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Analysis of Independent Forest Vigilance experiences in Honduras, Panamá and Perú: inputs for the good forest governance

Max David Yamauchi Mansur Levy^{1,2}, Guillermo Navarro², Fernando Carrera¹ Róger Villalobos Soto¹ Angela Díaz Briones¹

¹Tropical Agricultural Research and Higher Education Center (CATIE)

²Food and Agriculture Organization of the United Nations (FAO)

Abstract

Illegal logging is one of the main drivers associated to tropical forest degradation and deforestation, being a problem structurally related to weaknesses in law enforcement and forest governance processes. Independent Forest Vigilance is a participatory and empowering social process in which civil society and independent actors verify legality in forestry activities and influence the sector's transparency and governance. There are only few studies about the existing models of this activity, especially in Latin America. Within the framework of the FAO EU FLEGT Program, this study systematized Independent Forest Vigilance experiences and projects in three countries: the Independent Forest Monitoring and the 'Contraloría Social' (civil society controllership) of Forest Management and of FLEGT VPA in Honduras, the 'Veeduría Forestal Ciudadana' (forestry oversight) in Panamá, and the Indigenous 'Veeduría' in Perú. Three distinct vigilance approaches were identified: an intrasectorial operative approach, based on the verification of norm compliance in exploitation activities; a strategic extrasectorial approach, based on the verification of the performance of actors of the Honduras FLEGT VPA; and a territorial management approach, based on technical assistance, community representation and control in the forestry and environmental fields. Although the countries have conceptually well-developed mechanisms, the degree of practical application is variable, and even little consolidated in some cases. Economic sustainability, recognition by authorities, independence, and coordination with actors from the verification and control systems are the main challenges to be faced in the process of strengthening these mechanisms. Nonetheless, their great potential to contribute to the improvement of governance is widely recognized, especially in the realms of legality verification, control and law enforcement, institutional internal control systems, and the sector's transparency.

Keywords: Governance, Illegal trade, Monitoring and data collection, Deforestation and forest degradation.

Introduction, scope and main objectives

Illegal logging is one of the main problems when it comes to deforestation and degradation of tropical forests (Lawson and MacFaul 2010). Whether within forests with legal permits for their use or outside these areas, it is a problem that generally stems from a set of weaknesses in the forest and environmental governance of a country or region that ultimately has ecosystem, social and economic effects on scales ranging from local to national. In this context, in recent years forest policy has been the focus of broad debates both at the national and international level, covering topics such as FLEGT (Forest Law Enforcement, Governance and Trade) and REDD+, and mainly involving tropical countries (Brown et al. 2008).

Within a set of strategies and processes that make up the forest policy and governance of a country, the control and verification of forest legality are key activities to ensure forest conservation and sustainable forest management. In this sense, both can be structured as control systems or legality verification systems that, in turn, are structured by a set of mechanisms and practical actions (Brown et al. 2008). Among these actions,

independent forest vigilance is developed as a mechanism in which 'third parties', actors external to the government, monitor the different links in the forestry and environment sector chains, in order to verify compliance with the responsibilities of the various actors.

Honduras, Panama and Peru are all countries that have large extensions of forests in proportion to their territories, but that also face serious problems with their degradation. Although each of these countries has its specificities, with different interests, actors, capacities, resources and levels of corruption, in general, they all experience challenges in terms of illegal logging and governance of the forest sector. In this context, over the past two decades, experiences in independent forest vigilance have been developed in each country to counteract this problem, but are conceptualized and applied in quite different ways.

Although they can be understood in the same dimension of action, each of these experiences has specific approaches and methodologies and are given different names. In Honduras there are experiences of 'Independent Forest Monitoring' (IFM), Social 'Contraloría' (civil society controllership) of Forest Management (CS-GF) and of the FLEGT VPA (CS-VPA). At the same time, in Panama and Peru, Citizen Forestry 'Veedurías' (forestry oversight) and Indigenous Forest 'Veedurías' have been developed respectively, each with its potential and effects at local, regional and national levels.

In this context, 'independent forest vigilance' can be understood as a general term that encompasses a variety of forms of action that are called by different names. In addition to those already mentioned, independent observation, external monitoring and 'monitoring by own mandate' are also examples of some typological variants of independent vigilance experiences developed in Latin America, Africa and Asia. Even so, there are still few studies that focus into the differences in each case, their potential to contribute to governance, and the effects they have provided in specific contexts, especially in the Latin American region.

As a product of an individual analytical effort on each experience carried out in Honduras (Yamauchi et al. 2021a), Panama (Yamauchi et al. 2021b) and Peru (Yamauchi et al. 2021c) (case studies), this document presents a comparative transversal analysis between each one, differentiating and relating their main conceptual and application characteristics. Based on this, a set of lessons is proposed that can contribute to their development in terms of governance mechanisms, the contexts in which they are inserted, as well as serve as a basis for reflection for the establishment of new similar practices.

Methodology

This study consisted of a systematization of experiences, an orderly process of reconstructing experiences, generation of knowledge through the critical reflection of the participating actors, and the communication of the resulting learnings. Events and knowledge were organized in order to understand them, distinguish their components and relationships, contrast them with theory and previous knowledge. Thus, lessons were identified to improve / transform experiences and generate action guidelines in the context in which they are inserted.

The study has qualitative nature, so that the information was collected from a non-probabilistic sampling with key actors: participants of the experiences in independent forest vigilance and other external local actors, such as government agents or other organizations related to the subject. The methodology was carried out through a three-stage procedure, which were designed to generate specific products and meet the objectives set. The stages were carried out in chronological order: 1) Conceptual revision for the analysis of independent forest vigilance, 2) systematization of experiences and 3) comparison of experiences.

Stage 1. The first stage of the work consisted of conducting a bibliographic and conceptual review of the different approaches to independent forest vigilance existing in the world and in Latin America. With this, a better understanding of the theoretical differences and similarities between approaches was sought. This stage was crucial for a better analysis of the experiences in stage 2.

Stage 2. The second stage included the systematization and analysis of the experiences of independent forest surveillance. For this, secondary documents, project reports, manuals, and regulations, among others, were reviewed. Based on this, a set of key actors was selected for the application of semi-structured interviews and focus groups, to triangulate the information. For each case, people representing different perspectives were interviewed, such as vigilance actors, conceptual authors of the experiences, representatives of the forest authorities in different directions, external actors such as NGOs and civil society organizations. Some of the interviewees were contacted by indication. This procedure was repeated in the contexts of each country: Honduras, Panama, and Peru.

Stage 3. The third and last stage consisted of combining the results obtained in the previous stages, in order to classify the various experiences, identify their main similarities and differences, and, mainly, the potential of each one to contribute to the good governance. The fruit of this stage is the focus of the present paper.

Results and discussion

Independent forest vigilance represents a process of social empowerment and participation in which organized civil society and independent professionals are practical actors in the verification of forest legality and direct influencers of transparency and governance, through the generation of an additional perspective on the state of the sector.

In this context, the experiences developed in Honduras (Yamauchi et al. 2021a), Panama (Yamauchi et al. 2021b) and Peru (Yamauchi et al. 2021c), can be analyzed and compared through the set of conceptual and practical aspects that characterize them. Additionally, issues related to the approach, actors and practical actions, the way in which they are located and related in broader governance systems, the independence of activities, the challenges experienced and terminological aspects, among other points, are discussed.

Independent forest vigilance models

When exploring the experiences of 'independent forest vigilance', perhaps the first question that comes to mind is: 'monitor what?', Or 'what is the object of vigilance?'. We know that 'forestry' is the context, but the specific answer to this question is possibly what defines the objective, its operation and potential impact of the initiative. Although each experience has a different name, the same question is valid to all of them.

Additionally, there are two more questions that are fundamental in the processes studied. One has to do with the subject of the verb: 'who watches / monitors / controls / observes?', That is, who is the vigilance actor? The other question is linked to the way in which this verb works: 'how is it monitored?' By answering this set of questions, it is possible to have a clear idea about how the vigilance mechanisms studied differ in their essence.

Approaches and objects

Regarding the first question, 'monitor what?', among the experiences covered in this work, three different general objectives of forest surveillance are identified and highlighted.

First, there is vigilance with an intra-sectorial operational approach, which seeks to verify compliance with forest use and its operations related to normative and management instruments, such as laws, regulations, forest management plan (PMF), plan annual operating (POA) and agreements and standards of good practices. In some cases, this vigilance also extends to the administrative and control responsibilities normally carried out by forest. With this first approach, three of the five experiences studied were identified: 'independent forest monitoring', carried out by CONADEH (National Commissioner for Human Rights) in Honduras; the 'Contraloría Social' of Forest Management (CS-GF), performed by communities and promoted by the NGO Monitoreo Forestal Independiente (MFI) in Honduras, and the Citizen Forest 'Veedurías' in Panama.

In a second case, there is vigilance with an extra-sectoral or international trade strategic focus. This is the case of the 'Contraloría Social' to the FLEGT VPA', proposed by the Democracy without Borders Foundation (FDsF), which is closely linked to the existence of a broad and strategic instrument such as the FLEGT Voluntary Partnership Agreement (VPA), between Honduras and the European Union, which involves various institutions and actors that do not directly make up the forestry sector. In this case, a verification is proposed to check the compliance of the institutional actors with the commitments and responsibilities assumed in relation to the FLEGT VPA and its Forest Legality Assurance System.

Finally, the third object of surveillance identified is based on a third approach of territorial management and control, this being the model proposed and carried out by the indigenous forest 'Veedurías' of Peru. In this case, the members of native communities monitor the communal territory, its forests, vulnerable zones and boundaries, and verifies the proper development of forest management when it exists within their community. In addition, they also provide technical advice to the community council on forest and environmental management issues and are technical representatives in these fields.

Actors

Regarding the second question, 'Who is watching?', we know initially that the actors, theoretically at least, have some level of independence from the government. However, among these same actors there is a diversity of aspects that differentiate them. Two interesting factors stand out here to be considered in the characterization of the actor: the 'type of actor' and the 'relationship of the actor with the object under vigilance'.

Regarding the 'type of actor', two main types are identified: 1) professionals in the forestry field and 2) non-forestry professionals, usually citizens and community members without a direct link to the issue. This differentiation is important since it can often influence the rigor, 'quality' and legitimacy of the surveillance, as well as its financing strategies. In this case, both the forest 'veedurías' in Peru, and the two types of social 'contraloría' in Honduras, are models performed by community actors, without a forestry specialization, but with capacities at a variable level. In turn, the forestry 'veedurías' of Panama and the MFI of Honduras were performed by professionals in the forestry area, although, in the Panamanian case there is a mix of professionals and a group of non-professional citizens.

As for the 'actor and object relationship', there are also two possibilities: 1) 'the actor watches over his own object / territory' or 2) 'the actor watches over an object / territory that is foreign, of strangers'. This differentiation is critical because it influences the level of independence and impartiality with which the actors act and the level of authority they can exercise can also vary. Furthermore, this characterizes the 'how to do', since the actor may or may not be in constant proximity to the object. In this framework, except for the forest 'veedurías' in Peru, which are inserted and act on their own communal territories, the other four experiences operate by monitoring the activities and forests of others.

Action

Finally, the answer to the question "how to monitor?" is directly related to the previous questions. In this case, there are also two interesting differentiating factors to consider, one of them is the 'level of centralization of activities among the actors and the other is the 'type of methodology' or form of vigilance properly applied.

The 'level of concentration' of activities refers to the greater or lesser centralization of surveillance actions among the country's actors. For example, a single actor or group may be responsible for exercising oversight over various forest permits, in different localities and regions. In this case there would be 1) actions centralized on one actor. On the other hand, this function can also be 2) decentralized, being distributed among various local groups, such as community members who monitor permits and forests in their municipality or locality. This distinction is important because, depending on the 'level of distribution' of the actions, it may be more or less complex to establish the mechanisms, in addition to the fact that this 'dilution' of work influences the burden on each type of actor.

In this case, the forestry oversight agencies of Panama and the MFI of Honduras are models that centralize activities in the same action group. In other words, the same group of people moves on missions to verify situations in different regions. In turn, the indigenous veedurías of Peru and the social contralorías of Honduras are vigilance models in which decentralized groups of citizens in various localities carry out missions in their determined area. In this way, actions are deconcentrated into different action groups that do not necessarily act in a coordinated manner.

Finally, the 'type of methodology' is properly the way in which these actors carry out surveillance and, in this case, two 'methodologies' are distinguished between the experiences analyzed: 1) technical audits and 2) monitoring. As analyzed in each case study, both are two tools with many relationships, but conceptually different. Thus, with the exception of the indigenous forest veedurías of Peru, which constantly monitor their territory, both the experiences of Honduras and Panama operate through technical audits. Even so, it is valid to highlight that among the latter there will be specific variations in the procedures, which may have more or fewer stages, interest in one or another detail, etc.

While audits are more punctual in time and seek to verify compliance with the operation and structuring of a system or activity, monitoring has a more constant character in the collection of information and is generally carried out with fixed 'plant' personnel in the territory.

Four models

Within a set of details that can be considered, the aspects mentioned above are possibly the most relevant in the sense of differentiating the essence of the independent forest vigilance models in Honduras, Panama and Peru. These factors can be grouped together in four different models of functioning, as shown in Figure 1.

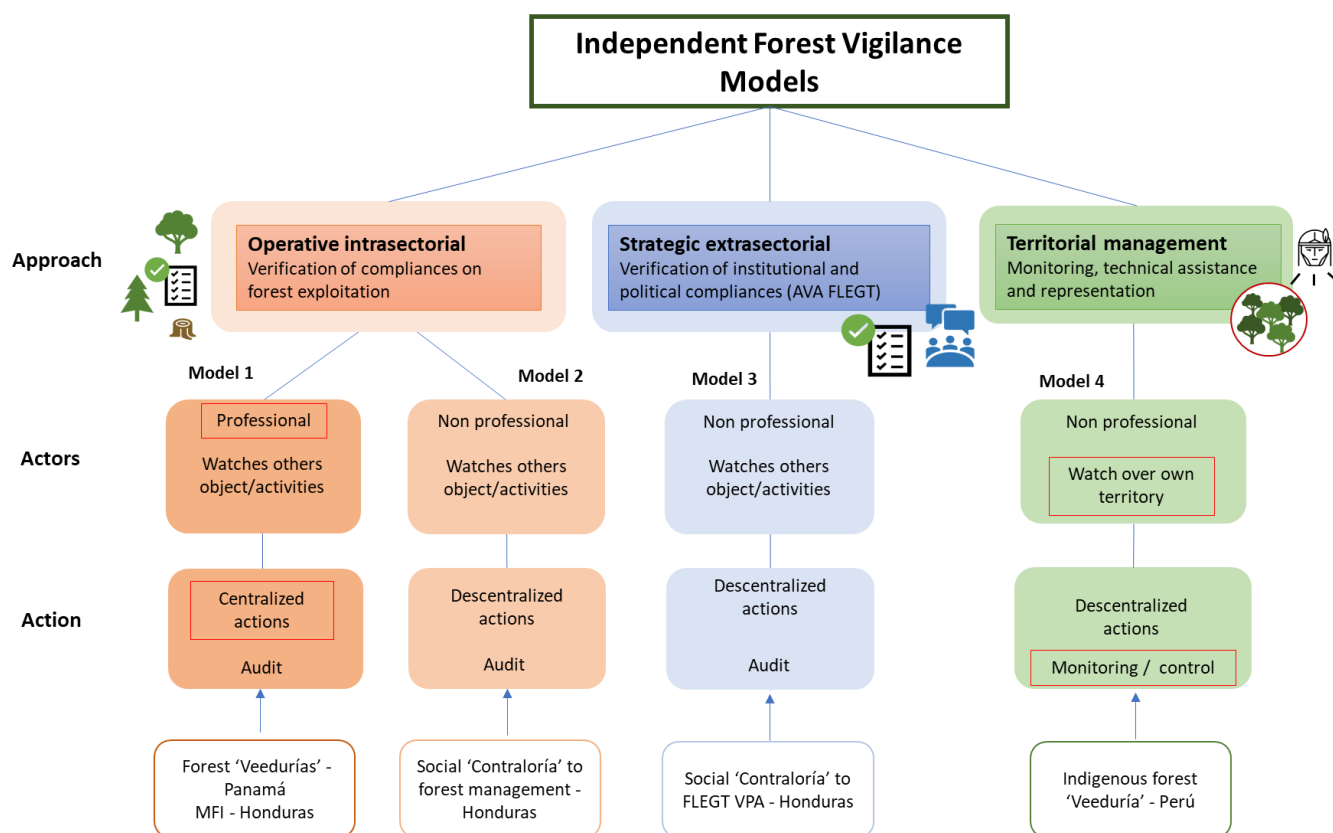


Fig. 1: Four different models of independent forest vigilance based on the approach and factors related to the type of actor and its relationship with the object or activity being monitored, the level of concentration of

activities and the method of action. In the boxes with red borders are the main differentiating characteristics, in addition to the focus. Source: Yamauchi 2021d.

Conclusions/ wider implications of findings

Independent forest surveillance in Honduras, Panama and Peru is a fertile field, which has enormous potential to contribute to forest governance in its various dimensions. Over the years, the initiatives studied developed and advanced a lot in the consolidation of conceptual models and methodologies, however, there still seems to be a great space for the practical application of these mechanisms. Even so, it is essential to understand that a sustainable advance of these processes will only be possible to the extent that the various actors, especially governmental institutions, recognize the potential of these mechanisms in their country, supporting them and committing themselves to use their products in a proper way. Among the main challenges of independent monitoring, financial sustainability, and institutional and legal recognition, can be highlighted as the main bottlenecks of the different processes.

Probably, the main challenge encountered in each of the experiences is to consolidate sustainable financing mechanisms. Most initiatives do not have a structured strategy to achieve financial sustainability. The “veedurías” of Panama are the only case in which the legislation foresees the financing of the actions by the government, although this represents barely half of the budget. In this context, international cooperation, through various NGOs, projects and programs, have played a crucial role in making the issue a reality in all countries, both in financial and practical action terms. Institutional and legal recognition, in one way or another, also represents a critical challenge for the overall sustainability of the experiences. Among the cases studied, there is a variety of situations in terms of regulatory support and recognition by forest and other institutional authorities to the independent processes. In many cases, experiences, vigilance processes and protocols are little known and doesn't receive official acknowledgement.

It is complex to state that there is one approach or model better or worse than another, what is clear is that there are different levels of complexity and it is likely that in most cases they work in a complementary way, covering different links and weaknesses of the forestry sector. However, the analysis carried out in this study points to the need for a careful review of various aspects present in each approach and model, and which can be adjusted in order to provide better performance and impact to the forest governance of each country.

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