

**CONSEJO BOLIVIANO PARA LA CERTIFICACION FORESTAL VOLUNTARIA
(BOLIVIAN COUNCIL FOR VOLUNTARY FOREST CERTIFICATION, or CFV)**

FSC Work Group in Bolivia

**BOLIVIAN STANDARDS FOR THE FOREST CERTIFICATION OF THE BRAZIL NUT
(Bertholletia excelsa)**

Final Draft

(Approved by the CFV Board)

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INTRODUCTION

El Consejo Boliviano para la Certificación Forestal Voluntaria (Bolivian Council for Voluntary Forest Certification, or CFV) presents the eighth draft of the Bolivian Standards for Forest Management Certification of Brazil Nut (*Bertholletia excelsa*), product of a consultation process which started in early 1998, with the participation of representatives from several groups of interest, including processors, harvesters, manufacturers, peasants, community representatives, Forest Management Programs, and finally, Projects and organizations that work in the forest sector of the Bolivian Amazonia.

The Brazil nut or Amazonian nut (*Bertholletia excelsa*) is one of the most important non-timber products in the Amazonian forests, and its use has an important social and economic impact for the local population in the areas where this product is extracted. Simultaneously, the Amazonian forests where the Brazil nut trees grow include a significant biological diversity that is becoming increasingly threatened by migratory agriculture and by cattle. The promotion of forest management certification under the Forest Stewardship Council (FSC) Principles and Criteria is a strategy for the preservation of these forests. The Forest certification can generate better production and conditions and market opportunities for the Brazil nut producers and contribute to a more responsible, integrated and diversified management of the Amazonian forests.

These standards have been developed with the technical support of the Standards Committee for the Forest Certification of the Brazil nut (a movement whose members represent different groups of interest of the Brazil nut activities North of Bolivia), and with the support of the public that has been consulted and that has participated with comments and suggestions for the drafts. The standards development is a participative process that seeks compatibility between the international forest management Principles and Criteria and the conditions of the local actors involved in the Brazil nut activities.

This eighth draft incorporates a great amount of suggestions and recommendations from persons and institutions that were consulted through various means, including a Consultation Workshop, three international meetings for the harmonization of standards for the certification of the Brazil nut (that included FSC Work Groups from Brazil and Peru), 7 drafts and questionnaires distributed by mail and an expert consultancy to field test the applicability of the standards.

All readers are welcome to continue sending their comments and suggestions to improve these standards that seek to promote a responsible forest management through forest certification.

Fernando Aguilar

CFV Executive Director

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■I.- STANDARDS DEVELOPMENT PROCESS

The Bolivian Standards for Forest Management Certification of the Brazil Nut (*Bertholletia excelsa*) have been developed through a consultation and participative process initiated in 1998, coordinated by the Consejo Boliviano para la Certificación Forestal Voluntaria (Bolivian Council for Voluntary Forest Certification, or CFV) and the Programa de Manejo de Bosques de la Amazonia Boliviana (Forest Management Program for Bolivian Amazonia, or PROMAB), and the support of several organizations and institutions involved in environmental, social and economic aspects of forest management.

The standards have been developed in accordance with the Forest Stewardship Council (FSC) Principles and Criteria for good forest management, for the development of forest certification standards. We now present a summary of this process.

El Consejo Boliviano para la Certificación Forestal Voluntaria (Bolivian Council for Voluntary Forest Certification, or CFV)

The CFV is a non profit Bolivian civil association founded in 1995. Its mission is to promote a sustainable forest management through Voluntary Forest Certification in all of the national territory. The greatest authority in the CFV is the General Assembly of Members, which every year elects democratically a Board that supervises the activities of an operative office.

The CFV is associated to the FSC as the Bolivia Work Group. Its activities include the development of the Bolivian Standards for Forest Management Certification for timber and non-timber products, to provide information and training services to several groups interested in the subject, the supervision of certification processes in Bolivia to preserve the transparency and credibility of the system, and to promote forest certification through different means.

Procedures Applied to the Standards Development

The standards were developed with the technical support of a Standards Committee located in the city of Riberalta. Its members represent several groups of interest in the Brazil nut activities in Northern Bolivia, including representatives from

the Brazil nut industries, including processors and exporters; organizations of producers and workers; several organizations, institutions and projects for forest development, amongst others. The Committee builds indicators for a responsible forest management within the framework of the FSC Principles and Criteria, and compatible with the local social and economic conditions.

The Committee's decisions are taken in a democratic, transparent and documented fashion, in accordance with the procedures established by FSC for the development of national standards. The standards drafts developed by the Committee are distributed amongst the public for comments. The CFV Board supervises the Committee's work and approves the content of the standards.

History of the Process

The process for the development of the Bolivian standards for the forest certification of the Brazil nut (*Bertholletia excelsa*) began in February, 1998, with a workshop that took place in the city of Riberalta. In this meeting a framework was created for the development of the standards. Establishing a work method based upon FSC Principles and Criteria, suggestions were compiled about possible indicators, and a Committee for the development of National Standards was created.

Afterwards several Committee meetings were held on February 25-26 and March 24-25, 1998, to create three pre-drafts. The third pre-draft was the document used as a basis for the development of the first draft of the certification standards for the Brazil nut in a meeting with the Committee held on May 5, 1998. This first draft was widely distributed for a public consultation.

Between June and September 1998, comments and suggestions about the first standards draft were received from the public. These contributions were included in a discussion proposal by the CFV Executive Director, presented to the Committee as the basis for the development of the second draft in a meeting that took place in October 6 and 7, 1998. The second standards draft was distributed amongst the public with a special focus in the representation of institutions and persons involved with the Brazil nut activities in Riberalta.

Between January and March, 1999, comments, observations and suggestions for the improvement of the second draft were received from the public, and they were included in version 2-B. This version was submitted to a field test between March 24 and April 1st., 1999, by an evaluating team from the CIMAR Forest Certification Program (an associate of the SmartWood Program and Rainforest Alliance), hired for this purpose. The results of this study were included in the third standards draft, developed in a Committee meeting that took place in May 31, 1999.

Standards Harmonization for the Brazil Nut in the Amazon Basin.

The procedures stipulated by FSC for the development of national forest certification standards demand that a standards harmonization process take place with other FSC Work Groups in neighboring countries with similar ecosystems, to identify the differences amongst them and to gradually eliminate those differences that are not justified by the environmental and socioeconomic conditions of each country.

The Bolivian Standards Committee participated in three standards harmonization meetings with the Brazil and Peru work groups. The first harmonization meeting took place in Riberalta, Bolivia on March 23 - 24, 2000. After comparing the standards of the three countries, in this meeting recommendations were written down for each of the parts to make harmonization possible. The CFV received 54 recommendations that were analyzed in Committee meetings which took place on May 19th and August 4th. These recommendations were the basis for the fourth standards draft.

The second harmonization meeting took place in Puerto Maldonado, Peru on September 26 -29, 2000. The meeting's recommendations were analyzed by the Bolivian Committee in a meeting held on October 19 and 20, 2000, and incorporated into the fifth draft which was widely distributed for comments. This draft was reviewed in a public consultation seminar -workshop held on February 9, 2001 in Riberalta, with the participation of 43 representatives from 25 local organizations and institutions. The recommendations issued in this workshop were incorporated to other suggestions from other sources in a Committee meeting held on March 2 and 3, 2001, where the sixth Standards draft was written.

For the development of the seventh draft, the Standards Committee gathered in Riberalta on March 30, 2001. The Committee put a special emphasis in building indicators for Principle 9, in reference to High Conservation Value Forests. For this purpose, they took into account the suggestions and recommendations from several sources, as well as the results of a consultancy suggested by the CFV on this subject.

The seventh draft was presented by the Committee in the third standards harmonization meeting for the certification of the Brazil nut, which took place in the city of Xapuri, Brazil, on May 29-30, 2001. This event's recommendations were analyzed afterwards by the Standards Committee in a meeting that took place in Riberalta on June 13-14, 2001, and included in the eighth draft. Afterwards, this draft was presented to the CFV Board for its approval.

Socioeconomic Context

The Brazil nut sector is very important in Northern Bolivia. In 1999 this sector generated 34 million dollars in exports. The extraction and industrialization of the Brazil nut is an important job source during 8 or 9 months. Some 15,000 people go

each year to work at the harvests and about 50% of the population live from the Brazil Nut.

We can distinguish four important elements in the production chain: processors, warehouses, contractors and harvesters. The processors are industrial plants that process the Brazil nut to obtain the processed¹ nut for exportation. In Riberalta currently there are some 20 processing plants which include some 2,500 nut crackers (quebradoras), 4,000 nut cracking assistants (ayudantes de quebrado), 650 permanent workers and 1,300 temporary workers.

The Brazil nut warehouses (administrative units for Brazil nut exploitation) are very variable and fluctuate from 5,000 up to almost half a million hectares. Currently there are some 180 warehouse managers with warehouses that cover up to 2 or 3 million hectares. Nevertheless, a few companies use the greater part of the warehouse surface. In the last ten years there has been a vertical integration process in the Brazil nut sector, and the warehouses are being transferred to the processors. Small-scale peasant producers have 31 to 100 hectares where they also harvest for family consumption. Land property is a problem, because there are no judicial safeguards. The government has started to implement a process to clearly define land ownership.

It is calculated that the processors and the warehouses hire approximately 15,000 harvesters during each annual harvest. The hiring of harvesters is done through intermediaries called contractors under a hiring system called "habilito".²

There is a federation of harvesters that each year negotiates the price of the Brazil nut per box³ with institutions that represent the warehouses and processors, such as the Asociación de Productores de Goma y Almendra (Association of Rubber and Almond Producers, or ASPROGOAL) and the Asociación de Beneficiadoras de Almendra del Noroeste (Northwestern Association of Almond Processors, or ABAN). As the warehouse managers sell their warehouses to the processors, it is becoming more common for the harvesters to negotiate directly with the processors to fix the price of the box of unpeeled Brazil nuts.

Currently there is an ever growing pressure from European importing countries for producers to decrease the aflatoxina⁴ incidence to levels under 4 parts per billion.

¹ The processing includes several processes, like shell cracking, dehydrating, selection and packaging.

² The "habilito" is an informal hiring system through which the processor, warehouse manager or contractor pays his immediate provider an amount of money in advance, on account of future production.

³ The box of unpeeled Brazil nuts weights between 22 and 23 kg.

⁴ Aflatoxina is a cancer causing toxin produced by *Aspergillus flavus* and *Aspergillus parasiticus* fungi, which might contaminate the Brazil nut in high humidity conditions.

In response actions are being processed to improve the quality control of the exports product, including the installation of a specialized laboratory in Riberalta.

Most of the processors and warehouse managers finance their operations with loans that re hard to get and that have elevated financial costs due to the high interest rates. The greatest credit requirement occurs in November and December, when harvesting begins. It is calculated that the total amount of the loans for operative capital for the harvesting and transportation of the Brazil nut equals some 10 million dollars. This capital is immobilized until April, when the Brazil nut exports allow for the generation of income.

Standards structure

The structure of the Certification Standards is formed by forest management Principles, Criteria and Indicators. The Principles are essential elements for a good management and constitute global objectives to be reached. The Criteria are a means to judge if a Principle has or has not been fulfilled. The Principles and Criteria are universal in character and can be applied to any type of forest. Nevertheless, to verify their fulfillment it is necessary to use indicators, which are basically qualitative and quantitative variables which specify results and processes that must be fulfilled in the field to satisfy each criteria. The indicators are defined locally through participative processes.

The work of the Standards Committee has focused in writing indicators that must fully satisfy the FSC Principles and Criteria and, simultaneously, respond to the socioeconomic and environmental conditions under which the brazil nut exploitation activities take place in our country.

Geographical Scope

The Bolivian standards for forest management certification of the Brazil nut are applicable to the natural Brazil nut forests in the Amazonian North of Bolivia, covering an extension of approximately 10 million hectares and which comprises the whole department of Pando and the northern area of the Departments of Beni and la Paz. This area is located between coordinates 9° 30' - 14° Southern Latitude and 62° - 69°30' Western Longitude.

Major failures

For all the assessments performed in relation to forest certification, non-compliance with indicators **3.2.1** and **7.1.1** will be considered as a 'major failure'. Independently from the careful evaluation granted to the assessed operation by the certification bodies, incurring in any of the above-mentioned major failures will automatically

cause a precondition which must be fulfilled by the forest manager before the certificate can be issued..

Reviewing mechanisms

The CFV shall be permanently open to comments and observations about these standards and shall keep a detailed record of every observation received and how it was treated. The Board shall decide on the appropriateness of the observations or suggestions and, if considered necessary, it shall call the Standards Committee for an analysis of the observations and an appropriate recommendation. Any change in the standards proposed by the Committee shall be approved by the CFV board and, finally, by FSC.

1.II.- STANDARDS FOR THE FOREST MANAGEMENT CERTIFICATION OF THE BRAZIL NUT

PRINCIPLE #1: COMPLIANCE WITH LAWS AND FSC PRINCIPLES
Forest management shall respect all applicable laws of the country in which they occur, and international treaties and agreements to which the country is a signatory, and comply with all FSC Principles and Criteria.

CRITERIA	INDICATORS
1.1. Forest management shall respect all national and local laws and administrative requirements.	1.1.1. The forest management complies with the current national laws, bylaws and regulations, listed in the attachments.

<p>1.2. All applicable and legally prescribed fees, royalties, taxes and other charges shall be paid.</p>	<p>1.2.1. There is compliance with the forest patent, taxes, fines and counterbenefits related to the activity in accordance with current legal dispositions.</p>
<p>1.3. In signatory countries, the provisions of all binding international agreements such as CITES, ILO Conventions, ITTA, and Convention on Biological Diversity, shall be respected.</p>	<p>1.3.1. None of the international agreements signed by Bolivia and listed in the attachments is contradicted.</p>
<p>1.4. Conflicts between laws, regulations and the FSC Principles and Criteria shall be evaluated for the purposes of certification, on a case by case basis, by the certifiers and the involved or affected parties.</p>	<p>Criteria 1.4. is sufficiently specific.</p>
<p>1.5. Forest management areas should be protected from illegal harvesting, settlement and other unauthorized activities.</p>	<p>1.5.1. There are preventive actions (limits and borders, periodical inspections, and others), legally applicable, effective and acceptable against the invasion of a third party and other management practices, which might be harmful.</p>
<p>1.6. Forest managers shall demonstrate a long-term commitment to adhere to the FSC Principles and Criteria.</p>	<p>1.6.2. The current practice of the forest manager shall show a long term commitment (of at least 20 years) to the FSC Principles and Criteria.</p>

PRINCIPLE #2: TENURE AND USE RIGHTS AND RESPONSIBILITIES

Long-term tenure and use rights to the land and forest resources shall be clearly defined, documented and legally established

CRITERIA	INDICATORS
<p>2.1. Clear evidence of long-term forest use rights to the land (e.g. land title, customary rights, or lease agreements) shall be demonstrated.</p>	<p>2.1.1. Ownership and right of use of the land in accordance with the requirements stipulated in attachments on legal aspects, or there is a customary right minimally verified, based upon the criteria stipulated in the glossary.</p>
<p>2.2. Local communities with legal or customary tenure or use rights shall maintain control, to the extent necessary to protect their rights or resources, over forest operations unless they delegate control with free and informed consent to other agencies.</p>	<p>2.2.1. The members of the local communities and/or the members of the Agrupaciones Sociales del Lugar (Local Social Groups, or ASLs) that are beneficiaries of Concesiones Forestales en Reserva Municipal (Forest land concessions in Municipal Reservations, or AFRMs) and other legally acknowledged organizations agree to perform a long term forest management and control the implementation of the management plan. The explicit control policies and mechanisms are included in the management plan.</p> <p>2.2.2. In the case of the delegation of profits to third parties, there are clear agreements where the local and community regulations on forest management control are respected..</p> <p>2.2.3. The forest management plans are agreed upon with the community and are based upon participative planning, execution and local control, in accordance with current technical regulations.</p>

2.3. Appropriate mechanisms shall be employed to resolve disputes over tenure claims and use rights. The circumstances and status of any outstanding disputes will be explicitly considered in the certification evaluation. Disputes of substantial magnitude involving a significant number of interests will normally disqualify an operation from being certified.

2.3.1. There are no tenure claims or use rights that put the forest management in risk.

2.3.2. The forest managers practice public relations mechanisms with neighboring communities and other users affected by the management.

2.3.3. If there should be any land disputes, mechanisms for conflict and controversy resolutions between the parts shall be implemented, where the negotiation strategies of the local population and/or involved companies are acknowledged, or the involvement of a mutually agreed upon mediator within the current judicial framework

2.3.4. The holder of the concession is acquainted with the land tenure and use rights legal regulations that allow them to solve conflicts.

PRINCIPLE #3: INDIGENOUS PEOPLES' RIGHTS

The legal and customary rights of indigenous peoples to own, use and manage their lands, territories, and resources shall be recognized and respected.

CRITERIA	INDICATORS
<p>3.1. Indigenous peoples shall control forest management on their lands and territories unless they delegate control with free and informed consent to other agencies.</p>	<p>3.1.1. The forest management plans in original community lands (TCOs) are agreed upon by the communities and are based upon local participative planning, execution and control, in accordance with the pertinent regulations.</p>

	<p>accordance with the pertinent regulations.</p> <p>3.1.2. In the original community lands (TCO) there is an agreement between the communities that inhabit them to perform a long term forest management. The communal control mechanisms are clearly stipulated in the management plan. When there is a division of indigenous territory with limits defined within the TCO. It is not required that all the TCO communities agree; the consent of the communities where the forest project is located shall be enough.</p> <p>3.1.3. In case of the delegation of profits to third parties, there are clear agreements or contracts, respecting the regulations and community customs, signed, legal, in mutual agreement and not imposed, and with clear proof that the community has been informed and consulted for the forest management control.</p>
<p>3.2. Forest management shall not threaten or diminish, either directly or indirectly, the resources or tenure rights of indigenous peoples</p>	<p>3.2.1. If forest exploitation areas, either concessions or private properties, should overlap TCOs, there are agreements between the parts to perform exploitation within current regulations and guidelines of the Forestry Superintendence.</p> <p>3.2.2. There are clear and recognizable borders or limits in the field between the forest exploitation concession areas and/or private properties, and the neighboring TCOs. When it is not possible to establish clear borders and limits between the forest exploitation concession areas and/or private properties, and the neighboring TCOs the operators know the limits and use geographical location and positioning instruments to avoid invading property.</p>

CRITERIA	INDICATORS
<p>3.3. Sites of special cultural, ecological, economic or religious significance to indigenous peoples shall be clearly identified in cooperation with such peoples, and recognized and protected by forest</p>	<p>3.3.1. In case the area under forest management should overlap places of a cultural, economic and religious value for the indigenous peoples, there is a written agreement between the parts to guarantee the protection or management of such sites in such a way that they are respected and</p>

managers.	protected.
3.4. Indigenous peoples shall be compensated for the application of their traditional knowledge regarding the use of forest species or management systems in forest operations. This compensation shall be formally agreed upon with their free and informed consent before forest operations commence.	3.4.1. In case the forest manager is using for his own profit traditional knowledge of the indigenous peoples, they shall be remunerated for the use of their intellectual property in accordance with Decision 391 of the Cartagena Agreement Meeting (JUNAC), its bylaws and other pertinent legal dispositions.

PRINCIPLE #4: COMMUNITY RELATIONS AND WORKER'S RIGHTS

Forest management operations shall maintain or enhance the long-term social and economic well-being of forest workers and local communities.

CRITERIA	INDICATORS
4.1. The communities within, or adjacent to, the forest management area should be given opportunities for employment, training, and other services.	4.1.1. When hiring, the managers shall prefer laborers from the local population. All laborers have the same right to training and work development.
4.2. Forest management should meet or exceed all applicable laws and/or regulations covering health and safety of employees and their families.	<p>4.2.1. There is compliance with the social security laws, worker-boss agreements and regional regulations of the regional labor headquarters (health benefits, accidents, etc.).</p> <p>4.2.2. The work security regulations are complied with. The forest operation manager has and applies bylaws on industrial safety in accordance with current legislation. The laborers are trained in safety measures for forestry labor. The workers count with protection equipment both in the factories and in the forests.</p> <p>4.2.3. There is health attention in accordance with the current labor laws listed in the attachments, for all the employees of the forest manager, including permanent and temporary or seasonal staff.</p>

	<p>4.2.4. The manager provides food and other first necessity products with the quality and prices stipulated through worker -boss agreements.</p> <p>4.2.5. Permanent basic and emergency health attention are offered in the exploitation and production areas.</p> <p>4.2.6. The forest manager promotes the application of preventive measures against malaria and other endemic diseases.</p> <p>4.2.7. The salaries and other benefits (social security, pensions, lodgings and food) are in accordance with the Ley General del Trabajo, Ley de Seguridad Social, bylaws and complementary dispositions, and are not subject to regional standards for the same type of activity.</p> <p>4.2.8. The employer shall provide basic work, lodgings and health conditions during the harvest period for all laborers in the exploitation areas.</p> <p>4.2.9. There are labor contracts in accordance with the law for harvesters, manufacturers, permanent staff and other laborers, which reflect what is stipulated in 4.2.7. (List attached).</p>
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CRITERIA	INDICATORS
<p>4.3. The rights of workers to organize and voluntarily negotiate with their employers shall be guaranteed as outlined in Conventions 87 and 98 of the International Labor Organization (ILO)..</p>	<p>4.3.1. The rights of the workers to organize freely in unions and other types of organization in accordance with the current labor legislation and other pertinent dispositions (see appendix).</p> <p>4.3.2. The crackers, harvesters and other workers have the right to negotiate their contracts collectively, in accordance with current legislation other pertinent dispositions (see attachment 3).</p>

<p>4.4. Management planning and operations shall incorporate the results of evaluations of social impact. Consultations shall be maintained with people and groups directly affected by management operations.</p>	<p>4.4.1. According to the operative scale, there is an appropriate mechanisms to assess the impact of forest management on the production system and the social stability of the affected communities.</p> <p>4.4.2. The communities directly affected by the forestry activities have the opportunity to participate in the planning of the specific forest management activities that may affect them.</p> <p>4.4.3. In the management plan actions are defined to minimize the negative social impact of the forestry operation.</p>
<p>4.5. Appropriate mechanisms shall be employed for resolving grievances and for providing fair compensation in the case of loss or damage affecting the legal or customary rights, property, resources, or livelihoods of local peoples. Measures shall be taken to avoid such loss or damage.</p>	<p>4.5.1. There are measures and procedures to avoid damage or losses that might affect the rights, goods, resources or life of local communities.</p> <p>4.5.2. In the case of negative damage or impact the local communities shall be compensated for the loss of life, personal damage or loss, lost materials, loss of functions in the environment such as the quality of the water or access to forest services, loss of income source, and measures shall be taken to solved the problems created.</p>

PRINCIPLE # 5: BENEFITS FROM THE FOREST

Forest management operations shall encourage the efficient use of the forest's multiple products and services to ensure economic viability and a wide range of environmental and social benefits.

CRITERIA	INDICATORS
<p>5.1. Forest management should strive toward economic viability,</p>	<p>5.1.1. The forest manager knows the forest management costs and income and keeps a</p>

<p>while taking into account the full environmental, social, and operational costs of production, and ensuring the investments necessary to maintain the ecological productivity of the forest.</p>	<p>record of them in accordance with the operative scale and performs an economic balance of both.</p> <p>5.1.2. The forest manager performs actions to preserve the economic viability of the forest management, taking into consideration the long term social and environmental consequences.</p> <p>5.1.3. The manager plans and invests in a medium and long term to increase the productivity of the Brazil nut communities and to improve the social and economic conditions of the population.</p> <p>5.1.4. In the case of community management, fair benefit distribution plans amongst the communities are considered.</p>
<p>5.2. Forest management and marketing operations should encourage the optimal use and local processing of the forest's diversity of products.</p>	<p>5.2.1. There is a constant search for the improvement of the productivity of the brazil nut within the management area.</p> <p>5.2.2. There is a constant search for improvement in the quality of forest products.</p>
<p>5.3. Forest management should minimize waste associated with harvesting and on-site processing operations and avoid damage to other forest resources.</p>	<p>5.3.1. There are actions that lead to the improvement of the efficiency and the reduction of waste in the management unit.</p>
<p>5.4. Forest management should strive to strengthen and diversify the local economy, avoiding dependence on a single forest product.</p>	<p>5.4.1. The forest manager's policy is the exploitation of other products, services and resources, in accordance with their extraction and marketing characteristics and possibilities.</p> <p>5.4.2.- The exploitation of each specific product and/or service category is performed in accordance with a written management plan, which is compatible with the exploitation of a group of products, and is based upon the principle of sustainable use, and has been approved by the competent authorities.</p>
<p>5.5. The rate of harvest of forest products shall not exceed levels that can be permanently sustained.</p>	<p>The criteria are sufficiently specific.</p>
<p>5.6. The rate of harvest of forest products shall not exceed levels which can be permanently sustained.</p>	<p>5.6.1. Indicators 7.1.4.1. y 7.1.4.2., deal more precisely with this subject.</p> <p>5.6.2. It is guaranteed that part of the production of Brazil nuts shall remain as a source of natural regeneration.</p>

PRINCIPLE #6: ENVIRONMENTAL IMPACT

Forest management shall conserve biological diversity and its associated values, water resources, soils, and unique and fragile ecosystems and landscapes, and, by so doing, maintain the ecological functions and the integrity of the forests.

CRITERIA	INDICATORS
<p>6.1. Assessment of environmental impacts shall be completed -- appropriate to the scale, intensity of forest management and the uniqueness of the affected resources -- and adequately integrated into management systems. Assessments shall include landscape level considerations as well as the impacts of on-site processing facilities. Environmental impacts shall be assessed prior to commencement of site-disturbing operations.</p>	<p>The criterion is sufficiently specific.</p>
<p>6.2. Safeguards shall exist which protect rare, threatened and endangered species and their habitats (e.g., nesting and feeding areas). Conservation zones and protection areas shall be established, appropriate to the scale and intensity of forest management and the uniqueness of the affected</p>	<p>6.2.1. No protected or endangered fauna or flora species are exploited (see attached lists).</p> <p>6.2.2. There are concrete consciousness raising policies and actions to avoid the hunting and collection of animals or eggs, in accordance with the current regulations listed in the attachments.</p> <p>6.2.3. If there should be endangered, rare or colonial nesting species, protection zones are</p>

resources. Inappropriate hunting, fishing, trapping and collecting shall be controlled.

colonial nesting species, protection zones are established in accordance with each particular situation with use restrictions for rare and threatened species. These areas are included in the management plan maps.

6.2.4. Concrete actions are performed to protect fauna, such as posting signals, field supervisions, consciousness raising activities, weapons and ammunitions control, and others. It is not permitted to fish using dynamite or other toxic products.

6.2.5. The manager provides meat and other food to employees, harvesters, in enough quantity to avoid pressure for hunting as mentioned in 7.1.7.1.

6.2.6. The use of fire is forbidden in the area and preventive measures are taken in relation to the use of fire in adjoining lands.

6.2.7. Measures are taken to avoid negative effects because of animals from the exterior taken into the management unit.

CRITERIA	1.INDICATORS
<p>6.3. Ecological functions and values shall be maintained intact, enhanced, or restored, including:</p> <ul style="list-style-type: none"> a) Forest regeneration and succession. b) Genetic, species, and ecosystem diversity. c) Natural cycles that affect the productivity of the forest ecosystem. 	<p>6.3.1. The management practices seek to reduce possible impacts of the Brazil nut collection in the regeneration and feeding of the wildlife, as well as the effects of hunting on seed scatterers and predators.</p>
<p>6.4. Representative samples of existing ecosystems within the landscape shall be protected in their natural state and recorded on maps, appropriate to the scale and intensity of operations and the uniqueness of the affected resources.</p>	<p>6.4.1. The criterion is sufficiently specific.</p>

6.5. Written guidelines shall be prepared and implemented to: control erosion; minimize forest damage during harvesting, road construction, and all other mechanical disturbances; and protect water resources.

6.5.1. The roads are planned, built and preserved in accordance with the current regulations for the creation of management plans. There are maps that include information about the main and secondary roads and paths to the exploitation areas, as well as their location.

6.5.2. The roads are built optimizing their density, avoiding habitats that are important for the fauna, reducing to a minimum any damage to the ecosystem, particularly from erosion.

6.5.3. The main and secondary roads, and the bridges, are adequately preserved. The roads that are not used are closed up if they represent a risk of increasing the impact (e.g. the entrance of hunters).

6.5.4. Appropriate measures were adopted to avoid the obstruction of water sources as a consequence of the forest operations.

6.5.5. The operative staff knows the guidelines on erosion control, the diminishment of damage to the forests during the harvests, road building and other mechanical disturbances, and has instructive material about these subjects.

CRITERIA	INDICATORS
<p>6.6. Management systems shall promote the development and adoption of environmentally friendly non-chemical methods of pest management and strive to avoid the use of chemical pesticides. World Health Organization Type 1A and 1B and chlorinated hydrocarbon pesticides; pesticides that are persistent, toxic or whose derivatives remain biologically active and accumulate in the food chain beyond their intended use; as well as any pesticides banned by international agreement, shall be</p>	<p>6.6.1. The criterion is sufficiently specific.</p>

prohibited. If chemicals are used, proper equipment and training shall be provided to minimize health and environmental risks.	
6.7. Chemicals, containers, liquid and solid non-organic wastes including fuel and oil shall be disposed of in an environmentally appropriate manner at off-site locations.	6.7.1. There are places adapted for the storage and burial of waste from the operations (lubricants, containers, plastics, batteries, etc.); wastes are recycled.
6.8. Use of biological control agents shall be documented, minimized, monitored and strictly controlled in accordance with national laws and internationally accepted scientific protocols. Use of genetically modified organisms shall be prohibited.	6.8.1 The criterion is sufficiently specific.
6.9. The use of exotic species shall be carefully controlled and actively monitored to avoid adverse ecological impacts.	6.9.1. The criterion is sufficiently specific.

CRITERIA	INDICATORS
<p>6.10. Forest conversion to plantations or non-forest land uses shall not occur, except in circumstances where conversion:</p> <ul style="list-style-type: none"> a) entails a very limited portion of the forest management unit; and b) does not occur on high conservation value forest areas; and c) will enable clear, substantial, additional, secure, long term conservation benefits across the forest management unit. 	<p>6.10.1. Conversion within the management units is not allowed, in accordance with current legislation.</p>

PRINCIPLE #7: MANAGEMENT PLAN

A management plan -- appropriate to the scale and intensity of the operations -- shall be written, implemented, and kept up to date. The long term objectives of management, and the means of achieving them, shall be clearly stated.

CRITERIA	INDICATORS
<p>7.1. The management plan and supporting documents shall provide:</p> <p>7.1.1. Management objectives.</p>	<p>7.1.1.1. In the management plan there are clear objectives, with calculated aims, and the activities lead to their fulfillment.</p> <p>7.1.1.2. The commercial exploitation of other forest products is performed based upon management subplans that are compatible with the forest's sustainability and in accordance with current legislation.</p>
<p>7.1.2. Description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands.</p>	<p>7.1.2.1. There is a description of the forest's resources to be managed, the environmental limitations, and land tenure and use.</p> <p>7.1.2.2. There is information about existent and necessary labor in the exploitation area.</p> <p>7.1.2.3. There is a description of the health attention, lodgings and job security conditions.</p>
<p>7.1.3. Description of silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories.</p>	<p>7.1.3.1. The use of silvicultural systems is described.</p> <p>7.1.3.2. The operations are planned annually.</p>
<p>7.1.4. Rationale for rate of annual harvest and species selection.</p>	<p>7.1.4.1. There is a statement on the number of trees per center and the annual production of Brazil nut.</p> <p>7.1.4.2. The management plan includes the rationale for the harvest rates, supported with scientifically based technical information available</p>

	for each area, as well as a history of production of the management unit, in Accordance with the scale and intensity of the management.
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CRITERIA	INDICATORS
7.1.5. Provisions for monitoring of forest growth and dynamics.	7.1.5.1. The installation and collection methods are described, with permanent lots for monitoring, and other mechanisms to study the population growth and dynamics.
7.1.6. Environmental safeguards based on environmental assessments.	7.1.6.1. The environmental safeguards are described, including the control of fire, garbage and material that is toxic to the fauna.
7.1.7. Plans for the identification and protection of rare, threatened and endangered species.	<p>7.1.7.1. The management plan includes the description of an action program to avoid predatory hunting, particularly commercial hunting, to inform and train the staff on the importance of fauna and to provide protein food to the staff to substitute meat from the site.</p> <p>7.1.7.2. In accordance with the scale and intensity of the forest management, measures are described for the protection of the endangered species identified.</p> <p>7.1.7.3. There is a procedure to identify endangered flora and fauna species, which takes into account the attached lists.</p>
7.1.8. Maps describing the forest resource base including protected areas, planned management activities and land ownership.	7.1.8.1. There are rough drafts or real scale maps, depending on the size of the operation, including the location and surface of the production areas, roads, bridges, raw material and payoles, and protection areas.
7.1.9. Description and justification of harvesting techniques and equipment to be used.	7.1.9.1 The criterion is sufficiently specific.
7.2. The management plan shall be periodically revised to incorporate the results of monitoring or new scientific and technical information, as well as to respond to changing environmental, social and economic circumstances.	7.2.1. The management plan is periodically reviewed (at least every 5 years) to include the monitoring results, new technical or scientific information, as well as changes in the environmental, social and economic context.

CRITERIA	INDICATORS
<p>7.3. Forest workers shall receive adequate training and supervision to ensure proper implementation of the management plan.</p>	<p>7.3.1. There are records and/or proof of the workers' training.</p> <p>7.3.2. There is an adequate supervision of the field activities to guarantee that the operative norms are being well implemented.</p>
<p>7.4. While respecting the confidentiality of information, forest managers shall make publicly available a summary of the primary elements of the management plan, including those listed in Criterion 7.1.</p>	<p>7.4.1. There is available to the public a summary that includes at least the following data:</p> <ul style="list-style-type: none"> - a map or rough draft of the managed area - surface of the managed area - production - results of the regeneration monitoring - disposal of organic and inorganic waste - time span of the management plan and land use rights - Practical description of the forest management.

PRINCIPLE #8: MONITORING AND ASSESSMENT

Monitoring shall be conducted -- appropriate to the scale and intensity of forest management -- to assess the condition of the forest, yields of forest products, chain of custody, management activities and their social and environmental impacts.

CRITERIA	INDICATORS
<p>8.1. The scale and intensity of forest management operations as well as the relative complexity and fragility of the affected environment should determine the frequency and intensity of monitoring. Monitoring procedures should be consistent and replicable over time to allow comparison of results and assessment of change.</p>	<p>8.1.1. The monitoring takes place mainly in the harvest and protection areas.</p> <p>8.1.2. There is an appropriate monitoring system applicable to the scale and intensity of the management.</p> <p>8.1.3. The operations are inspected periodically to guarantee the plan's fulfillment.</p>
<p>8.2. Forest management should include the research and data collection needed to monitor, at a minimum, the following indicators:</p>	<p>8.2.1. There is a record of the annual yielding of the Brazil nut and other managed forest resources.</p>

<p>a)Yield of all forest products harvested.</p> <p>b)Growth rates, regeneration and condition of the forest.</p> <p>c)Composition and observed changes in the flora and fauna.</p> <p>d)Environmental and social impacts of harvesting and other operations.</p> <p>e)Costs, productivity, and efficiency of forest management.</p>	<p>8.2.2. The recruiting of productive trees and the death rate per road are recorded.</p> <p>8.2.3. The implementation of research on the composition and changes in the population of flora and fauna caused by the management implementation shall be requested and supported.</p> <p>8.2.4. A matrix of environmental and social impacts is applied, in accordance with the Management Plan specifications as well as the guidelines included in the attachments.</p> <p>8.2.5. The income, costs and production in the Brazil nut management and production processes are recorded and assessed.</p>
CRITERIA	INDICATORS
<p>8.3. Documentation shall be provided by the forest manager to enable monitoring and certifying organizations to trace each forest product from its origin, a process known as the "chain of custody."</p>	<p>8.3.1. The inventory data, production record, guides and permits are in order and available.</p> <p>8.3.2. The Brazil nut, which comes from a managed and/or certified forest, is identified during all the production phases and there is a control of the origin of the raw material.</p> <p>8.3.3. The documentation of the certified product sources is available in the intermediate collection centers.</p>
<p>8.4. The results of monitoring shall be incorporated into the implementation and revision of the management plan.</p>	<p>8.4.1. The monitoring provides trustworthy data for the planning and improving of the management plan.</p>
<p>8.5. While respecting the confidentiality of information, forest managers shall make publicly available a summary of the results of monitoring indicators, including those listed in Criterion 8.2.</p>	<p>8.5.1. There is a summary available to the public, which includes at least the following data:</p> <ul style="list-style-type: none"> - monitoring objectives - observations collected - main results and recommendations - others to be defined

PRINCIPLE 9: MAINTENANCE OF HIGH CONSERVATION VALUE FORESTS

Management activities in high conservation value forests shall maintain or enhance the attributes, which define such forests. Decisions regarding high conservation value forests shall always be considered in the context of a precautionary approach.

CRITERIA	INDICATORS
<p>9.1 Assessment to determine the presence of the attributes consistent with High Conservation Value Forests will be completed, appropriate to scale and intensity of forest management.</p>	<p>9.1.1. The forest managers count with a written methodology for the identification of High Conservation Value (HCV) attributes, in accordance with the scale and intensity of the operations.</p> <p>9.1.2 When identifying biological and ecological attributes of the HCV at least the existent regional information is used, complemented, if necessary (in large and/or intense exploitation operations) with new field data. These attributes are identified considering:</p> <p>On a global and regional scale:</p> <ul style="list-style-type: none"> •Classification of ecoregions, forest types, vegetation unites,

habitats, etc. In the national or international writings, which establish the biological singularity, the ecological importance and the conservation status of the biodiversity in the region the FMU belongs to.

- The classification of plant and animal species of Bolivia that do or may exist in the FMU in accordance with their conservation status, geographical distribution, population, use, ecological importance, etc.

On a regional, landscape and local scale:

- Biological studies that describe the diversity of species in the Amazonian forest and other Bolivian ecoregions, their ecological requirements, the impact of human activities on the species and the environment, etc.
- Lists of plant and animal species registered or reported in the FMU and its surroundings, reproduction sites, critical habitats and key resource sites identified for priority species (rare, endemic, threatened, etc.).
- Satellite images; topographic and hydrographic charts; forest maps, inventories and census; spatial distribution of past disturbances and current threats, etc.
- Other sources of information and opinion in scientific, conservationist or environmentalist regional organizations⁵.

⁵ The forest manager uses to a maximum the information already developed by different mean in the region. It is considered there is a good basis and enough information sources to identify the HCV attributes, so the in site data collecting would be the exception and not the rule. It is expected that the forest manager shall use the information sources mentioned in the indicator, and shall ask for opinions so as to count with enough data for a responsible identification of the attributes. A difference is made between different scales of attributes (global, regional, landscape and local).

CRITERIA	INDICATORS
<p>9.1 Assessment to determine the presence of the attributes consistent with High Conservation Value Forests will be completed, appropriate to scale and intensity of forest management.</p>	<p>9.1.3. If there are hints of social attributes to the HCV, the management plan counts with a section on social aspects⁶ which includes information about local communities under the influence of the forest operation. This information includes:</p> <ul style="list-style-type: none"> • Their ethnic composition and demographic characteristics. • Their economic components, interactions and relationship with the proposed forest management. • Maps which express the use of space by these communities (agriculture, hunting, fishing, collecting, sites of religious importance). • Conclusions that specify the positive or negative impacts, and their respective magnitude, caused by the forest operations in the identified communities. <p>9.1.4. The HCVF of their HCV attributes are described in an addendum to the management plan, they are identified in the field and, when necessary, marked on a map and/or in the field in relation to the characteristics of the attributes, the risk level and the impact of the forest operation.⁷</p>
CRITERIA	INDICATORS
<p>9.2 The consultative portion of the certification process must place emphasis on the identified conservation</p>	<p>9.2.1. There is a consultation plan about the conservation attributed developed and executed, which involved in a representative manner the local communities and interested organizations in the region. This plan includes:</p>

⁶ According to the consulting panel on Principle 9, the indexes of the existence of social attributes can be "the existence of communities near the management area, the existence of fallow fields, different claims to the land and the forest resource exploitation, the existence of sanctuaries, sacred areas or archaeological sites visible in the forest area". In case one or several of these attributes is notices, the communities linked to the forest exploitation must be identified, characterized, and the potential impact on them by the management operations determined.

⁷ There is a description of the HCVF or their attributes and the forest manager must be capable of identifying them in the field. Depending on the characteristics of the HCV attributes or the fragility of the conservation, it might be required that they are marked on a map or in the field. For example, if the attribute is a rare species which uses a certain area for nesting, such area would be subject to identification on the field and maps, although it will not be necessarily marked physically, except if forest operations occur which might affect the site.

<p>attributes, and options for the maintenance thereof.</p>	<ul style="list-style-type: none"> •The implementation methodology and mechanisms. •The identification of the communities and social parties involved (in accordance with the corresponding attributes) •The actions that have been performed so that the process is developed in a manner that is acceptable for those interested or affected. <p>9.2.2. The consultation has been planned and executed in a documented manner, taking into consideration sociocultural characteristics (such as origin, language, schooling level) of the involved social actors.</p> <p>9.2.3. The interested parties have received and are acquainted with the final version of the activities plan to be applied for the management and conservation of the HCV attributes, to perform the corresponding follow-up.</p>
<p>9.3 The management plan shall include and implement specific measures that ensure the maintenance and/or enhancement of the applicable conservation attributes consistent with the precautionary approach. These measures shall be specifically included in the publicly available management plan summary.</p>	<p>9.3.1. There are explicit measures described in the management plan⁸ or addendum, or annual work plan, to preserve or increase the HCV attributes.</p> <p>9.3.2. There is clear evidence⁹ in the operations that, at least gradually, measures and practices are performed to preserve or increase the HCV attributes.</p>
<p>9.4 Annual monitoring shall be conducted to assess the effectiveness</p>	<p>9.4.1. An annual monitoring plan exists and is performed, and there are periodical monitoring reports which assess the efficiency and propose improvements in the management</p>

⁸ There must be a description of the operations in time and space, that the manager will apply to preserve or increase the HCV attributes. Nevertheless, it is not necessary to perform any specific action, for inaction could also consist in a measure to aid the conservation of a attribute. For example, in the case of nesting areas it might only be necessary not to disturb the site. In other cases, for example where it is required to increase the abundance of a key forest species to feed fruit-eating animals, silvicultural treatments might be needed to increase the abundance of that specie.

⁹ The certifier must perceive that in the field the manager is implementing concrete actions in favor of the HCV attributes. These actions are not expected to be completed, but there must be a gradual increase of these actions in space and time in response to a work plan.

of the measures employed to maintain or enhance the applicable conservation attributes.

practices aimed to preserve HCV attributes.

GLOSSARY

Access: Permitted or authorized presence under certain agreement, regulation or bylaws of forest users in a forest production area under the responsibility of the manager.

Almond tree: Tree species (*Bertholletia excelsa* Humb. & Blonp.) from 30 to over 40 meters high, which grows in Northeast Bolivia. Their fruit (capsules known as nuts) contain in average 17 seeds called Brazil nuts, almonds that are commercialized as Brazil nuts. The species is unique and belongs to the family of the Lecythidaceae.

Almond: Seed of the Brazil nut tree (*Bertholletia excelsa* Humb & Blonp.) collected by the harvesters directly from the fruits (nuts) that fall to the floor. It is also known as Amazonic nut or Pará nut. The seeds (nuts) of these species have a high oil and protein content and their shell presents a high caloric value, and it is used as fuel.

Border: Limit between forest management areas (concessions, properties or territories)

Box: Commercial unit of volume measure of the content of brazil nut seeds that can fit into a wooden container 27cm wide by 35cm tall by 51cm long duly sealed by the work inspectors. The weight may vary in accordance with the size and humidity of the seeds.

Brazil nut (Almond): Seed of the Brazil nut tree (*Bertholletia excelsa* Humb & Blonp.) collected by the harvesters directly from the fruits (nuts) that fall to the floor. It is also known as Amazonic nut or Pará nut. The seeds (nuts) of these species

have a high oil and protein content and their shell presents a high caloric value, and it is used as fuel.

Brazil nut tree grove: Forest area that concentrates greater densities of Brazil nut trees.

Brazil nut tree: See Almond tree.

Brazil tree patch: See Brazil tree grove.

Center: Within the warehouse, specific area for gathering, storage and control of the Brazil nut production in the extraction areas.

Commercial hunting: (Define)

Contractor: Person hired by the managers of each warehouse for each harvest with the responsibility of recruiting and hiring harvesters, assigning Brazil nut collection areas, supervising collection operations and receiving the Brazil nut production of each hired harvester.

Crackers: Workers in the processors in charge of the process of unshelling and selecting the almonds, who are normally paid in function of their production yielding.

Customary rights: Rights that come from a long series of actions habitual or customary that have been constantly repeated, and have acquired the strength of a law within a geographic or sociological unit through an uninterrupted and acceptance. This concept refers to indigenous and peasant issues and it is a current subject of the discussion about official and non-official regulations. Nevertheless, the uses and customs accumulated by the indigenous and peasant peoples, when acknowledged, affirm the legal plurality, which coexists within the same geographical space. The theme of the conflict with indigenous and peasant communities revolves around the questioning between the State, indigenous peoples, peasants and the legislation related to a co-management of the natural resources, including the use of surface and subterranean water, hunting, fishing, tree felling, etc. The elements which support the customary rights are: **a)** the participation of the community, as these rights are usually verbal, and, **b)** a condition of flexibility, for it seeks effective and legitimate mediation and reconciliation, instead of punishment. The Bolivian legislation acknowledges the rights of the indigenous and peasant peoples to apply their own regulations, uses and customs for conflict resolution, in accordance with the stipulations of Art. 171 of the Constitución Política del Estado [Political Constitution of the State], Art. 3 of Law 1257 (which ratifies the ILO's Agreement 169), Art. 32 clauses II and III of Law 1700 (Ley Forestal) and Art. 9 of the Ley de Participación Popular [Popular Participation Law].

Decrease: Loss of Brazil nut seeds because of the deterioration and/or weight reduction which occur during their extraction, storage, transportation and manipulation.

Equity: Equity in itself is not a source of rights but, instead, it is an application criterion and a judicial principle. Under these criteria, equity seeks to apply the written regulations eliminating unbalances and inequalities; for this reason it is also known as "justice of the concrete case". As a judicial principle, equity is distinguished from the principle of justice because it is strictly ethical in character.

Genetic erosion: Significant reduction of individuals (genetic material) of one or more species, or a limitation in their genetic transmission due to a natural diminishment of the population or due to the selective elimination of individuals whose characteristics are ideal for certain antropogenic use. The intensity of the reduction of the population or of the intensive elimination of the selected individuals may occasion irreversible genetic erosion.

Harvest: Period of commercial Brazil nut collection.

Harvester: Brazil nut collectors during the harvest.

Invasion: Entering and remaining in a Brazil nut tree grove of unauthorized persons to collect Brazil nut seeds.

Local social groups (Asl's): Collectivities of people with a judicial character, formed by traditional users, peasant communities, indigenous peoples and other users of the site that use forest resources within the Municipal or the Association of Municipalities, (paragraph II article 1° of the Reglamento General de la Ley Forestal [General Forestry Law By-laws] DS 24453, December 21, 1996). The **ASL's**, organized and constituted through any of the judicial personality modalities considered in Law N° 1551, April 20, 1994 and others established in the national area, and characterized in accordance with the Reglamento General de la Ley Forestal have a priority to receive the forest concession within 20% of the fiscal permanent forest production lands established in each municipal or association of municipalities' jurisdiction in accordance with the stipulations of clause **a)**, article 25° and paragraph II article 31° of the Ley Forestal [Forest Law] N° 1700, July 12, 1996.

Manufacturer(s): Workers in the Brazil nut processors.

Municipal reservation forest areas (AFRM): reservation areas which encompass 20% of the total fiscal permanent forest production lands established in each municipal or association of municipalities' jurisdiction, destined to concessions to local social groups (clause **a)**, article 25, Ley Forestal).

Non consuming use: The use of forest resources does not imply the elimination of the individual. Examples of consuming use are ecotourism, the generation of hydroelectricity and the collection of seeds, latex and resins.

Original Community Lands (Tco's): Geographic spaces which constitute the habitat of the original and indigenous peoples and communities, who have traditionally had access and where they preserve and processor their own forms of economic, social and cultural organization, so guaranteeing their survival and development. They are inalienable, indivisible, irreversible, collective, conformed by communities or associations, not subject to embargo and non prescriptible (clause 5 of article 41 of the Ley del Servicio Nacional de Reforma Agraria [Law of the National Agrarian Reform Service]).

Payol: Rustic storage and collection deposit for Brazil nut in the forest, normally built with local material.

Processing: Industrial process that includes operations of steaming, air drying, cracking, selecting, dehydrating in an oven and packaging. The main final product of this process is the processed seed, known as almond, or Brazil or Amazonic nut.

Processor: Industrial plant where the processing of the Brazil nuts takes place.

Self-preservation hunting: (Define)

Subsidiary contract: Contract subscribed between a management area manager and a third party(ies), in accordance with paragraph I of article 29° of the Ley Forestal, and Artículo 78° of its Reglamento General, which allows for the use of certain forest resources not included in the corresponding management Plan, with the manager remaining responsible of all the resources of the granted area.

Warehouse: Management area or unit of forest exploitation in Northwestern Bolivia. Extension of land where commercial exploitation activities of predominantly non-timber renewable natural source takes place, with exclusive rights to the use of timber products on the part of the managers (based on paragraph II article 29°, Ley Forestal).

ATTACHMENT 1. CFV DIRECTORY

ECONOMIC CHAMBER	ENVIRONMENTAL CHAMBER	SOCIAL CHAMBER
Fernando Velarde (IMR)	John Nittler (BOLFOR project)	Zulema Lehm
Carlos Glogau (Amazonic)	Mario Escalier (ETSFOR)	Ana Garnica
Roberto Quevedo (La Chonta)		Alicia Tejada (UCPOI)

ATTACHMENT 2. BOLIVIAN STANDARDS COMMITTEE FOR THE CERTIFICATION OF THE BRAZIL NUT

ECONOMIC CHAMBER	ENVIRONMENTAL CHAMBER	SOCIAL CHAMBER
Julio Aue (ASPROGOAL)	Juan Pablo Baldivieso (PANFOR)	Gerardo Amutari (Peasants' Federation)
Rafael Balderrama (Amazonas – Manutata)	René Boot (PROMAB)	Marco Arredondo (IPHAE)
Jorge E. Beltrán	Jhon Leigue (PROMAB)	Zulema Lehm (CFV)
Oscar Chávez (ABAN)	Oscar Llanque (UTB - PROMAB)	Ruth Llanos (SNV)
Yáskara Hayashida (Empresa Vargas)	Samaria Murakami (PROMAB)	Nelsy Piluy (Manufacturers' Federation)
Luis Revollo (PROMAB)	Orlando Melgarejo (BOLFOR)	Casta Quete de Sosa (Manufacturers' Federation)
Jaap Weber (SNV)	Rodolfo Peralta (PANFOR)	Dietmar Stoian (CIFOR)

Boris Durán (SNV)	Marielos Peña (PROMAB)	Dora Suazo (Rubber - Brazil nut Harvesters' Federation)
	Lincoln Quevedo	
	Jose Luis Santivañez (MHN-NKM)	

ATTACHMENT 3. REGULATORY FRAMEWORK RELATED TO THE APPLICATION OF THE BOLIVIAN STANDARDS FOR THE CERTIFICATION OF THE BRAZIL NUT

Forestry Regulations

- Ley Forestal [Forestry Laws] (Law N° 1700, July 12, 1996)
- Reglamento de la Nueva Ley Forestal [By-laws of the New Forestry Law] (DS 24453, December 21, 1996)
- Normas Técnicas Para la Elaboración de Instrumentos de Manejo Forestal (Inventarios, Planes de Manejo, Planes Operativos, Mapas) en Propiedades Privadas o Concesiones Con Superficies Mayores A 200 Hectáreas [Technical Regulations for the Creation of Forest Management Instruments (Inventories, management Plans, operative Plans, Maps) in Private Properties or Concessions larger than 200 Hectares] (RM 248/98, october 26, 1998).
- Normas Técnicas Para La Elaboración de Instrumentos de Manejo Forestal Comercial (Inventarios, Planes de Manejo, Planes Operativos Y Mapas) en Tierras Comunitarias de Origen [Technical Regulations for the Creation of Forest Management Instruments (Inventories, management Plans, operative Plans, Maps) in Oroginal Community Lands] (RM 136/97, June 9, 1997).
- Normas Técnicas Para La Elaboración de Instrumentos de Manejo Forestal (Censos Comerciales, Planes de Manejo, Planes Operativos, Mapas) en Propiedades Privadas Con Superficies Menores A 200 Hectáreas [Technical Regulations for the Creation of Forest Management Instruments (Inventories, management Plans, operative Plans, Maps) in Private Properties or Concessions smaller than 200 Hectares] (RM 132/97, June 9, 1997).
- Normas Técnicas Para La Elaboración de Instrumentos de Manejo Forestal (Inventarios, Planes de Manejo, Planes Operativos Y Mapas) en Bosques Andinos Y Chaqueños [Technical Regulations for the Creation of Forest Management Instruments (Inventories, management Plans, operative Plans, Maps) in Andean and Chaqueño Forests] (RM 135/97, June 9, 1997).
- Normas Técnicas Sobre Programa de Abastecimiento Y Procesamiento de Materia Prima [Technical Regulations on Raw Material Supply and Processing] (RM 134/97, June 9, 1997)
- Directrices Sobre Concesiones A Agrupaciones Sociales del Lugar [Guidelines on Concessions to Local Social Groups] (RM 133/97, June 9, 1997)
- Normas Técnicas Sobre Planes de Ordenamiento Predial [Technical Regulations on Land Tax Ordinance Plans](RM 130/97, June 9, 1997)

- Reglamento Especial De Desmonte y Quemadas Controladas [Special Guidelines on Clearing and Controlled Burning] (RM 131/9, June 9, 1997).
- Resoluciones, Directrices e Instructivos Técnicos Emitidos por la Superintendencia Forestal [Resolutions, Guidelines and Technical Manuals Emmitted by the Forestry Superintendence].

Environmental Regulations

- Ley del Medio Ambiente [Law of the Environment] (Ley N° 1333, April 27, 1992)
- Reglamento General de Gestión Ambiental [Environmental Negotiation By-laws] (DS 24176, December 8, 1995)
- Reglamento de Prevención y Control Ambiental [Environmental Prevention and Control Guidelines] (DS 2417, December 8, 1995)
- Ley de vida silvestre, parques nacionales, caza y pesca [Law on wildlife, national parks, hunting and fishing](Decreto Ley 12301, March 14, 1975)
- Establecimiento de la Pausa Ecológica Histórica [Establishment of the Historic Ecological Pause] (DS 22407, 1990)
- Reglamento de la Pausa Ecológica Histórica [By-laws of the Historic Ecological Pause] (DS 22884, 1991)
- The Ley de Veda General Indefinida [Indefinite General Prohibition Law] (DS 22641, 1990), forbids persecution and capture of wild animals and the collection of their products for commercial aims. Only the collection of species with scientific aims is permitted. Hunting is allowed in indigenous communities for self-consumption. Any type of hunting or collection of wild animal products with a commercial aim must be authorized specifically by presidential decree on a case by case study basis..
- Régimen de Concesiones de Tierras Fiscales para Fines de Conservación y Protección de la Biodiversidad, Investigación y Ecoturismo [Concession Rules of Fiscal Land for the Conservation and Protection of Biodiversity, Research and Eco-tourism] (DS 24773, July 31, 1997)
- Reglamento General de Areas Protegidas [General Guidelines for Protected Areas] (DS 24781, July 31, 1997)
- Reglamento para el Aprovechamiento y Conservación del Lagarto [Guidelines for the Exploitation and Preservation of the Crocodile] (DS 24774, July 31, 1997)
- Servicio Nacional de Areas Protegidas [National Protected Areas Service] (DS 25158, September 4, 1998).

Labor Regulations

- Ley General del Trabajo [General Labor Law] (LGT), which includes a great amount of current dispositions that amplify the Law Decreed on May 24, 1939, ascended to a Law on December 8, 1942, and the I Decreto Reglamentario N° 224, August, 1943.

- Resolución Suprema [Supreme Resolution] 158242, July 15, 1971, which makes reference to rubber and Brazil nut, where it is established as compulsory that the hiring companies provide basic articles at a minimum cost in favor of the laborers, in accordance to Articles 76 y 77 of the LEY GENERAL DEL TRABAJO, Law of November 6, 1946, and other legal dispositions.
- La Resolución Suprema [Supreme Resolution]158244, July 15, 1971, has extended to the rubber and brazil nut laborers the scope of the Law of December 14 in the case of illness, pregnancy and accidents on the job, benefits that, in accordance with Title VII of the LEY GENERAL DEL TRABAJO will be in charge of the companies with no costo for the laborers.
- La Resolución Suprema [Supreme Resolution] 158243 of July 15, 1971, which includes amongst the manufacturing laborers incorporated to the benefits of the LEY GENERAL DEL TRABAJO all those who render services in the developing Brazil nut plant in all phases of the process including the crackers and those in charge of transportation in the companies' transports.
- Código del Menor [Code on Minors] (Law 1403, December 18, 1992, which regulates the Rights of Working Minors).
- Ley de Pensiones [Law on Pensions] (Law N° 1732, November 29, 1996).
- Nuevo Clasificador Institucional, donde las Administradoras de Fondos de Pensiones deben registrar a todas las instituciones, incluidas las castañeras. Resolución de la Superintendencia de Pensiones 051/97 [New Industrial Classification, where the Managers of the Pension Funds must register all institutions, including Brazil nut producers. Pensions Superintendence Resolution NO. 051/97], 1997
- Convenio 156 de la Organización Internacional del Trabajo (OIT) [ILO Agreement 156], Law N° 1871, June 15 1998, in relation to equal opportunities and treatment amongst male and female laborers with family responsibilities, adopted on June 23, 1981.
- Article 75 of the LEY GENERAL DEL TRABAJO establishes that the companies which hire over 200 laborers and is 10 kilometers from the nearest community must build camps to hygienically lodge the laborers and their families, and must count with a doctor and a first-aid kit.
- Article 78 of the LEY GENERAL DEL TRABAJO establishes that the companies that count with over 50 laborers shall pay for the technical training of a laborer or his offspring in national or international schools.
- Article 79 of the LEY GENERAL DEL TRABAJO regulates compensation payments in the case of accidents or illness for work related reasons, independently of any negligence on the part of the company or the laborer.
- Title IX of the LEY GENERAL DEL TRABAJO acknowledges the right to gather in unions with the essential aim of defending the collective interests of the members.
- The LEY GENERAL DEL TRABAJO in its Articles 23 and 27; its Regulatory Decree in Articles 17 and 20, and other pertinent legal dispositions grant laborers the right to negotiate collectively with their bosses.
- Constitución Política del Estado [the State's Political Constitution], the LEY GENERAL DEL TRABAJO in its Articles 159 and 99, and other pertinent legal

dispositions grant labourers the right to organize freely in unions or other forms of organization.

Labor regulations applicable to work in the Brazil nut harvest

- Resolución Ministerial [Ministry Resolution] 235/80, April 21, 1980 (Seasonal or temporary labourers).

“The seasonal or temporary labourer is the one who performs activities related to harvesting cotton, Brazil nut, coffee, etc. Which work for a salary under conditions of subordination and dependency”.

Seasonal labourers are included in the scope of the Ley General del Trabajo.

The issue of the social security and the intermitent seniority of labourers, shall be regulated considering the particularities of this relationship.

The work conditions, salaries, travel tickets and expenses, lodgings, medical assistance, minor labor ans others shall be subject to a sigle collective agreement to be subscribed between the central organizations of both labourers and their bosses. Minimum work conditions that shall be applied in each case, according to the peculiarities of the companies.

- Decreto Supremo [Supreme Decree] 20255, may 24, 1984. The text of this decree is included in the Attachments.

Agrarian Legislation

- Ley del Servicio Nacional de Reforma Agraria-INRA [Law of the National Agrarian Reform Service] (L. 1715, october 18, 1996).
- Régimen Agropecuario Unificado [Unified Agricultural and Farming Regime] (DS 24463, 1996)
- Norma del proceso de los Planes de Ordenamiento Predial en Bolivia (RS 217075 de 1997)

List of international agreements signed by the Bolivian State

- Convenio de la Organización Internacional de Maderas Tropicales [Agreement of the International Tropical Wood Organization] (OIMT) ratificado por Ley N° 867 del 27 de mayo de 1986.
- Convenio 169 de la Organización Internacional del Trabajo sobre Pueblos Indígenas y Tribales en países independientes [Agreement 169 of the

- International Labour Organization on Indigenous and Tribal peoples in independent countries], ratified in Law N° 1257, July 11, 1991.
- Convenio sobre Diversidad Biológica [Agreement on Biological Diversity], ratified in Law N° 1580, June 15, 1994.
 - Convención sobre el Comercio Internacional de Especies Amenazadas de Fauna y Flora Silvestres (CITES)[Convention on International Commerce of Endangered Fauna and Flora Species], ratified in Law N° 1255, July 5, 1991.
 - Convención Marco sobre el Cambio Climático, [Framework Convention on Climatic Change], ratified in Law N° 1576, July 25, 1994.
 - Convención de las Naciones Unidas de Lucha contra la Desertificación y la Sequía [United Nations Convention to Fight against Desertification and Drought], ratified in Law N° 1688, March 27, 1996.
 - Decision 391 of the Acuerdo de Cartagena [Cartagena Agreement]. Régimen Común de Acceso a los Recursos Genéticos [Common Regime of Access to genetic resources].
 - International Commercial agreements (if there should be apparent conflicts between some commercial arrangement and the forest certification scheme, like GATT, which stipulates that "no commercial restrictions can be imposed to discriminate between similar products that have been generated by different production methods", the participants in the process preserve the postulates and ordinance of forest certification these being voluntary; for this reason they are not considered a restriction).

Comparative list of mammals registered in the Manuripi Heath AmazonicR National Reserve. Evaluation 2.000. Site: Lb=Laguna Bay; Id=Independencia; H-s= Humaitá - Serna; Ne= Nueva España; La= Luz América; Register: cap= capture; ob= observed; es= heard; cu= caves; en= interview; hu= tracks; ex= excrement; LRVB: VU= vulnerable; DD= not well known; EN= endangered; Amazonia: Sr= Santa Rosa; La= Loma alta (Beni); Lv= Loma verde (orthon); P= Palestina (orthon); F= Frontera (Orthon), H= Humaitá (orthon); RET= Reserva Ecológica el Tigre; Bolivia: B= Beni; P= Pando; CBBA= Cochabamba; T= Tarija; Chu= Chuquisaca; SC= Santa Cruz; LP= La Paz; O= Oruro; Po= Potosí.

Order	Site	Habitats	Register	RNAMH	1998	PNNKM	PNA	Sr	CITES	LRVB	Amaz
Family											
Genus and species											
Primates											
Cebidae											
<i>Saimiri sciureus</i>	Id, Lb, Ne	Gu	es, ob				x	x		V	F
<i>Saguinus fuscicollis</i>	Id, Lb, La, Ne	Bt, Br	ob					x	II	DD	La, F, Sr
<i>Alouatta seniculus</i>	Lb, Ne, Ss	Bt	es, ob	x	x	x	x	x	II	DD	RET, P, F, H
<i>Ateles chameck</i>	Lb, Ne, Id, H-s		en	x	x			x	II	VU	RET, P, r
<i>Pithecia irrorata</i>	Ne		es						II	VU	Lv
<i>Cebus apella</i>	Lb, Ne		ob		x	x	x				RET, P, r
<i>Cebus albifrons</i>	H-s, Lb		ob	x				x			RET, P, r
<i>Callicebus brunneus</i>	Lb, Ne		es, ob	x				x			P, La, Sr
<i>Aotus sp.</i>	Id, La		en		x						RET, P, r
<i>Aotus nigriceps</i>	Id, Lb, Ne		es, ob	x				x	II	DD	
Xenarthra											
Myrmecophagidae											
<i>Myrmecophaga tridactyla</i>	Lb		ob		x	x	x	x	II	VU	Sr
<i>Tamandua tetradactyla</i>	Id		ob, hu		x	x	x				RET, P, r
<i>Cyclope didactylus</i>	Id		ob				x	x		DD	Sr
Bradypodidae											
<i>Bradypus variegata</i>	Lb		ob	x	x	x	x				Sr
<i>Choloepus sp.</i>			en							DD	

Comparative list of mammals registered in the Manuripi Heath Amazonic National Reserve. Evaluation 2.000. Site: Lb=Laguna Bay; Id=Independencia; H-s= Humaitá - Serna; Ne= Nueva España; La= Luz América; Register: cap= capture; ob= observed; es= heard; cu= caves; en= interview; hu= tracks; ex= excrement; LRVB: VU= vulnerable; DD= not well known; EN= endangered; Amazonia: Sr= Santa Rosa; La= Loma alta (Beni); Lv= Loma verde (orthon); P= Palestina (orthon); F= Frontera (Orthon), H= Humaitá (orthon); RET= Reserva Ecológica el Tigre; Bolivia: B= Beni; P= Pando; CBBA= Cochabamba; T= Tarija; Chu= Chuquisaca; SC= Santa Cruz; LP= La Paz; O= Oruro; Po= Potosí.

Order	Site	Habitats	Register	RNAM	PNNKM	PNA	Sr	CITES	LRVB	Ama
	RNAMH			H						
Family										
Genus and species										
Dasyopodidae										
<i>Dasyopus kappleri</i>	Id, La		ob, hu		x		x		DD	Sj
<i>Cabassous unicinctus</i>	Id, Lb		cu, hu	x			x		DD	
<i>Priodontes maximus</i>	H-s, Lb, Ne		cu, ob, hu		x	x	x	I	VU	Sr
<i>Dasyopus novencimctus</i>			cu	x	x	x	x			RET,P
Carnívora										
Canidae										
<i>Atelocynus microtis</i>	Id,H-s		ob, hu		x	x			DD	Sr
<i>Speotus venaticus</i>	Id		ob		x	x	x	II	DD	H,Sr.
Procyonidae										
<i>Potos flavus</i>	Id		ob	x	x	x	x	I	DD	H
<i>Bassaricyon gabdi</i>	La		ob			x	x		DD	RET,S
<i>Nasua nasua</i>	La		hu	x	x	x	x			RET,P
<i>Procyon cancrivorus</i>	Id		hu		x	x	x			
Mustelidae										
<i>Eira barbara</i>	La		ob		x	x	x			RET,P
<i>Lontra longicaudis</i>	Ss		ob		x	x		I	VU	
<i>Mustela frenata</i>	La		ob							
<i>Pteronura brasiliensis</i>	Lb		ob		x	x		I	EN	
<i>Galictis vitata</i>			en				x		V	RET

Comparative list of mammals registered in the Manuripi Heath Amazonic National Reserve. Evaluation 2.000. Site: Lb=Laguna Bay; Id=Independencia; H-s= Humaitá - Serna; Ne= Nueva España; La= Luz América; Register: cap= capture; ob= observed; es= heard; cu= caves; en= interview; hu= tracks; ex=

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Order	Site	Habitats		RNA MH						
	RNAMH		Register	1998	PNNKM	PNA	Sr	CITES	LRVB	Amazon
Family										
Genus and species										
Felidae										
<i>Leopardus wiedii</i>	Id, La		en	x			x	I	DD	
<i>Herpailurus yaguaroundi</i>	Id, La		ob, hu		x	x	x	II	DD	RET
<i>Leopardus pardalis</i>	Id, Lb		hu	x	x	x	x	I	VU	RET,P
<i>Panthera onca</i>	Id, Ne		hu		x		x	I	VU	RET,P,H
<i>Puma concolor</i>	Ne		ex		x	x	x	II	DD	
Perissodactyla										
Tapiridae										
<i>Tapirus terrestris</i>	Id, H-s, Lb, Ne		ex, hu	x	x	x	x	II	VU	H,La,Lv,
Atiodactyla										
Tayassuidae										
<i>Tayassu pecari</i>	Id, Lb		hu	x	x	x	x	II	VU	Sr
<i>Tayassu tajacu</i>	Id, Lb		hu	x	x	x	x	II	VU	RET,P,H
Cervidae										
<i>Mazama americana</i>	Id, Lb, Ne		ob, hu	x	x	x	x		DD	RET,P,L
<i>Mazama guazoubira</i>	Id, Lb		hu		x	x	x		DD	RET,P,L
Lagomorpha										
Leporidae										
<i>Sylvilagus brasiliensis</i>	Id		hu	x	x	x				

Comparative list of mammals registered in the Manuripi Heath Amazonic National Reserve. Evaluation 2.000. Site: Lb=Laguna Bay; Id=Independencia; H-s= Humaitá - Serna; Ne= Nueva España; La= Luz América; Register: cap= capture; ob= observed; es= heard; cu= caves; en= interview; hu= tracks; ex= excrement; LRVB: VU= vulnerable; DD= not well known; EN= endangered; Amazonia: Sr= Santa Rosa; La= Loma alta (Beni); Lv= Loma verde (orthon); P= Palestina (orthon); F= Frontera (Orthon), H= Humaitá (orthon); RET= Reserva Ecológica el Tigre; Bolivia: B= Beni; P= Pando; CBBA=

Cochabamba; T= Tarija; Chu= Chuquisaca; SC= Santa Cruz; LP= La Paz; O= Oruro; Po= Potosí

Order				RNAMH						
	Site		Register	1998	PNNKM	PNA	Sr	CITES	LRVB	Am
Family										
Genus and species										
Rodentia										
Sciuridae										
<i>Sciurus ignitus</i>	La		ob	x			x			F
<i>Sciurus spadiceus</i>	Id, Ne		ob	x	x	x	x			F, Sr
Hydrochaeridae										
<i>Hydrochaeris hydrochaeris</i>	ss		ob		x		x			H, Sr
Dasyproctidae										
<i>Myoprocta cf. Pratti</i>	Lb		ob							
<i>Dasyprocta variegata</i>	Id, H-s, Lb, Ne, La		ob, hu	x	x		x			RET, F, H
Agoutidae										
<i>Agouti paca</i>	Id, H-s, Lb			x	x		x		DD	RET, F, H
Erethizontidae										
<i>Coendou bicolor</i>	La		ob				x			Sr
<i>Coendou prehensil</i>	Id, Lb		ob		x		x			
Marsupialia										

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