



*Comisionado
Nacional de
Derechos
Humanos*



global witness

Independent Forest Monitoring Pilot Project Honduras

Mission Report No. 006

Joint mission AFE-COHDEFOR – Independent Monitor

Monitoring timber companies

Company:	Industria Forestal Abigail (IFA)
Owner:	Juan Carlos González Batis
Location:	San Esteban, Olancho

Mission dates: 28 June – 1 July 2005

Report date: 8 July 2005

1. EXECUTIVE SUMMARY

The company Forest Industry Abigail (IFA¹) is located in San Esteban, Olancho, and its owner and manager is Mr. Juan Carlos González Batis.

The monitoring of this industry's activities was carried out from 28 June to 1 July 2005, and included several types of inspections:

- The control of timber transport from the forest to the company's premises.
- The audit of the log books containing data of the entries and exits of timber in the industry's premises.
- The supervision of two harvesting sites.

These activities were carried out as part of the *Independent Forest Monitoring Pilot Project*, currently being implemented in the country. There were no reported problems or obstacles for the development of the mission

The conclusions of the Independent Monitor about this mission are as follows:

- 1) Transport permit to carry logs no. J-143629, belonging to Mr. Juan Carlos González Batis, was abused on 28 June 2005 to transport a load of timber that clearly did not correspond to what was described in the transport permit.
- 2) On 28 June 2005, Mr. Wilson Carias, the driver of a Mack vehicle with plate no. AAB3588, disobeyed AFE-COHDEFOR's² orders by which he should have driven the timber load to AFE-COHDEFOR's San Esteban (Olancho) premises, and decided instead to drive to Forest Industry Abigail, unload the timber there, and subsequently leave San Esteban that same night.
- 3) According to the results of the audit carried out, on 29 June 2005 there were 107.60 m³ of undocumented timber³ at Forest Industry Abigail's premises.
- 4) At outbreak site no. San Esteban-010/2004 around 14.16 ha were logged without authorisation, as the authorised area was 8.56 ha but the area effectively harvested was 22.72 ha.
- 5) At outbreak site no. San Esteban-012/2004, the authorised area was 5.50 ha, whereas the area effectively harvested was 14.66 ha. In this case, the overlap between the two areas – authorised and harvested – was only

¹ *Industria Forestal Abigail.*

² State Forest Administration – Honduran Corporation of Forest Development (*Administración Forestal del Estado – Corporación Hondureña de Desarrollo Forestal*).

³ In this report all units in cubic meters refer to round cubic meters.

around 1.7 ha, so the unauthorised logging affected an area of approximately 12.96 ha.

Considering these conclusions, the Independent Monitor recommends:

- 1) Investigate the ownership of the Mack vehicle with plate no. AAB3588 and apply to the owner and the driver, Mr. Wilson Carias, the relevant sanctions established for disregarding AFE-COHDEFOR's orders.
- 2) Issue the relevant denunciations against Forest Industry Abigail for the improper use of transport permit no. J-143629, the presence of 107.60 m³ of undocumented timber in its premises and the unauthorised harvesting of 14.16 ha at outbreak site no. San Esteban-010/2004 and 12.96 ha at outbreak site no. San Esteban-012/2004.
- 3) In order to calculate the volume of unauthorised harvested timber in these two sites, it is recommendable to carry out an inventory of the stumps left in the areas logged illegally.

2. RESOURCES USED

- 2 four-wheel drive
- 1 photo camera
- 1 GPS

3. COMPOSITION OF THE MISSION

- Mr. Santiago Ramírez, Head of San Esteban UEP⁴, AFE-COHDEFOR
- Mr. Onil Cerrato, forester at San Esteban UEP, AFE-COHDEFOR
- Mr. Napoleón Antúnez, promoter PBPR, AFE-COHDEFOR
- Mr. Juan Carlos González Batis, Owner and Manager, Forest Industry Abigail (IFA)
- Mr. Carlos Alirio Gutiérrez, Manager Assistant, Forest Industry Abigail (IFA)
- Mr. Fausto Mejía Zelaya, Independent Monitoring Team, CONADEH⁵
- Mr. Filippo Del Gatto, Independent Monitoring Team, Global Witness

The mission described in this report was carried out in the course of several days, and some of the listed people only took part in some of the monitoring activities described.

⁴ Projects Implementation Unit (*Unidad Ejecutora de Proyectos*).

⁵ National Commission for Human Rights (*Comisionado Nacional de Derechos Humanos*).

4. CONSTRAINTS

There were no problems or obstacles during the implementation of this mission.

5. RESULTS OF THE MISSION

5.1 General summary of the mission

Forest Industry Abigail (IFA) is located in San Esteban, Olancho, and its owner and manager is Mr. Juan Carlos González Batis.

The monitoring of the activities of this industry was carried out from 28 June to 1 July 2005, and included different types of inspections:

- 1) The control of timber transport from the forest to the company's premises.
- 2) The audit of the log books containing data of the entries and exits of timber in the industry's premises.
- 3) The supervision of two harvesting sites.

The starting point for the development of these inspections was the corroboration of an improper use of a transport permit for logs, belonging to Mr. Juan Carlos González Batis (point 1). From there, it was decided that the monitoring should be extended to Forest Industry Abigail's premises (point 2) and two of its harvesting sites (point 3).

5.2 Main findings

a) *Fraudulent use of timber permit no. J-143629*

As part of the independent monitoring activities, on 28 June 2005 a joint mission AFE-COHDEFOR – Independent Monitor decided to verify the documentation of a Mack truck with plate no. AAB3588, which transported logs in the road that goes from the community of Vargas to San Esteban, in Olancho.

The driver, Mr. Wilson Carias, presented transport permit no. J-143629, belonging to Mr. Juan Carlos González Batis. However, during the control it was noted that the transport permit presented several anomalies (Figure 1):

- 1) Firstly, although the truck was coming from the area of Vargas community, in Gualaco Municipality, the transport permit indicated the site known as Guayabillas as the harvesting site, which is located in a different area within San Esteban Municipality.

- 2) Secondly, the logs loaded on the truck and the logs indicated in the transport permit did not match, as the truck was carrying less than 30 logs where the transport permit contained 41.
- 3) Thirdly, the date in the transport permit had clearly been written in two different moments in time, that is, the words 'twenty eight' ('*veite ocho*', wrongly spelt) had been written with a different pen and writing than the words 'June 2005' ('*de Junio 2005*'). Although it is hard to prove, it is possible that twenty eight was written in a hurry by one of the driver's assistants in the few seconds it took to stop the truck after AFE-COHDEFOR's official gave him the halt signal.

Figure 1: Photocopy of transport permit no. J-143629, with the main irregularities highlighted in red.

ADMINISTRACION FORESTAL DEL ESTADO
(AFE - COHDEFOR)
REGION FORESTAL DE OLANCHO
FACTURA PARA MADERA EN ROLLO Y LABRADA
DATOS GENERALES FACTURA N° J- 143629

Unidad de Manejo San Esteban		Compartimiento N°	
Sitio Guavabilas		Municipio San Esteban	Departamento olanchó
TENENCIA			Usuario del Sitio
Nacional	<input checked="" type="checkbox"/> Privado	Ejidal	Indigena
Contrato	Venta Local J-277-2005	Contratista Juan C Gonzales	Sub-Contratista
Industria Consignataria		PRODUCTO A ELABORAR	
		Aserrío	<input checked="" type="checkbox"/> Plywood
		Palillos	Postes

MADERA EN ROLLO												
N° TROZA	ESPECIE	Promedio de los Diámetros en Pulgadas de la Cara Menor	LARGO (Pies)	Pies Doyle o Carga Opción Aserradero	3		N° TROZA	Promedio de los Diámetros en Pulgadas de la Cara Menor	LARGO (Pies)	Pies Doyle o Carga Opción Aserradero	3	
					P	M					P	M
1		13	32	40			26	12	32	35		
2		11	30	28			27	9	30	20		
3		8	32	18			28	8	32	18		
4		10	32	26			29	10	32	26		
5		9	36	26			30	9	32	22		
6		7	32	15			31	10	32	28		
7		15	32	51			32	12	32	35		
8		9	32	22			33	9	28	18		
9		9	34	24			34	13	20	22		
10		9	32	22			35	9	20	12		
11		9	30	20			36	11	30	28		
12		7	22	9			37	8	30	16		
13		7	12	6			38	7	32	15		
14		8	12	5			39	10	32	26		892 P3
15		8	24	12			40	10	28	22		
16		12	28	29			41	7	36	18		25,26 m ³
17		11	32	31			42					
18		13	16	17			43					
19		10	16	11			44					
20		12	32	35			45					
21		10	32	26			46					
22		10	30	24			47					
23		9	20	12			48					
24		9	12	6			49					
25		8	32	18			50					

Nombre Motorista Wilson Carras		Marca Vehículo Mack		Placa Vehículo AAB3588		Nombre René Ucliz	
Lugar y Fecha Guavabilas Veinte ocho de Junio 2005						Firma	

Original: Aserradero; Copia Verde: Región Forestal;
Copia Amarilla: Transportista; Copia Azul: Unidad de Manejo;
Copia Rosada: Para la Caseta de Control

TALONARIO **2005**

ART. N° 206: Esta Factura podrá ser revisada por la Autoridad Forestal y Funcionarios de Control cuando así lo requieran para el control de la procedencia de la Madera transportada. El transportista prestará la colaboración necesaria para su cumplimiento.

Given that the sum of these irregularities clearly indicated a fraudulent use of the transport permit, the Head of San Esteban UEP, Mr. Santiago Ramírez, decided to impound the transport permit and order the driver to carry on to San Esteban and park the truck at AFE-COHDEFOR's premises, so that the necessary investigation would be carried out.

Considering that the mission AFE-COHDEFOR – Independent Monitor had the objective to visit a harvesting site near the place where the truck had been found, it was jointly decided that the mission would not follow the truck and would instead carry on with the initial mission plan. This proved to be a mistake, as indeed when the mission returned to San Esteban it found out that the driver had not driven to AFE-COHDEFOR's premises, therefore challenging the orders he received from the Head of UEP.

The next morning, 29 July 2005, it was possible to verify that the driver had decided to go to his initial destination, Forest Industry Abigail's premises, unload the timber and leave San Esteban with the truck that same night.

b) Audit of Forest Industry Abigail

Following the indications of Mr. Carlos René Romero, Director of Olancho Forest Region, on 29 June 2005 the Independent Monitor accompanied the foresters of San Esteban UEP in the implementation of an audit at Forest Industry Abigail's premises.

The work comprised three steps:

- 1) The starting point was Forest Industry Abigail's monthly report of March 2005, which reported that the timber in its premises added up to 161.56 m³.
- 2) Based on the documentation provided by the owner and manager of the company, the inflow of logs and outflow of sawn timber were calculated for the period comprised between 1 April and 29 June 2005 (the latter being the date the audit took place).
- 3) An inventory of logs and sawn timber present at the premises was carried out.

As Table 1 shows, the results of the audit indicate that there were 107.60 m³ of undocumented timber at the company's premises. It is also worth highlighting that the timber inventory did not include the approximately 20 m³ of timber that had been unloaded from the truck the previous day as described in section 'a' above. So all in all the total figure would be nearly 130 m³.

Table 1. Results of the audit at Forest Industry Abigail.

Concept	Volume (m³)
Prior balance (31/03/05)	161.56
Inputs according to log records (de 1/04/05 a 29/06/05)	146.53
<i>Sub-Total 1</i>	308.09
Outputs according to sawn timber records (de 1/04/05 a 29/06/05)	357.54
Final balance (29/06/05)	58.15
<i>Sub-Total 2</i>	415.69
Excess timber (1 – 2)	- 107.60

c) Supervision of two harvesting sites

On 30 June and 1 July 2005, two of Forest Industry Abigail's harvesting sites were inspected:

- 1) The area of outbreak no. San Esteban-010/2004, which harvesting was authorised by means of local sales J-006/2005 and J-011/2005.
- 2) The area of outbreak no. San Esteban-012/2004, which harvesting was authorised by means of local sales J-008/2005 and J-012/2005.

In both cases it was possible to detect that logging operations had widely exceeded the authorised areas. In the case of outbreak no. San Esteban-010/2004, the authorised area was 8.56 ha, but the area effectively harvested was 22.72 ha (see Figure 2). Taking into account that both areas overlap, it can be concluded that the unauthorised harvesting concerned an area of approximately 14.16 ha.

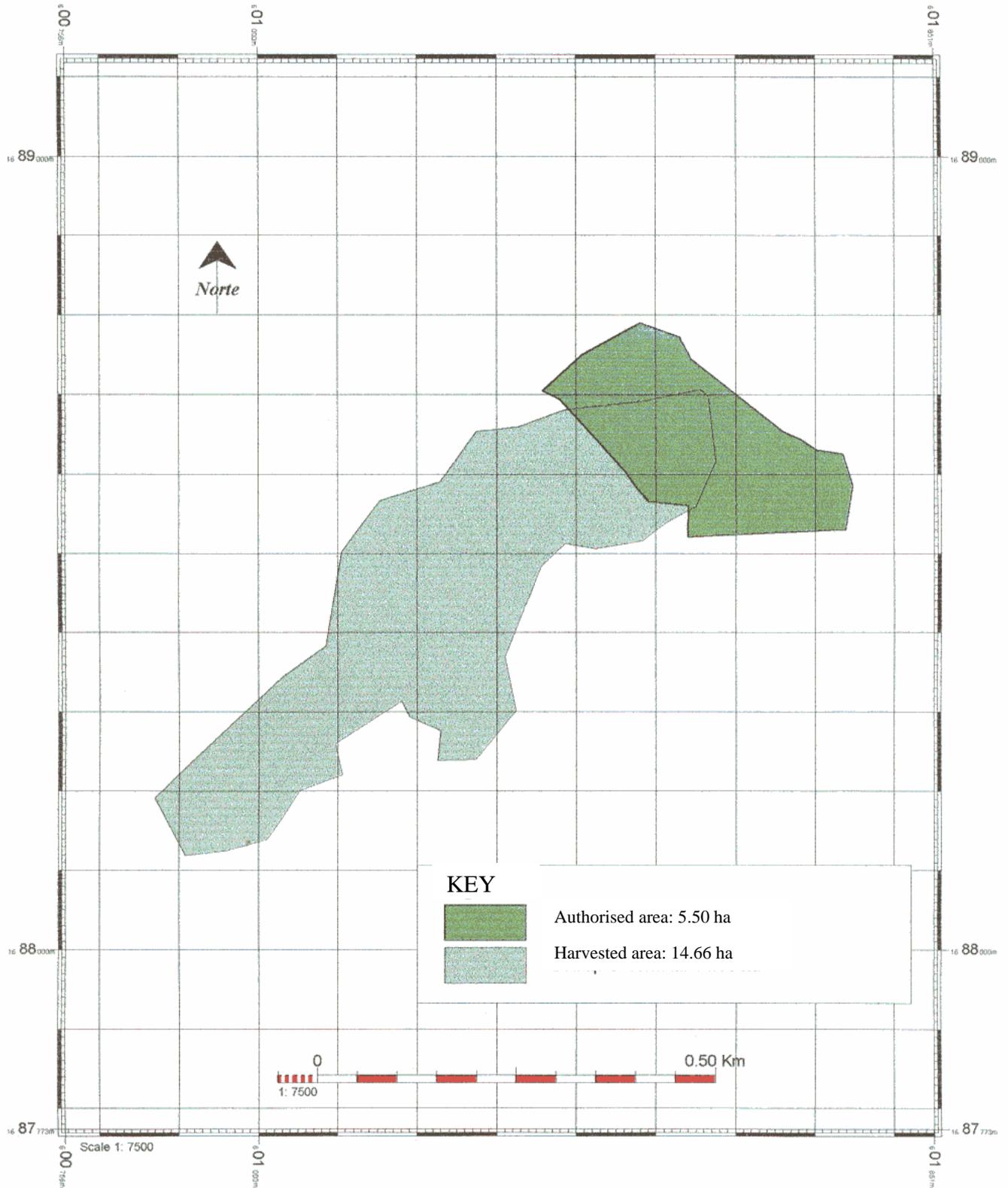
In the case of outbreak no. San Esteban-012/2004, the authorised area was 5.50 ha, but the area effectively harvested was 14.66 ha (see Figure 3). In this case, the overlap between the two areas – authorised and harvested – was only around 1.7 ha, so the unauthorised logging concerned an area of approximately 12.96 ha.

In both cases it is difficult to estimate the volume of timber illegally cut. According to the relevant technical assessments, 675.83 m³ were to be cut at outbreak 010 y and 629.59 m³ at outbreak 012. If these volumes are extrapolated to the areas logged without authorisation, it could be inferred that more than 1,000 m³ could have been cut illegally in each site. However, this is just an estimate, with no solid base supporting it. It would therefore be recommendable to carry out inventories of the stumps present in the abused areas.

Figure 2. Outbreak no. San Esteban-010/2004: comparison between the authorised area and the area effectively harvested.



Figure 3. Outbreak no. San Esteban-012/2004: comparison between the authorised area and the area effectively harvested.



Lastly, it is worth mentioning that outbreak site no. San Esteban 012/2004 presented evidence of recent harvesting operations⁶. It is therefore plausible that the truck investigated on 28 June 2005, which carried an incorrect transport permit (see section 'a'), could have come from this harvesting site.

6. CONCLUSIONS AND RECOMMENDATIONS

The conclusions of the Independent Monitor on this mission are as follows:

- 1) Transport permit to carry logs no. J-143629, belonging to Mr. Juan Carlos González Batis, was abused on 28 June 2005 to transport a load of timber that clearly did not correspond to what was described in the transport permit.
- 2) On 28 June 2005, Mr. Wilson Carias, the driver of a Mack vehicle with plate no. AAB3588, disobeyed AFE-COHDEFOR's orders by which he should have driven the timber load to AFE-COHDEFOR's San Esteban (Olancho) premises, and decided instead to drive to Forest Industry Abigail, unload the timber there, and subsequently leave San Esteban that same night.
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Considering these conclusions, the Independent Monitor recommends:

- 1) Investigate the ownership of the Mack vehicle with plate no. AAB3588 and apply the owner and the driver, Mr. Wilson Carias, the relevant sanctions established for disregarding AFE-COHDEFOR's orders.
- 2) Issue the relevant denunciations against Forest Industry Abigail for the improper use of permit transport no. J-143629, the presence of 107.60 m³ of undocumented timber in its premises and the unauthorised harvesting of 14.16 ha at outbreak site no. San Esteban-010/2004 and 12.96 ha at outbreak site no. San Esteban-012/2004.

⁶ Despite the fact that the last transport permit returned to AFE-COHDEFOR concerning local sale no. J-012/2005 was dated 15 February 2005.

- 3) In order to calculate the volume of unauthorised harvested timber in these two sites, it is recommendable to produce an inventory of the stumps left in the areas logged illegally.