

## 4 エクアドル

# Country Report ECUADOR

**January 2019**  
**Prepared by Ivan Tomaselli**



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## List of Symbols

%	Percentage
MM	Million
M <sup>3</sup>	Cubic meter
Nº	Number
USD	American Dollar Currency
Ha	Hectare
Km <sup>2</sup>	Square Kilometers
ART	Article

## List of Acronyms

ACTO	Amazon Cooperation Treaty Organization
AIMA	Ecuadorian Association of Wood Industries (Asociación Ecuatoriana de Industriales de Madera)
ALADI	Latin American Integration Association (Asociación Latino Americana de Integración)
ASOTECA	Ecuadorian Association of Tropical wood and Teka producers (Asociación Ecuatoriana de Productores de Teca y Maderas Tropicales)
BCE	Central Bank of Ecuador (Banco Central del Ecuador)
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CEFOVE	Certificación Forestal Voluntaria del Ecuador (The National Working Group on Voluntary Forest Certification)
COA	Environmental Organic Code (Codigo Orgánico del Ambiente)
CONAIE	Confederation of Indigenous Nationalities of Ecuador (Confederación das Nacionalidades Indígenas del Ecuador)
COMAFORS	Sustainable Forest Management Corporation (Corporación de Manejo Forestal Sustentable)
CoC	Chain of Custody
COPCI	Organic Code of Production, Trade and Investment (Código Orgánico De Producción, Comercio e Inversion)
DAE	Custom Declaration of Exports (Declaración Aduanera del Ecuador)
FLEGT	Forest Law Enforcement, Governance and Trade
GADS	Decentralized Autonomous Governments (Gobiernos Autonomos Descentralizados)
GOJ	Government of Japan
IESS	Ecuadorian of Social Security Institute (Instituto Ecuatoriano de Seguridad Social)
IGES	Institute for Global Environmental Strategies
INEC	National Institute of Statistics and Census (Instituto Nacional de Estadística y Censo)

IRS	Internal Revenue Services (Servicio de Rentas Internas del Ecuador)
IUCN	International Union for Conservation Nature
JFA	Japan Forestry Agency
ITTO	International Tropical Timber Organization
FAO	Food and Agriculture Organization of the United Nations
FSC	Forest Stewardship Council
MAE	Ministry of Environment (Ministerio del Ambiente)
MAGAP	Ministry of Agriculture, Livestock, Aquaculture and Fisheries (Ministerio de Agricultura y Ganadería Acuacultura y Pesca )
MCPEC	Ministry of Production Coordination, Employment and Competitiveness (Ministerio de Coordinación de la Producción, Empleo y Competitividad)
MDF	Medium Density Fiberboard
MICIP	Ministry of Foreign Trade, Industrialization, Fisheries and Competitiveness (Ministerio de Comercio Exterior, Industrialización, Pesca y Competitividad)
NALADI	Nomenclature of Latin American Integration Association (Nomenclatura de la Asociación Latinoamericana de Integración)
NGOs	Non-Governmental Organizations
OTCA	Organization of Amazon Cooperation Treaty
PAFSI	Simplified Timber Harvesting Program (Programas de Aprovechamiento Forestal Simplificado)
PAFSU	Sustainable Timber Harvesting Program (Programas de Aprovechamiento Forestal Sustentable)
PROFORESTAL	Unit for Forestry Promotion and Development of Ecuador (Unidad de Promoción y Desarrollo Forestal del Ecuador)
RUC	Tax Identification Number (Registro Único de Contribuyentes)
SAF	Forest Administration System (Sistema de Administración Forestales)
SENAE	National Custom Service of Ecuador (Servicio Nacional de Aduana del Ecuador)
SENPLADES	National Secretary of Planning and Development (Secretaría Nacional de Planificación y Desarrollo)
SFP	Production Forest System (Sistema de Producción Forestale)
SNAP	National System of Protected Areas (Sistema Nacional de Areas Protegidas del Ecuador)
SPN	Subsecretaria de Patrimonio Natural (Sub Secretary of the National Patrimony)
STCP	STCP Engenharia de Projetos Ltda.
SUIA	Single System of Environmental Information (Sistema Único de Información Ambiental)
TCA	Amazon Cooperation Treaty
TRAFFIC	Trade Records Analysis of Flora and Fauna in Commerce
TFP	Timber Felling Program (Programa de Tala de la Madera)
TOR	Terms of Reference

USA	United States of America
USAID	United States Agency for International Development
ZCL	Zone of Land Conversion (Zona de Conversión Legal)
WWF	World Wide Fund for Nature



## 1. INTRODUCTION

The Government of Japan (GOJ) enacted the “Act on Promotion of the Use of Legally-Harvested Wood and Wood Products (Clean Wood Act)”, in May 2017. The Objective of the Clean Wood Act is to promote the use and distribution of wood and wood products made from trees harvested in compliance with the laws and regulations of Japan and the countries of origin.

In order to comply with the Clean Wood Act and to facilitate the access of wood-related business entities to relevant data and information to check legality of wood products they are handling, the Japan Forestry Agency (JFA) created a “Clean Wood Navi” website. Thus, JFA is collecting data and information on wood product distribution and relevant legislations in two target countries in Latin America (Brazil and Ecuador) to add contents to the webpage to support the efforts related to the Clean Wood Act implementation.

The International Tropical Timber Organization (ITTO) was requested to support this effort with assistance from the Institute for Global Environmental Strategies (IGES). In order to collect the relevant information on Brazil and Ecuador, ITTO prepared a Terms of Reference (TOR), followed by a suggested structured reporting template. Based on the TOR, the hired Consultant was requested to prepare a report, covering information on legislation (harvesting, transportation, distribution and trade of wood and wood products), on issues relevant to legality of wood and wood products, current situation of wood production and trade, forest certification and other related aspects.

Furthermore, aside from collecting above-mentioned data/information, the report also includes interviews with representatives of government institutions, academic/research institutions, wood industry, environmental NGOs and other relevant organizations to support the collected information. Moreover, documents such as copies of certificates and permits which support the legal origin of wood and wood products in the countries were collected.

It has been challenging to prepare a comprehensive report on forest legality in Ecuador due to the lack of statistics. Government and official data are often incomplete and provides limited information. Thus, the lack of publicly available statistics with regards to forest control, illegal harvesting made it difficult, in particular issues regarding legality risks.

The work was supervised by IGES, represented by Mr. Taiji Fujisaki, who has revised the initial drafts of the report. This document is the Final Report for Ecuador prepared by the Consultant, Dr. Ivan Tomaselli, with the support of Dr. Sofia Hirakuri.

## 2. OVERVIEW OF THE FORESTRY SECTOR

### 2.1. Forest resources of the country

Ecuador has a territorial extension of 283.560 km<sup>2</sup>, and is part of one of the 17-mega diverse countries in the world. The Ecuadorian mainland is divided into three main physical regions:

- Costa (Coastal region) covering 17% of the Ecuadorian territory;
- Sierra (Highland region), which covers 21% of the Ecuadorian territory; and
- Oriente (Eastern/ Amazon region), covering 62% of the country's land.

Also, the Ecuadorian territory includes the Pacific archipelago of the Galapagos Islands (Archipiélago de Colón).

Based on the main physical regions of Ecuador, forests can be generally classified as:

- Amazon Rainforest (located in the Oriente);
- Mountain Forests (located in the Sierra);
- Coast tropical rainforest (located in the Coast); and
- Mangrove forests (along the Coast).

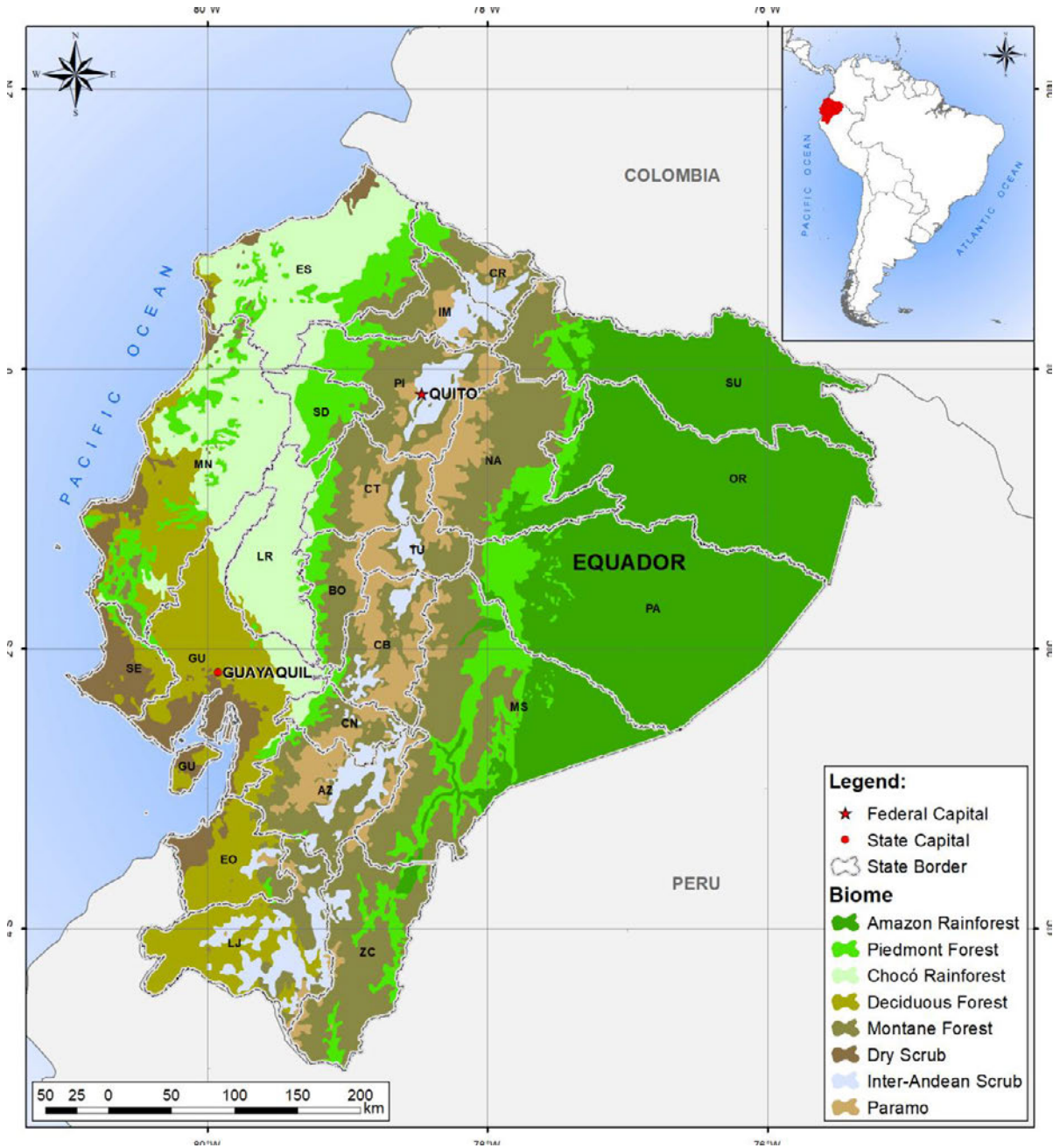
Furthermore, according to the Ecuadorian Government, the natural vegetation of Ecuador can be categorized, in more details, as follows:

- Bosque Seco Andino (Andean Dry Forest);
- Bosque Seco Pluviestacional (Pluvi-estacional Dry Forest);
- Bosque Siempreverde Andino Montado (Andean Montane Evergreen Forest );
- Bosque Siempreverde Andino de Pie de Monte (Andean Pie de Mont Evergreen Forest);
- Bosque Siempreverde Andino de Ceja Andina (Andean Ceja Evergreen Forest);
- Bosque Siempreverde de tierras bajas de la Amazonía (Amazon Lowlands Evergreen Forest);
- Bosque Siempreverde de tierras bajas del Chocó (Choco Lowlands Evergreen Forest);
- Manglar (Mangroves); and
- Moretal (Morete Palm Forest).

Current natural forest coverage of Ecuador, according to FAO (2015), is about 12.5 million hectares, including primary forest or naturally regenerated forest.

The majority of the natural forest, approximately 9.8 million hectares, is located in the Amazon Rainforest region (80%). Ecuador is considered one of the world's most diverse countries, with the Amazonian region, in particular, containing large tracts of intact natural forest of global conservation significance. Another important location of natural forests is the coast, particularly in the northern portion (Province of Esmeraldas). Figure 1 presents the vegetation map of Ecuador, according to the Government.

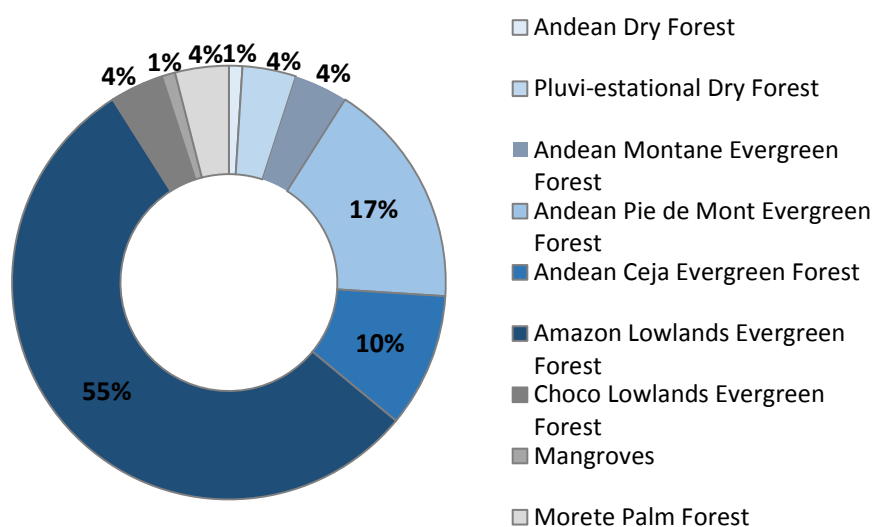
**Figure 1 – Vegetation map of Ecuador**



Source: Prepared by STCP (2018)

The share of natural vegetation in Ecuador, in 2013, considering the detailed categories above presented are presented in Figure 2.

**Figure 2 – Composition of natural vegetation in Ecuador (2013)**



Source: MAE – Sistema de Contabilidad Nacional (2014- A), compiled by STCP (2018)

Based on information available by the Ministry of Environment (MAE 2014 - A), and adjusted by STCP (2015), the country has a plantation area of around 145 thousand hectares (Table 1). These plantations include a large diversity of species (187), with the main species being *Eucalyptus globulus*, *Eucallyptus eurograndis*, *Pinus radiata*; *Pinus patula*, *Tectona grandis*, *Ochroma spp* and *Gmelina arborea*.

Along the last few years, essentially as a result of the National Program of Incentives for Forest Plantations (MAGAP 2014), forest plantations area was expanded. It is currently estimated that forest plantation area in Ecuador is around 180 thousands hectares.

Moreover, forest plantations in Ecuador are spread across the Sierra and Coast regions. *Eucalyptus globulus* plantations are located in its majority in the Sierra region (particularly in Pichincha and Imbabura Provinces), and *Eucalyptus urograndis* plantations are concentrated in the Costa (Esmeraldas). Furthermore, Pine plantations are largely located in the Provinces of Cotopaxi, Chimborazo, Pichincha and Bolívar. Other species (Teak, Balsa, Gmelina and others) are generally located in the Provinces of Los Ríos, Guayas, Esmeraldas and Manabí.

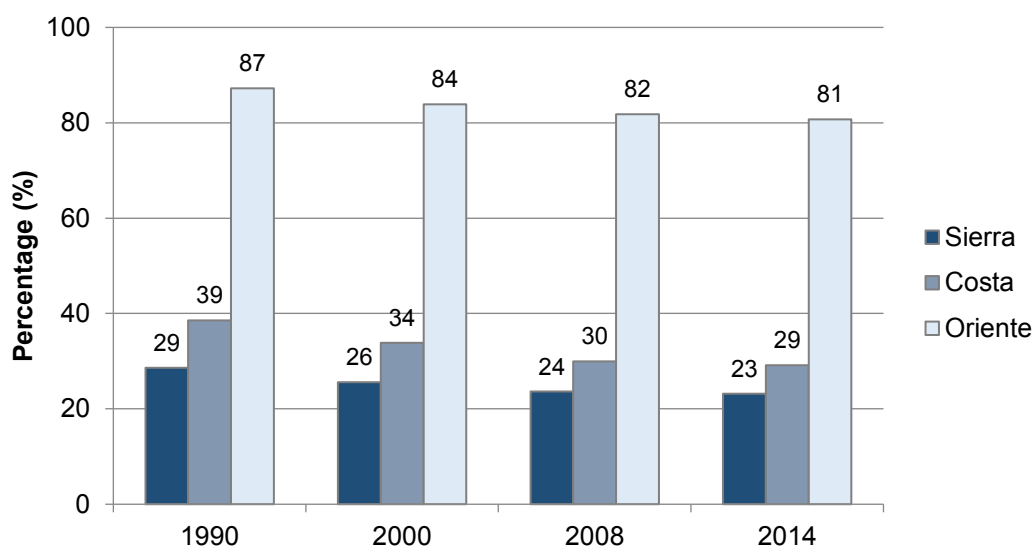
Ecuador has experienced through the years major changes in its forest cover due to illegal logging, cattle ranching, agricultural expansion and the exploitation of non-renewable resources such as oil, gold and other minerals. Changes in forest cover from 1990 to 2014, based on MAE data, are presented in Figure 3. The country has one of the highest deforestation rates in the world. Between 1990 and 2000, the annual deforestation rate was 1.5%, while between 2005 and 2010 the rate increased to 1.9%.

**Table 1 – Main Forest Species Planted in Ecuador**

Genus	Species	Area (ha)	%
Eucalyptus	<i>E. globulus</i>	16.248	11,2%
	<i>E. urograndis</i>	2.094	1,4%
	<i>E. saligna + E. robusta</i>	249	0,2%
	<b>Subtotal</b>	<b>18.592</b>	<b>12,8%</b>
Pinus	<i>P. radiata</i>	16.146	11,1%
	<i>P. patula</i>	7.111	4,9%
	<i>P. pseudostrobus + P. muricata</i>	57	0,04%
	<b>Subtotal</b>	<b>23.314</b>	<b>16,1%</b>
<b>Total Eucalyptus + Pinus</b>		<b>41.906</b>	<b>28,9%</b>
Other Species	Teak ( <i>Tectona grandis</i> )	48.442	33,4%
	Balsa ( <i>Ochroma spp</i> )	18.858	13,0%
	Gmelina ( <i>Gmelina arborea</i> )	7.418	5,1%
	Other (175 species)	28.356	19,6%
	<b>Total Other Species</b>	<b>103.073</b>	<b>71,1%</b>
<b>Total</b>		<b>144.979</b>	<b>100,0%</b>

Source: MAE (2014 - A), adapted by STCP (2015)

**Figure 3 – Changes in Forest Cover in Ecuador by Region**



Source: MAE – SUIA (2015), compiled by STCP (2018)

In Ecuador, natural forests are predominant in the Amazon region and in Esmeraldas (Northern Coastal area). More than 120 timber species from natural forests are harvested and traded in the domestic market. On the other hand, forest plantations, in spite of limited area, are becoming the most important source of industrial timber.

The most important species logged in Ecuador, from natural forests and plantations, are presented in Table 2.

**Table 2 – Most important forest species logged in Ecuador (native and planted)**

Native Species		Planted Species
<p><b>Major harvested species:</b></p> <ul style="list-style-type: none"> <li>• Anime (<i>Protium spp.</i>);</li> <li>• Pulgande (<i>Dacryodes spp.</i>);</li> <li>• Shimbillo (<i>Inga spp.</i>);</li> <li>• Guarumo macho (<i>Pouroma chocoana</i>);</li> <li>• Kapol (<i>Ceiba pentandra</i>);</li> <li>• Guachapele (<i>Pseudosamanea guachapele</i>);</li> <li>• Ipe (<i>Tabebuia spp.</i>);</li> <li>• Yellow Ipe (<i>Tabebuia chrysanta</i>);</li> <li>• Quina (<i>Myroxylon peruiferum</i>).</li> </ul>	<p><b>Important commercial species:</b></p> <ul style="list-style-type: none"> <li>• Laurel (<i>Cordia alliodora</i>);</li> <li>• Balsa (<i>Ochroma lagopus</i>);</li> <li>• Sande (<i>Brosimum utile</i>);</li> <li>• Sangre de Gallina (<i>Otoba glycyarpa</i>);</li> <li>• Chuncho (<i>Cedrelinga catenaeformis</i>);</li> <li>• Azucena (<i>Prumnopitys spp.</i>);</li> <li>• Copal (<i>Tratinnickia glaziovii</i>).</li> </ul>	<p><b>Common commercial species:</b></p> <ul style="list-style-type: none"> <li>• Pino (<i>Pine spp.</i>);</li> <li>• Eucalipto (<i>Eucalypt spp.</i>);</li> <li>• Balsa (<i>Ochroma lagopus</i>);</li> </ul>

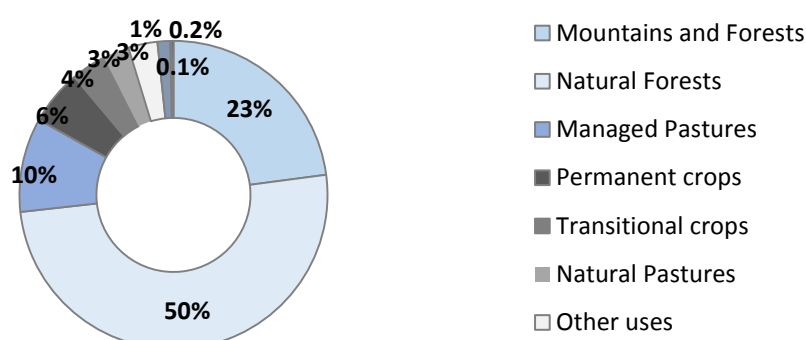
Source: FLEGT, compiled by STCP (2018)

## 2.2. Land uses and tenure categories

According to the National Institute of Statistic and Census (Instituto Nacional de Estadística y Censo – INEC)<sup>1</sup>, land use in Ecuador is categorized as: permanent crops, transitional crops, natural pastures, managed pastures, mountain forests, natural forests, swamps, regenerated forests, planted forest and other uses.

Figure 4 presents land use in Ecuador by category. The most important land use in Ecuador is natural forests (50%), followed by mountain forests.

**Figure 4 – Land use in Ecuador by category (2017)**



Source: INEC, compiled by STCP (2018)

<sup>1</sup> INEC only provided information on land use of agricultural and forest land. The full information including infrastructure, among other use is not available in area (ha).

The Ecuador 2008 Constitution establishes individual and private ownership of the land. Also, indigenous people own more than half of the country lasting forestland, mainly in the Amazon region (USAID, 2008)<sup>2</sup>. According to FAO Report (2015) *Global Forest Resources Assessment* for Ecuador, there are three types of land tenure categories:

- **Public Property Areas:** areas owned by the State; or administrative units of public institutions; or the institutions or corporations owned by the public administration; these areas include State Natural Areas, State Forests, and State Protection Forests; it includes ownership by tribal or other indigenous people;
- **Private Property Areas:** areas include property of individuals, families, traditional communities, private cooperatives, corporations and other private business entities, religious institutions and private schools, private pension or investment funds, non-governmental organizations (NGOs), associations for the conservation of nature and other private institutions;
- **Unknown Property Areas:** described as forested areas under private tenure, but with no titles.

Land tenure security in Ecuador is weak due to inadequate and unclear laws, lack of enforcement, deficient property registry system, among other issues. Land tenure is especially weaker in the Amazon region. On the other hand, in the Coast Region, most of the agriculture lands have legal property titles.

In order to facilitate forest administration and clarify land use, in both State and private areas, the Ecuadorian Government established, based on the Environmental Organic Code 2017 (Codigo Orgánico del Ambiente 2017 - COA 2017) which superseded the Forest Law 2004, four types of land tenure for forest areas (see Table 3).

**Table 3 – Forest type and tenure**

Type of Forest	Description	Tenure Type	
<b>Permanente State Production Forest</b>	Forests are not currently designated for commercial logging.	Public	-
<b>Permanent Private Production Forests</b>	Forests destined to commercial logging	-	Private
<b>Protective Forests</b>	Forests and vegetation under protection, either planted or natural forests	Public	Private
<b>Special Areas including Areas for Research</b>	Forest and vegetation areas for special use such as research, ecological tourism, among others.	Public	Private

Source: COA 2017, compiled by STCP (2018)

Ecuador counts with a significant protected area of natural forests, under the Natural Protected Areas System - SNAP (Sistema Nacional de Áreas Protegidas del Ecuador) managed by the MAE. The total protected area is 63,886 km<sup>2</sup> of natural forests. Table 4 presents the categories of forest and vegetation in Ecuador in 2018.

<sup>2</sup> As to the customary rights of indigenous people and communities, they are discussed in the Section 4.6 on social requirements.

**Table 4 – Categories of protection areas, uses and quantities in Ecuador (2018)**

Protection Areas/ Categories	Quantity	Use
<b>National Park</b>	11	Ecological tourism and research are allowed; however, natural resources exploitation is forbidden.
<b>Ecological Reserve</b>	9	Areas destined to scientific research. Activities such as ecological tourism and natural resources exploitation are prohibited.
<b>Marine Reserve</b>	3	Its use varies according to the needs of the reserve prescribed in the annual management plan.
<b>Biological Reserve</b>	5	Areas destined to scientific research. Activities such as ecological tourism and natural resources exploitation are prohibited.
<b>Wildlife Reserve</b>	5	It depends on the management plan of the Wildlife Reserve. But, generally, activities such as research, ecological tourism and sustainable management are allowed.
<b>Geobotanical Reserve</b>	1	Ecological tourism and research are the only authorized activities.
<b>Wildlife Refuge</b>	10	In Wildlife Refuge only research and environmental monitoring are allowed.
<b>Recreational Area</b>	6	Activities such as sustainable management of natural resources, ecological tourism and research are allowed.

Source: SNAP (2018), compiled by STCP (2018)

### 2.3. Forest Certification

In Ecuador CEFOVE (The National Working Group on Voluntary Forest Certification) works in close cooperation with FSC (Forest Stewardship Council) to promote and implement forest certification schemes aiming at sustainable forest management. Forest certification scheme in Ecuador consists of three categories:

- Certification of the Forests (management);
- Certification of the Chain of Custody (CoC);
- Controlled Timber Supply.

On total, there are 57,000 ha of forest plantations certified in Ecuador (39% of the total forest plantations). There are currently four certified plantation forests. So far, there are no natural forest areas certified in the country.

Two companies are certified under the category of controlled timber supply. The companies are Plantabal (balsa wood) and Expoforestal (Eucalyptus wood chips). There are a larger number of companies that have chain of custody certification.

The number of FSC certified companies, considering the three FSC certification schemes, are presented in Table 5 below.



**Table 5 – Forest companies certified by FSC in Ecuador (as of October 2018)**

Certification Type	Number of Certifications	Certified Areas (hectares)
FSC – Forest Management	4	57,466.09
FSC –Controlled Timber	2	-
FSC – Chain of Custody	17	-
<b>TOTAL</b>	<b>23</b>	<b>57,466.09</b>

Source: FSC Ecuador (2018), compiled by STCP (2018)

#### 2.4. Forest Industry in Ecuador

In Ecuador, forest-owners and timber industries are organized in associations. The major associations are the Ecuadorian Association of Wood Industries (AIMA)<sup>3</sup> and the Ecuadorian Association of Tropical Wood and Teak Producers (ASOTECA)<sup>4</sup>. These associations play a major role in policy making and promotion of forest development in the country.

The primary major consumers of wood are plywood, Medium-density fiberboard (MDF) and particleboard manufacturers, balsa processors, wood chips and sawmilling industry. Unlike other countries in Latin America, Ecuador has no pulp production. Paper produced locally is based on imported pulp and paper waste (recycling).

Table 6 presents information, based on MAE (2013), of the most important timber species consumed (harvested) by the forest industry in Ecuador. Total industrial wood consumption in Ecuador is around 3.7 million m<sup>3</sup>/year. Out of this volume, around 2 million m<sup>3</sup> are plantation grown wood.

**Table 6 – Major timber species commercialized in Ecuador (2010)**

Species	Common Name	Volume (m <sup>3</sup> )	Main Markets
<i>Ochroma pyramidale</i>	Balsa	794,359. 45	Exports (blocks and panels)
<i>Eucalyptus globulus</i>	Eucalyptus	619,243. 35	Export (chips), firewood, sawmill timber
<i>Pine radiata</i>	Pine tree	470,493. 80	Plywood, particleboard, MDF, sawmill timber
<i>Cordia alliodora</i>	Laurel	284,644. 57	Sawmill timber
<i>Schizolobium parahybum</i>	Pachaco	188,986. 82	Plywood and sawmill timber
<i>Tectona grandis</i>	Teca	181,915. 43	Export (logs/ squares)
<i>Pollalesta discolor</i>	Pigue	132,948. 35	Sawmill timber (Wood boxes, pallets and construction)
<i>Brosimum utile</i>	Sande	66,247. 84	Plywood

<sup>3</sup> Asociación Ecuatoriana de Industriales de la Madera (AIMA) <http://www.aima.org.ec/>

<sup>4</sup> Asociación Ecuatoriana de Productores de Teca y Maderas Tropicales (ASOTECA) <https://www.asoteka.org.ec/>

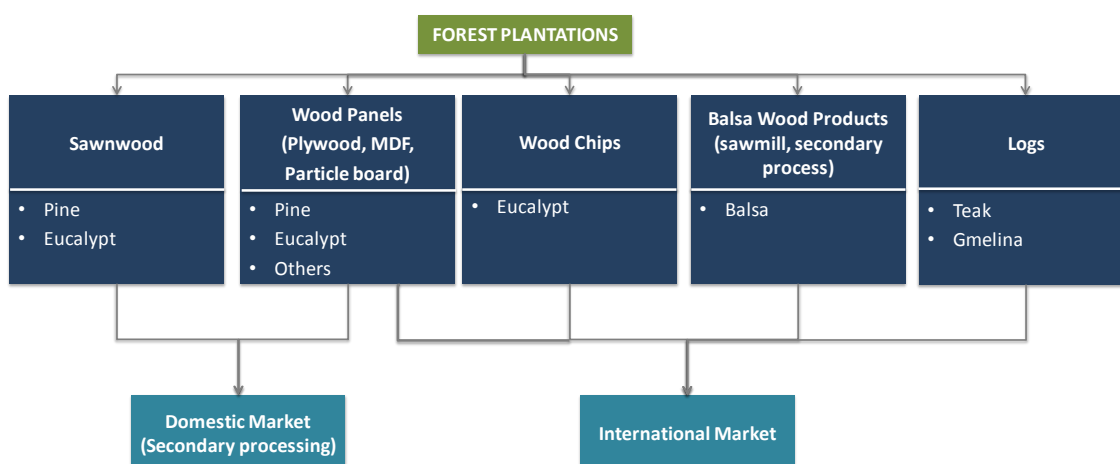
Species	Common Name	Volume (m³)	Main Markets
<i>Trichospermum spp</i>	Pichango	61,772. 54	Sawmill timber/ Construction
<i>Brosimun sp.</i>	Lechero	43,908. 35	Sawmill timber and plywood
-	Other species	844,659. 69	-
<b>Total</b>		<b>3,689,180.19</b>	

Source: MAE (2013), compiled by STCP (2018)

Plantations of Pine (*Pine spp.*) and Eucalyptus (*Eucalyptus spp.*) are the main source of timber supply for the wood panel industry and Eucalyptus plantations are the only source of raw material for the wood chips industry. Other important sources of industrial wood are Balsa (*Ochroma pyramidale*) and Teak plantations.

Figure 5 illustrates, based on information collected by the Consultant, the supply chain considering plantation timber and primary forest industries in Ecuador.

**Figure 5 – Plantation timber supply chain in Ecuador**

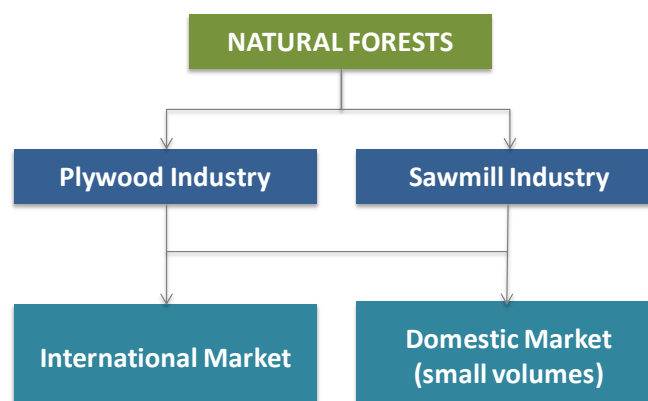


Source: Compiled by STCP (2018)

According to FLEGT Ecuador Briefing Document, there are more than 120 species from natural forest used to supply the Ecuadorian forest industry. In Ecuador, most of the native timber products are traded in the domestic market. Timber industry based on natural forest wood, in general has limited production capacity. They supply the local demand of sawnwood mainly for construction and value added products (furniture, doors, flooring material and others). A small portion of wood from natural forests is also consumed by the plywood industry.

Figure 6 shows, based on information collected by the Consultant, the supply chain considering natural forests timber and primary forest industries in Ecuador.

**Figure 6 – Natural forests timber supply chain in Ecuador**



Source: Compiled by STCP (2018)

There is no updated and consistent data on the production of the Ecuadorian forest industry. The estimated production of the Ecuadorian industry is based on information collected by the Consultant from AIMA, ASOTECA, MAE, MAGAP and private companies is presented in Table 7.

**Table 7 – Estimated production of forest industry in Ecuador (2017)**

Product	Estimate Production (m <sup>3</sup> )
Sawnwood*	700,000
Plywood*	180,000
Particle board**	310,000
MDF**	76,000
Balsa wood**	160,000
Teak (logs)**	140,000
Wood chips**	90,000
<b>TOTAL</b>	<b>1,656,000</b>

\* Native and plantation timber

\*\* Plantation timber

Source: Compiled by STCP

## 2.5. Forest products trade in Ecuador

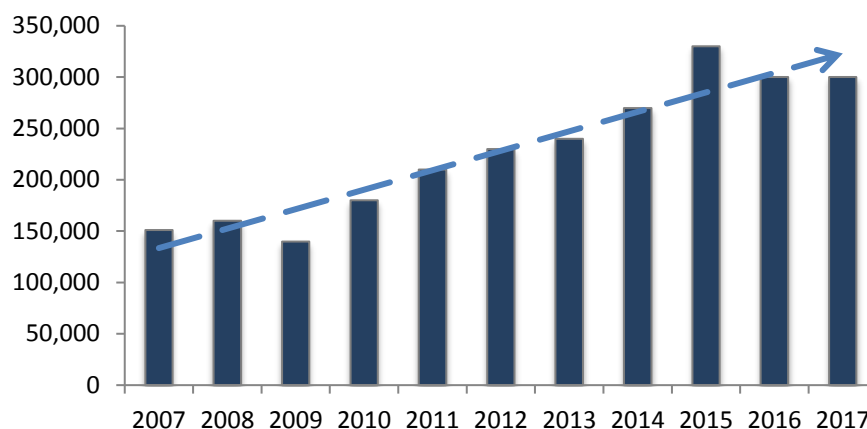
Timber industry in Ecuador is relatively well developed, but there are only a few large companies in operation. The industry supply most of the local demand of forest products and larger companies are active in the international market.

Part of the industry, such as balsa, teak and wood chips industry trade almost all their production in the international market. Wood panel industry, including plywood, particleboard and MDF also export a significant part of their production.

Figure 7 presents a summary of the evolution of Ecuador forest products exports from the Central Bank of Ecuador. Total exports reached around US\$300 million in 2017.

Main forest products exported are plywood, particleboard, balsa wood products, teak logs and wood chips. These four products together contribute with around 95% of the Ecuador forest sector exports. The country also exports, in a smaller scale, MDF and some value added products, including furniture, wooden doors and others.

**Figure 7 – Ecuadorian forest products exports in USD (2007-2017)**



Source: COMAFORS (2018), compiled by STCP (2018)

Information on the 2017 exports of forest products, compiled from available information, is presented in Table 8.

Ecuador is very active in the regional market. The country exports furniture, particleboard, plywood and MDF to several South and Central America countries, including Colombia, Panamá, Peru and Chile.

USA is an important market mainly for the Ecuadorian plywood producers, but also for furniture, doors and balsa wood products. The market for balsa wood products is largely diversified. The main importing countries currently are, besides USA, China, Lithuania, Poland, Denmark and Germany.

The market for teak is fairly concentrated. More than 90% of the Ecuadorian teak is exported to India. Other relevant and growing markets for teak are China and Bangladesh.

**Table 8 – Exports of selected forest products in Ecuador (2017)**

Product	Value (1.000 USD)	%
Plywood	45,018	15,1%
MDF	6,447	2,2%
Particle Board	97,182	32,5%
Balsa Product	90,537	30,1%
Teak (logs)	42,402	14,1%
Wood chips	10,560	3,6%
Furniture and doors	4,751	1,6%

Product	Value (1.000 USD)	%
Wooden doors	1,414	0,5%
Others	722	0,2%
<b>TOTAL</b>	<b>299,035</b>	<b>100%</b>

Source: AIMA (2017), compiled by STCP (2018)

There is only one producer of wood chips in Ecuador, and Japan is the only market. All woodchip produced in Ecuador, since 2011, was exported to Japan. Exports have grown 161% from 2011 to 2016 with steady annual growth.

Figure 8 presents the Ecuadorian exports of wood chips to Japan from 2006 to 2016. Current exports are around 100.000 tons (3 shiploads/ year).

**Figure 8 – Ecuadorian exports by product to Japan in USD (2006-2016)**



Source: Trademap (2018), compiled by STCP

Ecuador also imports forest products. As a matter of fact, the balance of trade is negative. In value terms the country imports more forest products than exports. The main imported forest product by Ecuador is pulp and paper. A summary of Ecuador forest product imports, according to the Central Bank is presented in Table 9.

**Table 9 – Forest products imported by Ecuador (2017)**

Product	Value (1.000 USD)	%
Pulp and Paper	297,000	85,8%
MDF	21,122	6,1%
Furniture and doors	17,173	4,9%
Particle Board	9,275	2,7%
Others	1,534	0,4%
<b>TOTAL</b>	<b>346,104</b>	<b>100%</b>

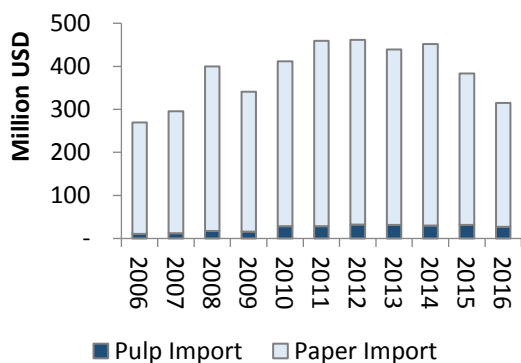
Source: AIMA (2017), compiled by STCP (2018)

As mentioned previously, the main forest products imported are pulp and paper (85.8 % of the total value). Paper production in Ecuador is basically cardboard, packing material and tissue. The production is based on recycled fiber (waste/ recycled paper) and imported pulp. The industry uses about 90% of recycled material and 10% of virgin pulp (Ribadeneira, 2015) ). Pulp and paper, are imported mainly from Colombia, Brazil, Chile and China.

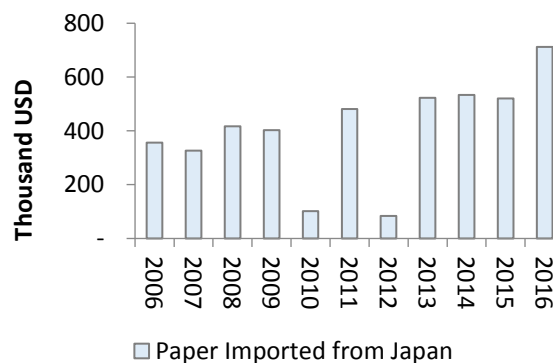
More detailed information on total imports of pulp and paper and imports of such products from Japan, covering the period 2006 to 2016, are presented in Figure 9 and Figure 10. As can be observed total value of imports of pulp and paper by Ecuador alone are higher than the total forest products exports.

Furniture imports are mainly from Spain, China and Brazil. Particleboard and MDF are mainly imported from China, Chile, Brazil and Colombia.

**Figure 9 – Ecuadorian pulp and paper imports in USD (2006-2016)**



**Figure 10 – Ecuadorian paper imports from Japan USD (2006-2016)**



Source: Trademap (2018), compiled by STCP (2018)

### 3. OVERVIEW OF THE RELEVANT GOVERNMENT ORGANIZATIONS

#### 3.1. Legal Authorities

The Constitution of Ecuador (2008) recognizes in Art. 395 the following environmental principles:

1. The State will guarantee a sustainable development model, environmentally balanced and respectful of cultural diversity, that conserves biodiversity and natural regeneration capacity of ecosystems, and ensure the satisfaction of the needs of present and future generations;
2. Environmental management policies shall be applied transversally and shall be of mandatory compliance by the State at all levels and for all natural or legal persons in the national territory.

The most relevant government organizations involved in regulating and controlling forest activities in Ecuador are the Ministry of Environment (MAE) and the Ministry of Agriculture and Livestock (MAGAP).

MAE is responsible for regulating, promoting, fostering, commercializing in natural forests (states or public), in Ecuador. The MAE structure includes the Subsecretaria de Patrimonio Natural - SPN (Sub Secretary of the National Patrimony) and the Dirección Nacional Forestal (National Forestry Directorate).

Based on the Acuerdo Interministerial nº 03 (Inter Ministerial Agreement nº 03) signed between the MAE and MAGAP on September 30, 2015, it was agreed to cooperate and coordinate actions to transfer competences related to forest plantations to MAGAP. Within MAGAP, the direct responsible for the tasks is the Subsecretaria de Producción Forestal (Sub Secretary for Forest Production).

Moreover, to meet the needs of 24 provinces in Ecuador, MAGAP and MAE counts with the support of Decentralized Autonomous Government (GADs)<sup>5</sup>. The goal of this Government Authority is to elaborate, execute and monitor forest management plans for natural and planted forests. GADs implement in each of their provinces Código Orgánico del Ambiente 2017 (Environmental Organic Code 2017), which in forestry matters authorizes the elaboration of plans and programs of protection and promotion of forest resources.

The natural resources in Ecuador, including permits, environmental studies and administrative authorizations related to the forest sector, have its guidelines established by the Environmental Organic Code 2017. The purposes of this Code are:

1. Regulate the rights, guarantees and principles related to the healthy environment and nature, provided for in the Constitution and international instruments ratified by the State;
2. Establish the principles and environmental guidelines that guide the public policies of the State. The national environmental policy must be compulsorily included in the instruments and processes of planning, decision and execution, in charge of the organisms and entities of the public sector;
3. Establish the fundamental instruments of the National Decentralized System of Environmental Management and the co-responsibility of the citizens in their application;
4. Establish, implement and encourage mechanisms and instruments for the conservation, sustainable use and restoration of ecosystems, biodiversity and its components, genetic heritage, National Forest Heritage, environmental services, marine coastal zone and natural resources;
5. Regulate the activities that generate impact and environmental damage, through norms and parameters that promote respect for nature, cultural diversity, as well as the rights of present and future generations;
6. Regulate and promote animal welfare and protection, as well as responsible management and management of urban trees;
7. Prevent, minimize, avoid and control environmental impacts, as well as establish reparation and restoration measures for degraded natural spaces;

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<sup>5</sup> Article 238 of the 2008 Constitution of Ecuador establishes that the Autonomous Decentralized Governments (GADs) are the rural parish boards, municipal councils, and metropolitan councils, provincial and regional councils. GAD shall have political, administrative and financial autonomy, and shall be governed by the principles of solidarity, subsidiarity, inter-territorial equity, integration and public participation.

8. Guarantee the participation of people in an equitable manner in the conservation, protection, restoration and integral reparation of nature, as well as in the generation of its benefits;

9. Establish the mechanisms that promote and encourage the generation of environmental information, as well as the articulation and coordination of public, private and civil society entities responsible for environmental management and research activities, in accordance with the State's requirements and priorities. ;

10. Establish effective, efficient and transversal measures to face the effects of climate change through mitigation and adaptation actions;

11. Determine the attributions of the National Environmental Authority as governing entity of the national environmental policy, the environmental competencies of the Decentralized Autonomous Governments and the implementation of the National Decentralized System of Environmental Management.

Main organizations responsible for monitoring and timber harvesting control, processing, distribution and trade of forest products, as well as their main roles and responsibilities are summarized in Table 10.

**Table 10 – Main institutions responsible for harvesting, processing, distribution and trade of woods and wood products**

Name of Organization	Roles and Responsibilities
Ministry of Environment (MAE)	- MAE is the National Forestry Authority, responsible for issuing Timber Harvesting Permits for natural forests, wood transportation permit, logging control, among others.
Ministry of Agriculture and Livestock (MAGAP)	- MAGAP is legal authority for forest plantations, including development/ promotion, harvesting, marketing and control of forest plantations and their sustainable management for commercial purposes; also competences related to forest seedlings of commercial species, administrative procedures for the approval of cutting plans, issuance of, harvesting permit among other documents required to harvesting in commercial plantations.
Central Bank of Ecuador (BCE)	- Responsible for international wood trading statistics and transactions control.
National Secretary of Planning and Development (SENPLADES)	- Responsible for the National Plan, which includes the quantity of volume authorized each year to be harvested in Natural Forests.
Decentralized Autonomous Governments (GADs)	- Responsible for forest statistics and public forest planning on a regional basis.

Source: Various sources, compiled by STCP (2018)



## **4. LEGISLATIONS ON HARVESTING FOREST RESOURCES**

### **4.1. Laws and regulation on harvesting of forest resources**

In Ecuador, harvesting permits are necessary for logging in natural forests as well as for harvesting timber in plantation forests. Based on the Inter Ministerial Agreement n ° 003/2015, MAE is responsible for issuing harvesting permits in natural forests, while MAGAP is responsible for harvesting permits in planted forests.

Table 11 lists the most relevant laws and regulations regarding access and management of forest, harvesting permits and other related-legislations.

### **4.2. Legal rights over forests**

In Ecuador, the responsible authority for land rights and development is Sub secretary of Land and Land Reform, which is under MAGAP. The duties of this government authority are established in the 2017 Organic Law of Rural Land and Ancestral Territories (Ley Organica de Tierras Rurales y Ancestrales) as:

- a) Issue property titles to natural or legal individuals who, being in possession of rural lands and having the right to them, lack of title of property;
- b) Assign lands that are their property;
- c) Declare the expropriation of lands subject to the conditions;
- d) Create and maintain a Registry of Agriculture Lands; and,
- e) Finalize the integrated agricultural reform process.

In spite of the existing legislation regarding land tenure and efforts of the Government to title lands, around 60% of properties are without updated and regular land titles, according to USAID (2012)

This frequently creates problems to forest owners to obtain harvesting permits which are required for forests located in private land.

For historical reasons, most of Ecuador's natural forest belongs to local communities/ Indigenous groups. Those groups often do not hold legal documents and/or land titles; however, this does not interfere with their right to exploit its natural resources, since those rights are protected by the State Government backed by the 2008 Constitution of Ecuador and supported by the Confederation of Indigenous Nationalities of Ecuador (CONAIE). In spite of the fact that most of the community lands have no legal documents, this does not interfere in their rights to use its natural resources. On the other hand, the communities face limitations related to access to credits or financing because land title is the main legal requirement to have access to those credits. For harvesting permits, it is necessary to consult with the Community Council.<sup>6</sup>

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<sup>6</sup> A community council is an entity created by the communities to discuss and take decisions on issues that affect the communities.

**Table 11 – Main laws and regulations related to access to forests, forest management and harvesting permits of Ecuador**

<b>Laws and Regulations</b>	<b>Year</b>	<b>Description</b>
Environmental Organic Code	2017	Gives provisions on environmental rights, ensuring the sustainability, conservation, protection and restoration of the environment.
Ministerial Agreement N° 001	2015	Regulates on machinery and heavy weight equipment use in mining, forestry, and similar activities.
Ministerial Agreement N° 003	2015	Assigns legal responsibilities of natural forest to MAE and planted forests to MAGAP.
Ministerial Agreement N°125	2015	Regulates the sustainable management of tropical forests.
Executive Decree 286	2014	Transfer the responsibilities of industrial plantations to the Ministry of Agriculture, Aquaculture and Fisheries.
Ministerial Agreement N°130	2010	Regulates “Social Forest Program (Programa Socio Bosque)”, for the development of forest resources on communities.
Ministerial Agreement N°139	2010	Regulates the administrative procedures and authorizes wood harvesting.
Ministerial Agreement N° 041	2004	Regulates and gives provision regarding the right to harvest standing timber.
Ministerial Agreement N° 040	2004	Regulates timber harvesting in forest plantations and trees in agroforestry system.
Ministerial Agreement N° 039	2004	Regulates the Sustainable Forest Management for Timber Harvesting in Moist Forests and give other provisions.
Ministerial Agreement N° 038	2004	Regulates the Forest superintendent System.
Ministerial Agreement N° 053	2001	Directs the log-scaling for forest control at road checkpoints.

Source: Compiled by STCP (2018)

#### **4.3. Timber Source Types, Management and Harvesting Planning and Permits**

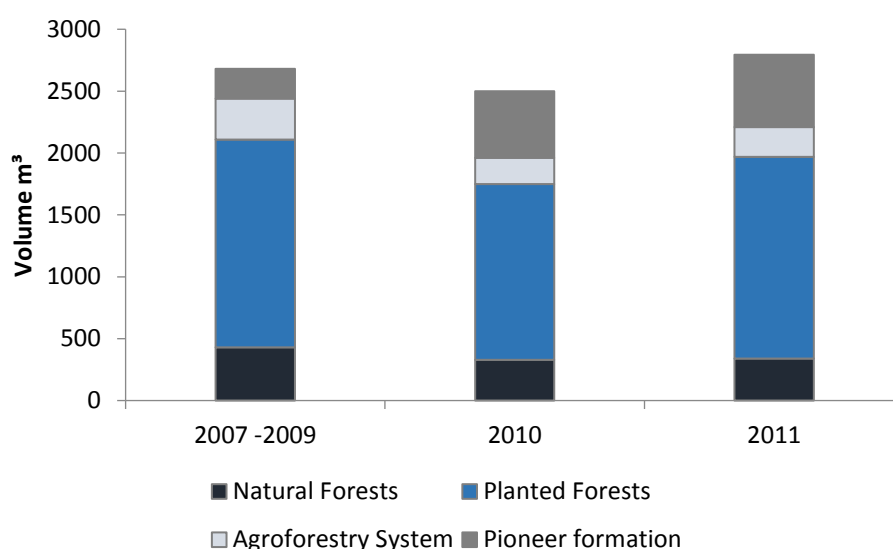
Timber sources in Ecuador are mostly from natural forests (PAFSUs”, “simplified management plan” and “harvesting program for legal conversion zones”) and from

plantations forest. Small timber volumes are also sourced from agroforestry systems and pioneer formations<sup>7</sup>.

Also it should be noted that there are no forest concession licenses in Ecuador. This type of timber source was abandoned in the 1980s, discouraging the development of large commercial sector on natural forests (TRAFFIC, 2013).

Wood consumption continues to increase in Ecuador, based mainly on forest plantations. Volume coming from natural forests has also increased in the two decades, but there are indications that it will decline, according the interviews. Most large companies are moving their supply to plantation forests. Figure 11 presents logging volume by type of forest formation in a 5-year timeframe.

**Figure 11 – Logging volume by type of forest formation<sup>8</sup> (2007 – 2011)**



Source: PALACIOS Y MALESSA (2013), compiled by STCP (2018)

The percentage of plantation timber has increased in the last years and currently is around 50% of the total industrial timber supply. Most of the timber consumed by the larger industries comes from forest plantations. Native species are mostly used by small sawmills located in the Amazon region or along the northern coast (Esmeraldas Province).

Moreover, harvesting operations are basically controlled by two different authorities:

- a) Ministry of Environment (MAE) - natural forests; and
- b) Ministry of Agriculture and Livestock (MAGAP) - plantation forests.

- **Natural Forests**

<sup>7</sup> Pioneer formations are forest formations that are naturally constituted in contemporary populations, developed from disturbances in native forests or remnants of these, either by natural processes (landslides, opening of clearings by falling trees, floods and floods of rivers, others ) and by the effect of anthropic interventions for the development of infrastructure works (opening of highways, power lines, oil pipelines, others).

<sup>8</sup> There was no official statistics regarding logging volume of land use change.

The Ministry of the Environment (MAE) is the National Environmental Authority which authorizes the use of timber by issuing the harvesting permit (Licencia de Aprovechamiento Forestal), according to Art. 2 of Ministerial Agreement n° 139 (2010).

In Ecuador, an Integral Management Plan<sup>9</sup> is required to harvest in natural forests. The duration of this plan is indefinite (Art. 6, Ministerial Agreement n° 125/2015). However, the period of logging activities may vary according to the requirement of logging type established in the regulation (Art. 4 Ministerial Agreement n° 139 /2010). See Table 12 for details.

The most relevant regulations involving harvesting in natural forests<sup>10</sup> in Ecuador are defined in the Ministerial Agreement 125 (2015) related to sustainable management of forests, the Ministerial Agreement 130 (2010) that regulates the administrative procedures and authorizes wood harvesting, and the Ministerial Agreement n° 139 (2010) which regulates the procedures for harvesting.

The basic procedures and requirements for MAE to issue a harvesting permit in natural forests involve several steps, presented in Table 12.

Other documents to be presented, together with the forest management plan and the census include, among others, land title, property owner and information on payment of land taxes. The total cost of the process, involving the preparation of the management plan, the census, inspection by the “Regente Forestal” and paper work, based on the industry information, has an average cost of US\$6.00/m<sup>3</sup>.

At last, Art. 14 of Ministerial Agreement n° 139 (2010), states that the administrative act of approval authorizes the beneficiary for 90 days to request the harvesting permit. If by the end of the deadline the beneficiary does not request the harvesting permit, the approval of the permit will be denied.

#### • **Plantation Forests**

In Ecuador, all commercial forest plantations are located in private land. As mentioned, forest plantations harvesting are regulated and controlled by MAGAP.

The most relevant regulations involving harvesting in plantation forests in Ecuador are defined in the Ministerial Agreement n° 327 (2014) that regulates and gives provision regarding preparation, implementation and approval of logging program, forest harvesting licenses, and other guidelines for forest plantations.

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<sup>9</sup> Integral Management Plan: It is land use instrument, which regulates land use and sustainable management for the use of forest and natural resources of a certain area, and that complies with the requirements of the Environmental Organic Code (COA), and other forest-related regulations issued by the national forestry authority (MAE), according to Ministerial Agreement n° 139, 2010).

<sup>10</sup> In Ecuador, there is no forest concession system or national production forests. Therefore, there is no harvesting in public forest areas.

**Table 12 – Procedures and requirements to issue a harvesting permit**

Steps	Description
<p><b>Integral Management Plan</b></p>	<p>In Ecuador, the procedures for timber harvesting vary according to the type of forest resource, considering harvesting areas, forest users particularities (smallholders, communal properties, private businesses) and the intensity of logging (harvests without mechanical extraction, and mechanized industrial extraction).</p> <ul style="list-style-type: none"> <li>• The sustainable forest management plan (Programas de Aprovechamiento Forestal Sustentable – PAFSUs) is basically a forest land use plan, and it is required for larger properties/ mechanized harvesting operations, including medium and large tracts of forest; PAFSUs is valid for 2 years;</li> <li>• In the case of smaller areas/ manual operations a simplified management plan (Programas de Aprovechamiento Forestal Simplificado – PAFSI) is accepted; when timber extraction is limited to one plot, with no mechanized skidding involved; PAFSI is valid for 5 years;</li> <li>• The harvesting program for legal conversion zones (Programa de Corta para Zona de Conversión Legal - ZCL) correspond to legal conversion of natural forested land to other land use, e.g. for subsistence. ZCL is valid for one year and can't be more than 30% of the total area.</li> </ul>
<p><b>Forest Census and Georeferencing</b></p>	<p>All commercial trees need to be measured (diameter and height), identified and georeferenced. Volumes per species are calculated; The forest census and Georeferencing is carried out only once prior to harvesting. All integral management plans require forest census and Georeferencing, including legal conversion zones.</p>
<p><b>Inspection by “Regente Forestal”<sup>11</sup></b></p>	<p>The Regente Forestal is a professional forester responsible for the field inspection of the management plan. He visits the site, inspects the plan and the census, and prepares a report which is submitted to MAE. These field inspections are held every year, considering the minimum intensity of control (according to the number of approved management plans) of a PAFSUs and PAFSI are 25% of the area and for ZCL is 100% of the area(Art. 29, Ministerial Agreement n° 139/2010).</p>
<p><b>Issuance of Harvesting Permit</b></p>	<p>In case, no deviation was identified during the inspection, MAE allocates, for the management area, a credit (volumes by species). Also, this credit is the basis to issue the timber transportation permit, which is valid for up to one year from the date of issuance (Art.25, Ministerial Agreement n° 139/2010).</p>

Source: Various sources, compiled by STCP (2018)

<sup>11</sup> “Regente Forestal” is professional forester, accredited by MAE and by assignment from the National Forestry Authority, provides technical assistance and forest/logging control.

The parties interested in a harvesting permit work directly with the Sub secretariat of Production Forests (Subsecretaria de Producción Forestal). The basic procedures and requirements to obtain harvesting permit for plantation timber involves the following steps:

- Plantation Registration: registration of the plantation is not compulsory, but it is needed to access funds from the plantation subsidy program and it also reduces land taxes (forest plantation land is exempt of taxes). In any case, the registration of the plantation is required to obtain a harvesting permit. The documents required to register a forest plantation are land title, landowner documents and tax number (RUC). Figure 15, in Annex, present a sample of the Plantation Registration Certificate.
- Forest Inventory: a forest inventory of the plantation is required. The MAGAP has published a manual for the forest inventory. It establishes procedures for the preparation of maps, size and number of sample plots, measurements and identification of sampled trees, method for georeferencing and calculations, and format of information presentation;
- Harvesting Plan: the plantation owner, based on the forest inventory proposes an annual harvesting plan. The harvesting plan defines basically a volume to be harvested and a harvesting period;
- Inspection: a professional from MAGAP can eventually, inspect the forest inventory. The inspection includes a field visit, and field observations and measurement of some sample plots;
- Issuance of Harvesting Permit: the MAGAP assesses the forest inventory and harvesting plan (and considers information of eventual inspection) and issues a Harvesting Permit. The permit is linked to a volume credit based on the forest inventory. Figure 16, in Annex, present a sample of the Harvesting Permit.

**As for risks associated with forest management and harvesting for natural and planted forest, there is little information available. However, a MAE report (2010) states that during the period 2004-2010, a total of 55 Regentes Forestales were sanctioned due to performing illegalities, such as overlooking poorly elaborated forest management plans, approving non-factual information on harvesting plans, mistaken or poorly recorded tree data, either scientific or common name, also accepting the misuse of transportation permits with changes, (adulteration of information and change of species).**4.4. Environmental requirements

In Ecuador, the harvesting regulation for natural forests and for plantations considers protective environmental restrictions for slopes and impact on water sources. The main regulations for each type of forest are:

- i) Natural Forests: Article 7 of the Ministerial Agreement n° 125/2015, regulates and establishes protection requirements for water sources, as well as securing the abundance of tree species and implementing conservation practices along the roads. Also, Article 14 and 16, recognize low impact harvesting for slopes greater than 45 degrees.
- ii) Forest Plantations: Article 21 of the Ministerial Agreement n° 327/2014 regulates as the most import environmental protection measures as the protection water sources and slopes.

The main Ecuadorian timber species that are commercially valuable and regulated by CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) are Brazilian rosewood (*Aniba roseodora*) and Mahogany (*Swietenia macrophylla*), listed in CITES Appendix II, Cedrella (*Cedrela odorata* and *Cedrella fissilis*) in Appendix III. Both species, originate from the Amazonian Biome.

In Ecuador, CITES is managed by MAE, under the National Directorate of Biodiversity. There is an Administrative Authority (MAE) and a Technical/Scientific Authority<sup>12</sup>. Table 13 lists the timber species regulated by CITES in Ecuador.

**Table 13 – List of timber species regulated by CITES**

Appendix	Species	Common name
Appendix II	<i>Aniba roseodora</i>	Brazilian rosewood
Appendix II	<i>Swietenia macrophylla</i>	Big-leaf Mahogany
Appendix III	<i>Cedrela fissilis</i>	Brazilian cedar wood
Appendix III	<i>Cedrela odorata</i>	Spanish cedar

Source: CITES (2018)

The exporter needs to inform, to apply for a CITES Certificate, details on the product to be exported and the client Importer. He also needs to provide several documents including the harvesting permit (Licencia de Aprovechamiento Forestal), company Registration Certificate and others.

There is no reliable information regarding risks associated with environmental requirements for forest management and harvesting in natural and planted forests in Ecuador. Also, no official information as to legality risks associated to CITES species.

#### **4.5. Employment and safety in forest management and harvesting operation**

In Ecuador, the Ministry of Labor requires that all workers are signed under a contract in accordance with the national labor regulations and conditions under the Organic Law of Labor Justice and Acknowledgement of Household Work (2015).

Moreover, the Social Security Law (2014) states that “all workers are under protection” of the General Obligatory Insurance. This means that all workers, despite of its tasks (physical or intellectual) or service (particular or dependent) need to be registered at the social security system.

Furthermore, Article 244 of the Labor Law regulates that all workers must be affiliated to the Ecuadorian Social Security Institute (IESS), fail to register the worker will result in the employers prison for at least seven days.

<sup>12</sup> The Ministry of Environment (MAE) is the Management Authority for permit-related issues in Ecuador. The Scientific Authority in Ecuador is composed of 11 Institutions, including Universidad Estatal de Guayaquil, Instituto Oceanográfico de la Armada, Instituto Nacional de Pesca, Escuela Politécnica Nacional, Universidad Central del Ecuador, Museo Ecuatoriano de Ciencias Naturales, Pontificia Universidad Católica del Ecuador, Universidad San Francisco de Quito, EcoCiencia, Fundación Charles Darwin and Universidad Técnica Particular de Loja.

At last, regarding specific laws for forest workers, the Resolution n° 3 of MAGAP establishes that forest operators should be registered to perform activities related to commercial plantations in the Sub secretary of Forest Production managed by MAGAP.

In Ecuador, labor rights have been strengthened significantly in recent years, with extensive protections for workers. The rights to organize labor and to strike are guaranteed by the Constitution. However, child labor is still very common, where children are often found performing dangerous activities in agriculture and timber exploitation despite Government efforts to eliminate child and forced labor. According to INEC (2012), approximately 9% of child between ages of 5 and 17 years are in child labor in Ecuador.

#### **4.6. Social requirements**

As for indigenous people and traditional communities in Ecuador, statistics are rarely available. However, in Ecuador, there are three groups of traditional people living in the Ecuador's Amazonia Ecosystem, according to PALACIOS and FREIRE (2004). Those groups are divided into indigenous people, settlers<sup>13</sup> and a migratory population. Indigenous people and settlers together own 60% of the lasting forest area of the Ecuadorian Amazon region. Around 40% of these forests are protected areas. The total indigenous land in Ecuador corresponds to 6.3 million hectares (Oxfam, 2007).

The Ecuadorian Constitution (Art. 57) recognizes and guarantees rights of the traditional communities and indigenous people, such as the need to preserve the land of the community which is inalienable, indivisible and are exempt from fees and property taxes, prior consultation about natural resources exploitation and commercialization in their land and participation on the benefits generated by any projects. Ecuador is a signatory country of the ILO Convention 169 (Indigenous and Tribal Peoples Convention 1989) ratified in May 15, 1998. All traditional people should be consulted regarding the use of their land for commercialization purposes. This process is conducted by relevant local authorities, and if the consent is not granted, the process will proceed according to the Decentralized Autonomous Governments (GADs).

The government (MAE) in compliance with the National Development Plan (2007-2010) that proposes the reduction of the deforestation rate by 50%, created the Socio Bosque Program (Programa Socio Bosque), in 2008. The Socio Bosque Program consists in providing economic incentives to peasants and indigenous communities who voluntarily commit themselves to the conservation and protection of their natural forests and other native vegetation.<sup>14</sup> This Program contributes to the improvement of the living conditions of these communities. The result so far (as reported in 2018) has shown that the program has signed approximately 2681 agreements with peasants, indigenous peoples, lands under conservation covering 1,616,263 ha, and with over 174,971 beneficiaries (MAE, 2018)<sup>15</sup>.

Although customary rights of Indigenous People and traditional communities are stated in the Constitution of Ecuador, there are no laws and regulations directly covering,

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<sup>13</sup> Settlers: group of people which is given a certain land with the purpose explore it for its subsistence, using exclusively a family work.

<sup>14</sup> The delivery of this incentive is conditional on the protection and conservation of its forests, which means that people receive the incentive once they comply with the monitoring conditions that are determined in an agreement signed with the Ministry of the Environment. One of the strategic objectives is to achieve protection coverage of forests, native vegetation and their ecological, economic and cultural values; around four million hectares, equivalent to 66% of the unprotected forests of Ecuador.

<sup>15</sup> <http://sociobosque.ambiente.gob.ec/node/330>



monitoring or enforcing those rights, which expose a gap in the legal structure on protection of those communities. Thus, the lack of legal tools to protect their rights results in no official statistics regarding risks associated with Indigenous People and traditional communities.

#### **4.7. Control measures to verify legality of harvesting**

In Ecuador, a harvesting permit is issued after the approval of a management and harvesting plan (natural and planted forests), which also involves the issuance of the transportation permit – Guía de Circulación (use of credits). This control process is weak leaving considerable leeway for informal practices, leading to a high risk of non-compliance and violations. This is due to the fact that the same volume (credits) is used for harvesting and transportation permits (Guía de circulación), which gives a window to transport illegal wood with legal documents. The authorized volume for transportation should correspond to the volume authorized for harvesting. However, it is common that the planned timber volume to be harvested is not done; as result part of the authorized volume in the Guía de Circulación is traded in the black market. That means, that trucks could be transporting timber covered by an official document (Guía de Circulación), however the wood does not originated from authorized areas.

There are also situations where the harvesting is carried out without the required documents. However, there are some control measures which helps to verify the legality of the wood harvesting, including:

- Hold valid harvesting permits;
- Carry out field inspections (by the Regente Forestal, MAE or MAGAP officials), which supports the verification of data in the management and harvesting plan versus reality;
- Check proper documentation with the local forest authorities, such as MAGAP and MAE, e.g. the proper registration of the harvesting and management plan submitted by the executor;
- Road inspections by MAE and MAGAP officials.
- Forest activity operators hired by the executor should hold approved registration and permit granted by MAGAP and MAE.

## 5. LEGISLATIONS ON TRANSPORTATION AND PROCESSING OF WOOD

### 5.1. Laws and regulation on transportation and processing of wood and wood products

Based on the Inter Ministerial Agreement n° 003/2015, MAE is responsible for regulating, monitoring and approval of transportation and processing of wood and wood products in Ecuador based on native species. The MAGAP is responsible for the plantation species. Table 14 presents the relevant laws and regulations regarding transportation and processing of wood and wood products.

**Table 14 – Laws and Regulations related to transportation and processing of wood and wood products**

Laws and Regulations	Year	Description
Ministerial Agreement N° 327	2014	Regulates the preparation, approval, and implementation of logging programs, forest harvesting licenses and transport guidelines of forest plantations.
Ministerial Agreement N° 049	2014	Regulates administrative procedures for the verification and control of origin and final destination of forest products.
Ministerial Agreement n°139	2010	Establishes procedures for authorizing timber harvesting and clear-cut
Instructions for Measuring Timber Volume/MAE	2010	Establishes log conversion method of wood transported in vehicles.

Source: Various sources, compiled by STCP (2018)

### 5.2. Transportation of logs and primary wood products

The Ministerial Agreement n° 327/2014 and n° 049/2014 establish regulations and defines the permits for transportation of forest products. The basic requirements for the transportation of logs and documents to be issued, based on these Agreements, and other legislation, apply for timber products from natural forests (agroforestry system, pioneer formations and legal conversion zones) and for plantations. They are:

- “Guía de Circulación”- Permit for transportation

The process to obtain the permit for transportation is done electronically (<https://spf.agricultura.gob.ec/>) through the Forest Administration System (SAF)<sup>16</sup>. The system cross-check the information provided in the harvesting permit previously issued. The following information is required to issue the transportation permit:

- Name of the office that issues the document, when proceed;

<sup>16</sup> Sistema de Administración Forestal – SAF / MAE.

- Code and number of the forest harvesting permit;
- Code and number of the Integral Management Plan, Program of Sustainable Forest Use (PAFSUs), Program of Simplified Forest Use (PAFSIs), or the program of approved harvesting license (ZCL), as appropriate;
- Place, date, name and signature of the responsible official who issues or generates the issuance of the document, where appropriate;
- Code or number of the circulation guide, as appropriate;
- First and last names of the beneficiary of the license (timberland owner) or delegate, where appropriate;
- Origin of the product;
- Final destination of the product, company name and address, when applicable; and
- Specification of product volume by species.

The “Guia de Circulación” must be presented at MAE fixed or mobile checkpoints, where the legality and validity of Guia, as well as the conformity of the volume of wood and the species must be verified according to the procedures and regulations. Once the verification of the “Guia de Circulación” is made, it will be legally sealed, indispensable requirement for continue the transportation of timber and timber products (Art. 53 of Ministerial Agreement nº 139 (2010)).

Figure 17, in Annex, present a copy of “Guia de Circulacion”.

- “Guía de Canje”- Permit for transportation from an intermediary yards

There are cases in that logs are transported from the forest to an intermediary yard or to a primary processing industry. From this point (intermediary yard) to transport to the final destination (industry or secondary processing), it is necessary to issue a “Guia de Canje”. Figure 18, in the Annex, shows a copy of the “Guia de Canje”.

The “Guia de Canje” is issued based on “credits” (in volume - m<sup>3</sup>), originated by the “Guia de Circulación”, the original permit for transportation. There are conversion factors to adjust the “credits” provided by the “Guia de Circulación”, which is presented in Table 15 for commonly used timber products.

**Table 15 – Conversion factor of timber products**

Conversion	Factor
Log to log	1
Log to square blocks	0.85
Log to sawnwood	0.5

Source: Ministerial Agreement 327/2014, compiled by STCP (2018)

- “Guia de Remisión”- Fiscal document

The “Guia de Remisión” is basically a fiscal document, required to transport all forest products, and replaces the Invoice. Figure 19, in Annex, presents a copy of the “Guia de Remisión”. The document, with a controlled number, has information on:

- Transportation start date and finalization;
- Starting point of transportation;
- Reasons for transportation;
- Name and fiscal number (RUC) of the goods recipient;
- Name, fiscal number (RUC) and vehicle plate of the transporter;
- Quantity and description of the goods.

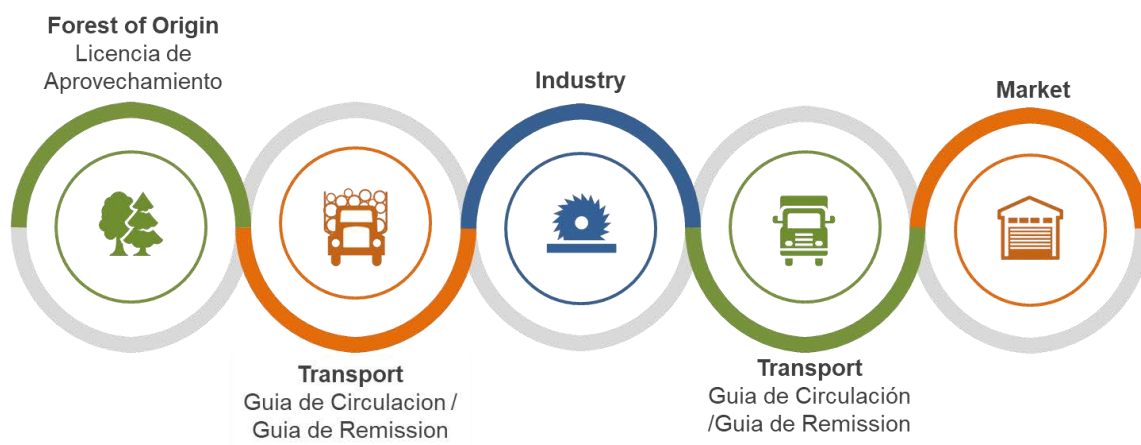
Transportation of processed wood products including wood chips, within the country, requires, basically, a “Guia de Remisión”.

Figure 12 shows a general flowchart of the main required documents for transporting wood and wood products. It should be noted that the basic flow applies to natural forests (agroforestry, pioneer formations and legal conversion zone) and forest plantations. Figure 13 presents a flowchart of the main required documents for transporting wood and wood products when the transportation involves an intermediary yard/primary processing facility.

Furthermore, regardless of the type of forest (natural or planted) the transportation of wood and wood products should follow the Instructions of Measuring Timber volumes. The goal of this instruction is to advise on the correct measurement techniques.

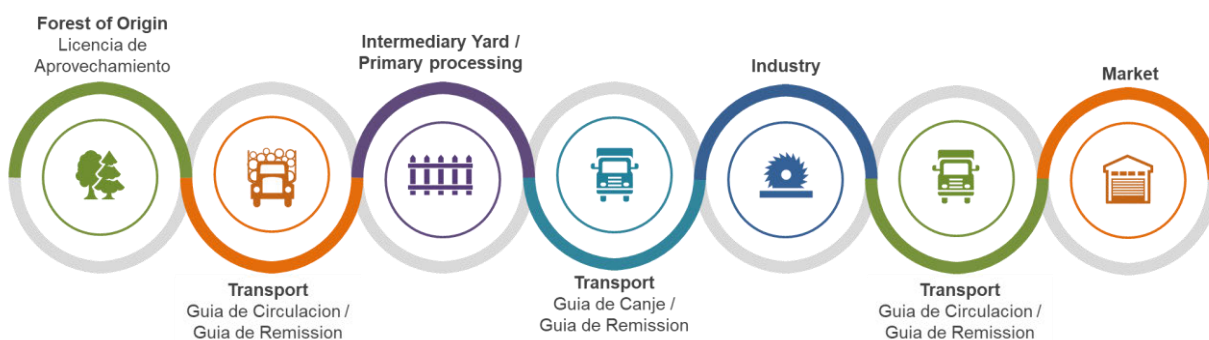
The Ministerial Agreement nº 049/2014 establishes the technical and administrative procedures for the verification of the legal source of wood and wood products, control of origin and final destination of forest products, independently of the type of forest (natural or planted).

**Figure 12 – General flowchart of the main required documents for transporting wood and wood products**



Source: Ministerial Agreement 139/2010, prepared by STCP (2018)

**Figure 13 – Main required documents for transporting wood and wood products with primary processing / intermediary yard**



Source: Ministerial Agreement 139/2010, prepared by STCP (2018)

According to article 4 of the Ministerial Agreement n° 049/2014, all establishments that purchase, transforms, sells and/or stores forest products should be registered at the MAE. The companies have to have proof of the legal origin of its products at all times, as they are susceptible to inspections without warning. Those companies should have documents and information (volume, timber species and type of product registered in the transportation permits and invoice) that prove legal origin of timber.

There is no official statistics on illegal timber and timber product trade in Ecuador. Nevertheless, some NGOs report such as NEPcon Report (2017) lists cases of the legality risk involving the transportation of wood and wood products, as follows:

- Use of the same transportation permit several times;
- Mixing timber species from illegal logging with those from legal sources;
- “Purchase” of transportation permits in the black market;
- Transportation without the transportation permit; and
- Submission of fictitious harvesting plans to obtain harvesting permits.

### 5.3. Processing wood and wood products

The Ministry of Foreign Trade, Industrialization, Fisheries and Competitiveness (MICIP) regulates the secondary transformation of wood forest products. There are, basically, three laws established by MICIP, which comprises forest products industries such as:

- Industrial Development Law (2006)  
The purpose of this Law is to recognize all industries in the national territory;
- Law for the Promotion of Small Industries (1973)  
Defines what a small industry is, its classification and benefits; contains the basic requirements and procedures; and,
- Law of Artisan Development (1996)  
This law protects artisans who work individually or in association. It establishes the parameters to get the benefits of the law and the categories for artisans and their organizations.

Furthermore, the COA 2017 regulates primary transformation industries in the forest sector and establishes the responsibility to MAE in promoting and controlling primary

forest industries. Moreover, Art. 114 sets out that company, that wish to conduct primary transformation process of wood, should properly register with MAE.

In practice the forest industry processing timber from natural forests, has to report to the MAE, twice a year. The information provided includes supply (volumes of timber acquired in the market and from own sources), stocks and the volume of timber products traded in the market.

As for risks involving processing facilities, no official information was found regarding its current situation.

#### **5.4. The system of supervision and control measures to verify legality of harvesting transporting and processing wood and wood products**

The system of supervision and control measures to verify legality of transporting and processing wood and wood products are determined by the Ministerial Agreement n° 049/ 2014 with the purpose to verify and monitor the legal source of wood and wood products, independently of the type of forest (natural or planted).

The supervision and verification of legality of timber harvesting, transportation and processing is based on:

- **Field Verification**

In the case of natural forest, the “Regente Forestal” (Forest Regent) supports MAE in the task of supervision and verification. The Regente Forestal is a forest professional accredited by MAE, and he is responsible to inspect management plans, prepared by a professional of the timber industry, before the issuance of the harvesting permit. Eventually, MAE professionals also inspect the forest planning operations. As mentioned in Section 3.3, field inspections are held every year, considering the minimum intensity of control (according to the number of approved management plans) of a PAFSUs and PAFSI are 25% of the area (Art. 29, Ministerial Agreement n° 139/2010).

For forest plantations, it is not required the involvement of a Regente Forestal. In this case a professional of MAGAP, eventually, does the inspections of the forest inventory.

- **Road Verification**

MAE and MAGAP have several control/checking points on the roads. The control points are located in the main roads, especially the roads connecting to forest sites. The control points operated 24 hours per day, and at the point, the trucks are asked to present the required permits and the loads are checked. In case documents required are not available, the timber is confiscated.

In any case, information on species, volume and values are available at SAF (a system for natural forests) and SPF (for planted forests) system for public consultation at any time.

- **Industry Verification**

Industry working with timber from natural forest is required to present to MAE, every six months, a balance of the timber and products flow, as well available stocks. This balance is based on documents informing volumes of log supply and documents on traded volumes.

## 6. LEGISLATIONS ON TRADING WOOD AND WOOD PRODUCTS

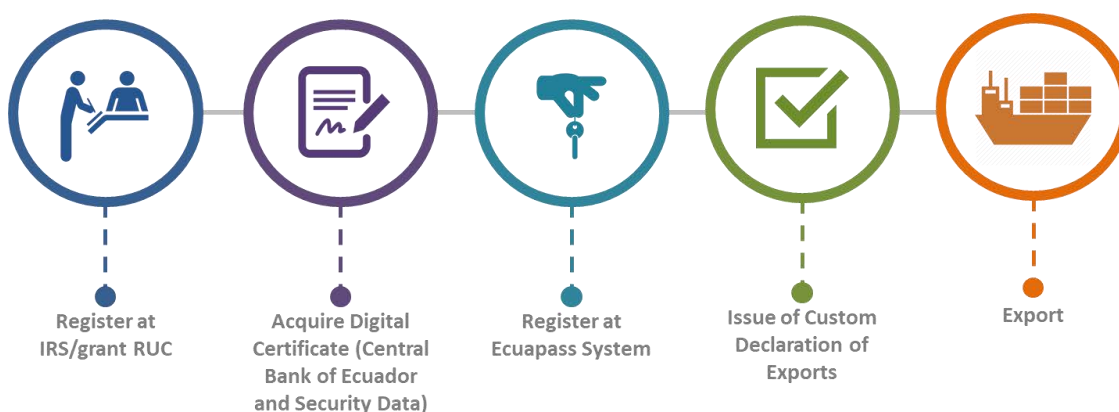
### 6.1 Laws and regulation on trading woods and wood products

In Ecuador, the responsible authorities for custom legislations and inspection are the Ministry of Production Coordination, Employment and Competitiveness (MCPEC) and the National Custom Service of Ecuador (Servicio Nacional de Aduana del Ecuador – SENA). Also, the Organic Code of Production, Trade and Investment (2013) regulates and promotes foreign trade and direct investment, increases the competitiveness of the national economy, promotes the efficient use of the country's productive resources and promotes its sustainable development and integrates the Ecuadorian economy with the international economy and contributes to the promotion of the population welfare.

For a company to be able to export in Ecuador, it should be properly registered at the Internal Revenue Service (IRS), which will grant the company tax identification number (RUC), according to the Reformatory Law for Tax Equity (2007).

Thereafter, the exporter has to acquire the Digital Certificate for the electronic signature and authentication granted by the following entities: Central Bank of Ecuador and Security Data<sup>17</sup>. Subsequently, the company should register at ECUAPASS system as an exporter with the Ecuadorian Government to acquire the Custom Declaration of Exports (DAE), according to Art. 10, SENA Resolution n° 345 (2017). Figure 14 presents the legal procedures to export in Ecuador.

**Figure 14 – Legal procedures to export in Ecuador**



Source: SENA Resolution 345, compiled by STCP (2018)

### 6.2. Product Classification

Exporting companies should classify their products according to Nomenclature of the Latin American Integration Association (NALADI), established on the basis of the International Convention on the Harmonized Commodity Description and Coding System (Harmonized System - HS), and is often represented by the acronym NALADI / HS. The HS has six digits, but each country can add up to four digits, according to their own tariff and statistical requirements. HS Code nomenclature for the most relevant timber products exported by Ecuador is presented in Table 16.

<sup>17</sup> This website issues an authentication to confirm the electronic signature of the exporter.

**Table 16 – HS Code nomenclature for commonly exported timber and timber products in Ecuador**

HS Code	Description
47	Pulp
48	Paper
4403	Roundwood
4407	Sawnwood
4412	Plywood
4418	Builder's wood
440122	Wood chips
480100	Newsprint

Source: Ministry of Foreign Affairs (2018), compiled by STCP (2018)

### 6.3. Legally required documents or records

In Ecuador, the Environmental Organic Code 2017 (Art. 135) prohibits the export of roundwood, from native forests and from plantations, except when in limited quantities for scientific and experimental purposes. For this reason, Teak logs are squared for exports. In this case, they are considered as semi-finished products, and exports are allowed.

In Ecuador, the legal authorities responsible for regulating the international trade of wood and wood products are SENA. Table 17 presents a summary of the legally required documents and record used to export wood and wood products.

In case of CITES-listed species, the exporter needs to inform, to apply for a CITES Certificate, details on the product to be exported and the client Importer. He also needs to provide several documents, including the harvesting permit (Licencia de Aprovechamiento Forestal), company Registration Certificate and others.

Finally, there is port verification where exports are only allowed after all documents on the source of products are presented and confirmed by the port authorities.

**Table 17 – Legally required documents to export wood and wood products**

Required Document	Description	Issuing Authority
Commercial Invoice	It is a commercial document that formalizes a purchase transaction with a foreign company and contains information about the person / institution taking the service, details of the service (s) provided and amounts paid.	Issued by the Seller
Exportation License (Licencia de Exportación)	In case of plantation timber, export permit is issued by MAGAP and for natural forest is issued by MAE, and is based on "credits" of timber volumes registered. This document informs the origin (based on forest plantation harvesting permit) of timber products to be exported, type of product, dimensions and volume. The exporter declares to be legally responsible for the information provided, taking into consideration articles 98 of COA 2017. Figure 21, in	Issued by MAGAP and MAE



Required Document	Description	Issuing Authority
	the Annex, presents a copy of the “Licencia de Exportación” (Export Permit).	
Packing list	It is the shipping document that discriminates all goods shipped or all components of a cargo in how many parts are fractioned; provides detailed information on how the merchandise is presented, to facilitate the identification and location of any product within a lot, as well as facilitate the inspection of the merchandise by the inspection, both on board and at the landing.	Issued by the exporter
Origin Certificate	It is required by the exporter to qualify for a tariff preference, established according to trade agreements negotiated by Ecuador or simply to meet a requirement of the customs of the country of destination.	Issued by the Ministry of International Trade
Phytosanitary Certificate	For <i>in natura</i> products, such as Teak logs, the importer requires a Phytosanitary Certificate. This document is issued by MAGAP, and is based on a Treatment Certificate made available by a specialized treatment company. Figure 22, in Annex, presents a copy of the “Certificado Fitosanitario” (Phytosanitary Certificate).	Issued by Agency of Regulation and Control Phyto and Zoozanitario
Bill of Lading (Bill of Lading/ CRT/ AWB/ TIF)	It describes the type and quantity of goods shipped, where the shipper, the consignee, the ports / airports / embarkation and unloading borders, the name of the carrier and the value of the freight are mentioned. This document receives denominations according to the means of transport used.	Issued by the shipping company, shipping company or its shipping agent.
Fumigation certificate (if necessary).	It is the proof that wooden packing materials used in international sea freight shipping, e.g. wooden pallets and crates, wood, among others have been fumigated or sterilized prior the international shipment. Fumigation certificates in international shipping usually contain details such as purpose of treatment, the articles in question, temperature range used, chemicals and concentration used.	Issued by a private company register under the Agency of Regulation and Control Phyto and Zoozanitario
Exportation authorization for CITES-listed species	For timber species listed in CITES, it is required an Export Permit Certificate, issued by the CITES Management Authority (MAE). In the case of Ecuador, the certificate is required for Dalbergia, Mahogany and Cedrella. Figure 23, in Annex, shows a copy of the CITES Certificate.	Issued by CITES Management Authority

Source: Compiled by STCP (2018)

## **7. OTHERS ASPECTS**

### **7.1. International framework / trade agreement to combat illegal harvesting and associated trade**

In 2009, Ecuador started discussions on improving forest governance with the European Union under the EU's FLEGT (Forest Law, Enforcement, Governance and Trade) program. So far, Ecuador has developed four projects. For instance, Quito, the capital of Ecuador, served as headquarters for the project "Supporting the implementation of the EU FLEGT Action Plan in South America". This cooperation project started in 2012, collaboration between FLEGT and the Wildlife Trade Monitoring Network TRAFFIC (a partnership between WWF and IUCN), has three main objectives:

- Ensure that key forest stakeholders groups in Brazil, Colombia, Ecuador and Peru have a clear understanding about the EU-FLEGT action plan;
- Foster a clear understanding in key European forest stakeholders on the complexity of forest governance in South America;
- Encourage discussion on indicators to measure changes in forest governance.

The project was implemented by TRAFFIC during the period 2012-2014, with a total budget of €1 603 604, of which a maximum of €1 279 804 is the EU contribution. This project was supervised by a project manager based in the UK, supported by a regional project manager based in Quito (Ecuador), and implemented by a project team in each of the four target countries.

The project was ended in November 2014. Among the key conclusions, participants agreed on the need of coordinating public and private sector and civil society at various levels to create common strategies, with differentiated responsibilities and monitoring processes to ensure the proper implementation of forest legality in the country (EC, 2018).

Since 2012, Ecuador has published several reports regarding Forest Transparency in partnership with TRAFFIC and WWF. However, following Latin America trend, Ecuador has not actively participated anymore in projects and negotiations with FLEGT after 2016.

Ecuador also takes part of a multilateral treaty to govern forests and natural resources, the Amazon Cooperation Treaty Organization (ACTO), an intergovernmental body formed by the States that share the Amazon territory that includes Bolivia, Brazil Colombia, Guyana, Peru, Suriname and Venezuela. The Treaty, established in 1978, provides a platform for political dialogue and regional cooperation base on the Amazon Cooperation Treaty (TCA).

Main themes include conservation and sustainable use of renewable natural resources. As to forests, ACTO promotes cooperation projects, such as deforestation monitoring, protected areas promotion, community forestry, value chains for non-timber forest products, and timber trade legality monitoring. Ecuador has worked with the other seven member countries to develop strategies for reducing illegal logging in the Amazon region.

### **7.2. Voluntary schemes on legality / sustainability of wood and wood products**

In Ecuador, there are few voluntary schemes on timber legality. The government supports certification initiatives, but there is no official incentive. The most well-known is the FSC. There are three types of FSC Certificates in Ecuador:

- FSC – Forest Management Certification  
It is designed to certify timber and non-timber forest products from natural forests and forest plantations, in which evaluate management plans and all activities related to the forest use (e.g. techniques used, labour conditions, industrial safety and health conditions of workers, among others), ensuring that they comply with the Principles and Criteria of FSC. There are, currently, four companies under this certification in Ecuador;
- FSC – Chain of Custody Certification  
The Chain of Custody (CoC) is a mechanism of accreditation that guarantees that the forest raw material contained in the final product actually comes from a certified forest. All the primary and secondary transformation companies that utilizes certified forest raw material in all or part of its production applied to this certification system. There are 17 FSC chain of custody certificates in Ecuador; and
- FSC – Controlled wood  
It is applied when the wood does not come entirely from a FSC forest management area. Thus, the "uncertified" portion must comply with FSC Controlled Wood standards, which assures manufacturers and traders to avoid timber and non-timber products from unacceptable sources. There are two companies in Ecuador under this certification.

## 8. INTERVIEWS/FIELD SURVEY (LOGISTIC RECORDS)

The field survey was carried out during the period October 18-23, in Ecuador. The summary of interviews is presented in Table 18 describing date and time, name of interviewees and corresponding positions, organizational name, and the main topics of the interviews.

**Table 18 – Result of interviews and field survey**

Date and Time	Name of Interviewees	Organization	Main Topics
Oct. 18 / 15:00	Antonio Gómez-Lince – President Grace Mogrovejo T. – Executive Director	ASOTECA	<ul style="list-style-type: none"> <li>• ASOTECA membership (companies planting Teak, Balsa, Gmelina and other species);</li> <li>• Forest certification;</li> <li>• Legal requirements for forest operations;</li> <li>• Procedures for timber harvesting;</li> <li>• Procedures for transportation to industry;</li> <li>• Procedures for export.</li> </ul>
Oct. 18 / 16:00	Tania Washima P. – Sales Manager	MULTITEAK	<ul style="list-style-type: none"> <li>• Registration of plantation / License of Forest Harvesting;</li> <li>• Procedures to obtain the license and necessary documents;</li> <li>• Current situation of teak exporters; most of them buy wood from small foresters / producers;</li> <li>• Other exports - Saman wood (China is the main importer).</li> </ul>
Oct. 18 / 17:00	Ricardo Ortiz – Managing Partner	Lumber Industries	<ul style="list-style-type: none"> <li>• Balsa national market;</li> <li>• Balsa products – sawnwood, logs (5%);</li> <li>• Balsa lumber producers are small and it is origin;</li> </ul>

Date and Time	Name of Interviewees	Organization	Main Topics
Oct. 19 / 9:00			<ul style="list-style-type: none"> <li>For legalization of the harvest, the owner of forest plantation should follow the administrative procedures required by the authorities;</li> <li>Procedures for export and required documents.</li> </ul>
	Enrique Garcia – Subsecretary Natalia Dakki Loureiro – Advisor Tobuis Bustamante – Advisor	SubSecretariat of Forest Production – Ministry of Agriculture and Livestock (MAGAP)	<ul style="list-style-type: none"> <li>Organizational structure for the Forest Production Subsecretariat - two Directorates;</li> <li>Forest plantations under MAGAP, but Balsa and Bamboo (caña) responsibility overlaps with MAE;</li> <li>Incentive to forest plantations Program started in 2014;</li> <li>Total area planted estimated at 160 thousand ha;</li> <li>Legal instruments requirements for forest plantations;</li> <li>Control on the roads is carried out by MAE;</li> <li>Main sources of illegality and timber volume traded illegally.</li> </ul>
Oct. 23 / 9:00	Jessica Coronel – Director	National Forest Directorate – Ministry of the Environment (MAE)	<ul style="list-style-type: none"> <li>2004 Forest Law is no longer in force. New law, the Organic Code of Environment (2017) became effective on 12/4/18;</li> <li>Other relevant legal instruments;</li> <li>Forest utilization; natural regeneration and plantations;</li> <li>Logging license and forest products transport procedures;</li> <li>Registration of the forest industries;</li> <li>New standards should be issued by the end of 2018;</li> <li>Registration of wood traded from natural forests and forest plantations.</li> </ul>
Oct. 23 / 11:00	David Veintimilla Yáñez – National Director of Biodiversity	CITES – National Directorate of Biodiversity	<ul style="list-style-type: none"> <li>Commercial species listed in CITES;</li> <li>Current situation of commercialization of cites-listed species.</li> </ul>
Oct. 23 / 13:00	Manuel Durini – President	Endesa Botrosa	<ul style="list-style-type: none"> <li>Current situation of wood used by Endesa Botrosa;</li> <li>Company's compliance with all rules for legal timber, both planted forests (MAGAP) and native forests (MAE);</li> <li>Timber and wood products transportation procedures;</li> <li>Administrative procedures – submission of summary of consumption, production and stocks to MAE;</li> <li>Requirements for wood from forest plantations, MAGAP rules;</li> <li>Estimation of consumption of wood from forest plantation;</li> <li>Types of consumption (chips for export, logs for MDF, particle board and plywood, balsa wood and teak logs for export).</li> </ul>
Oct. 23 / 16:00	Christian Riofrio F. – Executive Director	AIMA – Ecuadorian Association of Wood Industries	<ul style="list-style-type: none"> <li>Control of forest activities in Ecuador;</li> <li>Transport procedures and required documents;</li> <li>Procedures for checking legality;</li> <li>Estimated consumption of wood from forest plantations.</li> </ul>

Date and Time	Name of Interviewees	Organization	Main Topics
Oct. 24 / 9:00	Christian Tuchie A. – General Manager  Pablo Vargas Castro – Owner-Partner	Expoforestal Industrial S.A.	<ul style="list-style-type: none"> <li>• Operations in Ecuador started in 1996, joint venture with Chilean and Japanese partners.</li> <li>• Forest plantations carried out by the Company; type of forest species, its use, and market;</li> <li>• Export destination, volume;</li> <li>• Sources of wood used for chip production;</li> <li>• FSC certification;</li> <li>• Procedures and requirements to purchase eucalyptus wood;</li> <li>• Procedures for timber transportation and required documents;</li> <li>• Procedures for timber exportation and required documents, Certificate of Origin, others.</li> </ul>
Oct. 25 / 10:00	Paulina Soria – Coordinator	FSC – Forest Stewardship Council/ National Office	<ul style="list-style-type: none"> <li>• FSC - awareness raising of social and environmental responsibility;</li> <li>• Types of certification;</li> <li>• Certified plantation areas;</li> <li>• Requirement for Controlled Wood certificate;</li> <li>• Risk analysis of illegality;</li> <li>• Case of Community land;</li> <li>• Certified companies and products in Ecuador.</li> </ul>
Oct. 25 / 14:00	Felipe Pazmiño – Forest Manager	Aglomerados Cotopaxi S.A.	<ul style="list-style-type: none"> <li>• Registration of forest plantations;</li> <li>• Certification of protected areas;</li> <li>• Requirements for forest harvesting, in plantations;</li> <li>• Limitations in obtaining the transportation document and the validity of the document;</li> <li>• Requirement for sale of finished products in the local market;</li> <li>• Annual consumption of the Company;</li> <li>• Timber products destination: domestic market and international market.</li> </ul>
Oct. 23 / 17:00	Juan Carlos Palacios – Executive Director	COMAFORS – Sustainable Forest Management Corporation	<ul style="list-style-type: none"> <li>• COMAFORS activities: development of projects, participation in events and discussions at national and international levels;</li> <li>• Estimation of wood consumption from forest plantations in Ecuador;</li> <li>• Illegality in timber production in natural forests;</li> <li>• Illegality in the forestry sector;</li> <li>• New species exported - Saman.</li> </ul>

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## ANNEX

### Collected Documents (samples)

- Plantation Registration

The registration of forest plantation is not compulsory, but it is needed to access funds from the plantation subsidy program and it also reduces land taxes (forest plantation land is exempt of taxes). In any case, the registration of the plantation is required to obtain a harvesting permit. The document presents basic information about the executor (saler) and the producer (land owner), including plantation area in hectares and its location. This document is issued by MAGAP.

**Figure 15 – Plantation Registration**



# CERTIFICADO



Revisado la base de datos del Registro Nacional de Actividades Forestales, me permito **CERTIFICAR** que el Señor [REDACTED] encuentra registrado en las siguientes actividades:

Actividad: **EJECUTOR** [REDACTED] Fecha de registro 2014-01-05 cuya referencia de ubicación es QUISQUIS 1401 LOS RIOS, provincia de GUAYAS, Cantón GUAYAQUIL Parroquia TARQUI

Actividad: **PRODUCTOR (PROPIETARIO DE LA PLANTACIÓN)** , Código de registro: 8681, Superficie : 157.99 Hectáreas , Fecha de registro 2012-09-10 cuya referencia de ubicación es MONSERATE/KM 144 VÍA BALZAR-EL EMPALME, provincia de GUAYAS, Cantón BALZAR, Parroquia BALZAR

Actividad: **PRODUCTOR (PROPIETARIO DE LA PLANTACIÓN)** , Código de registro: 49339, Superficie : 73.00 Hectáreas , Fecha de registro 2018-09-05 cuya referencia de ubicación es S/N, provincia de GUAYAS, Cantón BALZAR, Parroquia BALZAR



Responsable de Aprovechamiento Forestal Comercial

MAG - Guayas, 19 Octubre 2018

- Harvesting Permit (plantation and natural forests)

The Harvesting Permit is issued by MAGAP or MAE which assesses the forest inventory and harvesting plan. The permit presents information such as areas to be harvested in hectares, volume by timber species, location and validity date.

**Figure 16 – Harvesting Permit (plantation)**



MINISTERIO  
DE AGRICULTURA  
Y GANADERÍA

**LICENCIA DE APROVECHAMIENTO  
FORESTAL**

CÓDIGO DE LA LICENCIA: 55853T38561  
TIPO DE LICENCIA: LICENCIA TOTAL



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El Ministerio de Agricultura, Ganadería, Acuacultura y Pesca confiere la presente Licencia de Aprovechamiento Forestal al [REDACTED] PROGRAMA DE CORTA EN PLANTACIONES FORESTALES COMERCIALES No. PAFPL13191055853, aprobado por esta Oficina Técnica proceda al aprovechamiento de 5920.27 metros cúbicos de madera en 112.8 Hectáreas en el predio ubicado en el sitio LOS POTREROS, parroquia BALZAR, cantón BALZAR provincia GUAYAS

**VOLUMEN DE MADERA A SER APROVECHADO:**

NOMBRE COMUN	VOLUMEN A APROVECHARSE POR ESPECIE
TECA (Tectona grandis)	5920.27
<b>TOTAL:</b>	<b>5920.27</b>

A más de lo expuesto, el beneficiario se compromete a:

1. Cumplir con todo lo estipulado en la codificación de la Ley Forestal y normas vinculadas con el aprovechamiento de Plantaciones Forestales con Fines Comerciales.
2. Ceñirse estrictamente al programa aprobado.
3. Someterse a las inspecciones periódicas por parte del Ministerio de Agricultura, Ganadería, Acuacultura y Pesca y / o sus delegados, con el fin de verificar el cumplimiento del programa aprobado.

La presente licencia tiene un plazo de duración de 320 días desde la fecha de su expedición y se la concede a todo riesgo del interesado, dejando a salvo derechos de terceros.

MAGAP - Guayas, a 2018-01-05 13:38:22



**JOSE RAUL RAMOS GARCIA**  
RESPONSABLE DE APROVECHAMIENTO FORESTAL COMERCIAL



- “Guía de Circulación”- Permit for transportation

The process to obtain this permit is done electronically, through the Forest Administration System (SAF). The system considers a link with the harvesting permit previously issued. The document is issued by MAE or MAGAP and presents information such as species name, volume, name of company of origin and destination of the product.

**Figure 17 – Guía de Circulación – Permit for transportation**





42224442AE54

Programa: PAFPL13496040367  
Licencia: 40367T26321

Origen	Destino
<b>Propietario</b>	<b>Cliente Final</b>
Nombres y Apellidos: USUARIO DE PRUEBA *	Nombre Sucursal
Razón Social: USUARIO DE PRUEBA	Razón Social: CLIENTE FINAL PRUEBA
R.U.C: 1712472784001	R.U.C: 1712472784
<b>Ejecutor</b>	Dirección: CDLA. IBARRA
Nombres y Apellidos USUARIO DE PRUEBA *	Teléfono: 3042043
Razón Social: USUARIO DE PRUEBA	Provincia: PICHINCHA
R.U.C: 1712472784001	Cantón: QUITO
<b>Ubicación</b>	Parroquia: GUAPULO
Provincia: GUAYAS	<b>Datos Vehículo:</b>
Cantón: BALZAR	Color Vehículo: NEGRO
Parroquia: BALZAR	Placa Vehículo: AAA2270
Sitio: NNNNN	Marca de Vehículo: MERCEDES-BENZ
	Tipo de Vehículo: Camión

Valida desde: 2014-09-25 18:00:00 hasta 2014-09-27 04:00:00 tiempo en horas 34

**DETALLE DE PRODUCTOS INGRESADOS**

PRODUCTO	COD. ESPECIE	NOMBRE COMUN	LARGO	DIAMETRO/ ESPESOR	ANCHO UNIDADES	VOLUMEN APROVECHADO	VOLUMEN MOVILIZADO
Rolliza	0	TECA (Tectona grandis)	2	0.25	0 100	9.82	9.82
Aserrada/Tablas 0		TECA (Tectona grandis)	1.2	0.05	0.35 120	5.04	2.52
TOTAL MOVILIZADO							12.34

Declaro que los datos en esta guía se apegan a la verdad y en caso contrario, asumo las responsabilidades legales conforme a los artículos 78 y 94 de la Codificación de la Ley Forestal y Conservación de Áreas Naturales y Vida Silvestre.

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CONDUCTOR PRUEBA  
1234567890  
CONDUCTOR

- Guia de Canje

The “Guia de Canje” is issued based on “credits” originated by the “Guia de Circulación”, the original permit for transportation. This document is used only to transport logs or primary processed products, from intermediary yard, and may consider conversion factors according to the Ministerial Agreement 139. The document is issued by MAE or MAGAP and presents detailed information on products, such as timber species (scientific and common name), volume, name of company of origin and destination, vehicle information, validity date, among others.

Figure 18 – Guia de Canje




09234203820902

GUIA DE CANJE EMPRESA DE ORIGEN / DESTINO Y TRANSPORTE - - -

ORIGEN	DESTINO	VEHICULO
Sucursal #: 2 Razón Social: USUARIO DE PRUEBA USUARIO DE PRUEBA	Sucursal #: 1 Razón Social: USUARIO DE PRUEBA USUARIO DE PRUEBA	
R.U.C: [REDACTED]	R.U.C: [REDACTED]	[REDACTED]
[REDACTED]	Dirección: COLINA y SAN IGNACION - FRENTE AL HOTEL LA COLINA2 Teléfono: [REDACTED] Provincia: [REDACTED] Cantón: [REDACTED] Parroquia: [REDACTED]	Tipo: Camión

Valida desde: 2015-02-03 16:00:00 hasta: 2015-02-04 16:00:00 tiempo en horas: 24

DETALLE DE PRODUCTOS INGRESADOS

No	PROGRAMA	GUIA USADA	PRODUCTO	ESPECIE	LARGO	DIAMETRO/ ESPESOR	ANCHO	UNIDADES	VOLUMEN CANJEADO	VOLUMEN MOVILIZADO
1	PAFPL14618039799	A55D34A15114	Rolliza	BARBASCO, CAUCHIN, MATAPEZ, NATAPESCADO (Sagittum, utilis)	1.60	0.25	0	25	1.96	1.96
2	PAFPL14618039799	A55D34A15114	Aserrada	BARBASCO, CAUCHIN, MATAPEZ, NATAPESCADO (Sagittum, utilis)	1.20	0.05	0.25	30	0.90	0.45
TOTAL									2.86	2.41

Declaro que los datos en esta guía se apegan a la verdad y en caso contrario, asumo las responsabilidades legales conforme a los artículos 78 y 94 de la Codificación de la Ley Forestal y Conservación de Áreas Naturales y Vida Silvestre.

CONDUCTOR DE PRUEBA I  
1234567890  
CONDUCTOR

- Guia de Remisión

The “Guia de Remisión” is basically a fiscal document, and replaces the Invoice of the goods transported. The document is controlled by a number and presents information such as company’s name (identification, location), details on goods, including quantity and description of the product.

**Figure 19 – Guia de Remisión**

Documento Categorizado: NO

**FORESCAN CIA. LTDA.**  
**AGROFORESTAL LOS CANCHONES**  
**R.U.C. 0991513949001**

**SERIE 001-001- 000002026**

Dirección: Vía Somborondón Km. 1,5 S/N, La Planilla  
 Tel: 042 - 834566 - 8400 042 - 834566 ext 106- Somborondón - Ecuador

Aut. S.R.L. 029395070  
 Fecha Aut. S.R.L. 02/SEPTIEMBRE/2016

FECHA DE INICIACION DEL TRASLADO: ..... BAJO COMPROBANTE DE VENTA:  
 FECHA DE TERMINACION DEL TRASLADO: ..... TPO: .....

MOTIVO DEL TRASLADO:  No Autorización, .....  No del Comprobante

VENTA  
 COMPRA  
 TRANSFERENCIA  
 TRASLADO DE ESTABLECIMIENTO DE UNA MISMA EMPRESA

DEVOLUCION  
 IMPORTACION  
 EXPORTACION  
 OTROS

RETIRO DE MATERIAL - OTROS  
 ENTREGA A DOMICILIO  
 OTRAS

FECHA DE EMISION: \_\_\_\_\_  
 PUNTO DE PARTIDA: \_\_\_\_\_

**DESTINATARIO**  
 NOMBRE O RAZON SOCIAL: \_\_\_\_\_  
 R.U.C./C.I. \_\_\_\_\_ HORA DE SALIDA: \_\_\_\_\_  
 PUNTO DE LLEGADA: \_\_\_\_\_ HORA DE LLEGADA: \_\_\_\_\_

**IDENTIFICACION DE LA PERSONA ENCARGADA DEL TRANSPORTE**  
 NOMBRE O RAZON SOCIAL: \_\_\_\_\_  
 RUC O CI: \_\_\_\_\_ PLACA: \_\_\_\_\_  
 DIRECCION: \_\_\_\_\_

**BIENES TRANSPORTADOS:**

CANTIDAD	UNIDAD	DESCRIPCION

DESPECHADO POR: \_\_\_\_\_ TRANSPORTISTA: \_\_\_\_\_ ELABORADO: \_\_\_\_\_ RECIBE CONFORME: \_\_\_\_\_

MINISTERIO DE ECONOMIA Y FINANZAS - MINISTERIO DE AGRICULTURA Y GANADERIA - MINISTERIO DE COMERCIO EXTERNO - MINISTERIO DE INDUSTRIA Y PRODUCTOS PETROLEROS - MINISTERIO DE PLANIFICACION ECONOMICA Y SOCIAL - MINISTERIO DE TRANSPORTES Y OBRAS PUBLICAS

- “Licencia de Exportación”- Export Permit Document

In case of timber from forest plantation, the Export Permit is issued by MAGAP, and is based on “credits” of timber volumes registered. This document informs the origin of the timber products to be exported (owner – propietario), timber species, and type of product, dimensions and volume. In case of timber from natural forests a copy of the export certificate is issued by MAE.

**Figure 20 – Licencia de Exportación – Export Permit Document**

**35EMD166D65A4**

Programa: PAFPL13200058373  
Licencia: 58573T40807

**Origen**

**Propietario**  
Nombres y Apellidos:  
Razón Social:  
R.U.C:

**Ejecutor**  
Nombres y Apellidos:  
Razón Social:  
R.U.C:

**Ubicación**  
Provincia:  
Cantón:  
Parroquia:  
Sitio:

**Destino**

**EXPORTACION**

Puerto o Puesto de Control Fronterizo:  
Puerto / Frontera:  
Ciudad:  
Teléfono:

**Datos Vehículo:**  
Color Vehículo:  
Placa Vehículo:  
Marca de Vehículo:  
Tipo de Vehículo:

Válida desde: 2018-10-15 12:15:00 hasta: 2018-10-16 18:15:00 Tiempo en horas: 20

**DETALLE DE PRODUCTOS INGRESADOS**

N	PRODUCTO	COD. ESPECIE	NOMBRE COMUN	LARGO	DIAMETRO/ESPESOR	ANCHO	UNIDADES	VOLUMEN APROVECHADO	VOLUMEN MOVILIZADO
1	Aserrado/Castorosa	0	TECA (Shorea guianensis)	2.30	0.1260	0	703	20.16	17.14
								TOTAL MOVILIZADO	17.14

Declaro que los datos en esta guía se ajustan a la verdad y en caso contrario, asumo las responsabilidades legales conforme a los artículos 78 y 94 de la Codificación de la Ley Forestal y Conservación de Áreas Naturales y Vida Silvestre.

ROFORREST S.A.  
0992714633001  
REPRESENTANTE EJECUTOR (Delegado)



- “Certificado Fitosanitario”- Phytosanitary Certificate

For *in natura* products, such as Teak logs, the importer requires a Phytosanitary Certificate. This document is issued by MAGAP. The document presents information such as name of the species, country of destination, company’s name and type of product. It does not apply for Wood Chips (debarked) and Balsa (only processed products are exported).

**Figure 21 – Certificado Fitosanitario – Phitosanitary Certificate**

**MINISTERIO DE AGRICULTURA Y GANADERÍA**  
**AGENCIA DE REGULACIÓN Y CONTROL FITO Y ZOOSANITARIO - AGROCALIDAD**  
 09-9018-RC-942

REPORTE DE INSPECCIÓN PARA CERTIFICACIÓN FITOSANITARIA DE PLANTAS, PRODUCTOS VEGETALES Y ARTÍCULOS REGLAMENTADOS DE EXPORTACIÓN

1. RAZÓN SOCIAL EXPORTADOR: [REDACTED] SI NO

4. DIRECCIÓN DEL EXPORTADOR: [REDACTED]

5. PROVINCIA: [REDACTED]

7. RAZÓN SOCIAL DEL IMPORTADOR: [REDACTED]

8. MEDIO DE TRANSPORTE: Marítimo  Aéreo  Terrestre

10. SITIO DE INSPECCIÓN: Centro de acopio  Embarcación  Sitio de Producción  Puerto de Control

11. FECHA DE EMBARQUE: 2014 08 20

12. DESCRIPCIÓN DEL ENVÍO Y CUMPLIMIENTO DE REQUISITOS FITOSANITARIOS: [REDACTED]

13. REQUISITOS FITOSANITARIOS

Descripción	SI	NO	Detalles
Análisis de laboratorio	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO
Proceso de inspección	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO
Plan de trabajo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO
Certificado de Tratamiento	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO
Proceda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NO

13. OBSERVACIONES: Toda carga debe ir con tratamiento caranteneria

14. FECHA DEL TRATAMIENTO

15. PRODUCTO QUÍMICO (ingrediente activo/dosis)

16. TRATAMIENTO: Químico  Térmico  Físico  Otro

17. DURACIÓN (días, horas)

18. TEMPERATURA

19. CONCENTRACIÓN (%)

20. RESULTADOS DE LA INSPECCIÓN: 20. APROBADA

AGROCALIDAD

HOMBRE DEL INTERESADO: [REDACTED]




Fecha de emisión: [REDACTED]

EL GOBIERNO DE TODOS

- CITES Certificate

CITES Certificate is required for timber species listed in CITES appendix. This Export Permit Certificate is issued by the CITES Administrative Authority (MAE). In the case of Ecuador, the certificate is required for Dalbergia, Mahogany and Cedrella. It presents technical information regarding timber species (scientific and common name), description of specimens, and technical opinion of the CITES Authority.

Figure 22 – CITES Certificate

 <b>CONVENCIÓN SOBRE EL COMERCIO INTERNACIONAL DE ESPECIES AMENAZADAS DE FAUNA Y FLORA SILVESTRES</b>		<b>PERMISO/CERTIFICADO N° 18EC01458G</b> Original																																					
<input type="checkbox"/> EXPORTACIÓN <input checked="" type="checkbox"/> REEXPORTACIÓN <input type="checkbox"/> IMPORTACIÓN <input type="checkbox"/> OTRO		Valido hasta el <b>05/12/2018</b>																																					
1. Identificador (Nombre y Descripción)																																							
[Redacted Information]																																							
11. Condiciones especiales Certificado de Origen. No se autoriza el uso con fines comerciales ni para investigación de las especies. Licencia de Aprovechamiento Forestal N° 06273741632 emitida por el Ministerio del Ambiente, guía de movilización SED0688EMSA4 / SED0338EMSA4 / SED0388EMSA4 / SED0388EMSA4 / SED0388EMSA4 / SED0388EMSA4 emitida por el Ministerio del Ambiente por un volumen total de 153.58 m <sup>3</sup> de madera roble. Informe de verificación de exportación de Oficina Técnica Forestal de Guayaquil MAT-DFMG-UPN-AL-2018-017.		Firma del solicitante Bgo. Jorge Ortega Grande Parque Samorés  Frente al Estado Graham Barrios Guayaquil - Ecuador																																					
En Proceso: <b>T</b>		No. Estampilla N° <b>1482886</b>																																					
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* País en el que los especímenes fueron recolectados en la naturaleza, (no los cultivados o reproducidos artificialmente) (Solo por reexportación) ** Sistema para los especímenes de especies incluídas en el Apéndice I criados en cautividad o reproducidos artificialmente con fines comerciales *** Para los especímenes preconversión																																							
12. Permiso/certificado expedido por Bgo. Jorge Ortega																																							
Guayaquil Lugar		05 de junio del 2018 Fecha		Estancia de seguridad, firma y sello oficial																																			
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