lands (ABT) authorises deforestation (forest conversions) for farming in cases where the land-use planning allows for it. In these cases of deforestation, much timber is harvested and then legally commercialise thanks to the forestry certificates of origin. Many cases of deforestation in Bolivia have been illegal ones never authorised by the ABT. The State, in order to regularise this situation, issued a supreme decree to legalise past deforestation occurrences upon payment of a fine and the submission of a plan to reforest 10% of the affected area. The measure had more of a political purpose than a technical one. In the end, the reforestation plans were never carried out, as could be concluded from the interviews conducted with some key stakeholders.</p> <p>During the assessment of the enforcement of the Act 337 (compensation on the illegal conversion), there is no information of extra reports that help us to conclude if any risk exists for this matter.</p> <p>Is it possible to conclude that the spatial threshold can be met by assessing the enforcement of legislation? No, the applicable legislation is not sufficient to assess this indicator with the legally-based thresholds.</p> <p><u>Assessment based on spatial data</u></p> <p>Is it possible to conclude that the spatial threshold (0.02% or 5000 hectares) is met? Please see the spatial information presented in the previous section together with the law enforcement. Additionally, based on the information from FAO Global Forest Resources Assessment 2015, the forest area in Bolivia has decreased by 1,451,000 ha between the years 2010 and 2015 (from 56,189,000 ha to 54,738,000 ha), with an annual change rate of 290,200 ha/year. There is no clear data available about how much natural forest was converted to plantations or non-forest uses, but the naturally regenerated forest area decreased between 2010 and 2015 (451,000 ha), and the primary forest decreased by 1,000,000 ha in the same period. Data about planted forest doesn't differentiate between reforestation and</p>
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			<p>afforestation, which was 20,000 ha in 2010 and 26,000 ha in 2015 (all of them correspond to plantations with exotic species).</p> <p>According to the spatial data provided above, conversion of natural forests to plantations or non-forest use in the area under assessment is above the 0.02% threshold of average net annual loss.</p> <p><u>Risk conclusion</u></p> <p>This indicator has been evaluated as specified risk. The following 'specified risk' thresholds are met:</p> <p>(4) There is more than 5000 ha net average annual loss or there is more than 0.02% net average annual loss of natural forest in the assessment area in the past 5 years; AND</p> <p>(7) There are significant economic drivers for conversion. Data yield evidence that conversion is occurring on a widespread or systematic basis</p>
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Recommended control measures

"Intentionally left blank - Organizations shall evaluate and devise appropriate control measures to mitigate the risks identified in this risk assessment as applicable".

Controlled wood category 5: Wood from forests in which genetically modified trees are planted

Risk assessment

Indicator	Sources of information	Functional scale	Risk designation and determination
5.1	<ul style="list-style-type: none"> Expert consultation conducted in Bolivia in 2016: Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator. Act No. 300 of Mother Earth and Integrated Development for “Living Well” (Ley Marco de la Madre Tierra y Desarrollo Integral para Vivir Bien No. 300) (15 October 2012). Available at: http://www.mmaya.gob.bo/uploads/Ley_N_300- Ley_Marco_de_la_Madre_Tierra.pdf [Accessed in September 2016]. Law No. 144, of Productive, Communal and Agricultural Revolution (Ley de Revolución Productiva Comunitaria Agropecuaria) (26 June 2011). Available at: https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/92466/107727/F1045538051/BOL92466.pdf [Accessed in September 2016]. Political Constitution of the Plurinational State of Bolivia (Constitución Política del Estado -CPE) (7 February 2009). Available at: https://www.oas.org/dil/esp/Constitucion_Bolivia.pdf [Accessed in September 2016]. Administrative Resolution No. 135/05 VRNMA, which protects maize from any possibility of transgenic contamination. Available at: http://www.rebelion.org/noticia.php?id=25937 [Accessed in September 2016]. Executive Decree No. 181 (Article 80), which prohibits the purchasing of GMO foods in government procurement and school feeding programs. Available at: https://www.minsalud.gob.bo/images/Documentacion/normativa/DS181.pdf. [Accessed in September 2016]. Law No. 622 for School Food in the Context of Food Sovereignty (Ley de Alimentación Escolar en el Marco de la Soberanía Alimentaria) (29 December 2014). Available at: http://www.fao.org/fileadmin/templates/righttofood/documents/project_b/bolivia/LEY_ACE_n622.pdf [Accessed in September 2016]. 	Country	<p>Low risk. The following ‘low risk’ thresholds are met:</p> <p>(2) There is no commercial use of GMO (tree) species in the area under assessment; AND (3) Other available evidence does not challenge a low risk designation</p> <p>The Bolivian constitution prohibits the use of genetically modified organisms. In forest plantations is not a topic of discussion in Bolivia, there are no evidences that commercial use of GM trees happens in the country.</p> <p>There is no specific law for GMO trees (is an issue that has not even been addressed at the country level yet, because the plantations are very few (size and quantity)) Soy is the only legally authorized GMO crop in the country, government agencies have reported the presence of other GMO species in Bolivian territory (e.g. GMO cotton found in the municipality of Pailón by the Director General of Biodiversity and Protected Areas; various samples of GMO maize found in the Chaco</p>

	<ul style="list-style-type: none"> • Popper, H. (2012): "Bolivian farmers urge rethink on Mother Earth Law". Reuters. Available at: https://www.reuters.com/article/us-bolivia-soy-gmo/bolivian-farmers-urge-rethink-on-mother-earth-law-idUSBRE89U0S620121031 [Accessed in September 2016]. • Food First (2015): Bolivian Consumers Declare Opposition to GMOs. Available at: https://foodfirst.org/bolivian-consumers-declare-opposition-to-gmos/ [Accessed in September 2016]. 		region in 2010), but not about GM trees.
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No.	GMO Context Question	Answer	Sources of Information
1	Is there any legislation covering GMO (trees)?	Yes, there is GMO legislation related with agriculture crops, however, there is no specific law for GMO trees (is an issue that has not even been addressed at the country level yet, because the plantations are very few (size and quantity)).	<ul style="list-style-type: none"> • Act No. 300 of Mother Earth and Integrated Development for “Living Well” (Ley Marco de la Madre Tierra y Desarrollo Integral para Vivir Bien No. 300) (15 October 2012). Available at: http://www.mmaya.gob.bo/uploads/Ley_N_300- Ley_Marco_de_la_Madre_Tierra.pdf [Accessed in September 2016]. The Act of Mother Earth establishes a bill of rights for the natural world. The 11 rights listed include a right to freedom from GMO’s (genetically modified crops). Article 24 outlines the state’s obligation to take action toward the gradual elimination of GMO crops from the country. • Law No. 144, of Communal Productive Agricultural Revolution (Ley de Revolución Productiva Comunitaria Agropecuaria) (26 June 2011). Available at: https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/92466/107727/F1045538051/BOL92466.pdf [Accessed in September 2016]. This law protects species for which Bolivia is a center of origin or center of diversity—including maize, cotton, and many other crops—from any possibility of transgenic contamination. Bans GMO plant varieties for crops native to Bolivia, but not for those such as cotton, rice, sugar cane, and soy that are non-native and popular for export. There is debate among both state actors and indigenous and peasants groups that the GMO ban may make producing less accessible for small farmers and drive up food costs in internal markets. • Popper, H. (2012): Bolivian farmers urge rethink on Mother Earth Law. Reuters. Available at: https://www.reuters.com/article/us-bolivia-soy-gmo/bolivian-farmers-urge-rethink-on-mother-earth-law-idUSBRE89U0S620121031 [Accessed in September 2016]. • Political Constitution of the Plurinational State of Bolivia (Constitución Política del Estado -CPE) (7 February 2009). Available at: https://www.oas.org/dil/esp/Constitucion_Bolivia.pdf [Accessed in September 2016]. Article 255 of the Constitution prohibits all forms of production, import and marketing of GMOs.

			<ul style="list-style-type: none"> • Administrative Resolution No. 135/05 VRNMA, which protects maize from any possibility of transgenic contamination. Available at: http://www.rebelion.org/noticia.php?id=25937 [Accessed in September 2016]. • Executive Decree No. 181 (Article 80), which prohibits the purchasing of GMO foods in government procurement and school feeding programs. Available at: https://www.minsalud.gob.bo/images/Documentacion/normativa/DS181.pdf [Accessed in September 2016]. • Law No. 622 for School Food in the Context of Food Sovereignty (Ley de Alimentación Escolar en el Marco de la Soberanía Alimentaria) (29 December 2014). Available at: http://www.fao.org/fileadmin/templates/righttofood/documents/project_b/bolivia/LEY_ACE_n622.pdf [Accessed in September 2016]. This law “prohibits the state from making contracts for the procurement of GMO food for school feeding programs”. • Food First (2015): Bolivian Consumers Declare Opposition to GMOs. Available at: https://foodfirst.org/bolivian-consumers-declare-opposition-to-gmos/ [Accessed in September 2016]. • Expert consultation conducted in Bolivia in 2016 Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator.
2	Does applicable legislation for the area under assessment include a ban for commercial use of GMO (trees)?	No, there is no specific law for GMO trees (is an issue that has not even been addressed at the country level yet, because the plantations are very few (size and quantity)), only exists a ban for crops native to Bolivia.	<ul style="list-style-type: none"> • Act No. 300 of Mother Earth and Integrated Development for “Living Well” (Ley Marco de la Madre Tierra y Desarrollo Integral para Vivir Bien No. 300) (15 October 2012). Available at: http://www.mmaya.gob.bo/uploads/Ley_N_300- Ley Marco de la Madre Tierra.pdf [Accessed in September 2016]. The Act of Mother Earth establishes a bill of rights for the natural world. The 11 rights listed include a right to freedom from GMO’s (genetically modified crops). Article 24 outlines the state’s obligation to take action toward the gradual elimination of GMO crops from the country. • Law No. 144, of Communal Productive Agricultural Revolution (Ley de Revolución Productiva Comunitaria Agropecuaria) (26 June 2011). Available at: https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/92466/107727/F1045538051/BOL92466.pdf. [Accessed in September 2016]. This law protects species for which Bolivia is a center of origin or center of diversity—including maize, cotton, and many other crops—from any possibility of transgenic contamination. Bans GMO plant varieties for crops native to Bolivia, but not for those such as cotton, rice, sugar cane, and soy that are non-native and popular for export. There is debate among both

			<p>state actors and indigenous and peasants groups that the GMO ban may make producing less accessible for small farmers and drive up food costs in internal markets.</p> <ul style="list-style-type: none"> • Political Constitution of the Plurinational State of Bolivia (Constitución Política del Estado -CPE) (7 February 2009). Available at: https://www.oas.org/dil/esp/Constitucion_Bolivia.pdf [Accessed in September 2016]. Article 255 of the Constitution prohibits all forms of production, import and marketing of GMOs. • Administrative Resolution No. 135/05 VRNMA, which protects maize from any possibility of transgenic contamination. Available at: http://www.rebelion.org/noticia.php?id=25937 [Accessed in September 2016]. • Executive Decree No. 181 (Article 80), which prohibits the purchasing of GMO foods in government procurement and school feeding programs. Available at: https://www.minsalud.gob.bo/images/Documentacion/normativa/DS181.pdf. [Accessed in September 2016]. • Law No. 622 for School Food in the Context of Food Sovereignty (Ley de Alimentación Escolar en el Marco de la Soberanía Alimentaria) (29 December 2014). Available at: http://www.fao.org/fileadmin/templates/righttofood/documents/project_b/bolivia/LEY_ACE_n622.pdf [Accessed in September 2016]. This law “prohibits the state from making contracts for the procurement of GMO food for school feeding programs”. • Expert consultation conducted in Bolivia in 2016: Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator.
3	Is there evidence of unauthorised use of GM trees?	No. Soy is the only legally authorized GMO crop in the country, government agencies have reported the presence of other GMO species in Bolivian territory (e.g. GMO cotton found in the municipality of Pailón by the Director General of Biodiversity and Protected Areas; various samples of GMO maize found in the Chaco region in 2010), but not about GM trees. Extensive internet search did not yield any indication that	<ul style="list-style-type: none"> • Food First (2015): Bolivian Consumers Declare Opposition to GMOs. Available at: https://foodfirst.org/bolivian-consumers-declare-opposition-to-gmos/ [Accessed in September 2016]. • Expert consultation conducted in Bolivia in 2016: Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator.

		this is occurring. Furthermore, interviewed experts confirmed this.	
4	Is there any commercial use of GM trees in the country or region?	No. Soy is the only legally authorized GMO crop in the country, government agencies have reported the presence of other GMO species in Bolivian territory (e.g. GMO cotton found in the municipality of Pailón by the Director General of Biodiversity and Protected Areas; various samples of GMO maize found in the Chaco region in 2010), but not about GM trees. Extensive internet search did not yield any indication that this is occurring. Furthermore, interviewed experts confirmed this.	<ul style="list-style-type: none"> • Food First (2015): Bolivian Consumers Declare Opposition to GMOs. Available at: https://foodfirst.org/bolivian-consumers-declare-opposition-to-gmos/ [Accessed in September 2016]. • Expert consultation conducted in Bolivia in 2016: Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator.
5	Are there any trials of GM trees in the country or region?	No. Extensive internet search did not yield any indication that this is occurring. Furthermore, interviewed experts confirmed this.	<ul style="list-style-type: none"> • Expert consultation conducted in Bolivia in 2016: Conversations with various experts from the public and private sector and civil society in Bolivia (here anonymous) carried out during October 2016, helped the authors of this report to better understand the applicable legislation and the risks associated with each indicator.
6	Are licenses required for commercial use of GM trees?	N/A	
7	Are there any licenses issued for GM trees relevant for the area under assessment? (If so, in what regions, for what species and to which entities?)	N/A	

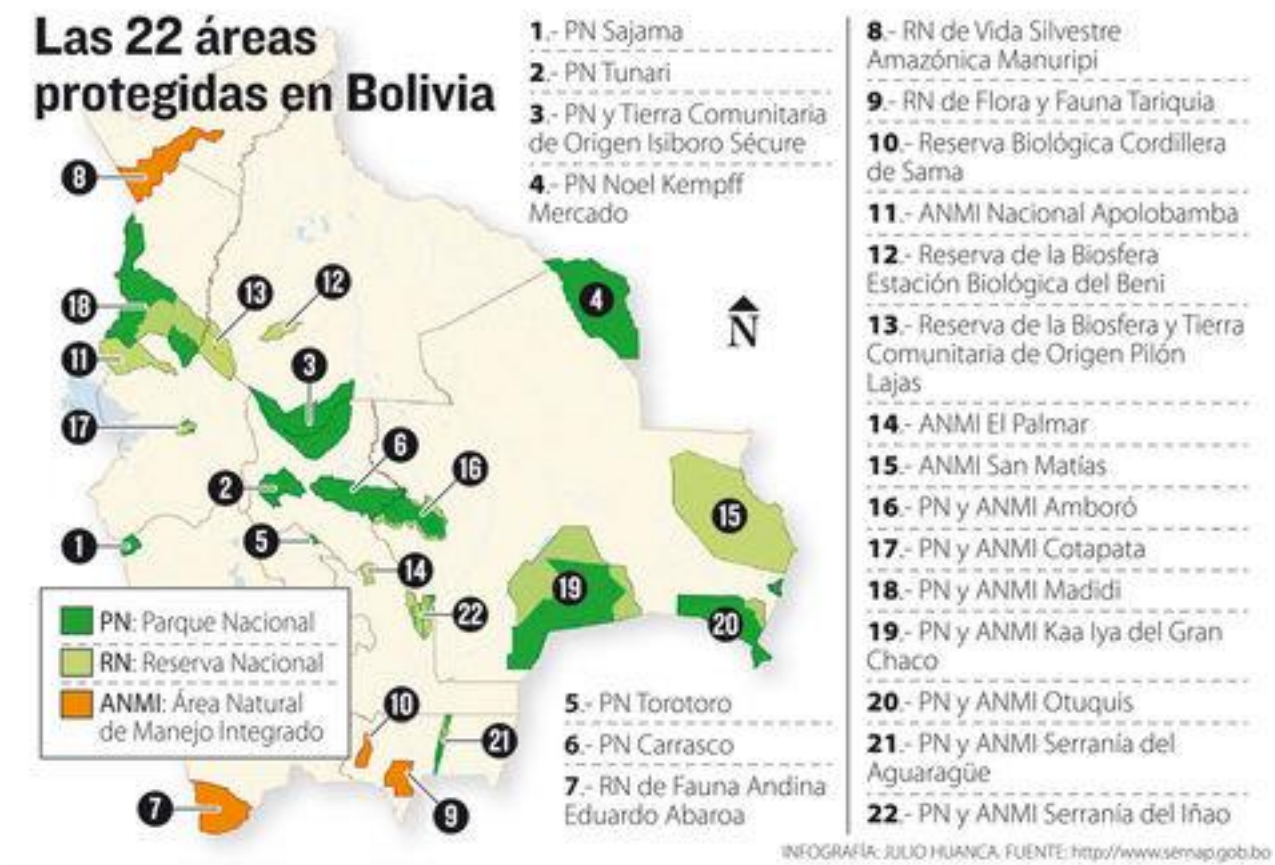
8	What GM 'species' are used?	N/A	
9	Can it be clearly determined in which MUs the GM trees are used?	N/A	

Recommended control measures

N/A

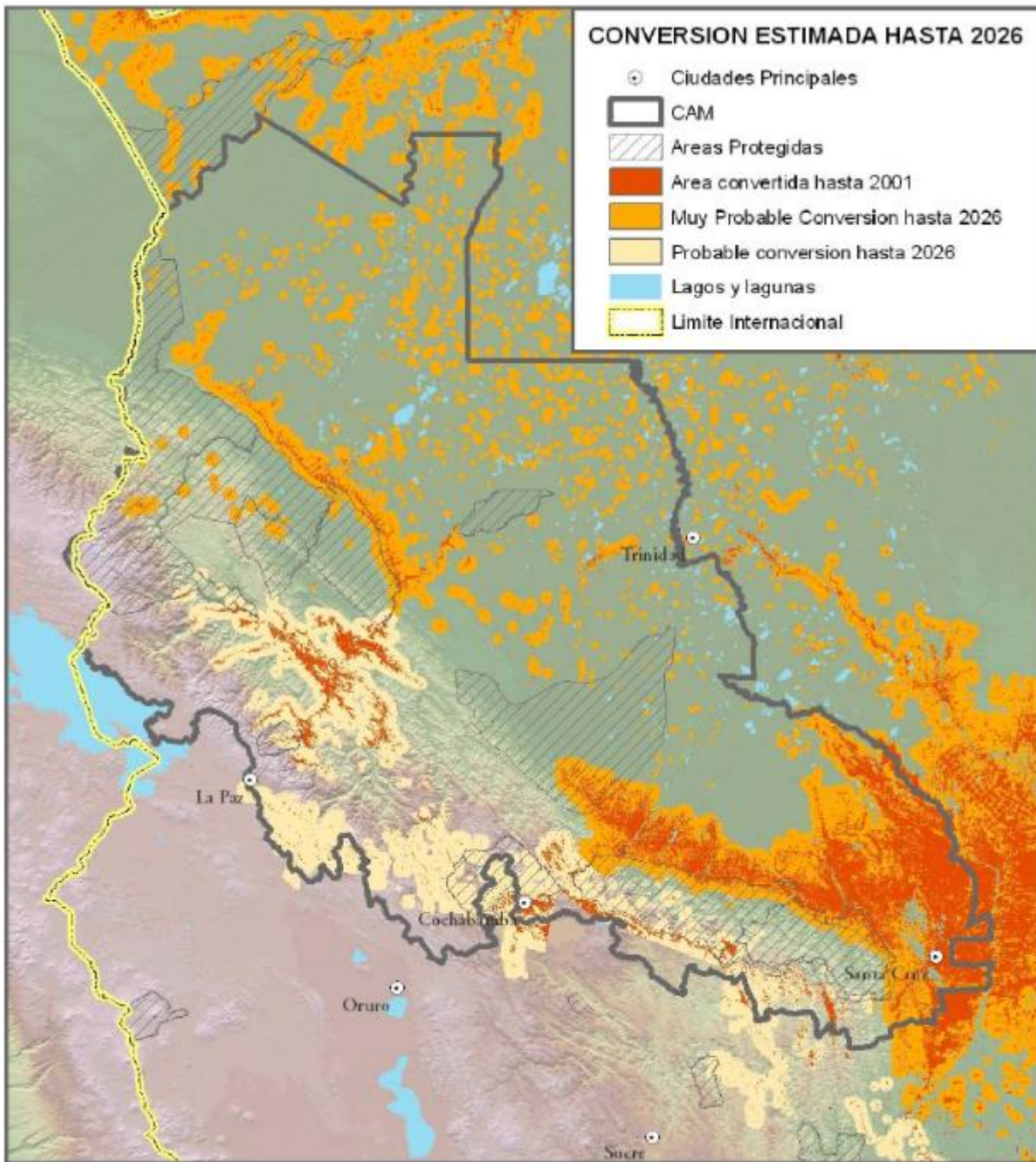
ANNEX 1 Category 3 Maps and Tables

Map 1. A map and adjoining a list of protected areas of Bolivia with productive forests



Source: National System of Protected Areas (Sistema Nacional de Areas Silvestres Protegidas). 2015. Website: www.sernap.gob.bo

Map 2. Amboró-Madidi Corridor



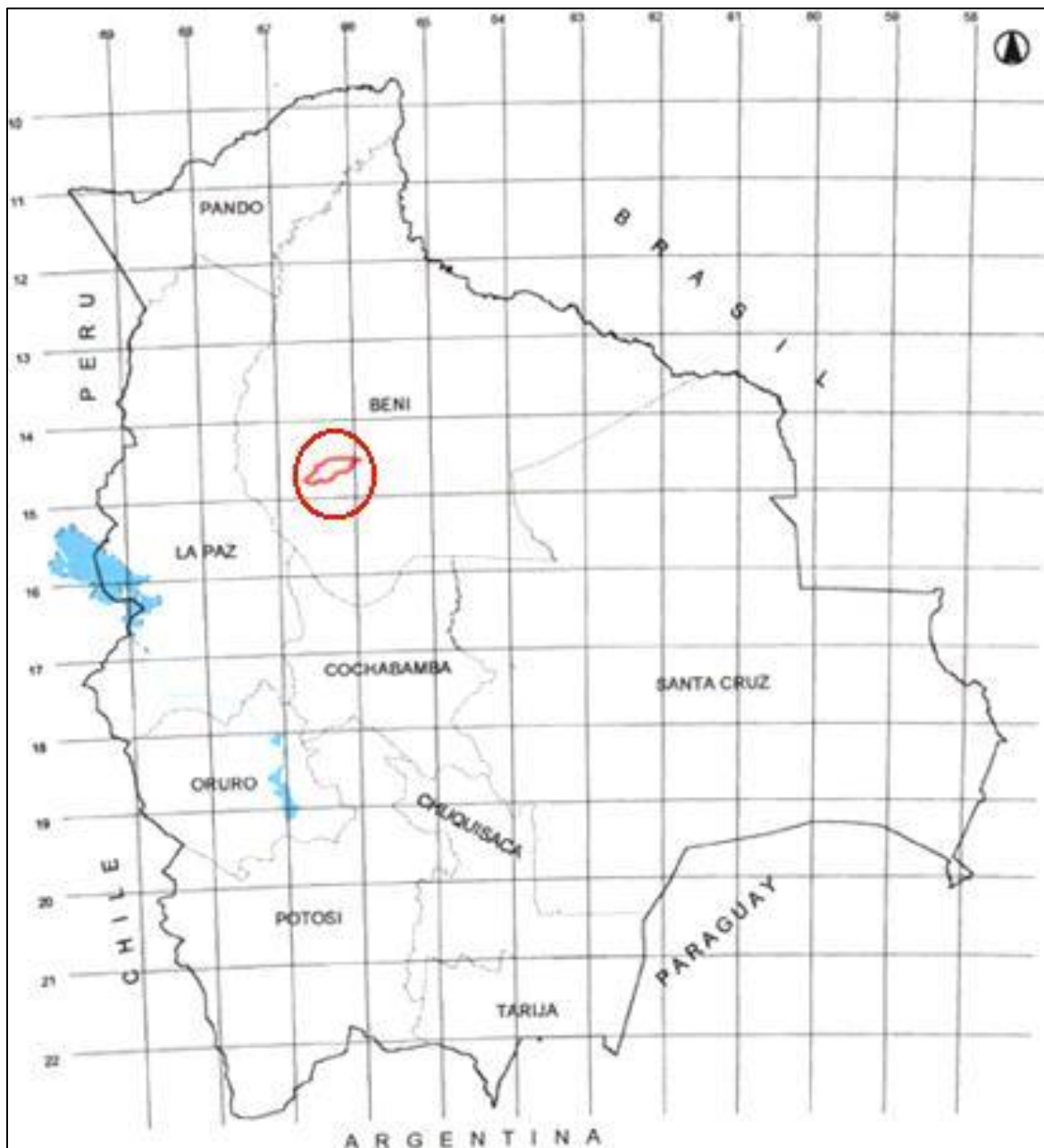
The map shows Madidi Amboró Corridor where the striped is the protected area, the red is the area converted from natural to agricultural use and the yellow and orange are zones that will be potentially converted before 2026 at the rate of likely, and very probable for yellow and orange respectively.

Source: Andersen L. 2006. Un mosaico de Conservación, Desarrollo humano y Tensiones en el Corredor Amboró-Madidi - A Mosaic of Conservation, Human Development and Tensions in the Amboró-Madidi Corridor [https://www.researchgate.net/publication/4980109 Un Mosaico de Consecvation Desarrollo Humano y Tensiones en el Corredor Amboro-Madidi](https://www.researchgate.net/publication/4980109_Un_Mosaico_de_Consevation_Development_Humano_y_Tensiones_en_el_Corredor_Amboro-Madidi)

Map 3. Pilon-Laja Biosphere Reserve and Beni Biological Bio Station

The Pilon-Laja Biosphere Reserve is located in the Departments of Beni and La Paz, this Biosphere Reserve is also a TICO and is a natural reservoir of a huge diversity of genetic resources. It is found in the biogeographic subregion of the Yungas Mountainous Forest and the Humid Forest of Madeira.

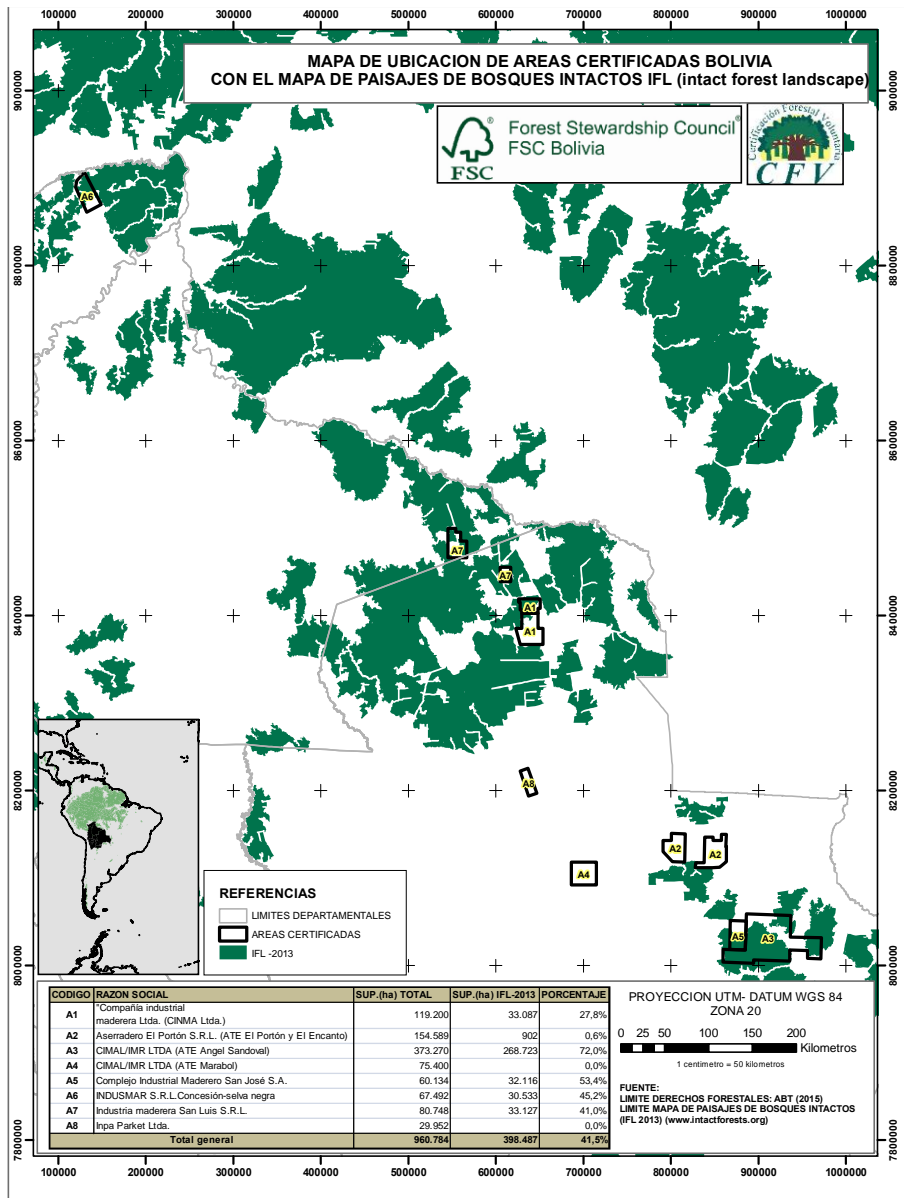
The Beni Biological Bio Station (also called Reserva Biológica del Beni) is a 135,000 ha reserve situated along the Río Maniqui, about 150 km east of Rurrenabaque. It is home to the Chimane people, as well as more than 500 species of bird and 200 different mammals. There are thought to be more than 1500 species of plant life. This reserve is notable for the presence of relic spots of Mara or Mahogany (tree species in danger of extinction), with giant specimens, and subject to a strict control and surveillance system.



Source: SERNAP. 2017. Biobol. Maravillas Naturales de Bolivia, (Parques Nacionales y otras Áreas Protegidas) - Natural wonders and other Protected Areas (National Parks and other Protected Areas)

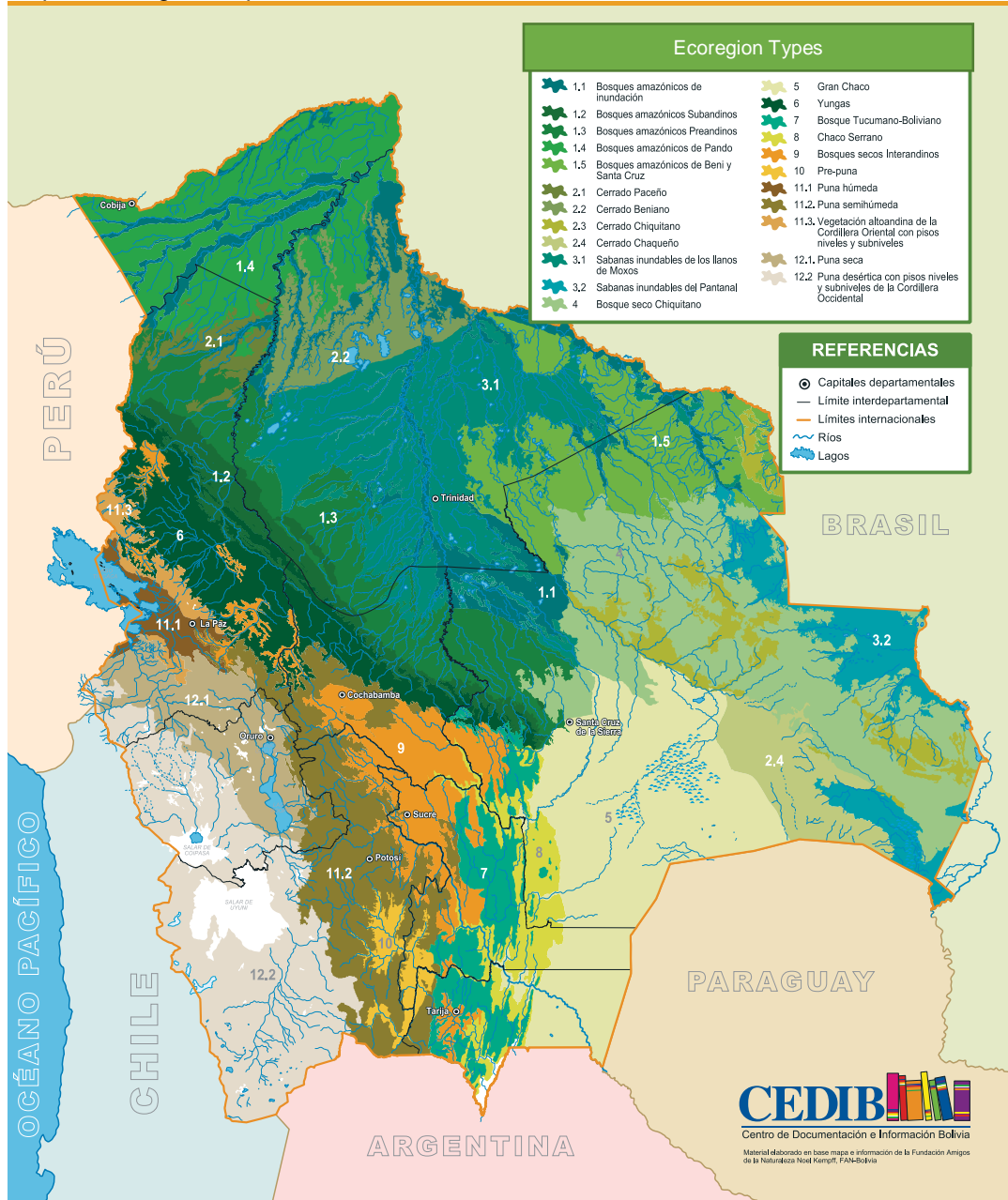
<http://www.biobol.org/index.php/areas-protegidas/ap-de-bolivia/22-reserva-de-la-biosfera-y-territorio-indigena-pilon-lajas>

Map 4.FSC certified Intact Forest Landscapes in Bolivia



Source: FSC Bolivia. Limits of forest rights: ABT 2013 and map with limit of Intact Forest Landscapes: IFL 2013.
www.intactforest.org

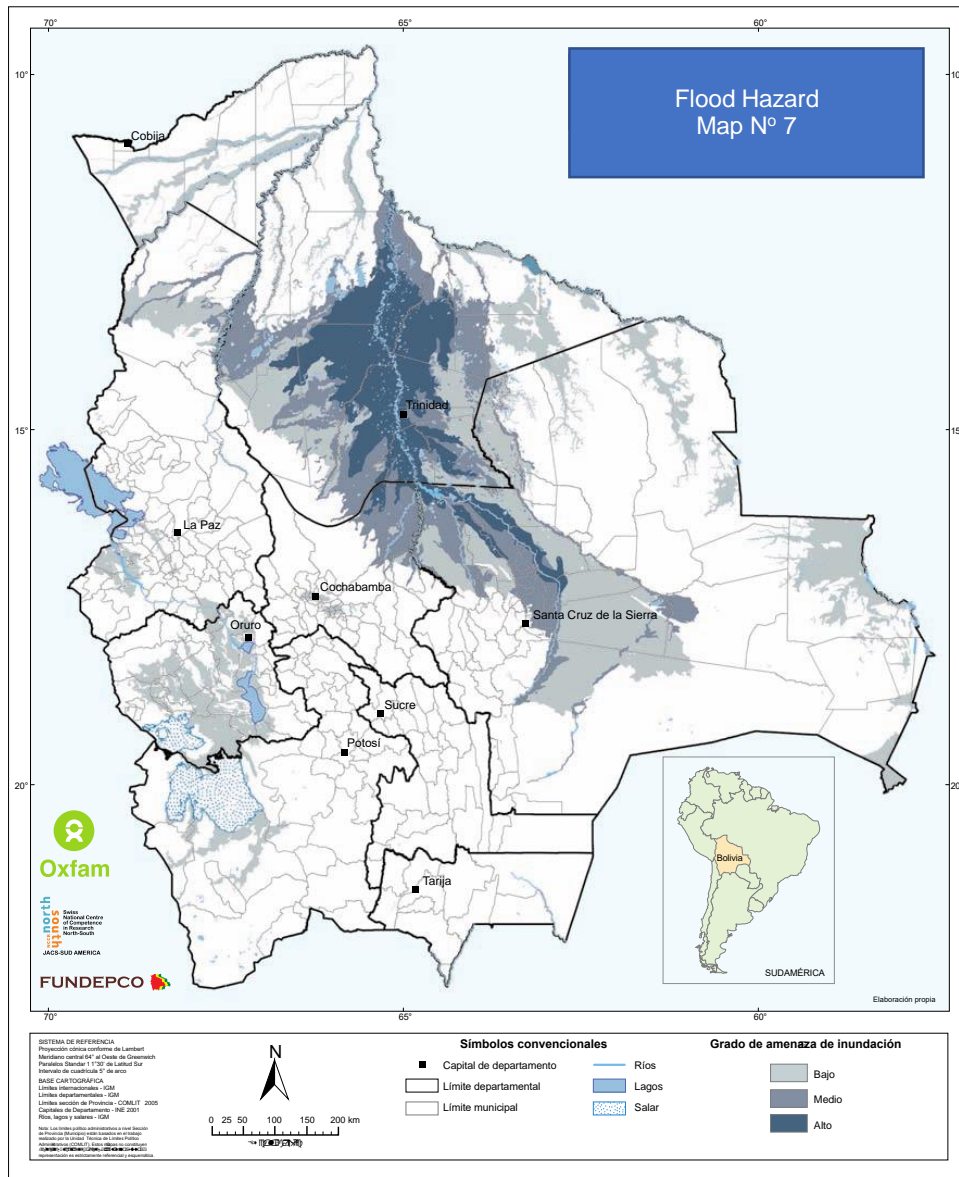
Map 5. Ecoregion map of Bolivia



Source: Documentation and Information Center Bolivia (CEDIB) 2012. Tierra y Territorio en Bolivia – Land and Territory en Bolivia.

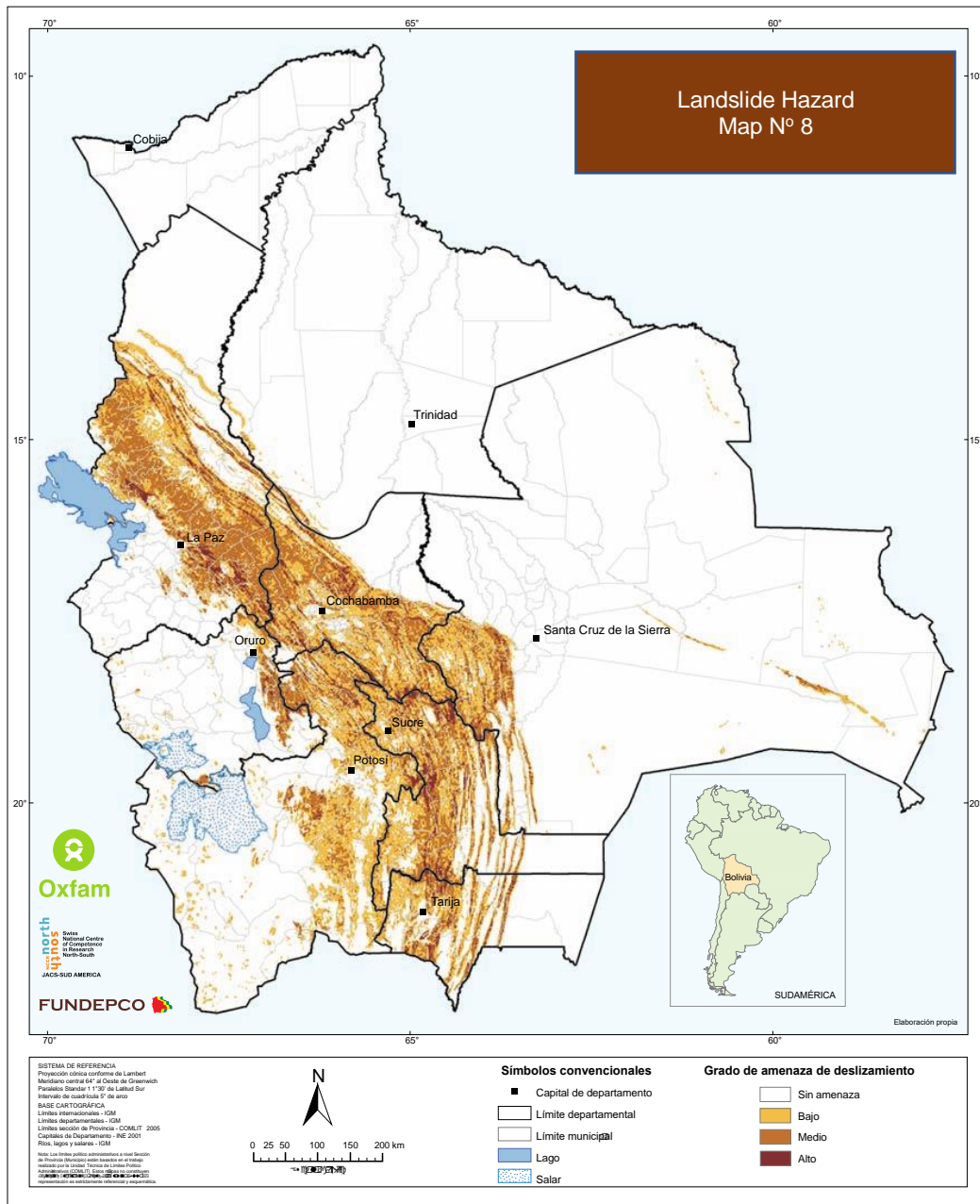
<https://tipnisboliviaorg.files.wordpress.com/2018/11/map-bolv-cedib-00770-2012.pdf>

Map 6. Flood Hazard Map N° 7



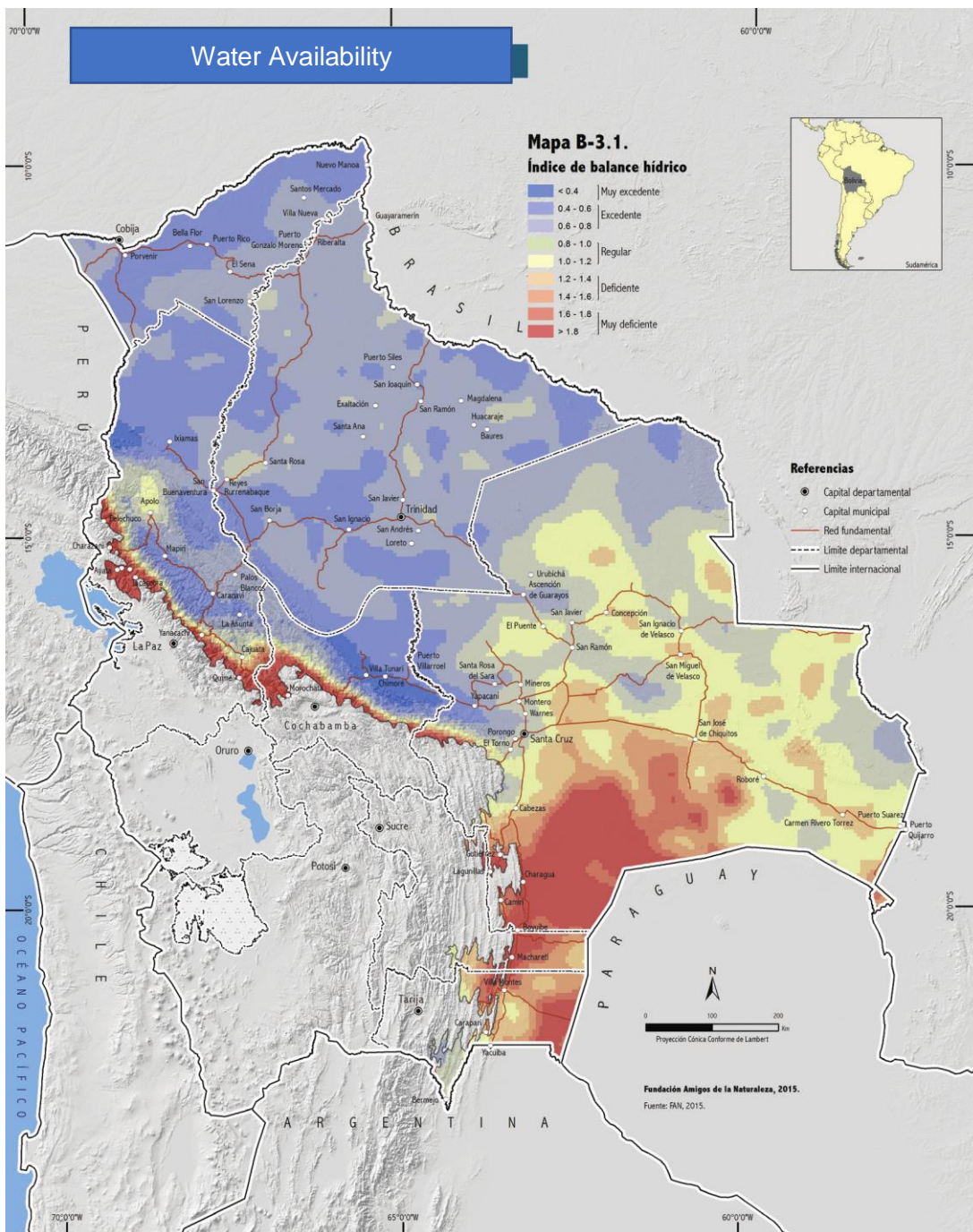
Source: Oxfam 2008. Documento País Bolivia – Country profile Bolivia
http://ec.europa.eu/echo/files/funding/opportunities/interest_dipecho6_bolivia.pdf

Map 7. Landslide Hazard Map N° 8



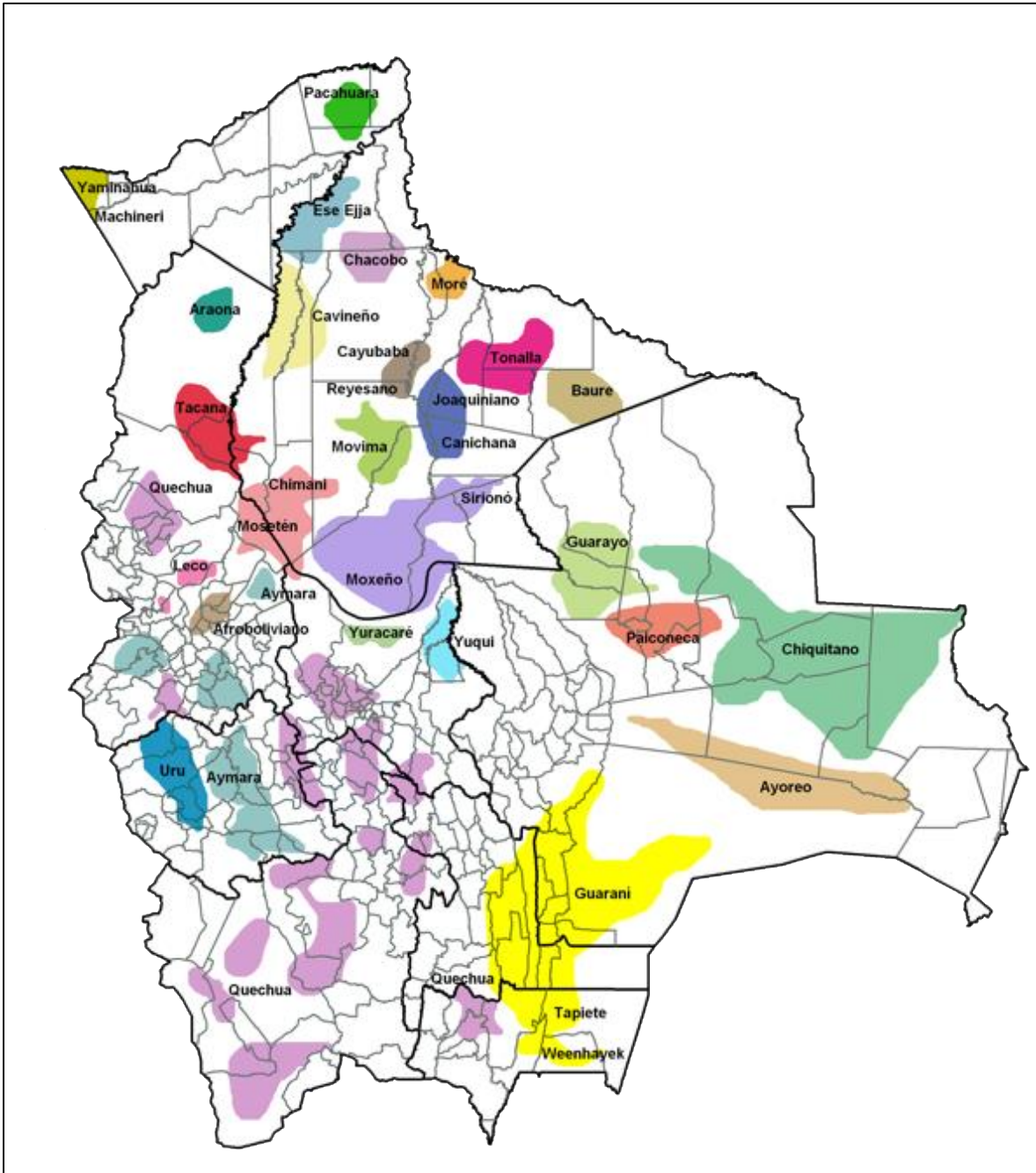
Source: Oxfam 2008. Documento País Bolivia – Country profile Bolivia
http://ec.europa.eu/echo/files/funding/opportunities/interest_dipeco6_bolivia.pdf

Map 8. Water availability map of Bolivia



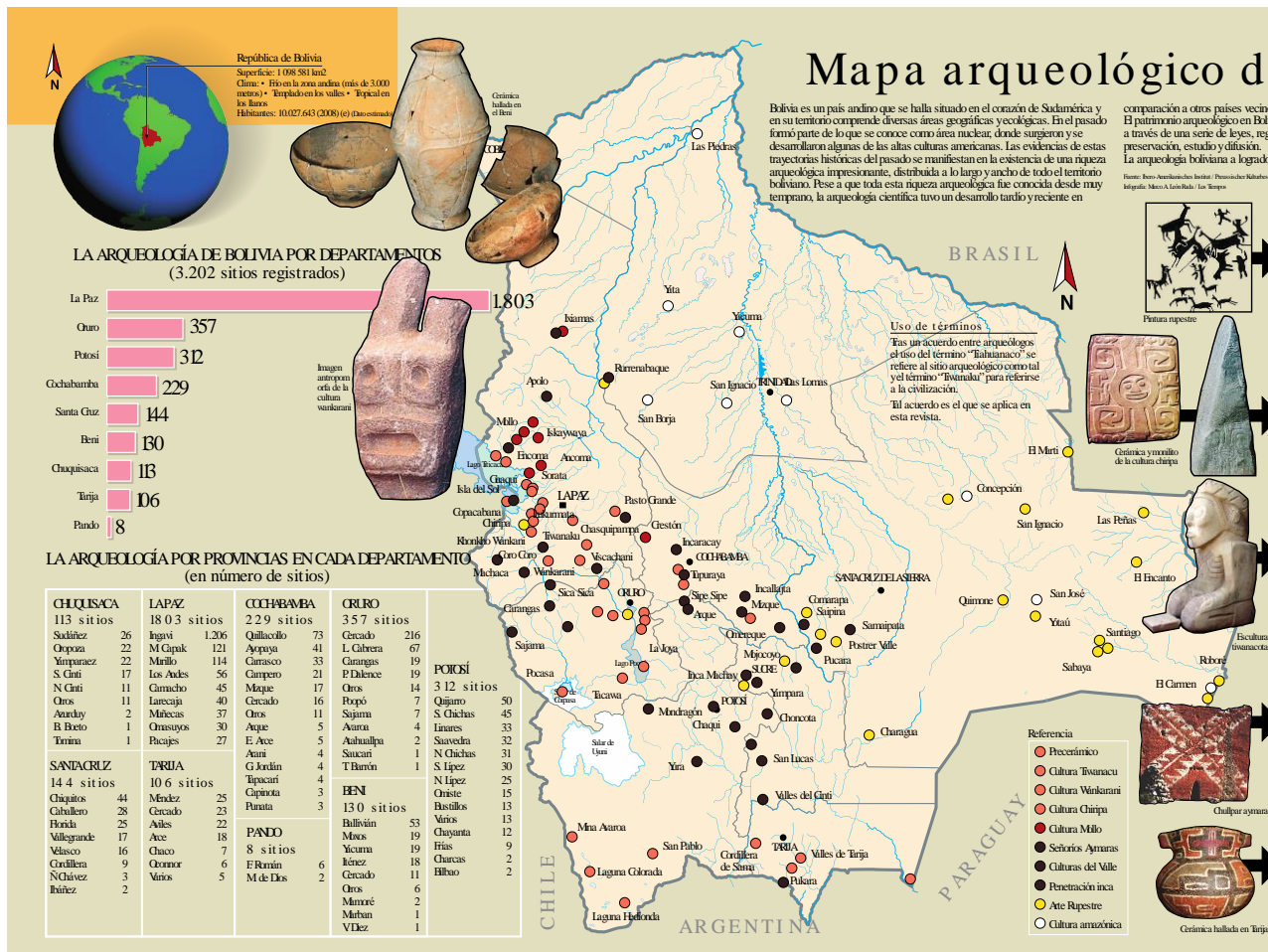
Source: Spickenbom J. / Marlene Quintanilla, 2015 Disponibilidad de agua – Water availability
<https://docplayer.es/29327171-Beneficios-b-3-1-contexto-b-3-2-fuentes-e-indicadores-autores-jan-spickenbom-marlene-quintanilla.html>

Map 10. The geographical distribution of indigenous groups in Bolivia



Source: Juan Carlos Merco Vilca (2008).
http://www.territorioindigenaygobernanza.com/bov_10.html

Map 11. Map of archaeological sites in Bolivia



Source: Ibero-Amerikanisches Institut / Preussischer Kulturbesitz (Berlin, Germany 2005) and Ministry of Culture of Bolivia.

<https://edoc.pub/mapa-arqueologico-de-bolivia-pdf-free.html>

Map 12. Palmar of the Islands and the Salinas of San José

Palmar de las Islas y las Salinas de San José. Santa Cruz; 856,754 ha; 19°15'S 061°00'W. Includes National Park and Integrated Management Natural Area. A very large area of practically pristine saline and non-saline palm forests (*Copernicia alba*) and a system of small lagoons and channels supplying water to considerable numbers of animal species.



Source: Ramsar Sites Information Service. Last publication date: 17-09-2001
<https://rsis Ramsar.org/ris/1088>

Table 1. List of Protected Areas of Bolivia with Productive Forests

Name	Category	IUCN Category	Department	Area (km ²)
Nombre	Categoría	Categoría UICN	Departamento	Superficie (Km ²)
Aguarague	Parque Nacional y Área Natural de Manejo Integrado	II	Tarija	1111
Amboró	Parque Nacional	II	Santa Cruz	6376
Apolobamba	Área Natural de Manejo Integrado	VI	La Paz	4822
Carrasco	Parque Nacional	II	Cochabamba	6869
Cotapata	Parque Nacional y Área Natural de Manejo Integrado	II	La Paz	612
El Palmar	Área Natural de Manejo Integrado	VI	Chuquisaca	599
Estación Biológica del Beni	Área Natural de Manejo Integrado	I	Beni	1341
Estancia San Rafael	Refugio de Vida Silvestre	IV	Santa Cruz	2000
Isiboro Sécure	Parque Nacional y TCO	II	Beni-Cbba.	10166
Kaa Iya	Parque Nacional y Área Natural de Manejo Integrado	II	Santa Cruz	34280
Lomas de Arena	Parque Regional	V	Santa Cruz	1330
Mudidi	Parque Nacional	II	La Paz	18669
Mituri-Heath	Reserva Nacional de Vida Silvestre	IV	Pando	17703
Noel Kempff Mercado	Parque Nacional	II	Santa Cruz	15585
Otuquis	Parque Nacional	II	Santa Cruz	10205
Pilón Lajas	Área Natural de Manejo Integrado, Reserva de la Biosfera y TCO	II	La Paz	3984
Ríos Blanco y Negro	Reserva Nacional de Vida Silvestre	IV	Santa Cruz	188400
Sima	Reserva Nacional de Vida Silvestre	IV	Tarija	1050
San Matías	Área Natural de Manejo Integrado	II	Santa Cruz	28400
Santa Cruz la Meja	Parque Regional	II	Santa Cruz	1708
Valle de Tucavaca	Reserva Municipal	IV?	Santa Cruz	2663
Tariquia	Reserva Nacional de Vida Silvestre	IV	Tarija	2474
Tinari	Parque Nacional	II	Cochabamba	3264
Urichi "Cuajo"	En Proceso, Reserva Municipal	-	Santa Cruz	4
Parabano	Reserva Municipal Área de Protección Ambiental	-	Santa Cruz	390
Sin Nombre (municipal)	Reserva Municipal Área de Protección Ambiental	-	Tarija	165

Fuente: Rumiz D., Mostacedo B., Cochrane T., Roza B. 2004. Guía de Identificación de atributos para definir Bosques de Alto Valor de Conservación en Bolivia - Guide for identification of attributes to determine HCVFs in Bolivia. GTZ.

https://www.researchgate.net/publication/278248040_Guia_de_identificacion_de_atributos_para_definir_Bosques_de_Alto_Valor_de_Conservacion_A_Guide_for_Identifying_High_Conservation_Value_Forests

Table 2. Registered Plant Species of Bolivia by Group and Family

Grupo	Familias	Especies registradas (aprox.)
Hongos		No superan 1000
Musgos y Hepáticas		1500
Pteridofitas	27	1200
Gimnospermas	4 nativas 7 introducidas	cerca de 20 (no incluye especies cultivadas)
Dicotiledóneas	188	cerca de 9000
Monocotiledóneas	36	cerca de 3000
Total	262	15720

Fuente: Ibisch y Beck (2003), Meneses y Beck (2005).

Sources: Ibisch PL, Beck SG, Gerkmann B, Carretero A (2003) Ecoregions and ecosystems. In: Ibisch PL, Mérida G, editors. Biodiversity: the wealth of Bolivia. Santa Cruz de la Sierra Editorial FAN. Pp. 47-88.
Meneses, R.I. & Beck, S. 2005. Threatened species of flora in Bolivia. Conservation International & Foundation for the Protection and Sustainable Use of the Environment, La Paz, Bolivia

Table 3. Number of Threatened Plant Species Per Conservation Status Category in Bolivia for 1998, 2005 and 2009.

Categorías 1998 2005	1998	2005	2009
EX (Extinto)	2	6	
EW (extinto en vida silvestre)	1		
CR (en peligro crítico)	1		7
EN (En peligro)	55	121	22
VU (Vulnerable)	72	584	16
NT (Casi amenazada)		7	20
LC (preocupación menor)	36	67	62
DD (datos insuficientes)	35	81	25
NE (no evaluado)	52	31	
Total	254	897	152

Fuente: En base a Meneses y Beck (2005) y VMABCC-Biodiversity (2009).

Source: Meneses, R.I. & Beck, S. 2005. Threatened species of flora in Bolivia. Conservation International & Foundation for the Protection and Sustainable Use of the Environment, La Paz, Bolivia. VMABCC -Biodiversity (2009) Red Book of Wild Relatives of Crops of Bolivia. La Paz: PLURAL Publishers

Table 4. Number of floods per Department (1970-2006) in Bolivia

Bolivia: Number of floods per Department (1970-2006)	
Pando	4
Chuquisaca	6
Potosí	13
Tarija	36
Oruro	48
Beni	52
Santa Cruz	106
Cochabamba	110
La Paz	186

Fuente: Salamanca L.; F. Condori. 2012. Documento País Bolivia 2012. VII Plan de Acción DIPECHO - VII DIPECHO Action Plan. http://www.unisdr.org/files/30755_boldocpais.pdf

Table 5. Population and political location of the TIOC in the Northern amazon

N°	TIOC	Población	Municipios	Provincias/Departamento
1	Territorio Indígena Yaminahua-Machineri	162	San Pedro de Bolpebra	Nicolás Suárez (Pando)
2	Territorio Indígena Araona	136	Ixiamas	Iturrealde (La Paz)
3	Territorio Indígena Cavineño	2,954	Reyes y Riberalta	Vaca Diez y José Ballivián (Beni)
4	Territorio Indígena Chácobo - Pacaguara	1,280	Riberalta, Exaltación	Vaca Diez y Yacuma (Beni)
5	Territorio Indígena Multiétnico II (Takanas, Esse Ejjas, Cavineños)	3,594	Gonzalo Moreno, Puerto Rico, San Pablo, Riberalta y Santa Rosa	Madre de Dios y Manuripi (Pando) y Vaca Diez y José Ballivián (Beni)
6	Territorio Indígena Takana - Cavineño	801	Riberalta, Santa Rosa, Exaltación	Vaca Diez, José Ballivián y Yacuma (Beni)
7	Territorio Indígena Takana II	683	Ixiamas	Iturrealde (La Paz)
TOTAL POBLACIÓN		9,610		

Source: Earth Foundation - Fundación Tierra. 2010. Estado de situación de los territorios indígena originario campesinos en Bolivia - Situation status of the indigenous peasant territories in Bolivia. Own elaboration with information of Foundation Earth and Atlas of Indigenous Territories and Originals, Viceministerio de Tierras, 2010 from the Reports of Space Needs (EINE in Spanish).

https://ftierra.org/index.php?option=com_mtree&task=att_download&link_id=2&cf_id=63

Table 6. Population and political location of the TIOC in the Southern Amazon

N°	TIOC	Población	Municipios	Provincias/Departamento
1	Territorio Indígena San José de Uchupiamonas	705	Ixiamas, San Buenaventura y Apolo	Iturrealde y Franz Tamayo (La Paz)
2	Territorio Indígena Takana III	344	Reyes	José Ballivián (Beni)
3	Territorio Indígena Leco de Apolo	2,980	Apolo	Franz Tamayo (La Paz)
4	Territorio Indígena Leco de Larecaja	6,721	Mapiri, Teoponte, Guanay y Tipuani	Larecaja y Franz Tamayo (La Paz)
5	Territorio Mosestén	1,923	Palos Blancos, Teoponte, Morochata, Guanay	Sud Yungas, Larecaja (La Paz) Ayopaya Cochabamba)
6	Territorio Indígena Takana I	3,500	San Buenaventura, Ixiamas	Iturrealde (La Paz)
7	Territorio T'simane Mosestén Pílon Lajas	1,328	Apolo, Palos Blancos, Rurrenabaque y San Borja	Sud Yungas, Franz Tamayo (La Paz); y José Ballivián (Beni)
TOTAL POBLACIÓN		17,501		

Source: Earth Foundation - Fundación Tierra. 2010. Estado de situación de los territorios indígena originario campesinos en Bolivia - Situation status of the indigenous peasant territories in Bolivia. Own elaboration with information of Foundation Earth and Atlas of Indigenous Territories and Originals, Viceministerio de Tierras, 2010 from the Reports of Space Needs (EINE in Spanish).

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Table 7. Population and political location of the TIOC in the Iténez-Mamoré Region

N°	TIOC	Población	Municipios	Provincias/ Departamento
1	Territorio del Pueblo Indígena Canichana	920	San Javier, San Ignacio, Santa Ana del Yacuma	Yacuma, Cercado, Moxos (Beni)
2	Territorio del Pueblo Indígena Itonama	5,564	Magdalena, Baures	Iténez (Beni)
3	Territorio del Pueblo Indígena Moré	156	San Joaquín, Puerto Siles	Mamoré (Beni)
4	Territorio del Pueblo Indígena Movima I	238	Santa Ana	Yacuma (Beni)
5	Territorio del Pueblo Indígena Movima II	2,902	Santa Ana, Exaltación, San Joaquín	Yacuma, Mamoré, Moxos, Ballivián (Beni)
6	Territorio del Pueblo Indígena Sirionó	406	Trinidad, San Andrés, San Javier	Cercado, Marbán (Beni)
7	Territorio Indígena Baure	632	Baures, Huacaraje	Iténez, Cercado (Beni); Guarayos (Santa Cruz)
8	Territorio Indígena Cayubaba	3,084	Exaltación, San Joaquín	Yacuma, Mamoré (Beni)
9	Territorio Indígena Joaquiniano	2,044	San Joaquín, San Ramón, Puerto Siles	Mamoré (Beni)
TOTAL POBLACIÓN		15,946		

Source: Earth Foundation - Fundación Tierra. 2010. Estado de situación de los territorios indígena originario campesinos en Bolivia - Situation status of the indigenous peasant territories in Bolivia. Own elaboration with information of Foundation Earth and Atlas of Indigenous Territories and Originals, Viceministerio de Tierras, 2010 from the Reports of Space Needs (EINE in Spanish).

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Table 8. Population and political location of the TIOC in the Chapare-Moxo Region

N°	TIOC	Población	Municipios	Provincias/ Departamento
1	Territorio del Consejo T'simane	6,952	San Borja, Santa Ana del Yacuma y San Ignacio de Moxos	Ballivián, Moxos, Yacuma (Beni)
2	Territorio del Pueblo Yuqui	778	Chimoré, Puerto Villarroel	Carrasco (Beni)
3	Territorio Indígena y Parque Nacional Isiboro Sécuré (TIPNIS)	9,564	San Ignacio de Moxos, Villa Tunari	Moxos (Beni) Chapare (Cochabamba)
4	Territorio Indígena Mojeño Ignaciano (TIMI)	2,378	San Ignacio de Moxos	Moxos (Beni)
5	Territorio Indígena Multiétnico (TIM I)	3,265	San Ignacio de Moxos	Moxos (Beni)
6	Territorio Indígena Yuracaré (Coniyura)	2,358	Villa Tunari, Chimoré	Chapare, Carrasco (Cochabamba)
7	Territorio Yuracaré y Trinitaria El Pallar	733	Yapacaní	Ichilo (Santa Cruz)
TOTAL POBLACIÓN		26,028		

Source: Earth Foundation - Fundación Tierra. 2010. Estado de situación de los territorios indígena originario campesinos en Bolivia - Situation status of the indigenous peasant territories in Bolivia. Own elaboration with information of Foundation Earth and Atlas of Indigenous Territories and Originals, Viceministerio de Tierras, 2010 from the Reports of Space Needs (EINE in Spanish).

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Table 9. Population and political location of the TIOC in Chaco Region

N°	TIOC	Población	Municipios	Provincias/ Departamento
1	Territorio Guaraní Alto Parapetí	2,749	Lagunillas, Cuevo, Gutiérrez, Camiri	Cordillera (Santa Cruz)
2	Territorio Guaraní de Charagua Norte	4,578	Charagua, Gutiérrez	Cordillera (Santa Cruz)
3	Territorio Guaraní de Charagua Sur (Parapitiguasu)	4,167	Charagua, Boyuibe	Cordillera (Santa Cruz)
4	Territorio Guaraní de Iupaguasu	2,094	Lagunillas, Gutiérrez	Cordillera (Santa Cruz)
5	Territorio Guaraní de Kaaguasu	4,001	Gutiérrez, Charagua, Cabezas	Cordillera (Santa Cruz)
6	Territorio Guaraní de Kaami	3,456	Camiri, Cuevo	Cordillera (Santa Cruz)
7	Territorio Guaraní de Tacovo Mora	832	Cabezas	Cordillera (Santa Cruz)
8	Territorio Guaraní del Isoso	9,273	Charagua	Cordillera (Santa Cruz)
9	Territorio Guaraní Kaipependi Karovaicho	6,184	Gutiérrez, Charagua, Camiri	Cordillera (Santa Cruz)
10	Territorio Guaraní Tentayapi	520	Muyupampa, Huacareta	Luis Calvo (Chuquisaca)
11	Territorio Guaraní Zona Huacareta	1,406	Huacareta	Hernando Siles (Chuquisaca)
12	Territorio Guaraní Zona Ingre	1,562	Huacareta	Hernando Siles (Chuquisaca)
13	Territorio Guaraní Zona Macharetí	2,015	Villa Macharetí	Luis Calvo (Chuquisaca)
14	Territorio Indígena del Pueblo Tapieté	148	Villamontes	Gran Chaco (Tarija)
15	Territorio Indígena del Pueblo Weenhayek	2,761	Yacuiba, Villamontes	Gran Chaco (Tarija)
16	Territorio Indígena Guaraní Itikaraparirenda	1,660	Muyupampa	Luis Calvo (Chuquisaca)
17	Territorio Guaraní del Itika Guasu	2,874	Entre Ríos, Villamontes	O'Connor, Gran Chaco (Tarija)
18	Yacuiba	2,321	Yacuiba, Villamontes, Caraparí	Gran Chaco (Tarija)
	TOTAL POBLACIÓN	52,601		

Source: Earth Foundation - Fundación Tierra. 2010. Estado de situación de los territorios indígena originario campesinos en Bolivia - Situation status of the indigenous peasant territories in Bolivia. Own elaboration with information of Foundation Earth and Atlas of Indigenous Territories and Originals, Viceministerio de Tierras, 2010 from the Reports of Space Needs (EINE in Spanish).

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ANNEX 2 Category 1: Tables

Table 1: *Cedrela odorata* exports between 2014 and 2015 (Cites database 2014-2015).

Comparative Tabulation Report

Year	App.	Taxon	Class	Order	Family	Genus	Importer	Exporter	Origin	Importer reported quantity	Exporter reported quantity	Term	Unit	Purpose	Source
2014	III	<i>Cedrela fissilis</i>		Sapindales	Meliaceae	<i>Cedrela</i>	CL	BO			29.118	sawn wood	m3	T	W
2014	III	<i>Cedrela fissilis</i>		Sapindales	Meliaceae	<i>Cedrela</i>	JP	BO		0.665		veneer	m3	T	W
2014	III	<i>Cedrela fissilis</i>		Sapindales	Meliaceae	<i>Cedrela</i>	US	BO			178.193	sawn wood	m3	T	W
2014	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	AR	BO			235.546	sawn wood	m3	T	W
2014	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	CA	BO			29.176	sawn wood	m3	T	W
2014	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	CL	BO			280.307	sawn wood	m3	T	W
2014	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	ES	BO			184.992	sawn wood	m3	T	W
2014	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	FR	BO			29.17	sawn wood	m3	T	W
2014	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	MX	BO		198.393	142.717	sawn wood	m3	T	W
2014	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	US	BO		582	627.035	sawn wood	m3	T	W
2014	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	UY	BO			27.72	sawn wood	m3	T	W
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	AR	BO			211.152	sawn wood	m3	T	W
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	AR	BO		59.245		sawn wood	kg	T	W
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	AR	BO		6.144		sawn wood		T	W
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	CL	BO			93.835	sawn wood	m3	T	W
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	ES	BO		47.205		sawn wood	m3	T	W
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	JM	BO			36.498	sawn wood	m3	T	W
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	PT	BO		22.009		sawn wood	m3	T	A
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	PT	BO			22.009	sawn wood	m3	T	W
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	US	BO		550	1193.302	sawn wood	m3	T	W
2015	III	<i>Cedrela odorata</i>		Sapindales	Meliaceae	<i>Cedrela</i>	UY	BO			26.318	sawn wood	m3	T	W

Table 2: *Swietenia macrophylla* exports until 2016.

Comparative Tabulation Report

Year	App.	Taxon	Class	Order	Family	Genus	Importer	Exporter	Origin	Importer reported quantity	Exporter reported quantity	Term	Unit	Purpose	Source
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	AR	BO			22.78	sawn wood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	BB	BO			20.124	sawn wood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	CL	BO			59.46	sawn wood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	DE	BO		83.32	83.32	sawn wood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	DO	BO			452.56	sawn wood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	DO	BO		607.693		timber	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	JP	BO		28.34	28.34	sawn wood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	MZ	BO			8	sawn wood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	NL	BO			12.01	plywood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	RS	BO			10	plywood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	US	BO			22.85	plywood	m3	T	W
2010	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	US	BO		2007	1474.176	sawn wood	m3	T	W
2011	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	DO	BO			69.51	sawn wood	m3	T	W
2011	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	DO	BO		235.54		timber	m3	T	W
2011	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	US	BO			3	carvings	m3	T	W
2011	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	US	BO		1167	1333.99	sawn wood	m3	T	W
2011	II	<i>Swietenia macrophylla</i>		Sapindales	Meliaceae	<i>Swietenia</i>	UY	BO			27.25	sawn wood	m3	T	W