



global witness

## Independent Forest Monitoring Pilot Project in Nicaragua

# Mission Report No. 006

### *Mission of the Independent Monitor*

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**Forest Management General Plan**

**Annual Operational Plan for Private Conifer Forest**

<b>Location:</b>	Santa Julia
<b>Annual Operational Plan 2006:</b>	Authorisation no. 1304P03020 – 180
<b>Forest Management General Plan:</b>	Authorisation no. 1304 – P03020
<b>Owners:</b>	Benjamín Herrera Najera and Santos Herrera López
<b>Municipality:</b>	Jícaro, Nueva Segovia.

**Mission date: 8 December 2006**

**Report date: January 2007**

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## 1. Executive summary

On 8 December 2006, the Independent Monitor carried out a mission in Santa Julia, Susucayán District in Jícaro Municipality, Nueva Segovia Department, in the area of the Forest Management General Plan (FMGP) for conifer forest approved by forestry authorisation no. 1304P03020. This FMGP covers an area of 11.60 hectares; the Monitor inspected the Annual Operational Plan (AOP) described by forestry authorisation no. 1304P03020 – 180.

This monitoring mission was conducted within the framework of the Agreement signed by INAFOR and Global Witness in August 2006 for the implementation of an Independent Forest Monitoring Pilot Project.

The monitoring mission was made possible by the assistance provided by the Municipal and District Delegates, Mr Freddy Torrez and Mr Harold Rodríguez, who collaborated on the selection of the site to be inspected and ensured that the regent responsible for implementing the Management Plan was present.

The mission participants were the Global Witness technical team (the Independent Monitor) and two forest regents responsible for the implementation of forest management plans.

The Independent Monitor presents the following conclusions:

1. The date of issue shown on the harvesting permit issued by INAFOR under no. 1304P03020 – 180 is the same as the date of expiry (16 November 2006).
2. It is common practice in Nicaragua to write over official documents manually to correct errors without any prior justification or reason given. However, this is an inappropriate procedure as it questions the legality of the document.
3. Those persons responsible for harvesting under the 2006 AOP did not respect the protection areas established on the document maps, thus logging illegally.

On the basis of these conclusions, the Independent Monitor presents the following recommendations:

1. Errors committed by municipal delegates when issuing forest harvesting permits should be corrected in an appropriate manner in accordance with the legal procedures established by the institution.
2. INAFOR should proceed in accordance with the provisions of Law 462 and pursue relevant administrative proceedings, until completion, against those persons responsible for illegal logging in the defined protection areas.
3. The procedures for marking out and indicating the management areas should be strictly observed by the forest regents responsible for implementing the management plans.

## **2. Composition of the team**

Jasmina del Carmen Bustillo Torrez, Forest Regent, responsible for the Santa Julia AOP.

Flor de María López, Forest Regent, Jícaro Municipality.

Arturo Avila, Independent Forest Monitoring Technical Staff, Global Witness.

César Zelaya, Independent Forest Monitoring Technical Staff, Global Witness.

Laura Furones, Project Manager for Independent Forest Monitoring in Nicaragua, Global Witness.

## **3. Assistance provided to the mission**

The forest monitoring mission was greatly assisted by the participation and collaboration of the Forest Regents.

This participation and collaboration took the following form:

- Facilitating the inspection of the managed area,
- Providing information and documentation of the managed area, and
- Sharing information on the work conducted in the inspected area.

## **4. Constraints**

The Independent Monitor did not encounter any restrictions in carrying out this forest monitoring mission.

## **5. Description of the fieldwork**

The main work of the monitoring mission was to verify the position of the area's perimeter points by means of inspection and recording the coordinates using a GPS device.

An inventory of stumps was subsequently conducted to check whether extraction had respected the protection areas established in the document (recording numbers, diameters and geographical coordinates).

## **6. Mission results**

### **6.1. General description of the FMGP inspected**

The "Finca Santa Julia" FMGP is located at a place known as San Pedro or Sabana Grande in Susucayán District in the municipality of Jícaro, Nueva Segovia Department.

The FMGP covers an area of 11.60 hectares and comprises four sectors: three of these are productive, with a total area of 10.50 hectares, and one is a protection area of 1.10 hectares. The management proposal is based on two processes: final felling leaving seedlings and the felling of seed trees (code 13 and 14). These management procedures were planned for two periods: 97/98 and 99/2000.

The FMGP was drawn up in 1996 and approved by MARENA<sup>1</sup> for a period of 10 years, in accordance with a memorandum of 25 March 1996. The authorised operators under the Plan were Mr Benjamín Herrera Najera and Mr Santos Herrera López.

Subsequently, with the creation of INAFOR in 1998, a new authorisation was issued under code no. 1304 – P03020 on 19 April 2003, establishing the period of validity as 1996-2006.

#### **6.1.1. Annual Operational Plan 2006**

In 2006, an Annual Operational Plan corresponding to the last year of intervention in the FMGP area was drawn up. This AOP concerned intervention in sectors 1 and 2, representing an area of 7.50 hectares. The operations included felling seed trees, extracting 33 and 47 cubic metres from the sectors respectively.

According to the files, a document was issued by the Municipal Environmental Commission (CAM) in Jícaro which stated that there was no objection to approval of the AOP. This document was issued on 11 September 2006.

In addition to this, the files include a forest harvesting permit issued by INAFOR on 16 November 2006 with the expiry date also given as 16 November 2006. The document includes a handwritten note that states: *Comment: expires 16 December 2006*. The stamp of the Jícaro municipal delegation appears over this comment.

## **6.2. Main findings**

### **6.2.1. Irregularities in documentation**

A review of the documentation reveals two irregularities: the first is that the date of issue of the harvesting permit is the same as the date of expiry; the second concerns the handwritten comment describing an extension of the expiry deadline for the harvesting permit.

These irregularities illustrate the informal manner in which documents are amended without taking the proper procedures into account. This is not only inappropriate, but it also results in some people having disproportionate

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<sup>1</sup> Ministry of the Environment and Natural Resources

discretion and causes confusion and problems in clarifying which official documents are to be observed.

### **6.2.2. Logging in protection areas**

The 2006 AOP documentation, in particular the map (Annex 4), shows the protection areas around the Santa Clara river and a stream that crosses the property. An inspection identified the logging of 10 trees inside this area, with an approximate volume of 10 cubic metres. The map drawn up by the Independent Monitor (Annex 2) indicates the locations of the felled trees, clearly showing that they were inside the protection area. Although the actual volume of timber is relatively low, it is disturbing to discover these practices which are clearly contrary to the regulations. Harvesting permits in Nicaragua are often issued for small plots of land, so if practices of this kind are widespread, the total volume of illegally logged timber could be very significant. Furthermore, the practice of logging in protected areas results in environmental damage.

### **6.2.3. Marking out and signage of the managed area**

The inspection of the management plan area showed that there were breaches of the technical regulations concerning signage and marking out the managed area. It was confirmed that no signs existed to identify the area. Furthermore, the corners of the perimeter were not indicated or marked.

## **7. Conclusions and recommendations**

After analysing and processing the information gathered during the monitoring mission to the Santa Julia FMGP and AOP, the Independent Monitor offers the following conclusions:

1. The date of issue of INAFOR harvesting permit no. 1304P03020 – 180 is the same as the expiry date (16 November 2006).
2. It is common practice in Nicaragua to write over official documents manually to correct errors without any prior justification or reason given. However, this is an inappropriate procedure as it calls the legality of the document in question.
3. The persons harvesting under the 2006 AOP did not respect the protection areas established in the maps. Thus illegal logging took place.

On the basis of these conclusions, the Independent Monitor presents the following recommendations:

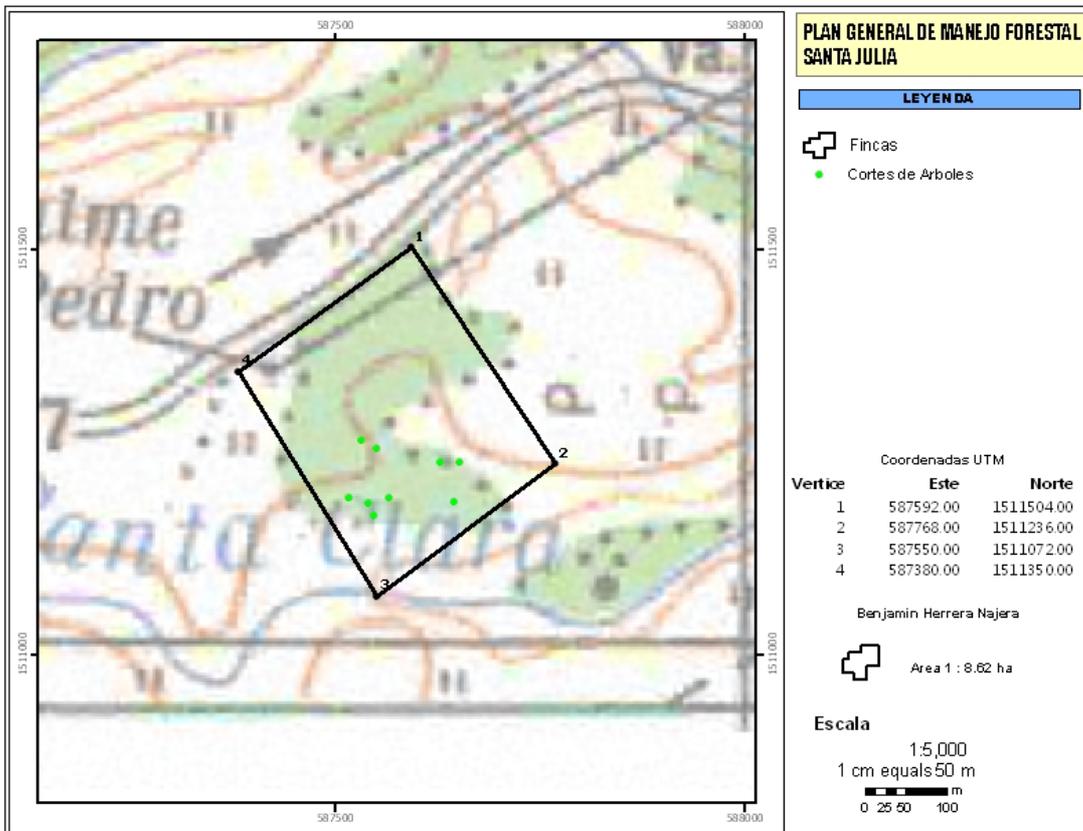
1. Any errors committed by municipal delegates when issuing forest harvesting permits should be corrected in an appropriate manner in accordance with the legal procedures established by the institution.
2. INAFOR should proceed in accordance with the provisions of Law 462 and pursue relevant administrative proceedings, until completion, against those persons responsible for illegal logging in the defined protection areas.
3. The procedures for marking out and indicating the management areas should be strictly observed by the forest regents responsible for implementing the management plans.

## 8. Annexes

### Annex 1. Table of trees felled in the protection area

No.	Stump diameter	Approximate volume (m <sup>3</sup> )
1	30	1.031
2	54	1.031
3	50	1.031
4	45	1.031
5	58	1.031
6	32	1.031
7	58	1.031
8	67	1.031
9	60	1.031
10	70	1.031
<b>TOTAL</b>		<b>10.31</b>

**Annex 2. Map of the managed area according to the geographical coordinates in the FMGP document, showing the felling of trees in the**



**detection area.**

### Annex 3. Harvesting permit

**PERMISO DE APROVECHAMIENTO FORESTAL**

0001102 

**1.- Datos Generales**

Expediente: 1304PO3020-180 Número: \_\_\_\_\_

El Instituto Nacional Forestal otorga la presente autorización al señor (a): BENJAMIN SANTOS HERRERA LAZO  
 Cédula: 488-100725-0000T para que realice las actividades de Corte, Extracción y Transporte de árboles, del  
 bosque ubicado en el sitio conocido como SANTA JULIA del municipio JICARO  
 del Departamento NUEVA SEGOVIA

**2.- Detalle del Permiso de Aprovechamiento Autorizado**

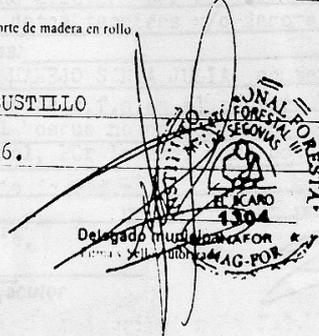
CODIGO	NOMBRE CIENTIFICO	NOMBRE COMÚN	TOTAL ARBOLES	VOLUMEN (M3)	VOLUMEN POR ARBOL
p07	pinus caribae	pino caribe	75.00	80.00	1.066
ACTA DE INSPECCION					
<b>TOTAL APROBADO</b>			75.00	80.00	

La autorización es Valida Hasta: 16 de noviembre 2006 *Observación: Vence el 16 de Diciembre*  
 en la Ciudad de Jicaro Nueva Segovia a los 16 Dias del Mes de Noviembre del 2006

Para transportar la madera debe hacerse con la guía de transporte de madera en rollo.

**Datos del Regente**

Nombre: JACO YMA DEL SACEN BUSTILLO  
 Número de Registro: 130409-0166

  
 Delegado Municipal INAFOR  
 JICARO, NUEVA SEGOVIA

Annex 4. Map of the area of the Forest Management Plan according to official documents.

