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Illegal logging in Peru



Stripping OSINFOR of independence is a major step back in protecting the Peruvian Amazon.

By David Hill*

January 8, 2019.- Stand at a certain point along the dusty highway on the northern outskirts of Puerto Maldonado, a town in the Peruvian Amazon, and you'll see trucks transporting huge quantities of wood regularly pulling up and stopping.

Sometimes there are as many as five or six trucks there, some carrying unprocessed logs, some sawn timber. The drivers, often with a wad of paperwork in one hand, climb down and potter off towards a nondescript regional government office.

This can happen all day, some days more than most, depending on the season. The wood is cut from logging concessions, indigenous communities and other harvest areas to the north - the heart of Peru's great Madre de Dios region stretching all the way to Bolivia and Brazil.

Widespread illegalities

What the truck drivers are doing, there in a district called El Triunfo, is calling at a timber sector control post run by the regional government. They need to have their paperwork stamped by an official. Various exceptions aside, no wood in Peru should ever be transported unless it is accompanied by permits stating its point-of-origin, among other things.

At least, that's the theory. But what if the permits have been falsified and the wood doesn't really



come from where they say it does? That means the wood is illegal and laundered: it appears to come from point A, perhaps a logging concession or indigenous community, when actually it comes from point B, C or D, such as a national park, communal reserve or a logging concession where no permission to log has been granted.

For the last ten years, the only people consistently in a position to know if wood hasn't come from where the transport permits say has been an independent government agency called the Organismo de Supervisión de los Recursos Forestales y de Fauna Silvestre (OSINFOR).

That is because OSINFOR inspectors, unlike anyone else, have regularly travelled into the Amazon to visit the harvest areas where the wood is purportedly extracted and to find the specific locations where each tree was standing, according to the Universal Transverse Mercator coordinates given in the harvest areas' operating plans. How otherwise can you tell if the wood is really legal or not?

In making these inspections, OSINFOR has done more than anyone to expose the widespread illegalities and laundering that have dominated Peru's timber sector for decades - and generated some powerful, well-organised and sometimes violent opposition.

Stripped of independence

The statistics - up there on OSINFOR's website for all to see - make for fascinating reading: thousands of inspections made, over 130,000 trees effectively "faked" in operating plans, and at least 2.5 million cubic metres of "unauthorised" wood identified.

Earlier this year it reported that 67 percent of the timber purportedly from the harvest areas that it inspected in 2016 and 2017 was "unauthorised" - down from a previous figure of almost 90 percent.

The result of such impressive endeavours? To be stripped of its independence - so crucial to its effectiveness - by president Martin Vizcarra last month when he signed a Supreme Decree moving OSINFOR to the Ministry of Environment, following several years of such a threat knocking around.

This is arguably illegal under Peruvian law and violates the country's so-called "Trade Promotion Agreement" (TPA) with the US, which states that OSINFOR must be "independent and separate."

The timing couldn't have been more ironic. 2018 marked the ten-year anniversary of OSINFOR becoming independent, and the Decree was emitted at the same time as the United Nations climate change talks were taking place in Poland. Earlier in the year, UN Climate Change's first Annual Report stated that deforestation and forest degradation "account for approximately 17 percent of global carbon dioxide emissions, more than the transport sector."

Punitive measures

No doubt about it, this has happened precisely because of what OSINFOR has been exposing. It is a major step back in protecting the Peruvian Amazon - the fourth biggest tropical forest worldwide after Brazil, the Democratic Republic of Congo and Indonesia.

But might Vizcarra et al backtrack? And how might the US respond? A statement by various organisations including the Environmental Investigation Agency and Global Witness - for whom I was working as a consultant until recently - is calling on "the Peruvian government to reconsider its decision and restore OSINFOR's independence, while strengthening it in order to guarantee that no similar attempt will succeed in the future."

Politicians in the US are making similar calls. Just before Christmas, six Democrats, including John Lewis and Richard Neal, wrote to the US Trade Representative Robert Lighthizer urging him to "insist that this brazen, bad faith decision be reversed formally", describing it as a "flagrant attack" on the US-Peru TPA.

According to the [Associated Press on 4 January](#) [1], Lighthizer has responded to Neal by calling the



decision “unacceptable” and saying the US has “forcefully communicated” its position to Peru. This case, the AP claims, “could mark a first for the US in taking potential punitive measures against an international partner accused of violating environmental protections in a free trade deal.”

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