

# Ecuador's new approach to enforcing forest law

**The Ministry of Environment is introducing several innovative measures to bring transparency to forest administration and monitoring through outsourcing**

**I**N 1999, after a nationwide participatory process, Ecuador's Ministry of Environment developed a new public forest policy that promotes the use of the forest's environmental goods and services—including timber—at levels of intervention that will permit natural regeneration. Sustainable forest management and transparency are the keystones of this policy.

## **Reforms to the legal framework**

In order to implement the new forest policy as soon as possible, the President of Ecuador issued Executive Decree No. 346 in April 2000, introducing substantial changes to the regulations for applying the pre-existing Law on Forestry and Conservation of Protected Areas and Wildlife. An especially important and innovative aspect of these reforms was to incorporate the following basic criteria for sustainable forest management into the legal framework for Ecuador's forestry sector:

- sustainability of production;
- maintenance of forest coverage;
- conservation of biodiversity;
- co-responsibility for management; and
- reduction of negative environmental and social impacts.

Under these criteria, the Ministry of Environment issued the Standards for Sustainable Forest Management in Ecuador through a Ministerial resolution in June 2000. These enable the forest authority to monitor logging activities in the forest on the basis of verifiable indicators regarding each criterion.

Thus, Ecuador now has a modern, coherent legal framework for forestry, geared toward making forest management transparent, clear, simple and predictable. It therefore has a sound basis for encouraging the sustainable management of natural forests and preventing illegal or destructive logging.

## **Promotion of private participation**

Two significant steps in implementing this policy have been taken in order to establish Ecuador's Outsourced Forestry Supervision System. Under the leadership of the Ministry of Environment, the armed forces and police, together with five non-governmental environmental organisations, Vigilancia Verde ('Green Surveillance') was founded. This is a supervision body made up of both private and public institutions responsible for controlling the transport of roundwood and timber between the forest and marketing and processing locations. Funded by a trust that receives 50% of the value of all illegal timber that is detected, seized and auctioned, Vigilancia Verde has established seven checkpoints on roads throughout the country. It has already demonstrated its effectiveness: in its first year of existence, it seized five times the volume of timber seized by the government during the previous year.

Another fundamental element of the system is Regencia Forestal, or Forest Steward program. Forest stewards are

independent foresters working under the State's authorisation and supervision with responsibility for ensuring that the timber-harvesting activities authorised by the government's forestry administration abide fully by the provisions of standards, logging permits and management plans.

## **Contracting administration and supervision**

To complete its supervision system, the Ministry of Environment will shortly contract out a major portion of its forestry administration and supervision responsibilities to a private, independent supervisory organisation. This organisation must have broad experience in monitoring and evaluation activities and acknowledged international prestige. Its duties will include:

- giving out forest logging licences;
- granting timber transportation permits;
- overseeing forest utilisation (and the performance of forest stewards);
- supervising the mobilisation of forest products (in direct support to Vigilancia Verde);
- systematising and disclosing information and data yielded by providing the above services; and
- collecting stumpage tax and transferring it to the government.

To perform these activities, the supervisory agency will have to establish about 30 administrative units at strategic locations throughout the country, implement a monitoring system (with fixed checkpoints and mobile verifying teams on roadways and in the forests) and operate a real-time information system. It will work complementarily with Vigilancia Verde and Regencia Forestal.

The purpose of the outsourcing is to improve forestry administration services and make them transparent, so that corrupt and illegal practices can be combatted effectively. For its part, the Ministry of Environment will then concentrate its human resources and capacities on law enforcement, the promotion of sustainable land uses, and other strategic activities.

The supervisory agency will provide its services throughout Ecuador's continental territory on an exclusive basis for the contract period of about ten years. The Ministry of Environment will invite international firms specialising and interested in providing such services to bid for the contract. The tender package will be available at the Under-secretariat of Natural Capital of the Environment Ministry in Quito, Ecuador once the tender process has been officially announced (in March 2002).

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