Framework for Assessing Legality of Forestry Operations, Timber Processing, and Trade Annex

PERU

June 2017
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Acknowledgements

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Framework for Assessing Legality of Forestry Operations, Timber Processing, and Trade – Principles, Criteria, and Indicators for Peru

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PRINCIPLE 1: ACCESS, RIGHT OF USE, AND POSSESSION</strong></td>
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<tr>
<td><strong>Criterion 1.1:</strong> Entities and individuals are legally registered with the relevant administrative authorities.</td>
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</tbody>
</table>
| **Indicator 1.1.1:** Both individuals and legal entities are registered with public institutions that guarantee their capacity to perform legal acts. | **For natural forests and plantations:**
| **Verifier 1.1.1:** Verify that individuals and legal entities conducting the forest activity are capable of performing legal acts: | **A. For natural persons, check the following documentation:**
| | For Peruvians: |
| | For foreigners: |
| | a. Alien Registration Card issued by the National Superintendency of Migrations; or |
| | b. Passport or business or investor visa issued by the National Superintendency of Migrations and the Ministry of Foreign Affairs. |
| | **B. For companies, check the following documentation in the National Superintendency of Public Registries (SUNARP):** |

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1 Legislative Decree Nº 1246 provides that the Public Administration, through its interoperability, freely release, provide access to, or supply information from the updated database it manages, collects, systemizes, creates, or possesses for administrative processing and for internal administration actions.

2 Legislative Decree Nº 1246 forbids the Public Administration to request a copy of DNI from users. According to this rule, it is the Public Administration’s duty to check this information on RENIEC from the State Interoperability Platform (PIDE).

3 Executive Decree Nº 051-2017-PCM forbids the Public Administration to request a copy of the Alien Registration Card from users. According to this rule, it is the Public Administration’s duty to check this information on the National Superintendency of Migration from PIDE.
a. Registration in the Legal Entities Registry of the National Superintendency of Public Registries.
b. The name of the company’s legal representative.

C. For native and peasant communities, check the following documentation:
   a. **For titleholder communities:** Verify that they are registered with the Registry of Legal Entities of SUNARP.\(^4\)
   
   b. **For communities in the process of securing a title of ownership:** Request a copy of the ownership application submitted to the Agricultural Regional Direction of the region where the community is located.
   
   c. **For communities in the process of recognition:** Request a copy of the recognition application submitted to the Agricultural Regional Direction of the region where the community is located.

### Legal References:
- **Convention 169 of the International Labour Organization concerning indigenous and tribal peoples in independent countries, approved in Peru through Legislative Resolution Nº 26253.\(^5\)**
- **Law of Native Communities and Agricultural Development of the Amazon Region and Upper Rainforest – Law Decree Nº 22175.\(^5\)**
- **General Law of Peasant Communities – Law Nº 24656.\(^5\)**
- **Creation of the National System and the Superintendency of Public Records – Law Nº 26366.\(^5\)**
- **Organic Law of National Vital Statistics and Civil Registry Office – Law Nº 26497.\(^5\)**
- **General Law on Corporations – Law Nº 26887.\(^5\)**

\(^4\) Executive Decree Nº 051-2017-PCM forbids the Public Administration to request information on legal persons from users. According to this rule, it is the Public Administration’s duty to check this information on SUNARP from PIDE.

\(^5\) Executive Decree Nº 051-2017-PCM forbids the Public Administration to request information on legal persons from users. According to this rule, it is the Public Administration’s duty to check this information on SUNARP from the State Interoperability Platform (PIDE).
• Peruvian Civil Code – Legislative Decree Nº 295.
• Forest and Wild Fauna Law – Law Nº 29763.
• Legislative Decree of Migrations – Legislative Decree Nº 1350.
• Legislative decree that approves diverse measures of administrative simplification – Legislative Decree Nº 1246.
• Rules of Registrations of the National Vital Statistics and Civil Registry Office –Executive Decree N° 015-98-PCM.
• Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
• Regulations for the Forest Plantation Management and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.
• Regulations for the Wildlife and Forest Management in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI (Attachment 1).
• Executive decree that enlarges the information for the progressive implementation of the interoperability for the citizen benefits within the framework of Legislative Decree N° 1246 – Executive Decree Nº 051-2017-PCM.
• Single Revised Text of the General Regulations of the Public Registries – Resolution Nº 126-2012-SUNARP-SN.
• Directive that regulates the registration of acts and rights of native communities – Resolution Nº 122-2013-SUNARP-SN.
• Regulations for registrations of the Registry of Legal Entities – Resolution Nº 038-2013-SUNARP-SN.

**Indicator 1.1.2:** Individuals and legal entities are registered with, and authorized by, the National Superintendency of Customs and Tax Administration – SUNAT.

**For natural forests and plantations:**

**Verifier 1.1.2:** Verify that the individuals and legal entities that carry out forest activities are registered with, and authorized by, the Single Taxpayer Registration – “Ficha RUC” (Taxpayer Data Sheet).\(^6\)

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\(^6\) Legislative Decree Nº 1246 forbids the Public Administration to request a copy of the “Taxpayer Data Sheet” from users. According to this regulation, it is the Public Administration’s duty to check this information on SUNAT’s webpage, except in areas with no Internet access.
## Criterion 1.2: The land-use rights, access, and tenure are subject to conditions pre-established within laws and regulations.

### Indicator 1.2.1: Individuals, legal representatives, members of Community Boards, and majority shareholders or partners of companies do not have criminal records for specific offenses.

<table>
<thead>
<tr>
<th>For natural forests and plantations:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Verifier 1.2.1:</strong> Certificate of Criminal Record(^7) of natural persons and legal representatives of the companies and native and peasant communities that carry out forest activities, as detailed below:</td>
</tr>
<tr>
<td>a. Not having sentences still in effect in connection to environmental offenses, crimes against public trust, the public administration, public health, personal liberty in the human-trafficking modality, or cultural heritage. In the case of legal persons, this is applicable to their legal representative and agents, as well as their majority shareholder or partner. Members of the Peasant Community or Native Community Board must not have sentences for crimes against property.</td>
</tr>
<tr>
<td>b. Not being a repeat offender for the aforementioned crimes.</td>
</tr>
</tbody>
</table>

### Legal References:
- Single Taxpayer Registration Law – Legislative Decree Nº 943.
- Regulatory Provisions of Legislative Decree Nº 943 approving the Single Taxpayer Registration Law – Superintendency Resolution Nº 210-2004-SUNAT.
- Peruvian Criminal Code – Legislative Decree Nº 635.
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.

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\(^7\) Legislative Decree Nº 1246 forbids the Public Administration to request criminal records information from users. According to this regulation, it is the Public Administration’s duty to check this information on the judiciary’s webpage from PIDE.
**Indicator 1.2.2:** Individuals and legal entities are not listed in the National Registry of Offenders of the National Service of Forestry and Wild Fauna – SERFOR.

**Verifier 1.2.2:** Individuals and legal entities who perform the forest activities are not listed in the National Registry of Offenders maintained by SERFOR, and have not been sanctioned with disqualification for committing serious offenses. In the case of legal entities, this is also applicable to their legal representative and agents, as well as their majority shareholder or partner. In the case of communities, this is also applicable to their legal representative and the members of the board.

**Legal References:**
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.

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**Indicator 1.2.3:** The individual or legal entity is not listed in the Registry of Holders of Expired Titles of the Forestry Resources and Wild Fauna.

**Verifier 1.2.3:** Verify in the Management Information System of OSINFOR (SIGO) that the individual or legal entity is not listed in the Registry of Holders of Expired Titles of the Forestry Resources and Wild Fauna.

**Legal References:**
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.

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According to article 153 of the Forest and Wild Fauna Law – Law Nº 29763, the grounds for termination of authorization certificates are:

- a. Submission of misleading information in the management plans of authorization certificates.
- b. Extraction or mobilization of unauthorized forestry and wild fauna resources.
- c. Unauthorized change of land use.
- d. Causing severe damages that put the environment and biodiversity at serious risk, according to the regulations in force.
- e. Failure to pay the harvesting right they are subject to, within the term established by this law or the relevant title.
- f. Carrying out activities other than those authorized by virtue of the authorization certificate.
- g. Failure to comply with the investment commitments undertaken with the purpose of obtaining the authorization certificate, as the case may be, unless it is demonstrated that the noncompliance was due to acts of god or force majeure events.
<table>
<thead>
<tr>
<th>Fauna Supervision Agency (OSINFOR).</th>
<th>Expired Titles, as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Check whether individuals or legal entities have been holders of any authorization certificate that expired within a maximum term of five years before the submission of the application to be granted the authorization certificate.</td>
<td></td>
</tr>
<tr>
<td>b. Check whether native and peasant communities have been holders of any authorization certificate that expired within a maximum term of one year before the submission of the application to be granted the authorization certificate.</td>
<td></td>
</tr>
</tbody>
</table>


**Legal References:**

- Forest and Wild Fauna Law – Law N° 29763.
- Law for the creation of the Forest Resources and Wild Fauna Supervision Agency – Legislative Decree N° 1085.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.
- Regulations for the law for the creation of the Forest Resources and Wild Fauna Supervision Agency – Supreme Decree N° 024-2010-PCM.
- Regulations for the Organization and Functions of the Forest Resources and Wild Fauna Supervision Agency (OSINFOR) – Supreme Decree N° 029-2017-PCM.
### Indicator 1.2.4: Individuals and legal entities are not prevented from contracting with the state.

**For natural forests and plantations:**

**Verifier 1.2.4:** Individuals and legal entities are not included in the list of persons disqualified from contracting with the state, according to the list of suppliers sanctioned by the Court of State Contracting of the State Contracting Agency – OSCE.

To verify whether the individual or legal entity has been disqualified, the RUC or corporate name must be entered into this webpage:

http://www.osce.gob.pe/consultasenlinea/inhabilitados/inhabil_publi_hist.asp

**Legal References:**

- Law of State Contracting – Law Nº 30225.
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Regulations for the Forestry and Wild Fauna Management in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.

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### Indicator 1.2.5: The company certifies its technical and financial capacity to access forests in public lands (forest concessions).

**For natural forests:**

**Verifier 1.2.5.1:** Document certifying technical capacity:

a. Professional résumé of the regent (mandatory) and the technical team (optional), based on the predefined template included in Annex 2 of the “Guidelines for granting timber forest concessions for public tender” and the

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9 Executive Decree Nº 051-2017-PCM forbids the Public Administration to request information related to suppliers disqualified from contracting with the state. According to this rule, it is the Public Administration’s duty to check this information on the State Contracting Agency (OSCE) from PIDE.
“Guidelines for granting timber forest concession through summary procedure.” This résumé is an affidavit of the commitment of the regent who will render professional services to the concessionaire.

**Verifier 1.2.5.2:** Document certifying financial capacity:

- a. Company financial statements of the past three years issued by a bank. If the company’s existence is more recent, financial statements of the past two years. The financial statements must show: (i) annual turnover of no less than 80 UIT (tax units) for the first 5,000 hectare land-use unit it applied to, plus 40 UIT as from the second land-use unit; (ii) that the current asset divided by the current liability is higher than 1 (i.e., there is liquidity to pay short-term debts).

- b. Credit status report issued by the credit bureau of the Superintendency of Banking and Insurance or a private bureau. These documents have the purpose of proving that the company has no past-due debts.

- c. Real estate ownership titles, invoices for goods purchased on behalf of the company, and purchase agreements, among others, that demonstrate an ownership of goods, especially those in connection to the use and transformation of timber forest resources.

**Legal References:**

- [Forest and Wild Fauna Law – Law N° 29763](#).
- [Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI](#).
- [Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI](#).
- [Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI](#).
- [Guidelines for granting timber forest concessions through summary procedure – Executive Directorate Resolution N° 078-2017-SERFOR-DE](#).
- [Guidelines for granting timber forest concessions for public tender – Executive Directorate Resolution N° 105-2017-SERFOR-DE](#).
**Indicator 1.2.6:** Individuals and legal entities can earn forest harvesting rights over forests in public lands for commercial purposes through a transparent and competitive selection procedure.

**For natural forests:**

**Verifier 1.2.6.1:** The public tender for timber forest concessions meets the stages established in the rules:

a. Publication of areas available for tender, and call for tenders.
b. Creation of the commission in charge of the public tender.
c. Contents of the public tender documents.
d. Schedule of the public tender process.
e. Conditions applicable to the bidder.
f. Performance security.
g. Sale of tender documents and inquiries.
h. Submission of proposals.
i. Assessment of proposals.
j. Award.
k. Challenges to the award.
l. Execution of the agreement by the Forestry and Wild Fauna Regional Authority (ARFFS).¹⁰

**Verifier 1.2.6.2:** The summary procedure (upon request of the party) for timber forest concessions meets the stages established in the rules:

a. Prior activities: identification, clearing, and dissemination of land-use units.
b. Submission of application with the nature of an affidavit and other requirements, addressed to the ARFFS.
c. Assessment of application.

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¹⁰ The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna), the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.
d. Publication of application.
e. Forestry exploration and assessment.
f. Opposition and overlapping of applications.
g. Assessment of technical proposal for use of the area.
h. Forest concession award.
i. Challenges and administrative appeals; execution of the concession agreement by the ARFFS.

Verifier 1.2.6.3: The procedure to establish local forests meets the stages set forth in the rules:
a. Submission of initiatives.
b. Identification and qualification of beneficiaries.
c. Preparation of technical study to establish the local forest.
d. Submission of file to establish the local forest.
e. Technical assessment by the technical committee.
f. Submission of file by the ARFFS.
g. Establishment of the local forest by SERFOR.

Verifier 1.2.6.4: The procedure for direct concession of non-timber forest products concessions meets the stages established in the rules:
a. Submission of application with the nature of an affidavit and other requirements, addressed to the ARFFS.
b. Assessment of application contents.
c. Publication of application.

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11 In these concessions, the extraction of timber forest resources can be performed exceptionally, provided that it does not alter the purpose of the concession, does not pose a risk to management of the granted non-timber forest resource, and has been foreseen in the approved management plan. Timber harvesting can be authorized in a complementary basis under management plans or through low-impact and low-intensity harvesting systems only when these concessions are located in permanent production areas, in category I and II production forests. Authorized management systems and volumes must stipulate measures to prevent ecosystem degradation and alteration of the purpose of the agreement.
<table>
<thead>
<tr>
<th><strong>d.</strong> Opposition and overlapping of applications.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>e.</strong> Assessment of proposal.</td>
</tr>
<tr>
<td><strong>f.</strong> Concession award.</td>
</tr>
<tr>
<td><strong>g.</strong> Challenges and administrative appeals.</td>
</tr>
<tr>
<td><strong>h.</strong> Execution of the concession agreement by the ARFFS.</td>
</tr>
</tbody>
</table>

**For agroforestry systems:**

**Verifier 1.2.6.5:** The procedure to grant assignment for use agreements for agroforestry systems upon request of the party meets the stages established in the rules:

<table>
<thead>
<tr>
<th><strong>a.</strong> Identification of areas to grant assignment for use agreements for agroforestry systems by SERFOR.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>b.</strong> Submission of application with the nature of an affidavit and other requirements, addressed to the ARFFS.</td>
</tr>
<tr>
<td><strong>c.</strong> Assessment of application.</td>
</tr>
<tr>
<td><strong>d.</strong> Analysis of the requested area.</td>
</tr>
<tr>
<td><strong>e.</strong> Visual inspection.</td>
</tr>
<tr>
<td><strong>f.</strong> Preparation of technical report.</td>
</tr>
<tr>
<td><strong>g.</strong> Award of right.</td>
</tr>
<tr>
<td><strong>h.</strong> Challenges and administrative appeals.</td>
</tr>
<tr>
<td><strong>i.</strong> Execution of the assignment for use agreement by the ARFFS.</td>
</tr>
</tbody>
</table>

**Verifier 1.2.6.6:** The ex officio procedure to grant assignment for use agreements for agroforestry systems upon request of the party meets the stages established in the rules:

<table>
<thead>
<tr>
<th><strong>a.</strong> Definition of the area to be formalized by the ARFFS, and start of the procedure.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>b.</strong> Dissemination of the ex officio procedure.</td>
</tr>
<tr>
<td><strong>c.</strong> Presentation of potential beneficiaries and initial assessment.</td>
</tr>
</tbody>
</table>
d. Fieldwork and visual inspection.
e. Preparation of technical report.
f. Award of right.
g. Challenges and administrative appeals.
h. Execution of the assignment for use agreement by the ARFFS.

Verifier 1.2.6.7: The procedure to grant assignment for use agreements for residual forests meets the stages established in the rules (SERFOR has yet to approve the guidelines for granting assignment for use agreements for residual forests).

For plantations:
Verifier 1.2.6.8: The procedure to grant direct concessions (upon request of a party) meets the stages established in the legislation in force:

a. Submission of application with the nature of an affidavit and other requirements, addressed to the ARFFS, including the technical proposal and investment commitment.
b. Assessment of application contents.
c. Submission of oppositions and other concession applications.
d. Assessment of technical proposal and investment commitment.
e. Concession award.
f. Challenges and administrative appeals.
g. Execution of the concession agreement by the ARFFS.

Verifier 1.2.6.9: The public tender procedure called by the ARFFS is carried out pursuant to the legislation in force (SERFOR has yet to approve the guidelines for granting concessions for forest plantations through public tender).

Legal references:
- **Forest and Wild Fauna Law** – Law Nº 29763.
- **Forest Management Regulations** – Executive Decree Nº 018-2015-MINAGRI.
- **Guidelines for granting timber forest concessions through summary procedure** – Executive Directorate Resolution Nº 078-2017-SERFOR-DE.
- **Guidelines for granting timber forest concessions for public tender** – Executive Directorate Resolution Nº 105-2017-SERFOR-DE.
- **Guidelines for the establishment of local forests and conditions for their management** – Executive Directorate Resolution Nº 020-2015-MINAGRI.
- **Guidelines for granting assignment for use agreements for agroforestry systems** – Executive Directorate Resolution Nº 081-2017-DE.
- **Guidelines for granting non-timber forest products, ecotourism, and conservation concessions through direct concession** – Executive Directorate Resolution Nº 105-2016-SERFOR-DE.

**Indicator 1.2.7:** Individuals, legal entities, and communities can earn forest harvesting rights over forests in private lands for commercial purposes through a transparent assessment procedure.

**For natural forests:**

**Verifier 1.2.7.1:** The procedure to grant permits to native and peasant communities meets the legislation in force (SERFOR has yet to approve the guidelines for granting permits to native and peasant communities). However, the regulations establish some stages, as shown below:

a. Community assembly wherein the use of forestry and wild fauna resources for commercial purposes is agreed upon, and the zoning and internal planning of the community is approved.

b. Binding opinion of SERNANP\(^{12}\), ANA\(^{13}\) (ALA\(^{14}\)), or DGAAA\(^{15}\), as the case may be.

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12 SERNANP National Service Protected Natural Areas by the state.
13 ANA National Water Authority.
14 ALA Local Water Authority.
15 DGAAA MINAGRI’s Direction of Agricultural Environmental Matters.
c. Granting of forest harvesting permit by the ARFFS.

Verifier 1.2.7.2: The procedure to grant permits to native and peasant communities through direct management meets the legislation in force (SERFOR has yet to approve the guidelines for granting permits to native and peasant communities through direct management). However, the regulations establish some stages, as shown below:

a. ARFFS must verify that the area is not totally or partially overlapping other recognition requests, property titling, an assignment for use, or enjoyment of a forestry or wild fauna authorization certificate.

b. Visual inspection of the area to verify nonexistence of conflicts that may prevent the use of the resources requested in the area.

c. Granting of forest harvesting permits by the ARFFS in favor of possessor native and peasant communities undergoing a recognition process, property titling, or expansion, when carried out through the direct management modality.

Verifier 1.2.7.3: The procedure to grant permits in a private land meets the legislation in force (SERFOR has yet to approve the guidelines for granting permits in private lands).

Verifier 1.2.7.4: The procedure to grant permits for secondary forests meets the legislation in force (SERFOR has yet to approve the guidelines for granting permits for secondary forests).

For plantations:

Verifier 1.2.7.5: The procedure to register with the National Registry of Forestry Plantations in private lands meets the following stages, in accordance with the legislation in force:

a. Registration request before the ARFFS.

b. Registration of forest plantation.

c. Updating of registry information.
d. Verification of information.

**Legal references:**
- **Convention 169 on Indigenous and Tribal Peoples Convention in Independent Countries of the International Labour Organization**, approved in Peru by Legislative Resolution Nº 26253.
- **Forest and Wild Fauna Law – Law Nº 29763.**
- **Legislative decree that establishes measures for administrative simplification in the procedures set out in Law Nº 29763, Forest and Wild Fauna Law, and amending articles thereof – Legislative Decree Nº 1283.**
- **Regulations for the Forest and Wild Fauna Management in Native and Peasant Communities – Supreme Decree Nº 021-2015-MINAGRI.**
- **Guidelines for registering plantations with the National Registry of Forest Plantations – Executive Directorate Resolution Nº 165-2015-DE.**

**Criterion 1.3:** Individuals and legal entities must submit clear evidence of their land-use rights, access, and tenure of forests and/or the land, pursuant to the laws and regulations.

**Indicator 1.3.1:** Individuals and legal entities have the relevant authorization certificates, pursuant to the rules in force.

**In natural forests, plantations, and agroforestry systems:**

**Verifier 1.3.1.1:** The titleholder must have any of the following public lands agreements, executed by the Forestry and Wild Fauna Regional Authority.

**A. For forest concession agreements:**
- a. Timber forest concession.
- b. Forest plantation concession.

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16 The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Acaray, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancau, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.
B. For assignment for use agreements:

a. Agroforestry systems assignment for use agreements.
b. Residual forests assignment for use agreements.

Verifier 1.3.1.2: The titleholder must have secured a resolution by SERFOR authorizing management of the local forest.

Legal References:

- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Guidelines for granting timber forest concessions through summary procedure – Executive Directorate Resolution N° 078-2017-SERFOR-DE.
- Guidelines for granting timber forest concessions for public tender – Executive Directorate Resolution N° 105-2017-SERFOR-DE.
- Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution N° 116-2016-DE.
- Guidelines for granting assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 081-2017-DE.

Indicator 1.3.2: Individuals, native or peasant communities, and legal entities have an authorization certificate to harvest timber in natural forests, plantations, and agroforestry systems:

Verifier 1.3.2.1: The native or peasant community has a forest permit agreement, granted by the Forestry and Wild Fauna Regional Authority.

In natural forests, plantations, and agroforestry systems:

Verifer 1.3.2.1: The native or peasant community has a forest permit agreement, granted by the Forestry and Wild Fauna Regional Authority.18

17 In these concessions, the extraction of timber forest resources can be performed exceptionally, provided that it does not alter the purpose of the concession, does not pose a risk to the management of the granted non-timber forestry resource, and has been foreseen in the approved management plan.

18 The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already been transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture
| Forest resources for commercial purposes in private lands. | a. The titleholder native or peasant community has a forest permit agreement for native or peasant communities.  
b. The titleholder native or peasant community, in the process of being recognized, granted a title, or expanded, has the forest permit agreement for direct management.  

**Verifier 1.3.2.2:** The possessor native or peasant communities, in the process of being recognized, granted a title, or expanded, have the forest permit agreement for direct management.  

**Verifier 1.3.2.3:** Individuals or legal entities have the registration certificate with the National Registry of Forestry Plantations.  

**Verifier 1.3.2.4:** Individuals or legal entities have the forest permit in private land.  

**Verifier 1.3.2.5:** Individuals or legal entities have the permit for secondary forests.  

**Legal References:**  
- **Convention 169 of the International Labour Organization concerning indigenous and tribal peoples in independent countries, approved in Peru by Legislative Resolution Nº 26253.**  
- **Forest and Wild Fauna Law – Law Nº 29763.**  
- **Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.**  
- **Guidelines for registering plantations with the National Registry of Forest Plantations – Executive Directorate Resolution N° 165-2015-DE.**

Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.
<table>
<thead>
<tr>
<th>Indicator 1.3.3:</th>
<th>Native or peasant communities have legal rights or customs over possession and/or land-use rights.</th>
</tr>
</thead>
</table>

**In natural forests:**

**Verifier 1.3.3:** Verify whether the native or peasant community has the following documents:

- **For titleholder communities:** Property title or certification of possession of the area subject-matter of the land-use permit application, with a document describing and certifying the boundaries and adjoining properties.
- **For communities in the process of being recognized, granted a title, or expanded:** Copy of the application submitted to the Regional Agriculture Bureau, and the technical-legal opinion of such office regarding the requested area. For the expansion process, the registration entry number must also be included.

**Legal References:**

- Convention 169 of the International Labour Organization concerning indigenous and tribal peoples in independent countries, approved in Peru by Legislative Resolution Nº 26253.
- Law of Native Communities and Agricultural Development in the Rainforest and Upper Rainforest – Decree Law Nº 22175.
- Peruvian Civil Code – Legislative Decree Nº 295.
- Forest and Wild Fauna Law – Law Nº 29763.
- Regulations for the Forest and Wild Fauna Management in Native and Peasant Communities – Supreme Decree Nº 021-2015-MINAGRI.

<table>
<thead>
<tr>
<th>Indicator 1.3.4:</th>
<th>Individuals and legal entities have documentation guaranteeing or evidencing the property right or possession of the land for forest harvesting.</th>
</tr>
</thead>
</table>

**Verifier 1.3.4:** Verify whether the company, person, or community has the documents evidencing their right over the land for forest harvesting.

**In residual forests:**

**For forest harvesting in residual or remaining forests:**

- Property or possession title, issued by the corresponding Regional Government,
in areas adjacent to isolated and intervened primary forests in areas categorized as residual or remaining forests. Adjacent areas are understood as areas with natural or artificial physical connection that provide access to residual or remaining forests.

**In natural forests:**

**For forest harvesting in private lands:**
- Property title or document certifying legal possession of the area.

**In plantations:**

**For registration with the National Registry of Forestry Plantations:**
- Registration entry, public deed, preliminary deed certifying property rights over the property, property title, purchase agreement, or any document that, pursuant to the legislation in force, certifies the transfer or assignment of the property right, such as intestacy, inter vivos transfer, assignment in payment, or donation, among others.

**Legal References:**
- Peruvian Civil Code – Legislative Decree Nº 295.
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.

**Criterion 1.4:** The land-use rights, access, and tenure are subject to the conditions pre-established within the laws and regulations.
**Indicator 1.4.1:** Individuals, legal entities, and native or peasant communities have a management plan approved by the ARFFS.

**In natural forests:**

**Verifier 1.4.1:** Verify that the individual or legal entity has a management plan approved by the Forestry and Wild Fauna Regional Authority before starting the forest harvesting.

A. The levels for Forest Management Plans in forests in public lands are:

a. **High-Level Management Plan:**
   - For operations in large areas or high-intensity harvesting of timber forest products.
   - For highly mechanized operations that cause moderate environmental impacts and take place continuously during the operating year.

b. **Medium-Level Management Plan:**
   - For operations in medium-sized areas or medium harvesting volumes of timber forest products that entail an intermediate mechanization level and are carried out in non-continuous periods during the operating year.
   - For authorization certificates for products other than timber, ecotourism, and conservation.

c. **Low-Level Management Plan:**
   - For operations that are carried out in small areas or with low-intensity harvesting of timber products and products other than timber, and do not generate significant environmental impacts.
   - For reduced-scale extraction modalities in native community lands, private

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19 The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.

20 SERFOR is in charge of approving the guidelines for preparing Forest Management Plans. These guidelines describe the contents, scope, and conditions of the Forest Management Plans. See: [http://www.serfor.gob.pe/somos-serfor/lineamientos](http://www.serfor.gob.pe/somos-serfor/lineamientos).
lands, and local forests.

B. The levels for Forest Management Plans in forests of native or peasant communities are:

a. **High Level**
   - Applicable to operations in large areas or high-intensity harvesting of timber forest products.
   - Highly mechanized operations that cause moderate environmental impacts and take place continuously during the operating year.
   - This level is not applicable to permits in communities for products other than timber.

b. **Medium Level**
   - Applicable to operations in medium-sized areas or medium harvesting volumes of timber forest products that entail an intermediate mechanization level and are carried out in non-continuous periods during the operating year.
   - This level is also applicable to permits in communities for products other than timber.

c. **Low Level**
   - Applicable to operations that are carried out in small areas or with low-intensity harvesting of timber products and products other than timber, and that do not generate significant environmental impacts.
   - Harvesting through authorization certificates carried out by direct management of the community.
   - Implemented through Management Declarations.

**In plantations and agroforestry systems:**
The levels of management plans for forestry plantations and agroforestry systems are:

a. **Plan for Installation and Management of Forest Plantations (PIMPF)**
The long-term strategic planning listing the species that must be installed, as well as the harvesting of forest plantations.
- Prepared and executed by a regent for the entire area and for the effective term of the plantation concession.
- Applicable to forest plantations.

**b. Management Declaration (DEMA)**
- The short- or medium-term simplified planning instrument, applicable to low-intensity harvesting with practices that do not significantly affect the ecosystem’s recovery capacity or the species in the management.
- The DEMA must include silvicultural practices to be performed; the preparation and execution by a regent is not necessary.
- Applicable in agroforestry systems.

*Note 1: The modalities in private lands and local forests belong to the low level and are implemented through Management Declarations.*

*Note 2: The characteristics and conditions to be met by the Forest Management Plans are defined in principles 2, 6, and 7.*

**Legal References:**
- [Forest and Wild Fauna Law – Law N° 29763.](#)
- [Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.](#)
- [Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.](#)
- [Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.](#)
## PRINCIPLE 2: HARVESTING REGULATIONS (LOGGING)

### Criterion 2.1: The Forest Management Plan is approved by the relevant authority pursuant to the governmental policies, guidelines, and regulatory requirements.

**Indicator 2.1.1:** The Forest Management Plan is approved by the relevant authority.

**Verifier 2.1.1:** Verify PMF approval by the Forestry and Wild Fauna Regional Authority (ARFFS), as shown below:

- a. The Regional Government, where the process to transfer the functions described in items (e) and (q) of article 51 of the Regional Government Internal Organization Law – Law N° 27867 has been concluded. The regions where the ARFFSs approve the PMFs are Amazonas, Ayacucho, Huánuco, La Libertad, Loreto, Madre de Dios, San Martín, Tumbes, and Ucayali.
  
- b. SERFOR, exercising the functions of the Forestry and Wild Fauna Technical Administration (ATFFS), where the abovementioned process to transfer functions has yet to be completed. The regions where the ATFFSs approve the PMFs are Ancash, Apurímac, Arequipa, Cajamarca, Cuzco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Tacna, Pasco, Piura, and Puno.

**Legal References:**

- Forest and Wild Fauna Law – Law N° 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant

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21 The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already been transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.
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<thead>
<tr>
<th>Indicator</th>
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<tbody>
<tr>
<td>Communities – Executive Decree Nº 021-2015-MINAGRI.</td>
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<tr>
<td>Single Text of Administrative Procedures of Forest and Wild Fauna National Service (SERFOR) – Executive Decree Nº 001-2016-MINAGRI.</td>
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<tr>
<td>Amendment to the Single Text of Administrative Procedures (TUPA) of the National Service of Forestry and Wild Fauna (SERFOR) – Ministry Resolution Nº 0613-2016-MINAGRI.</td>
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<tr>
<td>Single Text of Administrative Procedures of Amazonas – Regional Ordinance Nº 346 – Regional Government of Amazonas-CR.</td>
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<tr>
<td>Single Text of Administrative Procedures of Ancash – Regional Executive Resolution Nº 0052-2012-REGION ANCASH/PRE.</td>
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<tr>
<td>Single Text of Administrative Procedures of Arequipa – Regional Ordinance Nº 273 – AREQUIPA.</td>
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<td>Single Text of Administrative Procedures of Apurimac – Regional Ordinance Nº 025-2014-GR-APURIMAC/CR.</td>
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<tr>
<td>Single Text of Administrative Procedures of Ayacucho – Regional Ordinance Nº 018-2016-GRA/CR.</td>
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<tr>
<td>Single Text of Administrative Procedures of Cajamarca – Regional Ordinance Nº OR Nº 012-2016-GR.CAJ-CR.</td>
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<tr>
<td>Single Text of Administrative Procedures of Cuzco – Regional Ordinance Nº 117-2016-CR/GRC.CUSCO.</td>
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<td>Single Text of Administrative Procedures of Huancavelica – Regional Ordinance Nº 152-GOB.REG-HVCA/CR.</td>
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<td>Single Text of Administrative Procedures of Huánuco – Regional Ordinance Nº 037-2012-CR-GRH.</td>
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<tr>
<td>Single Text of Administrative Procedures of Ica – Regional Ordinance Nº 0013-2013-GORE-ICA.</td>
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<tr>
<td>Single Text of Administrative Procedures of Junín – Regional Ordinance Nº 39-2012-GRJ/C.</td>
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<tr>
<td>Single Text of Administrative Procedures of La Libertad – Regional Ordinance Nº 018-2015-GRLL/CR.</td>
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| **Indicator 2.1.2:** The Forest Management Plan (PMF) includes information that allows precise location of the Forest Management Unit. | **Verifier 2.1.2:** Verify that the PMF includes the following information: **For natural forests:**
| | **A. In forest concessions** |

- Single Text of Administrative Procedures of Lambayeque – Regional Ordinance N° 010-2016-GR.LAMB/CR.
- Single Text of Administrative Procedures of Madre de Dios – Regional Ordinance N° 017-2014-RMDD/CR.
- Single Text of Administrative Procedures of Moquegua – Regional Ordinance N° 01-2010-CR /GRM.
- Single Text of Administrative Procedures of Pasco – Regional Ordinance N° 392-2016-G.R.P/CR.
- Single Text of Administrative Procedures of Piura – Regional Ordinance N° 270-2013/GRP-CR.
- Single Text of Administrative Procedures of Puno – Regional Ordinance N° 05-2014-GRP-CRP.
- Single Text of Administrative Procedures of San Martín – Regional Ordinance N° 029-2014-GRSM/CR.
- Single Text of Administrative Procedures of Tacna – Regional Ordinance N° 002-2016-GOB.REG.TACNA.
- Single Text of Administrative Procedures of Tumbes – Regional Ordinance N° 007-2016-GOB.REG.TUMBES-CR-CD.
<table>
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<td>(UMF)(^{22})</td>
<td>- The General Forest Management Plan (PGMF(^^{23})) must include a “baseline map” with information on boundaries and adjoining properties, hydrographic network, physiography (physiographic landscape units), topography (contour lines), and road network (main access roads and roads within the concession).(^{24})</td>
</tr>
</tbody>
</table>

B. In local forests\(^^{25}\)

- The technical study\(^^{26}\) must include a location map and boundaries, indicating at least the following: UTM coordinates using horizontal datum (WGS84), numerical and graphic scale, magnetic north, and legend, among others. The map must clearly show the main access roads to the area, the hydrographic network, and the locations of villages, among others.

C. Forest permit in private lands\(^^{27}\)

- Perimeter map and property location map.

D. In native and peasant community forests\(^^{28}\)

\(^{22}\) Forest Management Unit: One or several areas under an authorization certificate (concession, permit, local forest, assignment for use), with clearly defined boundaries, managed pursuant to a group of explicit long-term objectives, and stipulated in a management plan (“Glossary of Terms of the Regulations for Forestry Management,” approved by Supreme Decree N° 018-2015-MINAGRI).

\(^{23}\) The PGMF is prepared when the use of timber forest products belongs to the high level, as follows: (i) it implies high-intensity harvesting; (ii) it entails a high mechanization level and is carried out in continuous periods.

\(^{24}\) The scale of maps for surfaces from 5,000 to 10,000 hectares is 1:50,000, and for surfaces from 10,000 to 50,000 hectares is 1:100,000.

\(^{25}\) The guidelines for the preparation of local Forest Management Plans have yet to be approved by SERFOR. This matrix gathers information from the guidelines for the establishment of local forests and the conditions for their management – Executive Directorate Resolution N° 116-2016-SERFOR-DE. However, for local forests, the guidelines approved for DEMA for timber forest products in native and peasant communities can be used as a reference, as can the guidelines approved for the PMFI on timber forest products in native and peasant communities, and the guidelines for the PGMF and PO in timber forest concessions.

\(^{26}\) The document that substantiates the creation and authorization of local forest management.

\(^{27}\) The guidelines for the preparation of management plans for natural forests in private lands have yet to be approved by SERFOR. This matrix gathers information from the Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
To date, the guidelines for the preparation of the PMF at the intermediate and low levels have been approved for ecoregions in the upper and lower rainforest.

Conditions for Intermediate Forest Management Plans (PMFIs):

a. The forest harvesting volume must not exceed 2,500m³ (r) per year.

b. Cedar (*Cedrela odorata*) and/or mahogany (*Swietenia macrophylla*) harvesting is allowed.

c. The harvesting allows chainsaws and/or guide frames for quartering the logs.

d. The harvesting must meet the minimum logging diameters and take into account at least 20% of seed trees.

e. After executing the PMFI, the community may submit a new PMFI for forest harvesting in the intervened area. This application must be assessed by the ARFFS, taking into account the actual existence of forestry resources and the potential of the intervened area. Such application may be rejected if it is determined, on a technical basis, that the area cannot be intervened after a specific period.

f. The periodical review of the PMFI may be deemed necessary based on the results of its application, changes to the biophysical and socio-economic situation in the management area, changes to the company’s organization or production, new information, technological improvement, or development of services, products, or markets, among others.

Conditions for Management Declarations (DEMA)3:

a. The harvesting volume must not exceed 650m³ (r) per effective term of the DEMA.

b. It must not include cedar (*Cedrela odorata*) or mahogany (*Swietenia macrophylla*) harvesting.

c. The harvesting must meet the minimum logging diameters and take into account at least 20% of seed trees.

d. The harvesting allows chainsaws and/or guide frames for quartering the logs.

e. The DEMA has a maximum effective term of three years.

f. After executing a DEMA, the community may submit a new DEMA for forest harvesting in the intervened area. This application must be assessed by the ARFFS, taking into account the actual existence of forestry resources and the potential of the intervened area. Such application may be rejected if it is determined, on a technical basis, that the area cannot be intervened after a specific period.

For native and peasant communities in the process of being recognized, granted a title, or expanded, the ARFFS must verify that the area is not totally or partially overlapping other title recognition requests, assignments for use, or enjoyment of a forestry or wild fauna authorization certificate, and a visual inspection must be carried out to verify that no conflict exists.
<table>
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<th>Indicator</th>
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<tr>
<td>Community internal planning, as well as the location (vertices) of forest harvesting areas where the foreseen volumes would be obtained.</td>
<td></td>
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</tbody>
</table>

**For plantations and agroforestry systems in public lands:**

**A. Forestry plantations concessions**
- Maps or plans, including roads, together with the field data report.

**B. Assignment for use agreements for agroforestry systems**

**b.1 Management Declarations (DEMAs):**
- Location of the area granted/requested under assignment for use (UTM coordinates). Additionally, the planning of the management area, the productive forestry area, access roads, hydrographic network information, and log yards or collection areas.

**Legal References:**
- *Forest and Wild Fauna Law – Law Nº 29763.*
- *Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.*
- *Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.*

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31 The establishment, management, and harvesting of forest plantations, including those established in agroforestry systems, in private property lands, either with native or exotic species, do not require authorization of the forestry and wild fauna authority, or the submission of the management plan.

32 The guidelines for the preparation of local Forest Management Plans in concessions for forest plantations have yet to be approved by SERFOR. This matrix gathers information from the Regulations for the Management of Forestry Plantations and Agroforestry Systems – Supreme Decree Nº 020-2015-MINAGRI.

33 According to Section 63 of the Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI, the management and use of agroforestry systems, through assignment for use agreements, do not require a management plan, except when harvesting of natural forests and secondary forests belonging to a management unit is required. In this case, a DEMA must be submitted. Such management document does not require a regent’s signature. Likewise, a Management Declaration is not necessary for the purpose of establishing and harvesting forest plantations established in agroforestry systems. Notwithstanding the foregoing, such forest plantations must be registered with the National Registry of Forestry Plantations for its harvesting and mobilization.
**Indicator 2.1.3:** The Forest Management Plan includes information that allows precise location of the managed resources.

**Verifier 2.1.3:** Verify that the Forest Management Plan includes the following information:

**For natural forests:**

A. **In forest concessions**

- “Planning map” with information on the planning\(^{34}\) (include inventory sampling plots), forest types, and location of forest inventory sampling plots.\(^{35}\)

\(^{34}\) According to the “Guidelines for the formulation of the General Forest Management Plan for timber forest concessions,” approved by Executive Directorate Resolution N° 046-2016-SERFOR-DE, the following categories will be used to carry out the forestry planning of the UMF:

\(^{35}\) a. **With forest cover**

* Forestry production forest.
* Protection forest.
* Intervened forest (including degraded forests and secondary forests or “purma”).
* Other forest formations: wetlands (aguajal), bamboo (pacal), etc. (specify each one separately).
- “Administrative division map” with information on forest types, five-plot forests (optional), annual logging plots, main transportation road network, and access roads to the five-plot forest.\(^\text{36}\)
- “List of inventoried species” of the harvestable mass (MA) of species found in the inventory, the diameter at breast height (DBH) of which was measured from 20cm.\(^\text{37}\)
- Tables of results of exploratory inventory.

**B. In local forests**\(^\text{38}\)
- Indicate the location of usable trees and seedbeds in UTM coordinates.

**C. Forest permit in private lands** (The guidelines for the preparation of management plans for natural forests in private lands have yet to be approved by SERFOR).

**D. In native and peasant community forests**\(^\text{39}\)

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**b. Without forest cover**
- Protection areas (take into account the criteria established in Table 1).
- Deforested areas (anthropics and deforestation due to natural processes, such as gales and floods).

The characteristics of the area must indicate the number of hectares and the percentage of the area under concession.

\(^{35}\) The scale of maps for surfaces from 5,000 to 10,000 hectares is 1:50,000, and for surfaces from 10,000 to 50,000 hectares is 1:100,000.

\(^{36}\) The scale of maps for surfaces from 5,000 to 10,000 hectares is 1:50,000, and for surfaces from 10,000 to 50,000 hectares is 1:100,000.

\(^{37}\) According to item 3 of article 38 of the Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI, the “inventory in areas of authorization certificates” is the process whereby qualitative and quantitative information on forestry and wild fauna resources in the areas of the authorization certificates is recorded in order to prepare Forest Management Plans. These inventories are carried out under responsibility of the titleholders of authorization certificates.

\(^{38}\) The guidelines for the preparation of local Forest Management Plans have yet to be approved by SERFOR. This matrix gathers information from the guidelines for the establishment of local forests and the conditions for their management – Executive Directorate Resolution N° 116-2016-SERFOR-DE. However, for local forests, the guidelines approved for the DEMA for timber forest products in native and peasant communities can be used as a reference, as well as the guidelines approved for the PMFI on timber forest products in native and peasant communities, and the guidelines for the PGMF and PO in timber forest concessions.
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| d.1 In Intermediate Forest Management Plans (PMFIs) | - Map of community internal planning and administrative division of the UMF into plots.  
- Table of results of the sampling inventory, including information on all inventoried trees, per species and forest type (over 30cm DBH), and classified per symmetric categories.  
- Table of results of pole-stage trees per species, with information on individuals with 10-30cm DBH, basal area (BA), number of individuals (N), forest type, and symmetric categories, per hectare and in total.  
- Table of results of commercial timber census.  
- Table of results of non-timber forest inventory.  
- Table of results of commercial non-timber forest census.  
- List of species. |
| d.2 In Management Declarations (DEMAs) | - Information on the species to be used, indicating common name in Spanish, scientific name, and name in native language; location of the trees in UTM coordinates; number of individuals; commercial volume; and identification of the seed tree.  
- Community assembly minutes recording the internal planning agreement reached by the peasant or native community.  
- Information on zoning or internal planning carried out by the community. |

39 To date, the guidelines for the preparation of the PMF at the intermediate and low levels (reduced scale) have been approved for ecoregions in the upper and lower rainforest.

40 According to article 49 of the Regulations for the Forestry and Wild Fauna Management in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI, the internal planning of the UMF of peasant and native communities identifies and establishes protection areas, taking the following into account:
   a. Areas with presence of lakes (“cochas,” “aguajales,” etc.).
   b. Areas important to fauna, such as clay licks (colpas), nestling areas, and watering holes, among others.
   c. Areas with significant presence of flora or plant associations of endangered species.
   d. Areas that contain plant formations providing ecosystem services, prioritizing water sources of local populations, areas that prevent erosion risks, and marginal strips.
<table>
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<tr>
<td>of the area where the harvesting will be performed. This must include information on forest categories, their extension, and the percentage they represent in the total area.</td>
<td></td>
</tr>
<tr>
<td><strong>For plantations and agroforestry systems in public lands:</strong>(^{41})</td>
<td></td>
</tr>
<tr>
<td><strong>A. Forest plantations concessions</strong>(^{42})</td>
<td>- Information on species, resources, or services.</td>
</tr>
<tr>
<td></td>
<td>- Zoning or internal planning of the area identifying the Forest Management Unit (UMF) and conservation areas.</td>
</tr>
<tr>
<td><strong>B. Assignment for use agreements for agroforestry systems</strong>(^{43})</td>
<td>- The Forest Management Declaration must include a map with information on the results of the inventory of timber forestry products and the internal planning of the area in the agreement.</td>
</tr>
</tbody>
</table>

**Legal References:**

- [Forest and Wild Fauna Law – Law Nº 29763](#).
- [Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI](#).
- [Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI](#).
- [Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI](#).
- [Guidelines for the preparation of Management Declarations in assignment for](#).

\(^{41}\) The establishment, management, and harvesting of forestry plantations, including those established in agroforestry systems, in private property lands, either with native or exotic species, do not require authorization of the forestry and wild fauna authority, or the submission of the management plan.

\(^{42}\) The guidelines for the preparation of local Forest Management Plans in concessions for forest plantations have yet to be approved by SERFOR. This matrix gathers information from the Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.

\(^{43}\) This matrix gathers information from the Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI and the guidelines for granting assignment for use agreements for agroforestry systems – Executive Directorate Resolution Nº 081-2017-DE.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
<tbody>
<tr>
<td>use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>Guidelines for the formulation of the General Forest Management Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>Guidelines for the preparation of the Management Declaration for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution N° 116-2016-DE.</td>
<td></td>
</tr>
</tbody>
</table>

**Indicator 2.1.4:** Presence of one (or more) technically skilled person, responsible for accountability in connection with the development and implementation of the Forest Management Plan.

**Verifier 2.1.4:** Verify the participation of a forestry regent (individual or legal entity), jointly and severally responsible, together with the authorization titleholder, for the development and implementation of the PMF. The forestry regent must have the following characteristics:

- Authorization by their Professional Association.\(^44\)
- Registration with the Registry of Regents of SERFOR.\(^45\)

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\(^{44}\) Legislative Decree N° 1246 forbids the Public Administration to request professional authorization certificates or similar documents issued by Professional Associations from users, when such authorization may be verified through the relevant institutional website. This is not applicable to areas with no Internet access.

\(^{45}\) The forestry regent license is subject to the following conditions and requirements:

Conditions in accordance with the guidelines for obtaining and renewing the regency license – Executive Directorate Resolution N° 029-2016-SERFOR-DE:

a. Not being listed in the National Registry of Offenders of SERFOR or SERNANP.

b. Not having criminal records in connection to environmental offenses or crimes against public trust, the public administration, public health, personal liberty in the human-trafficking modality, or cultural heritage.

c. Not being a repeat offender for the aforementioned crimes.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>- Executed an agreement with the titleholder of the authorization certificate.</td>
</tr>
<tr>
<td></td>
<td><em>Note: Management Declaration (DEMA) for low-level (reduced scale) activities does not require a forestry regent.</em></td>
</tr>
<tr>
<td><strong>Legal References:</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Forest and Wild Fauna Law – Law Nº 29763.</td>
</tr>
<tr>
<td></td>
<td>- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.</td>
</tr>
<tr>
<td></td>
<td>- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.</td>
</tr>
<tr>
<td></td>
<td>- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.</td>
</tr>
<tr>
<td></td>
<td>- Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution Nº 163-2015-SERFOR-DE.</td>
</tr>
<tr>
<td></td>
<td>- Guidelines for the preparation of the Management Declaration for forest harvesting permits in native and peasant communities – Executive Directorate Resolution Nº 065-2016-SERFOR-DE.</td>
</tr>
</tbody>
</table>

**d.** Not being subject to any impediment set forth in Law Nº 27588, a law that establishes prohibitions and incompatibilities for public officers and servants, as well as persons who supply services to the state under any modality, pursuant to its regulations, approved by Supreme Decree Nº 19-2002-PCM.

**e.** Not being disqualified from contracting with the state, pursuant to the relevant regulation.

Requirements in accordance with Ministry Resolution Nº 0613-2016-MINAGRI, approving amendments to the TUPA of SERFOR:

**a.** Request addressed to the director of the Forestry Heritage Sustainable Management Directorate, or the director of the Wild Fauna Sustainable Management Directorate, according to the regency’s category, pursuant to Form F14.

**b.** Copy of the document certifying the specialization to exercise the regency category.

**c.** Copy of the certificate whereby it is shown that the Regency Specialization Course was passed, issued by an institution registered with SERFOR.

**d.** Copy of the documented curriculum vitae, with at least three years of experience in the category of the regency the person is applying for.

**e.** Payment of fee, in accordance with the provisions of SERFOR TUPA.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Guidelines for registering plantations with the National Registry of Forest Plantations and their annexes – Executive Directorate Resolution N° 165-2015-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>- Guideline for obtaining and renewing the regency license – Executive Directorate Resolution N° 029-2016-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>- Technical guidelines for executing visual inspections prior to the operation of Forest Management Plans for timber forest harvesting – Executive Directorate Resolution N° 190-2016-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>- Guidelines for granting assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 081-2017-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>- Single Text of Administrative Procedures of the National Service of Forestry and Wild Fauna (SERFOR) – Executive Decree N° 001-2016-MINAGRI.</td>
<td></td>
</tr>
<tr>
<td>- Amendment to the Single Text of Administrative Procedures (TUPA) of the National Service of Forestry and Wild Fauna (SERFOR) – Ministry Resolution N° 0613-2016-MINAGRI.</td>
<td></td>
</tr>
</tbody>
</table>
**Indicator 2.2.1:** The Forest Management Plan titleholder is authorized to cut trees by the relevant authority.

<table>
<thead>
<tr>
<th><strong>For natural forests, plantations, and agroforestry systems:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Verifier 2.2.1:</strong> Verify that the authorization certificate and the PMF were approved by the corresponding ARFFS.</td>
<td></td>
</tr>
<tr>
<td><strong>A. In forest concessions in public lands, forest permits in private lands, and forests of native and peasant communities, concessions for forest plantations and assignment for use agreements for agroforestry systems</strong></td>
<td></td>
</tr>
<tr>
<td>a) In the regions of Amazonas, Ayacucho, Huánuco, La Libertad, Loreto, Madre de Dios, San Martín, Tumbes, and Ucayali:</td>
<td></td>
</tr>
<tr>
<td>- Granting of the right, award, or concession by the corresponding Regional Government through its ARFFSs.</td>
<td></td>
</tr>
<tr>
<td>- The PMF is approved by the corresponding Regional Government through its ARFFSs.</td>
<td></td>
</tr>
<tr>
<td>b) In the regions of Ancash, Apurímac, Arequipa, Cajamarca, Cuzco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Tacna, Pasco, Piura, and Puno:</td>
<td></td>
</tr>
<tr>
<td>- Granting of the right, award, or concession by SERFOR through the relevant ATFFS.</td>
<td></td>
</tr>
<tr>
<td>- The PMF is approved by SERFOR through the relevant ATFFS.</td>
<td></td>
</tr>
<tr>
<td><strong>B. In local forests</strong></td>
<td></td>
</tr>
<tr>
<td>a) In the regions of Amazonas, Ayacucho, Huánuco, La Libertad, Loreto, Madre de Dios, San Martín, Tumbes, and Ucayali:</td>
<td></td>
</tr>
</tbody>
</table>

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46 In these regions, the ARFFSs are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction).

47 In these regions, the ARFFSs are the Technical Administrations of Forest and Wild Fauna (ATFFSs), which report to SERFOR.
Indicator | Guidance Notes/Verifier
--- | ---
- Resolution for Establishing Local Forest, approved by SERFOR.
- The PMF is approved by the corresponding Regional Government through its ARFFSs.

b) In the regions of Ancash, Apurímac, Arequipa, Cajamarca, Cuzco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Tacna, Pasco, Piura, and Puno:
- Resolution for Establishing Local Forest, approved by SERFOR.
- The PMF is approved by SERFOR through the relevant ATFFS.

Legal References:
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.
- Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE.
- Guidelines for the preparation of the Management Declaration for forest

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48 In these regions, the ARFFSs are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction).

49 In these regions, the ARFFSs are the Technical Administrations of Forest and Wild Fauna (ATFFSs), which report to SERFOR.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.2.2:</td>
<td>Harvesting of species protected under CITES requires the participation of the administrative (SERFOR) and scientific (Ministry of the Environment) authorities of CITES, and must be supervised in its entirety.</td>
</tr>
<tr>
<td></td>
<td><strong>For natural forests, plantations, and agroforestry systems:</strong></td>
</tr>
<tr>
<td><strong>Verifier 2.2.2:</strong></td>
<td>Verify that the authorization certificates that seek to use species protected under CITES meet the following procedures:</td>
</tr>
<tr>
<td>a.</td>
<td>SERFOR, in coordination with the Regional Government, will carry out, directly or through third parties, visual inspections prior to the approval of the PMF, in order to determine the existence of the specimens and volumes that were declared. In the case of species listed in Appendix II, such verification must be completed at 100%.</td>
</tr>
<tr>
<td>b.</td>
<td>OSINFOR will supervise the entirety of activities for the extraction of such species.</td>
</tr>
<tr>
<td>c.</td>
<td>The Ministry of the Environment may collect field information at any time for monitoring and preparation of advisory opinions on non-detrimental extraction.</td>
</tr>
<tr>
<td>d.</td>
<td>SERFOR will periodically assess the application of the silvicultural plan of the management plans.</td>
</tr>
</tbody>
</table>

**Legal References:**
- Forest and Wild Fauna Law – Law No 29763.
- Forest Management Regulations – Executive Decree No 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry.
### Criterion 2.3: The company implements harvesting operations (logging) in accordance with the regulatory silvicultural system and the relevant regulations.

| Indicator 2.3.1: | Forest Management Plans include silvicultural measures. | **For natural forests, plantations, and agroforestry systems:**  
Verifier 2.3.1.1: Verify that Forest Management Plans include a management system and silvicultural tasks, if applicable.  
Verifier 2.3.1.2: Verify that the Forest Execution Reports include the implementation of silvicultural measures defined in the Forest Management Plans. |
|---|---|---|

50 Group of techniques that allow for the maintenance and regeneration of the forest and other forest plant associations, through interventions to the establishment, composition, structure, and growth of vegetation to better meet management objectives.

51 The Forest Execution Report has the purpose of reporting the implementation of activities under the management plan framework. It is submitted to the ARFFS and OSINFOR within 45 calendar days following the end of the operating year; it is signed by the authorization titleholder and the regent, as the case may be. The report has the nature of an affidavit.  
Execution reports are classified as  
a. Annual execution reports: Submitted at the end of the operating year on the basis of the approved management plan.  
b. Final execution reports: Submitted at the end of the management plan’s effective term.  
If the report includes species listed in CITES Appendices, the ARFFS sends a copy to SERFOR within a maximum term of 15 business days.
<table>
<thead>
<tr>
<th>Indicator 2.3.2:</th>
<th>The company has a system to monitor harvesting operations and maintenance of forests being managed.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Verifier 2.3.2:</strong></td>
<td>Verify that the Forest Management Plans include the following information:</td>
</tr>
<tr>
<td><strong>For natural forests:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>A. In forestry concessions</strong></td>
<td></td>
</tr>
<tr>
<td>- Permanent registry system that allows the concessionaire to collect</td>
<td></td>
</tr>
<tr>
<td>Indicator</td>
<td>Guidance Notes/Verifier</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
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<tr>
<td></td>
<td>information on production and costs in an organized and systematic manner, as well as to gather information regarding growth, regeneration, and mortality of species prioritized for management, in addition to documenting problems or obstacles for its execution. Likewise, an explanation of the registry process and data handling, storage, and analysis must be provided.</td>
</tr>
<tr>
<td><strong>B. In local forests</strong></td>
<td>For local forests, the guidelines approved for the DEMA regarding timber forest products in native and peasant communities can be used as a reference, as well as the guidelines approved for the PMFI on timber forest products in native and peasant communities, and the guidelines for the PGMF and PO in timber forest concessions.</td>
</tr>
<tr>
<td><strong>C. Forest permit in private lands</strong></td>
<td><em>The guidelines for the preparation of management plans in private lands have yet to be approved by SERFOR.</em></td>
</tr>
<tr>
<td><strong>D. In native and peasant community forests</strong></td>
<td>52</td>
</tr>
<tr>
<td>1. In Intermediate Forest Management Plans (PMFIs)</td>
<td>- Describe the management’s impact monitoring and its cost.</td>
</tr>
<tr>
<td>2. In Management Declarations (DEMAs)</td>
<td><em>This information is not required.</em></td>
</tr>
<tr>
<td><strong>For plantations and agroforestry systems in public lands:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>A. Forest plantations concessions</strong></td>
<td><em>The guidelines for plantation concessions have yet to be approved by SERFOR.</em></td>
</tr>
<tr>
<td><strong>B. Assignment for use agreements for agroforestry systems</strong></td>
<td><em>This information is not required.</em></td>
</tr>
</tbody>
</table>

52 To date, the guidelines for the preparation of the PMF at the intermediate and low levels (reduced scale) have been approved for ecoregions in the upper and lower rainforest.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Indicator 2.3.3:</strong> The titleholder of authorization certificate has not been sanctioned by OSINFOR and its authorization certificate has not expired.</td>
<td><strong>In natural forests, plantations, and agroforestry systems:</strong></td>
</tr>
<tr>
<td><strong>Verifier 2.3.3.1:</strong> Verify that the titleholder has not been sanctioned, and their authorization certificate has not expired or is subject to a provisional measure (injunction or precautionary) to freeze volumes, imposed by OSINFOR:</td>
<td></td>
</tr>
<tr>
<td>- That both the authorization certificate and the titleholder are not included in the Red List of OSINFOR Observatory (<a href="http://observatorio.osinfor.gob.pe:91/">http://observatorio.osinfor.gob.pe:91/</a>) of the Management Information System of OSINFOR (SIGO).</td>
<td></td>
</tr>
<tr>
<td>Indicator</td>
<td>Guidance Notes/Verifier</td>
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</tr>
<tr>
<td></td>
<td>- That the titleholder is not listed in the Registry of Sanctioned Titleholders and/or Holders of Expired Titles (<a href="http://observatorio.osinfor.gob.pe:94/SIGO/Reporte_Infractores_Sancion_Caducidad.aspx">http://observatorio.osinfor.gob.pe:94/SIGO/Reporte_Infractores_Sancion_Caducidad.aspx</a>) of the Management Information System of OSINFOR (SIGO).</td>
</tr>
</tbody>
</table>

**Legal References:**
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.
- Regulations of the Single Administrative Procedure (PAU) of the Forestry Resources and Wild Fauna Supervision Agency – OSINFOR, President Resolution Nº 062-2016-OSINFOR.
- Criteria for applying injunctions and precautionary measures, President Resolution Nº 068-2016-OSINFOR.
- Criteria to establish corrective measures on forestry matters within the framework of the Single Administrative Procedure of OSINFOR – President Resolution Nº 080-2016-OSINFOR.
- Regulations for Managing the Geographic Information System of Forestry and Wild Fauna Supervision – SISFOR – President Resolution 079-2016-OSINFOR.
**PRINCIPLE 3: TRANSPORTATION OF LOGS (TRUNKS) AND TIMBER PRODUCTS**

Criterion 3.1: The companies and the carriers involved in the transportation of timber products must give clear evidence of documents and licenses according to the laws and regulations.

<table>
<thead>
<tr>
<th>Indicator 3.1.1:</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
</table>
| Transportation of forest products and byproducts in their natural state or under primary processing from any of the authorization certificates regulated in the applicable legislation. | **For natural forests:**
| **Verifier 3.1.1.1:** In the “Forest Transportation Guide,” verify that the forest products or byproducts transported are generated from the following use modalities: |  
a. Timber forest concessions  
b. Concessions for forest products other than timber  
c. Local forests  
d. Forest license in private lands  
e. Forest licenses in forests belonging to native and peasant communities |
| **For plantations and agroforestry systems in public lands:** |  
**Verifier 3.1.1.2:** In the “Forest Transportation Guide,” verify that the forest products or byproducts transported are generated from the following use modalities: |
|  | a. Concessions for forest plantations  
b. Assignment for use agreements for agroforestry systems  
c. Plantations in private lands |

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53 According to the “Glossary of Terms of the Forest Management Regulations” – Executive Decree N° 018-2015-MINAGRI:

- **Forest Product.** All the components exploitable from forest resources extracted from the woods, vegetal, and/or plantation-related products.
- **Forest product in natural state.** Any species of timber or non-timber flora, dead or alive, whole or partial, that has not gone through any processing.
- **Primary processing product.** A product from a primary processing plant other than finished or direct-use products – that is, those that will become inputs of secondary processing centers.

54 In these concessions, the extraction of timber forest resources can be performed exceptionally, provided that it does not alter the purpose of the concession, does not pose a risk to management of the granted non-timber forest resource, and has been foreseen in the approved management plan.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
</table>
| **Indicator 3.1.2:** The vehicles used for transportation of timber forest products have licenses issued by the Ministry of Transportation (MTC). | **For natural forests, plantations, and agroforestry systems:**

**Verifier 3.1.2.1:** Verify that vehicles transporting timber forest products by river have an operating license to provide waterway cargo transportation service issued by the Regional Direction of Transportation and Communications of the corresponding Regional Government.

**Verifier 3.1.2.2:** Verify that vehicles transporting timber forest products by land have an operating license to provide land cargo transportation service issued by the Regional Direction of Transportation and Communications of the corresponding Regional Government.

**Legal References:**
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.
- Single Text of Administrative Procedures (TUPA) of the Ministry of Transportation and Communications – Executive Decree N° 008-2002-MTC.
- Regulations of Organization and Functions of the Ministry of Transportation |
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
</table>
| **Indicator 3.1.3:** Vehicles used for transportation of timber forest products to the primary processing centers are listed in the corresponding registry. | **For natural forests, plantations, and agroforestry systems:** Verifier 3.1.3.1: Verify that vehicles transporting timber forest products to the primary processing centers are listed with the registry prepared by SERFOR and the ARFFS. 55, 56  
*Note: This register is not mandatory for vehicles transporting timber forest products from the authorization certificate of native and peasant communities.*  
**Legal References:**  
- Forest and Wild Fauna Law – Law N° 29763.  
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.  
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.  
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI. |

55 The vehicle registration authorized for transportation of timber forest products to primary processing centers is yet to be implemented.

56 The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.
<table>
<thead>
<tr>
<th><strong>Indicator 3.2.1:</strong> The transportation of forest products or byproducts in their natural state or under primary processing is contemplated in documents provided in the forestry legislation.</th>
</tr>
</thead>
</table>
| **For natural forests:**
| **Verifier 3.2.1.1:** Verify that the individuals or legal entities transporting forest products or byproducts in their natural state or under primary processing submit the following documentation:
| a. Forestry transport guide issued by the titleholder of the authorization certificate, the regent, or the ARFFS, as the case may be (see Indicator 3.2.2.).
| b. Authorizations for scientific purposes or waybills issued by the ARFFS.\(^{57}\)
| c. Import or re-export documents issued by SUNAT.

| **For plantation and agroforestry systems in public lands:**
| **Verifier 3.2.1.2:** Verify that the individuals or legal entities transporting forest products or byproducts in their natural state or under primary processing submit the following documentation:
| a. Forestry transport guide issued by the titleholder of the authorization certificate, the titleholder of the land, the titleholder of the processing center, or the ARFFS, as the case may be (see Indicator 3.2.2.).
| b. Waybill for exotic species introduced and registered issued by the ARFFS.\(^{58}\)

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\(^{57}\) The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.

\(^{58}\) The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where
| Indicator 3.2.2: | Any individuals or legal entities transporting forest products or byproducts in their natural state or under primary processing are required to submit the documentation issued by the authorized persons. |
| For natural forests: |  
**Verifier 3.2.2.1:** Verify that the individuals or legal entities transporting forest products or byproducts in their natural state or under primary processing for commercialization have a forest transportation permit (FTP) issued by:  
a. Titleholders or authorization certificate or regents.  
b. The representative of the local government and the regent.  
c. The titleholder of the processing center.  
d. The ARFFS, at the request of the owner of the products who is not the titleholder or processing centers, to conduct transportation, must submit the FTP that started the operation.  
e. Head, *Apu*, representative, or regent hired by the titleholder peasant or native community of the authorization certificate.  
For plantation and agroforestry systems in public lands: |

**Legal References:**  
- *Forest and Wild Fauna Law – Law Nº 29763.*  
- *Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.*  
- *Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.*  
- *Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.*  
- *The Forest Transport Permit Form and the Wild Fauna Transport Permit Form – Executive Directorate Resolution N° 122-2015-SERFOR-DE.*
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<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</table>
| **Verifier 3.2.2.2:** | Verify that the individuals or legal entities transporting forest products or byproducts in their natural state or under primary processing for commercialization have an FTP issued by:  
  a. Titleholders, authorization certificate, or regents.  
  b. The titleholder of the land duly accredited.  
  c. The titleholder of the processing center.  
  d. The ARFFS, at the request of the owner of the products who is not the titleholder of authorization certificate or processing center, to conduct transportation, must submit the GTF that started the operation. |
| **Legal References:** |  
  - Forest and Wild Fauna Law – Law Nº 29763.  
  - Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.  
  - Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.  
  - Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.  
  - The Forest Transport Permit Form and the Wild Fauna Transport Permit Form – Executive Directorate Resolution N° 122-2015-SERFOR-DE. |

| Indicator 3.2.3: | There are mechanisms in place to verify the legal source of forest products and byproducts.  
  **Verifier 3.2.3.1:** Verify the marking of stumps and logs coming from authorization certificates with codes provided by the ARFFS and mechanisms contemplated in the National System of Forestry and Wild Fauna Information (SNIFFS), in accordance with the guidelines approved by SERFOR.  
  **Verifier 3.2.3.2:** Verify that the logbook of authorization certificates registers the |

59 SNIFFS is not operational yet. Guidelines have not yet been approved by SERFOR.
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<th>Indicator</th>
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<td>information related to the implementation of the Forest Management Plan.</td>
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</table>

**Verifier 3.2.3.3:** Verify that the logbook of processing centers, collection points, storage areas, and products trade centers, forest byproducts, and samples records updates mandatorily the entry and exit information of timber forest products and byproducts.

*Note: SERFOR has not yet established the tools that allow the traceability of the forest products from plantation and agroforestry systems.*

**Legal References:**
- Forest and Wild Fauna Law – Law N° 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.
- Logbook Form of Primary Processing Centers of Forest Products, and Instructions on the Use and Recording of Information – Executive Directorate Resolution N° 156-2015-SERFOR-DE.

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**Indicator** | **Guidance Notes/Verifier**
---|---
**PRINCIPLE 4: PROCESSING (TRANSFORMATION) REGULATIONS**

**Criterion 4.1:** Companies engaged in timber processing (transformation) must give clear evidence of documents and licenses in accordance with current laws and regulations.
Indicator 4.1.1: Primary processing centers (fixed), collection points, storage areas, and trade center of timber have licenses and authorizations issued by relevant authorities.

**For natural forest, plantations, and agroforestry systems:**

**Verifier 4.1.1.1:** Verify that fixed transformations and collection points have operating licenses issued by the municipality of the province or district where the center is functioning.

**Verifier 4.1.1.2:** Verify that the processing centers and collection points of products in their natural state or under primary processing have the authorization issued by the Forestry and Wild Fauna Regional Authority (ARFFS).

**Legal References:**

- Single Revised Text of Law Nº 28976, framework law of operating license and sworn statements forms – Executive Decree Nº 046-2017-PCM.
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry

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60 According to the “Glossary of Terms of the Forest Management Regulations” – Executive Decree Nº 018-2015-MINAGRI:

- **Processing center.** Industrial or artisan facility, fixed or mobile place of processing (workshops, plants, portable sawmills, or others) that uses a flora specimen as raw material, in which case the primary resource processing is conducted, or uses a primary processing product, in which case the secondary processing is conducted.

- **Storage areas or collection points.** Establishments for the storage of specimens, products, or byproducts of flora in their natural state or under primary processing for commercial purposes directly or for transport to a new destination to be sold.

- **Trade centers.** Establishments for the selling of specimens, products, or byproducts of flora in their natural state or under primary processing.

- **Primary processing product.** Product from a primary plant that is not a final or direct-use product – that is, those that will become primary processing products.

61 The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</table>
| **Indicator 4.1.2:** The primary processing centers, collection points, storage areas, and trade centers are registered and authorized in the National Superintendency of Customs and Tax Administration (SUNAT). | For natural forests, plantations, and agroforestry systems:  
Verifier 4.1.2.1: Verify that the processing and collection centers are registered and authorized in the Single Taxpayer’s Registration Number – “Taxpayer Data Sheet.”[62]  
Legal References:  
- Single Taxpayer Registration Law – Legislative Decree Nº 943.  
- Legislative decree adopting several measures of administrative simplification – Legislative Decree Nº 1246. |

| Indicator 4.1.3: Mobile processing centers are registered with SERFOR. | For natural forests, plantations, and agroforestry systems:  
Verifier 4.1.3.1: Verify that mobile processing centers are registered with the “Portable Sawmill Registration” managed by SERFOR. |

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[62] Legislative Decree Nº 1246 forbids the Public Administration to request a copy of the “Taxpayer Data Sheet” from users. According to this rule, it is the Public Administration’s duty to check this information on the SUNAT webpage, except in the areas without Internet access.
**Indicator 4.1.4:** Secondary processing centers are authorized by the relevant authorities.

**Legal References:**
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.
- Guidelines for the registration of portable sawmill records – Executive Directorate Resolution Nº 044-2016-SERFOR-DE.

**Verifier 4.1.4.1:** Verify that fixed processing centers and collection points have operating licenses issued by the municipality of the province or district where the center is functioning.

**Verifier 4.1.4.2:** Verify that the processing centers and collection points of products in their natural state or under primary processing have the authorization issued by the Ministry of Production.

**Legal References:**
- General Law on Corporations – Law Nº 23407.
- Regulations of Organization and Functions of the Ministry of Production – Executive Decree Nº 002-2017-PRODUCE.
- Single Revised Text of Law Nº 28976, framework law of operating license and sworn statements forms – Executive Decree Nº 046-2017-PCM.
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
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<th>Indicator</th>
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<td></td>
<td><strong>For natural forests:</strong></td>
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</tbody>
</table>
| Indicator 4.2.1: The primary processing centers, collection points, storage areas, and timber commercialization centers submit documents, systems, brands, and internal control records of the timber they receive or store. | **Verifier 4.2.1.1:** Verify the marking of stumps and logs from authorization certificates with the codes issued by the ARFFS and mechanisms covered in the National System of Forestry and Wild Fauna Information (SNIFFS), pursuant to the guidelines approved by SERFOR.63  
**Verifier 4.2.1.2:** Verify that the logbook of processing and collection centers of products, byproducts, and forest specimens records and updates mandatorily the entry/exit information of timber forest products and byproducts.  
*Note: SERFOR has not yet established the instruments for the traceability of forest products from plantations and agroforestry systems.* |

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63 SNIFFS is not operational yet. Guidelines have not yet been approved by SERFOR.
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<th>Guidance Notes/Verifier</th>
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</table>
| Indicator 4.2.2:   | **For natural forest, plantations, and agroforestry systems:**  
|                    | **Verifier 4.2.2.1**: Verify that machines are equipped with GPS devices linked to the centralized Satellite Follow-up System (SISESAT) implemented by SERFOR.  
|                    | *Note: SERFOR has not yet approved the guidelines for the operation of SISESAT and the devices installed in the forestry machinery.*  
|                    | **Legal References:**  
|                    | • Forest and Wild Fauna Law – Law N° 29763.  
|                    | • Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.  
|                    | • Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.  
|                    | • Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.  
| Indicator 4.2.3:   | **For natural forest, plantations, and agroforestry systems:**  
|                    | **Verifier 4.2.3.1**: Verify that the forest waste use is described in the Forest Management Plan of the corresponding Forest Management Unit.  
|                    | **Verifier 4.2.3.2**: Verify that the Forest Execution Reports contain information about the use of forest waste.  
|                    | *Note: Titleholders of forest concessions or permits in private lands and local*  

64 The Forest Execution Report intends to report on the implementation of the activities conducted within the management plan framework.
Indicator Guidance Notes/Verifier

Forests may access promotional regimes – including payment of harvesting rights for the use of waste from forest harvesting.

Legal References:
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.
- Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.
- Guidelines for the formulation of an Operational Plan for timber forest concessions – Executive Directorate Resolution Nº 046-2016-SERFOR-DE.

Indicator 4.2.4: Titleholders of authorization certificate access benefits and incentives as a result of their certification and good practices.

Verifier 4.2.4.1: The Voluntary Forest Certification evidencing the socially beneficial, environmentally responsible, and economically feasible forest management issued by an independent certifier.

Verifier 4.2.4.2: Verify that the Forest Execution Reports\(^{65}\) contain a report on the good practices developed in the Forest Management Unit.

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\(^{65}\) The Forest Execution Report intends to report on the implementation of the activities conducted within the management plan framework.
<table>
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<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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<tbody>
<tr>
<td><strong>Note 1:</strong> The decision to access the certification is voluntary. There are reductions to the land use right payment for titleholders of authorization certificates in natural forests in public and private lands, including native and peasant communities, as well as forest plantations in public lands accessing and maintaining voluntary forest certification. See Indicator 9.2.2.</td>
<td></td>
</tr>
<tr>
<td><strong>Note 2:</strong> SERFOR has not yet approved guidelines for the recognition and certification of good practices schemes.</td>
<td></td>
</tr>
</tbody>
</table>

**Legal References:**
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.
- Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.
- Guidelines for the formulation of an Operational Plan for timber forest concessions – Executive Directorate Resolution Nº 046-2016-SERFOR-DE.

**Indicator** | **Guidance Notes/Verifier** |
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<tbody>
<tr>
<td><strong>PRINCIPLE 5: IMPORT AND EXPORT REGULATIONS</strong></td>
<td></td>
</tr>
<tr>
<td>Indicator 5.1: The company engaged in import and export activities must give clear evidence of holding a license or permit in accordance with current laws and regulations.</td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Indicator 5.1.1:</strong> The individuals or legal entities engaged in exports meet the requirements established by the agency responsible for the exports.</td>
<td></td>
</tr>
</tbody>
</table>

**For natural forests, plantations, and agroforestry systems:**

**Verifier 5.1.1.1:** Verify that the individuals or legal entities exporting the goods are registered and qualified with the Taxpayers’ Registration Number – “Taxpayer Data Sheet.”

Individuals are not required to register with the RUC. They may export by using their National Identity Card (DNI) in the case of Peruvians, or the Alien Registration Card or Passport for foreigners, only under the following conditions:

- When they occasionally export woods whose FOB value by operation does not exceed one thousand American dollars (US$1000.00), as long as they register no more than three exports per year; or
- When only once in the calendar year they export goods whose FOB value exceeds one thousand American dollars (US$1000.00), provided that they do not exceed three thousand American dollars (US$3000.00).

**Verifier 5.1.1.2:** Verify that the individuals or legal entities who will export the goods have a customs agent authorized by the “National Superintendency of Customs and Tax Administration” (SUNAT).

**Legal References:**

- [Forest and Wild Fauna Law – Law Nº 29763](#).
- [General Customs Law – Legislative Decree Nº 1053](#).
- [Regulations for the General Customs Law – Executive Decree Nº 010-2009-EF](#).

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66 Legislative Decree Nº 1246 forbids the Public Administration to request a copy of the “Taxpayer Data Sheet” from users. According to this rule, it is the Public Administration’s duty to check this information on the SUNAT webpage, except in the areas without Internet access.

67 Customs agents are individuals and legal entities authorized by the Customs Administration to provide services to third parties and any type of customs procedures under the terms and conditions required by the General Customs Law – Legislative Decree 1053 and its regulations.
<table>
<thead>
<tr>
<th><strong>Indicator 5.1.2</strong></th>
<th><strong>For natural forests, plantations, and agroforestry systems:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The individuals or legal entities engaged in export trade have the documentation required by the agency in charge of export activities.</td>
<td><strong>Verifier 5.1.2.1:</strong> A copy of the voucher evidencing a transfer of goods to a client domiciled abroad that is indicated in the Vouchers Regulations, such as invoices, air waybills, and bills of loading by air and sea transportation and freight forwarding. <strong>Verifier 5.1.2.2:</strong> A document evidencing the order for the customs agent: a copy of the shipping document duly endorsed or by special proxy.</td>
</tr>
<tr>
<td><strong>Note:</strong> Depending on the type of goods, Customs may ask for other documentation required for their export.</td>
<td></td>
</tr>
</tbody>
</table>

**Legal References:**
- General Customs Law – Legislative Decree Nº 1053.
- Regulations for General Customs Law – Executive Decree Nº 010-2009-EF.
- Vouchers Regulations – Superintendency Resolution Nº 007-99/SUNAT.
- Single Revised Text of Administrative Procedures of the National Superintendency of Customs and Tax Administration (SUNAT) – Superintendency Resolution Nº 192-2015/SUNAT.
- Definitive Export Procedure INTA-PG.02 (version 6) – Resolution of National Deputy Customs Superintendency Nº 137-2009/SUNAT/A.
<table>
<thead>
<tr>
<th><strong>Criterion 5.2:</strong> The company engaged in import and export activities must give clear evidence of official documents for timber products in accordance with current laws and regulations.</th>
<th><strong>Guidance Notes/Verifier</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Indicator 5.2.1:</strong> There is documentation that demonstrates the legality of the source of the timber forest products.</td>
<td><strong>For natural forests, plantations, and agroforestry systems:</strong></td>
</tr>
<tr>
<td><strong>Verifier 5.2.1.1:</strong> Verify that individuals or legal entities exporting timber forest products submit the following:</td>
<td></td>
</tr>
<tr>
<td>a. Forestry transportation guides, issued by the titleholder of the permit, the regent, or the ARFFS, as the case may be (see Indicator 3.2.2).</td>
<td></td>
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<tr>
<td>b. Authorizations for scientific purposes issued by the ARFFS.</td>
<td></td>
</tr>
<tr>
<td>c. Shipping documents issued by the ARFFS. Only applicable to timber forest products of exotic species introduced and registered from plantations.</td>
<td></td>
</tr>
<tr>
<td>d. Imports or re-exports documentation issued by SUNAT.</td>
<td></td>
</tr>
<tr>
<td><strong>Verifier 5.2.1.2:</strong> Verify that the individuals or legal entities exporting the goods have a document evidencing the possession of the product, such as a voucher, invoice, etc., as the case may be.</td>
<td></td>
</tr>
<tr>
<td><strong>Verifier 5.2.1.3:</strong> Verify that the documents certifying the legality of the timber forest are supported by the systematized information found in the National System of Forestry and Wild Fauna Information (SNIFFS).</td>
<td></td>
</tr>
<tr>
<td><strong>Verifier 5.2.1.4:</strong> Verify that the documentation submitted contains an informative...</td>
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68 The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.

69 This system is still being processed by SERFOR.
<table>
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<tr>
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</table>
| Indicator 5.2.2: The individuals or legal entities exporting timber forest products have the SERFOR license. | Legal References:  
- Forest and Wild Fauna Law – Law Nº 29763.  
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.  
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.  
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI. |
| For natural forest, plantations, and agroforestry systems:  
Verifier 5.2.2: Verify that the individuals or legal entities engaged in exporting activities have the export license issued by SERFOR. | Legal References:  
- Forest and Wild Fauna Law – Law Nº 29763.  
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.  
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.  
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI. |
| Criterion 5.3: Timber products are subject to the terms and conditions in accordance with current laws and regulations. |  
Indicator 5.3.1: Timber forest products to be exported are not part of administrative or legal proceedings filed due to offenses to forestry or criminal legislation.  
For natural forest, plantations, and agroforestry systems:  
Verifier 5.3.1.1: Verify in the Geographical Information System of Forestry Supervisions (SISFOR) whether the authorization certificate has been supervised. Go to: |
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<tr>
<th>Indicator</th>
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<tr>
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<td><a href="http://sisfor.osinfor.gob.pe/visor/">http://sisfor.osinfor.gob.pe/visor/</a></td>
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</table>

**Verifier 5.3.1.2:** Verify in the Management Information System of OSINFOR (SIGO) the results of supervision and inspection procedures and the recording of the forestry transportation license of both the authorization certificate and the respective Operational Plan (PO). Go to: [http://www.osinfor.gob.pe/sigo/](http://www.osinfor.gob.pe/sigo/)

**Verifier 5.3.1.3:** In the case of CITES species, verify that no reports to the forestry are found either in supervision reports issued by the Regional Governments and SERFOR or in the post-harvest report of OSINFOR.

**Legal References:**
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.
- Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.
- Organization and Functions Regulations of the Supervisory Agency for Forest and Wild Fauna Resources (OSINFOR) – Executive Decree Nº 029-2017-PCM.
- Regulations for the Supervision of Forest and Wild Fauna Resources and Directive of Supervision of Timber Authorization Certificate of OSINFOR – Presidential Resolution Nº 063-2016-OSINFOR.
- Regulations for the Geographical Information System Management of Forest and Wild Fauna Supervisions – SISFOR – Presidential Resolution Nº 079-2016-OSINFOR.
<table>
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<tr>
<th><strong>Indicator</strong></th>
<th><strong>Guidance Notes/Verifier</strong></th>
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</table>
| **Indicator 5.3.2:** Timber forest products to be exported meet the conditions required by the importing country. | **For natural forests, plantations, and agroforestry systems:**

**Verifier 5.3.2.1:** Verify the sanitary requirement for the export of products of plant origin at the website of the National Agricultural Health Service (SENASA). Go to:

[https://servicios.senasa.gob.pe/consultaRequisitos/consultarRequisitos.action](https://servicios.senasa.gob.pe/consultaRequisitos/consultarRequisitos.action)

**Verifier 5.3.2.2:** Verify that the “Phytosanitary Certificate” issued by SENASA is available.

**Verifier 5.3.2.3:** Verify that the “Certificate of Origin” issued by the Chamber of Commerce of Lima is available according to the importing country requirements.

**Legal References:**

- [Forest and Wild Fauna Law – Law Nº 29763](https://example.com).
- [Regulations for Organization and Functions of the Ministry – Executive Decree Nº 005-2002-MINCETUR](https://example.com).
- [Regulations for Plant Quarantine – Executive Decree Nº 032-2003-AG](https://example.com).

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70. Through the Single Window for Foreign Trade (VUCE), the transit and entry/exit procedures of the goods from national territory can be accomplished electronically. In this Window ([http://www.vuce.gob.pe](http://www.vuce.gob.pe)), the Phytosanitary Certificate and the Certificate of Origin can be processed.

71. The Phytosanitary Certificate is an official document issued by SENASA after a favorable decision of phytosanitary inspection, certifying that the vegetal products meet the requirements established by the National Organization of Phytosanitary Protection of the importing country or final destination.

72. The Certificate of Origin is a commercial document intended to attest to and guarantee the origin of exported goods, allowing them access to the tariff preferences or reductions granted by particular countries within the framework of international business treaties or agreements, as well as preferential regimes.
<table>
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</thead>
<tbody>
<tr>
<td><strong>5.3.3:</strong> In the case of export of forest products included in CITES, there are special verification procedures of the timber legal source.</td>
<td></td>
</tr>
<tr>
<td><strong>Verifier 5.3.3.1:</strong> Verify that the individual or legal entity exporting the goods holds an “export license” issued by SERFOR.</td>
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</tr>
<tr>
<td><strong>Verifier 5.3.3.2:</strong> Verify reports of the ARFFS and SERFOR, and the post-harvest report of OSINFOR.</td>
<td></td>
</tr>
<tr>
<td><strong>Verifier 5.3.3.3:</strong> Verify that timber forest products to be exported have been included in the current export quota.</td>
<td></td>
</tr>
</tbody>
</table>

**Legal References:**
- **Forest and Wild Fauna Law – Law N° 29763.**
- **Regulations for the implementation of the Convention on International Trade in**

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73 The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.
Indicator | Guidance Notes/Verifier
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**PRINCIPLE 6: ENVIRONMENTAL REGULATIONS**

**Criterion 6.1:** The state and the company carried out Environmental Impact Assessments and other evaluations required within the laws and regulations.

**Indicator 6.1.1:** The forest management encompassing a natural protected area or its buffer zone has specific requirements and evaluations.

**For natural forests:**

**Verifier 6.1.1.1:** Verify that the timber forest harvesting within natural protected areas and buffer zones complies with the legal requirements and evaluations.
<table>
<thead>
<tr>
<th><strong>Indicator</strong></th>
<th><strong>Guidance Notes/Verifier</strong></th>
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</thead>
<tbody>
<tr>
<td>areas complies with the following characteristics:</td>
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<tr>
<td>- Rarely, timber forest harvesting is allowed in natural protected areas of direct use and outside the scope of primary forests.</td>
<td></td>
</tr>
<tr>
<td>- It is conducted by the local population settled long before the establishment of the natural protected area.</td>
<td></td>
</tr>
<tr>
<td>- It relies on a management plan approved by the National Service of Natural Protected Areas by the State (SERNANP).</td>
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</tr>
<tr>
<td>- It takes place in areas of special use (according to the categorization of the natural protected area).</td>
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<tr>
<td>- The master plan of the natural protected area allows it.</td>
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</tr>
<tr>
<td>- It has the SERNANP authorization through the signing of an agreement for the use of renewable natural resources in the natural protected areas by SERNANP.</td>
<td></td>
</tr>
</tbody>
</table>

**Verifier 6.1.1.2:** Verify that the granting of an authorization certificate in the area totally or partially included in buffer zones is supported by the previous favorable opinion of SERNANP. This opinion is required when SERNANP has not taken part in the forest zoning program or if it has not been accomplished.

**Verifier 6.1.1.3:** Verify that the forest and wild fauna management plans in concessions and other management areas located in buffer zones include special considerations as determined by SERFOR in coordination with SERNANP.

**Legal References:**
- Law of Natural Protected Areas – Law Nº 26834.
- Regulations for the Law of Natural Protected Areas – Executive Decree Nº 038-2001-AG.
- Single Text of Administrative Procedures of SERNANP – Executive Decree Nº 002-2012-MINAM.

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The Protected Natural Areas of direct use are as follows: (i) National Reserves, (ii) Landscape Reserves, (iii) Wild Life Shelters, (iv) Community Reserves, (v) Protection Forests, and (vi) Hunting Areas.
### Indicator 6.1.2:

The Forest Management Plan contains the level of environmental impact study consistent with the scale and intensity of the operations.

### For natural forests and agroforestry systems:

**Verifier 6.1.2.1:** In the respective Forest Management Plan, titleholders of authorization certificates assess potential environmental impact as a result of the implementation or development of their forest activities.

**Verifier 6.1.2.2:** The Forest Management Plans of forest concessions rely on an Environmental Management Plan including (i) a preventive-corrective action plan, (ii) an environmental surveillance and follow-up plan, and (iii) an environmental contingency plan.

### Legal References:

- **Forest and Wild Fauna Law – Law N° 29763.**
- **Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.**
- **Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.**
- **Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE.**
- **Guidelines for the formulation of the General Forest Management Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.**
- **Guidelines for the preparation of the Management Declaration for forest...**
<table>
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<tr>
<th><strong>Indicator</strong></th>
<th><strong>Guidance Notes/Verifier</strong></th>
</tr>
</thead>
</table>
| **6.1.3:** Environmental impact from forest plantations are analyzed and assessed. | **For plantations:**

**Verifier 6.1.3.1:** The assessment project classification is carried out by the General Direction of Agricultural-Environmental Issues of the Ministry of Agriculture and Irrigation according to the impact of the project:
- For Category I: Statement of Environmental Impact I (DIA) for minor negative impacts.
- For Category II: Semi-detailed Environmental Impact Study (EIA-sd) for mild negative impacts.
- For Category III: Detailed Environmental Impact Study (EIA-d) for major negative impacts.⁷⁵

**Verifier 6.1.3.2:** Preliminary Environmental Assessment – EVAP (for Category I) and Terms of Reference to prepare environmental management instruments (for Categories II and II). Both documents are attached to the application of project assessment classification.

**Verifier 6.1.3.3:** Directorial Resolution of Agricultural-Environmental Issues of the Ministry of Agriculture and Irrigations approval of the Environmental Impact Study

⁷⁵ In the future the EIA-d will be assessed by SENACE or National Service of Environmental Certification for Sustainable Investments, as the function transfer process of sectors is being implemented.
<table>
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<th><strong>Indicator</strong></th>
<th><strong>Guidance Notes/Verifier</strong></th>
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<tr>
<td></td>
<td>and granting the environmental certification of the project.(^{76})</td>
</tr>
</tbody>
</table>

**Verifier 6.1.3.4:** Environmental Management Strategy includes, among others, the Environmental Management Plan, monitoring plan, and contingency plan. This strategy is part of the Environmental Impact Study.

**Legal References:**
- Forest and Wild Fauna Law – Law N° 29763.
- Regulations for the National System of Environmental Impact Assessment Law – Executive Decree N° 019-2009-MINAM.
- Environmental Management of the Agricultural Sector Regulations – Executive Decree N° 019-2012-AG.
- Single Text of Administrative Procedures of the Ministry of Agriculture and Irrigation – Executive Decree N° 016-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.

<table>
<thead>
<tr>
<th><strong>Indicator 6.1.4:</strong></th>
<th>The National Water Authority (ANA) conducts specific evaluations when the use of water resources is foreseen during forest activities.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>For natural forest, plantations, and agroforestry systems:</strong></td>
<td><strong>Verifier 6.1.4.1:</strong> Verify that the use of water resources throughout the activities has been anticipated.</td>
</tr>
<tr>
<td></td>
<td><strong>Verifier 6.1.4.2:</strong> Verify that the granting of the authorization certificate planned to make use of water resources is supported with the previous favorable opinion of ANA.</td>
</tr>
</tbody>
</table>

\(^{76}\) Certify that the proposed project has met, in its form and substance, the requirements established within the framework of SEIA or National System of Environmental Assessment. Likewise, the environmental certification describes the duties the titleholder must perform to prevent, mitigate, compensate, correct, and deal with negative impacts generated.
<table>
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<th><strong>Indicator</strong></th>
<th><strong>Guidance Notes/Verifier</strong></th>
</tr>
</thead>
</table>
| **Indicator 6.1.5:** Individuals or legal entities with an authorization certificate must submit reports on the implementation of activities conducted within the framework of Forest Management Plans. | **Verifier 6.1.5.1:** The Forest Execution Report submitted to the ARFFS 77 and OSINFOR within 45 calendar days after the operational year has concluded is signed by the titleholder of the authorization certificate and the regent, as the case may be. Should the execution report include species considered in the CITES appendices, the ARFFS must send a copy to SERFOR (within 15 business days). The execution reports are classified into:  
- Annual execution reports presented at the end of the operational year on the basis of the management plan approved.  
- Final execution reports presented by the expiration of the management plan. |
| **Verifier 6.1.4.3:** Surface or underground water use license granted by ANA. | **Legal References:**  
- Forest and Wild Fauna Law – Law Nº 29763.  
- Regulations of Law on Water Resources – Executive Decree Nº 001-2010-AG.  
- Single Text of Administrative Procedures of the National Water Authority (ANA) – Executive Decree Nº 012-2010-AG.  
- Regulations for Administrative Procedures for the Granting of Water Use Rights and Works Execution Authorization in Water Natural Sources – Presidential Resolution Nº 007-2015-ANA. |

The Forestry and Wild Fauna Regional Authorities (ARFFSs) in the regions in which forestry functions have already being transferred to Regional Governments are as follows: Amazonas (Forest and Wild Fauna Direction), Ayacucho (Forest and Wild Fauna Direction), Huánuco (Agriculture Regional Direction), La Libertad (Agriculture Regional Management), Loreto (Forest and Wild Fauna Direction), Madre de Dios (Forest and Wild Fauna Regional Direction), San Martín (Executive Direction of Management and Conservation of Natural Resources), Tumbes (Forest and Wild Fauna Direction), and Ucayali (Forest and Wild Fauna Direction). In the regions where forestry functions have not yet been transferred to Regional Governments (Ancash, Apurímac, Arequipa, Cajamarca, Callao, Cusco, Huancavelica, Ica, Junín, Lambayeque, Lima, Moquegua, Pasco, Piura, Puno, and Tacna) the ARFFSs are the Forest and Wild Fauna Technical Administrations (ATFFSs), which report to SERFOR.
<table>
<thead>
<tr>
<th>Indicator 6.1.6: The government monitors compliance with the environmental obligations assumed by the titleholders of the authorization certificate within the framework of Forest Management Plans.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal References:</td>
</tr>
<tr>
<td>- Forest and Wild Fauna Law – Law Nº 29763.</td>
</tr>
<tr>
<td>- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.</td>
</tr>
<tr>
<td>- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.</td>
</tr>
<tr>
<td>- Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.</td>
</tr>
<tr>
<td>- Organization and Functions Regulations of the Supervisory Agency for Forest and Wild Fauna Resources (OSINFOR) – Executive Decree Nº 029-2017-PCM.</td>
</tr>
</tbody>
</table>

**Verifier 6.1.6.1:** Supervision report issued by OSINFOR with the findings of the performance of obligations of the authorization certificate and the implementation of the management plan. OSINFOR conducts its supervisions ex officio (as planned) and in a motivational manner (due to a complaint by or petition of another state’s agency).

**Verifier 6.1.6.2:** The five-year audit report conducted by OSINFOR. Voluntary forest certification is considered as a five-year audit provided that it is still in force and the titleholder has not committed any serious or very serious offenses according to OSINFOR’s report.

*Note: The five-year audit is only conducted in native communities and peasant communities with a large-scale authorization certificate.*
Criterion 6.2: The state and the company adopt mitigation measures on negative environmental parameters in accordance with laws and regulations.

<table>
<thead>
<tr>
<th>Indicator 6.2.1:</th>
<th>Mitigation measures of negative environmental impacts generated by forest activities are established.</th>
<th>Verifier 6.2.1: In the respective Forest Management Plans, titleholders of authorization certificates define the actions to be implemented in order to mitigate and prevent environmental impacts caused by forest activity. Verify that the Forest Management Plan has the following information:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>For natural forests:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A. In forest concessions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Prevention and mitigation measures: Measures contributing to reduce negative impacts of management activities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Environmental impact analysis: Determine cause-effect interactions of each PGMF’s activities.</td>
<td></td>
<td></td>
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<tr>
<td>- Environmental Management Plan: Actions that must be executed to obtain</td>
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</tbody>
</table>
and maintain the PGMF’s environmental viability will include (i) a preventive-corrective action plan, (ii) an environmental surveillance and follow-up plan, and (iii) an environmental contingency plan.

### B. In local forests
- Identification and characterization of negative environmental impacts, and prevention and mitigation measures for environmental impacts caused by the activity, including solid waste management.

### C. Forest permit in private lands
- Identification and characterization of negative environmental impacts, and prevention and mitigation measures for environmental impacts caused by the activity, including solid waste management.

### D. In forests of native and peasant communities
#### a. In Intermediate Forest Management Plans (PMFIs)
- Identify environmental impacts generated by the implementation or development of harvesting activities needed in the area.
- Identify actions oriented to reducing impacts.

#### b. In Management Declarations (DEMAs)
- Identify negative impacts and mitigation measures.

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78 Guidelines for the preparation of management plans in local forest have not yet been approved by SERFOR. This matrix collects information on the Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.

79 Guidelines for the preparation of management plans in private lands have not yet been approved by SERFOR. This matrix collects information on the Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.

80 To date, only the guidelines for the preparation of PMF at the intermediate and low levels (reduced scale) have been approved for the ecoregions of the upper and lower rainforest.

81 Prevention and mitigation measures, including solid waste management, are pre-established in the form, so it will be sufficient that the user read carefully its content and sign the form or put forward proposals he/she considers pertinent. See “Guidelines on the preparation of the Management Declaration for forest use permits in native and peasant communities” – Executive Directorate Resolution N° 065-2016-SERFOR-DE.
<table>
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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<tbody>
<tr>
<td><strong>For plantations and agroforestry systems in public lands:</strong>&lt;sup&gt;82&lt;/sup&gt;</td>
<td></td>
</tr>
</tbody>
</table>
| **A. Concessions for forest plantations**<sup>83</sup> | - Application for preliminary assessment classification conducted by the General Direction of Agricultural Environmental Issues of the Ministry of Agriculture according to the project impact.  
- Environmental certification issued by the Ministry of Agriculture.<sup>84</sup> |
| **B. Assignment for use agreements for agroforestry systems**<sup>85</sup> | - Anticipated identification of negative environmental impacts and prevention strategies.<sup>86</sup> |
| **Legal References:** | - *Forest and Wild Fauna Law – Law Nº 29763.* |

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<sup>82</sup> The establishment, management, and harvesting of forest plantations – including those established in agroforestry systems, private lands – be it of native or exotic species, do not require authorization of the forestry and wild fauna authority or the submission of the management plan.

<sup>83</sup> Guidelines for the preparation of management plans in concessions for forest plantations have not yet been approved by SERFOR. This matrix gathers information on the Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI and the rules of the National System of Environmental Impact Assessment (SEIA).

<sup>84</sup> Resolution issued by the Ministry of Agriculture whereby the environmental management instrument (DIA, EIA-sd, EIA-d) is approved, certifying that the project has complied, in form and substance, with the requirements within the framework of the National System of Environmental Assessment. Likewise, the environmental certification establishes the obligations the titleholder must fulfill to prevent, mitigate, correct, compensate for, and deal with negative impacts generated.

<sup>85</sup> According to Section 63 of the Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI, the management and use of agroforestry systems, through assignment for use agreements, do not require a management plan, except when harvesting of natural forests and secondary forests belonging to a management unit is required. In this case, a DEMA must be submitted. Such management document does not require signature by a regent. Likewise, a Management Declaration is not necessary for the purpose of establishing and harvesting forest plantations established in agroforestry systems. Notwithstanding the foregoing, such forest plantations must be registered with the National Registry of Forestry Plantations for its harvesting and mobilization.

<sup>86</sup> Prevention and mitigation measures, including solid waste management, are pre-established in the form, so it will be sufficient that the user read carefully its content and sign the form or put forward proposals as he/she considers pertinent. See guidelines on the awarding of the Management Declaration for forest use permits in native and peasant communities – Executive Directorate Resolution N° 081-2017-SERFOR-DE.
<table>
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<tr>
<th><strong>Indicator</strong></th>
<th><strong>Guidance Notes/Verifier</strong></th>
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<tbody>
<tr>
<td>• Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.</td>
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</tr>
<tr>
<td>• Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.</td>
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<tr>
<td>• Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.</td>
<td></td>
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<tr>
<td>• National System of Environmental Impact Assessment Law – Law N° 27446.</td>
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</tr>
<tr>
<td>• Regulations for the National System of Environmental Impact Assessment Law – Executive Decree N° 019-2009-MINAM.</td>
<td></td>
</tr>
<tr>
<td>• Environmental Management of the Agricultural Sector Regulations – Executive Decree N° 019-2012-AG.</td>
<td></td>
</tr>
<tr>
<td>• Single Text of Administrative Procedures of Ministry of Agriculture and Irrigation – Executive Decree N° 016-2015-MINAGRI.</td>
<td></td>
</tr>
<tr>
<td>• Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE.</td>
<td></td>
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<tr>
<td>• Guidelines for the formulation of the General Forest Management Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>• Guidelines for the preparation of the Management Declaration for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>• Guidelines for the preparation of the Intermediate Forest Management Plan for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 086-2016-SERFOR-DE.</td>
<td></td>
</tr>
<tr>
<td>• Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution N° 116-2016-DE.</td>
<td></td>
</tr>
<tr>
<td>• Guidelines for granting assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 081-2017-SERFOR-DE.</td>
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</tr>
</tbody>
</table>
**Indicator 6.2.2:** The implementation of activities to mitigate environmental impacts of forest plantations is monitored.

**Guidance Notes/Verifier**

**For plantations:**

**Verifier 6.2.2.1:** Verify that the Environmental Monitoring Reports (IMA) that are prepared in compliance with the Monitoring Program and are part of the Environmental Impact Study approved have been submitted to the General Direction of Agricultural Environmental Issues of the Ministry of Agriculture and Irrigation.

**Verifier 6.2.2.2:** The company has not been sanctioned by the General Direction of Agricultural Environmental Issues of the Ministry of Agriculture and Irrigation due to noncompliance with the legislation and/or environmental commitments contained in the environmental management instruments.

*Note: The absence of sanctions imposed by the General Direction of Agricultural Environmental Issues of the Ministry of Agriculture and Irrigation may be verified through an access request to public information.*

**Legal References:**

- Forest and Wild Fauna Law – Law Nº 29763.
- Regulations of the National System of Environmental Impact Assessment – Executive Decree Nº 019-2009-MINAM.
- Environmental Management of the Agricultural Sector Regulations – Executive Decree Nº 019-2012-AG.
- Single Text of Administrative Procedures of the Ministry of Agriculture and Irrigation – Executive Decree Nº 016-2015-MINAGRI.
- Environmental Offences and Sanctions of the Agricultural Sector Regulations –

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87 The IMA is a mandatory report to be submitted to DGAAA. The IMA may be required to report on risks to or impacts on the environment and renewable natural resources that are being generated, as well as to follow up on DIA, EIA-sd, EIA-d, or PAMA approval by the relevant environmental authority.

88 MINAGRI has not yet implemented the Record of Good Practices and Environmental Offenders of the Agricultural Sector in charge of DGAAA. This record was created through Executive Decree Nº 017-2012-AG.
<table>
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</thead>
<tbody>
<tr>
<td>Indicator 6.2.3:</td>
<td>The titleholder of the authorization certificate supports the ARFFS in the surveillance actions to avoid the illegal extraction of natural resources and other actions affecting the integrity of the Forest Management Unit.</td>
</tr>
<tr>
<td>For natural forest, plantations, and agroforestry systems:</td>
<td>Verifier 6.2.3.1: Certificate of assistance to training sessions on forest legislation issued by the ARFFS.</td>
</tr>
<tr>
<td></td>
<td>Verifier 6.2.3.2: Accreditation as forest and wild fauna warden by the ARFFS.</td>
</tr>
<tr>
<td>Legal References:</td>
<td>* Forest and Wild Fauna Law – Law Nº 29763.</td>
</tr>
<tr>
<td></td>
<td>* Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.</td>
</tr>
<tr>
<td></td>
<td>* Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.</td>
</tr>
<tr>
<td></td>
<td>* Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.</td>
</tr>
<tr>
<td>Indicator 6.2.4:</td>
<td>In forest plantations and agroforestry systems, only pesticides listed in the Record of Agricultural Pesticides managed by the National Service of Agrarian Health (SENASA) are used.</td>
</tr>
<tr>
<td>For plantations and agroforestry systems:</td>
<td>Verifier 6.2.4.1: Absence of sanctions imposed by SENASA because of the use of prohibited pesticides.</td>
</tr>
<tr>
<td>Note: The absence of sanctions imposed by SENASA may be verified through an access request to public information.</td>
<td></td>
</tr>
<tr>
<td>Legal References:</td>
<td>* General Agrarian Health Law – Legislative Decree Nº 1059.</td>
</tr>
<tr>
<td></td>
<td>* Regulations of Organization and Functions of the National Service of Agrarian Health – Legislative Decree Nº 005-2009-MINAGRI.</td>
</tr>
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<td>Indicator</td>
<td>Guidance Notes/Verifier</td>
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<tr>
<td>Indicator</td>
<td><strong>Health (SENASA) – Executive Decree No. 008-2005-AG.</strong></td>
</tr>
<tr>
<td>Indicator</td>
<td><strong>- Regulations of the National System of Agricultural Pesticides – Executive Decree No. 001-2015-MINAGRI.</strong></td>
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</tbody>
</table>

### PRINCIPLE 7: CONSERVATION REGULATIONS

**Criterion 7.1:** The government and the company conduct the conservation assessment according to the existing laws and regulations.


**For natural forests:**

**Verifier 7.1.1.1:** Verify that the PMF includes the following information:

- **A. In forest concessions**
  - The General Forest Management Plan (PGMF[^9]) includes an Environmental Management Plan, which proposes mitigation measures to cope with the impacts on the flora, fauna, water, and soil in the pre-use, use, and post-use stages. Said management plan should include:
    - Preventive and Corrective Action Plan
    - Environmental Monitoring and Follow-up Plan
    - Environmental Contingency Plan

- **B. In the forests of native and peasant communities[^90]**
  - In Intermediate Forest Management Plans (PMFIs): The Forest Management Plan includes an Environmental Assessment chapter that identifies the impacts on the flora, fauna, water, and soil caused by forest activities at various stages. Preventive and corrective actions, as well as follow-up and monitoring actions, should be detailed in this chapter.

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The PGMF is formulated when the use level of timber forest products is high based on the following aspects: (i) there is high-intensity harvesting, and (ii) there is high-level mechanization on a continuous basis.

[^9]: To date, the guidelines for the development of intermediate-level and low-level PMFs for the upper rainforest and lower rainforest ecoregions have been approved.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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<tbody>
<tr>
<td>- In Management Declarations (DEMAs): A DEMA has a pre-set general list</td>
<td>of negative environmental impacts and mitigation measures.</td>
</tr>
<tr>
<td>E. In local forest management contracts</td>
<td>It is possible to use the following approved guidelines as references in local</td>
</tr>
<tr>
<td></td>
<td>forests: guidelines approved for DEMAs on timber forest products in native and</td>
</tr>
<tr>
<td></td>
<td>peasant communities, guidelines approved for PMFIs on timber forest products in</td>
</tr>
<tr>
<td></td>
<td>native and peasant communities, and guidelines for PGMFs and POs in timber</td>
</tr>
<tr>
<td></td>
<td>forest concessions.</td>
</tr>
<tr>
<td>F. Forest permits in private lands</td>
<td>No guidelines for the development of management plans for natural forests in</td>
</tr>
<tr>
<td></td>
<td>private lands have been approved by SERFOR.</td>
</tr>
</tbody>
</table>

**For plantations and agroforestry systems in public lands:**

Verifier 7.1.1.2: Verify that the PMF includes the following information:

**A. Concessions for forest plantations**

No guidelines for the development of management plans for forest plantation concessions have been approved by SERFOR.

**B. Assignment for use agreements for agroforestry systems**

- A DEMA has a pre-set general list of negative environmental impacts and mitigation measures.

**Legal References:**

- Forest and Wild Fauna Law – Law N° 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.
- Guidelines for the preparation of Management Declarations in assignment for
<table>
<thead>
<tr>
<th>Indicator 7.1.2: The government monitors the fulfillment of conservation obligations undertaken by titleholders of authorization certificates within the framework of Forest Management Plans.</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
<tbody>
<tr>
<td>use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE.</td>
<td><strong>For plantations, natural forests, and agroforestry systems:</strong></td>
</tr>
<tr>
<td>Guidelines for the formulation of the General Forest Management Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.</td>
<td><strong>Verifier 7.1.2.1:</strong> Monitoring report issued by OSINFOR, which includes the findings on the fulfillment of obligations under the authorization certificate and the implementation of the management plan. OSINFOR can conduct monitoring activities before, during, and after harvesting; such activities can be either official (consistent with the approved planning) or motivated by a request or a complaint from another government body.</td>
</tr>
<tr>
<td>Guidelines for the formulation of an Operational Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.</td>
<td><strong>Verifier 7.1.2.2:</strong> Audit report conducted every five years by OSINFOR. A Voluntary Forest Certification has the merit of a five-year audit whenever it is valid and its holder has not committed any serious or very serious offense, according to the OSINFOR report.</td>
</tr>
<tr>
<td>Guidelines for the preparation of Management Declarations for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE.</td>
<td><strong>Note:</strong> The five-year audit applies only to native and peasant communities that have</td>
</tr>
</tbody>
</table>
| Guidelines for the preparation of the Intermediate Forest Management Plan for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 086-2016-SERFOR-DE. | }
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Indicator 7.1.3:</strong></td>
<td>The Forest Management Plan includes information associated with biological aspects of the Forest Management Unit (UMF).</td>
</tr>
<tr>
<td><strong>For natural forests:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Verifier 7.1.3:</strong></td>
<td>Verify that the Forest Management Plan includes the following information:</td>
</tr>
<tr>
<td><strong>A. In forest concessions</strong></td>
<td></td>
</tr>
<tr>
<td>- Species identified in the concession.</td>
<td></td>
</tr>
<tr>
<td>- A list with the common and scientific names of each species that indicates the level of threat their populations face, according to the official list (including species on the CITES Appendix).</td>
<td></td>
</tr>
<tr>
<td>- Identification of habitats, nesting areas, or important areas for wild fauna located within the concession area; their specific locations should be recorded in UTM coordinates.</td>
<td></td>
</tr>
</tbody>
</table>

**Legal References:**
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.
- Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.
- Organization and Functions Regulations of the Supervisory Agency for Forest and Wild Fauna Resources (OSINFOR) – Executive Decree Nº 029-2017-PCM.
- Supervision Manual for Timber Forest Concessions – Presidential Resolution Nº 006-2013-OSINFOR.
- Regulations for the Supervision of Forestry and Wild Fauna Resources and Supervision Policies for OSINFOR Timber Forest Authorization Certificates – Presidential Resolution Nº 063-2016-OSINFOR.

- Verifier 7.1.3: Verify that the Forest Management Plan includes the following information:
  - **A. In forest concessions**
    - Species identified in the concession.
    - A list with the common and scientific names of each species that indicates the level of threat their populations face, according to the official list (including species on the CITES Appendix).
    - Identification of habitats, nesting areas, or important areas for wild fauna located within the concession area; their specific locations should be recorded in UTM coordinates.
<table>
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</thead>
<tbody>
<tr>
<td><strong>B. Forest permits in private lands</strong>&lt;br&gt;No guidelines for the development of management plans in private lands have been approved by SERFOR.</td>
<td></td>
</tr>
<tr>
<td><strong>C. In the forests of native and peasant communities</strong>&lt;br&gt;a. In Intermediate Forest Management Plans (PMFIs)&lt;br&gt; - Information associated with wild fauna present in the UMF: common name, native name, scientific name, level of threat, CITES Appendix, and notes (if any).&lt;br&gt; - Information on types of forest.&lt;br&gt;b. In Management Declarations (DEMAs)&lt;br&gt; <em>This information is not required.</em></td>
<td></td>
</tr>
<tr>
<td><strong>For plantations and agroforestry systems in public lands:</strong>&lt;br&gt;A. Concessions for forest plantations&lt;br&gt;<em>No guidelines for the development of management plans for forest plantation concessions have been approved by SERFOR.</em>&lt;br&gt;B. Assignment for use agreements for agroforestry systems&lt;br&gt; - General description of the existing vegetation.&lt;br&gt; - Recognition of fauna species identified in the requested area.</td>
<td></td>
</tr>
<tr>
<td><strong>Legal References:</strong>&lt;br&gt; - <a href="#">Forest and Wild Fauna Law – Law Nº 29763.</a>&lt;br&gt; - <a href="#">Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.</a></td>
<td></td>
</tr>
</tbody>
</table>

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91 To date, the guidelines for the development of intermediate-level and low-level PMFs for the upper rainforest and lower rainforest ecoregions have been approved.

92 Forest plantation establishment, management, and harvesting activities, including those conducted in agroforestry systems or privately owned lands, or with either native or exotic species, do not require authorization of the forestry and wild fauna authority, or submission of a management plan.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
</table>
| 7.1.4:    | • Wild Fauna Management Regulations, Executive Decree N° 019-2015-MINAGRI.  
            • Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.  
            • Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.  
            • Executive decree approving the updating of the classification and categorization list of legally protected and endangered wild fauna species – Executive Decree N° 004-2014-MINAGRI.  
            • Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE.  
            • Guidelines for the formulation of the General Forest Management Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.  
            • Guidelines for the preparation of Management Declarations for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE.  
            • Guidelines for the preparation of the Intermediate Forest Management Plan for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 086-2016-SERFOR-DE.  
            • Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution N° 116-2016-DE. |

**Indicator 7.1.4:** Afforestation and reforestation companies conduct scientific studies before the introduction of live specimens of exotic species in wildlife habitats.

**Verifier 7.1.4.1:** Previous scientific studies on the species’ behavior that show no or low-level risk of genetic pollution and ecological impacts.  

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93 In coordination with the MINAM, SERFOR should develop guidelines for the studies required prior to the introduction of live specimens of exotic species in wildlife habitats.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.1.4.2</td>
<td>Permit issued by SERFOR for the introduction of exotic specimens in forest plantations.</td>
</tr>
</tbody>
</table>

**Legal References:**
- [Law on Prevention of Risks Arising from the Use of Biotechnology – Act Nº 27104](#).  
- [Forest and Wild Fauna Law – Law Nº 29763](#).  
- [Law Establishing a Moratorium on the Inflow and Production of Living Modified Organisms in the National Territory for a Period of 10 Years – Law Nº 29811](#).  
- [Regulations Corresponding to the Law on Prevention of Risks Arising from the Use of Biotechnology – Executive Decree Nº 108-2002-PCM](#).  
- [Regulations Corresponding to the Law Establishing a Moratorium on the Inflow and Production of Living Modified Organisms in the National Territory for a Period of 10 years – Executive Decree Nº 008-2012-MINAM](#).  
- [Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI](#).  

<table>
<thead>
<tr>
<th>Indicator 7.1.5</th>
<th>Titleholders of authorization certificates identify and take action to protect species classified and categorized as endangered wild fauna species.</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.1.5.1</td>
<td>Titleholders of authorization certificates identify species classified and categorized as endangered wild fauna species as part of their PMFs.</td>
</tr>
<tr>
<td>7.1.5.2</td>
<td>Titleholders of authorization certificates who have identified endangered wild fauna species in their areas include special conservation actions for those species. To determine what conservation actions are to be taken for threatened species, the following criteria should be used: (a) extinction risk; (b) distribution (including restricted and endemic nature distributions); (c) high ecological value; (d) cultural, social, scientific, and economic value of a taxon over another; and (e) the probability of success of estimated conservation actions.</td>
</tr>
</tbody>
</table>
### Legal References:

- **Law on Animal Protection and Welfare** – Law Nº 30407.
- **Forest and Wild Fauna Law** – Law Nº 29763.
- **Executive decree approving the updating of the classification and categorization list of legally protected and endangered wild fauna species** – Executive Decree Nº 004-2014-MINAGRI.
- **Forest Management Regulations** – Executive Decree Nº 018-2015-MINAGRI.
- **Wild Fauna Management Regulations** – Executive Decree Nº 019-2015-MINAGRI.
- **Regulations for the Management of Forest Plantations and Agroforestry Systems** – Executive Decree Nº 020-2015-MINAGRI.
- **Forest and Wild Fauna Management Regulations in Native and Peasant Communities** – Executive Decree Nº 021-2015-MINAGRI.

### Criterion 7.2: The state and the company adopt mitigation measures on negative environmental parameters in accordance with laws and regulations.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indicator 7.2.1: There are entities responsible for promoting forest fire prevention.</td>
<td><strong>For plantations, natural forests, and agroforestry systems:</strong> <strong>Verifier 7.2.1.1:</strong> The Forest and Wild Fauna Management Committees (CGFFS) are formally recognized as such by the Regional Forest and Wild Fauna Authority (ARFFS) based on their representatives’ proposals, as well as on (at least) the parties involved and the area’s geographical characteristics.</td>
</tr>
</tbody>
</table>

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94 This provides a space for the civic involvement of forest users, local communities, producers, local governments, civil society representatives, and other public or private institutions that conduct activities within a given Forest and Wild Fauna Management Unit (UGFFS).
### Indicator 7.2.1: Each CGFFS implements actions aimed at preventing forest fires in a given Forest and Wild Fauna Management Unit (UGFFS).

**Verifier 7.2.1.2:**

The CGFFS implements actions aimed at preventing forest fires in a given Forest and Wild Fauna Management Unit (UGFFS).

### Legal References:

- **Forest and Wild Fauna Law – Law Nº 29763.**
- **Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.**
- **Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.**

### Indicator 7.2.2: The protection and/or conservation areas within a Forestry Management Unit are defined in the unit’s internal order.

**Verifier 7.2.2.1:**

The Forest Management Plans for authorization certificates define conservation areas within a Forest Management Unit based on criteria such as (i) areas where lagoons and wetlands are located; (ii) important areas for wild fauna; (iii) areas with significant presence of flora or plant associations of threatened species; and (iv) areas with plant formations that provide ecosystem services.

**Verifier 7.2.2.2:**

The Forest Management Plans for authorization certificates include protection measures for the Forest Management Units’ conservation areas.

**Verifier 7.2.2.3:**

The Forest Performance Report describes all activities conducted.

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95 UGFFSs are the regional, departmental, and territorial divisions for forest and wild fauna management, administration, and public control; they rest under the charge of the ARFFS.

96 One or more geographical areas under the same authorization certificate with clearly defined boundaries; they are managed based on a set of long-term goals, which are explicitly expressed in the management plan.
<table>
<thead>
<tr>
<th>Indicator 7.2.3:</th>
<th>The titleholder of the authorization certificate, forest regents, employees, members of native and peasant communities for the proper use of timber forest resources.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indicator 7.2.3:</td>
<td>The titleholder of the authorization certificate, forest regents, employees, members of native and peasant communities for the proper use of timber forest resources.</td>
</tr>
<tr>
<td><strong>For natural forests:</strong></td>
<td><strong>Verifier 7.2.3.1:</strong> Verify that the General Forest Management Plan includes a training plan. An Operational Plan (PO) for forest concessions describes the training activities to be developed during its implementation.</td>
</tr>
<tr>
<td><strong>Verifier 7.2.3.2:</strong></td>
<td>Authorization certificate holders have access to training programs as a reward for implementing comprehensive forest harvesting projects.</td>
</tr>
<tr>
<td><strong>Verifier 7.2.3.3:</strong></td>
<td>Forest regents have access to training courses promoted by SERFOR, the ARFFS, or other entities in order to improve their management capabilities.</td>
</tr>
</tbody>
</table>

**Legal References:**
- **Forest and Wild Fauna Law – Law Nº 29763.**
- **Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.**
- **Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.**
- **Guidelines for the formulation of the General Forest Management Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.**
- **Guidelines for the preparation of Management Declarations for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE.**
**Verifier 7.2.3.4:** Skill-building programs targeted to native and peasant communities, as well as to their representative organizations and support institutions. Their aim is to improve forest ecosystem and wild fauna management with a community forest management approach.

**Legal References:**
- [Forest and Wild Fauna Law – Law Nº 29763](#).
- [Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI](#).
- [Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI](#).
- [Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI](#).
- [Guidelines for the formulation of an Operational Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE](#).
<table>
<thead>
<tr>
<th><strong>Indicator</strong></th>
<th><strong>Guidance Notes/Verifier</strong></th>
</tr>
</thead>
</table>
| **Indicator 8.1.1:** The Forest Management Plan includes the local population in its formulation. | **For natural forests:**

**Verifier 8.1.1.1:** Verify that the General Forest Management Plan (PGMF) and the Operational Plan (PO) of the forest concession include:
- The opinion of villagers involved in the management area, as well as mechanisms for them to participate in its implementation (provision of labor or services).
- Mechanisms for citizen participation in the formulation of PGMF and PO.
- Community relationship plan (if applicable).

**Verifier 8.1.1.2:** Verify that the Intermediate Forest Management Plan (PMFI) of native and peasant communities is accompanied by the minutes signed by the members of the community, which must at least contain:
- The agreement for internal regulation.
- The community internal zoning.
- The decision to use the resource.
- The commitment to implement the PMFI.

**Verifier 8.1.1.3:** Verify that the Management Declaration (DEMA) of the native and peasant communities is accompanied by the minutes signed by the community members, which must at least contain:
- The agreement for internal regulation.
- The community internal zoning.
- The decision to use the resource.
- The commitment to implement the DEMA.

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97 This indicator does not include information on local forests, forest permits in private lands, and plantation concessions, since the guidelines for the formulation of Forest Management Plans of these authorization certificates have yet to be approved by SERFOR. However, the guidelines approved by the DEMA on timber forest products in native and peasant communities, the guidelines approved by the PMFI on timber forest products in native and peasant communities, and guidelines for the PGMF and PO in timber forest concessions can be used as a reference for local forests.
<table>
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Note 1: This information is not required for the Management Declaration (DEMA) of agroforestry systems.</td>
</tr>
<tr>
<td></td>
<td>Note 2: In local forests(^98) minutes must be signed by the local people who participated in the meetings and workshops.</td>
</tr>
</tbody>
</table>

**Legal References:**
- *Forest and Wild Fauna Law – Law Nº 29763.*
- *Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.*
- *Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.*
- *Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.*
- *Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE.*
- *Guidelines for the formulation of the General Forest Management Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.*
- *Guidelines for the formulation of an Operational Plan for timber forestry concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.*
- *Guidelines for the preparation of the Management Declaration for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE.*

\(^98\) Guidelines for the preparation of local Forest Management Plans have not yet been approved by SERFOR. This matrix gathers information from the guidelines for the establishment of local forests and conditions for their management – Resolution of Executive Direction N° 116-2016-SERFOR-DE. Nevertheless, the guidelines approved for the DEMA for timber products in native and peasant communities, guidelines approved for the PMFI of timber forest products in native and peasant communities, and guidelines for the PGMF and PO in timber forest concessions may be used as a reference for local forests.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</thead>
</table>
| **Indicator 8.1.2:** The Forest Management Plan (PMF) of the authorization certificate establishes measures intended to care for the socio-economic welfare of populations (be they indigenous or non-indigenous) living inside or in the vicinity of the Forest Management Unit. | **For natural forests:**
**Verifier 8.1.2.1:** Verify that the PMF of the forest concession includes:
- An environmental contingency plan describing measures to deal with potential contingencies (e.g., fire, fuel leaks and/or oils, health hazards, invasions, sightings of indigenous peoples in isolation), defining specific actions for each activity identified.
- Measures to show respect in the forest for the right of transit of the local population to use all village or settlement access roads whose existence dates back to the granting of the concession.

**For forest plantations:**
**Verifier 8.1.2.2:** Resolution issued by the ARFFS for the exclusion of the concession of the area overlaid with private lands, native and peasant community lands, or other usage modes granted and recognized by the state.

**Legal References:**
- *Convention 169 of the International Labour Organization concerning indigenous and tribal peoples in independent countries*, approved in Peru by Legislative Resolution Nº 26253.
- *Forest and Wild Fauna Law – Law Nº 29763.*
- *Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.*
- *Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.*
- *Guidelines for the formulation of the General Forest Management Plan for forest harvesting permits in native and peasant communities – Executive Directorate Resolution Nº 086-2016-SERFOR-DE.*
- *Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution Nº 116-2016-DE.*
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</thead>
</table>
| Indicator 8.1.3: The titleholder of an authorization certificate gives evidence of no promotion of discriminatory acts due to racial, ethnic, or religion differences; sexual orientation; or political standing when hiring labor. | For natural forest, plantations, and agroforestry systems:  
Verifier 8.1.3.1: Publications or job ads do not discriminate based on gender, race, or ethnic group.  
Verifier 8.1.3.2: Absence of sanctions by, or complaints to, the Ministry of Labor and Promotion of Employment regarding discrimination.  
Legal References:  
- Single Revised Text of Legislative Decree Nº 728, Law of Labor Productivity and Competitiveness – Executive Decree Nº 003-97-TR.  
- Equal Opportunities for Women and Men Law – Law Nº 28983.  
- General Labor Inspection Law – Law Nº 28806.  
- Regulations for Employment Promotion Law – Executive Decree Nº 001-96-TR.  
- Regulations for General Labor Inspection Law – Executive Decree Nº 019-2006-TR. |
| Indicator 8.1.4: The Forest Management Plan includes mechanisms of conflict resolution with local communities (be they indigenous or non-indigenous) living inside or in the vicinity of the Forest Management Unit | For natural forests and agroforestry systems:  
Verifier 8.1.4.1: Verify that the PGMF of the forest concession includes:  
- Background of previous use in the concession area and conflict identification and management.  
- Agreements between the titleholder of the authorization certificate and local... |
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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<tr>
<td>(UMF)(^{99})</td>
<td>populations, close to the forest management area (non-mandatory). - Community networking plan (if applicable).</td>
</tr>
</tbody>
</table>

**Verifier 8.1.4.2:** Verify that the PMFI of native and peasant communities includes previous use experience in the UMF and conflict identification, with solution proposals for each conflict identified.

*Note: This information is not required for Management Declarations (DEMAs) of native and peasant communities and agroforestry systems.*

**Legal References:**
- [Forest and Wild Fauna Law – Law N° 29763.](#)
- [Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.](#)
- [Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.](#)
- [Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.](#)
- [Guidelines for the formulation of an Operational Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.](#)

\(^{99}\) This indicator does not include information on local forests, forest permits in private lands, and plantation concessions, since the guidelines for the formulation of Forest Management Plans of these authorization certificates have yet to be approved by SERFOR. However, the guidelines approved by the DEMA on timber forest products in native and peasant communities, the guidelines approved by the PMFI on timber forest products in native and peasant communities, and guidelines for the PGMF and PO in timber forest concessions can be used as a reference for local forests.
<table>
<thead>
<tr>
<th>Indicator 8.1.5: Appropriate and transparent mechanisms are adopted for mediation and conflict resolution with local communities (be they indigenous or not) living within or in the vicinity of the Forest Management Unit.</th>
<th>For natural forest, plantations, and agroforestry systems:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Verifier 8.1.5.1:</strong> Absence of complaints to the Justice of the Peace of the village or the native or peasant community neighboring the area of the authorization certificate.</td>
<td><strong>Verifier 8.1.5.1:</strong> Absence of complaints to the Justice of the Peace of the village or the native or peasant community neighboring the area of the authorization certificate.</td>
</tr>
<tr>
<td><strong>Verifier 8.1.5.2:</strong> No complaints related to the management of the permit are found in the Certificate of Police Records(^{100}) of legal representatives of permits.</td>
<td><strong>Verifier 8.1.5.2:</strong> No complaints related to the management of the permit are found in the Certificate of Police Records(^{100}) of legal representatives of permits.</td>
</tr>
<tr>
<td><strong>Verifier 8.1.5.3:</strong> Absence of petitions submitted to different ombudsman’s offices.(^ {101})</td>
<td><strong>Verifier 8.1.5.3:</strong> Absence of petitions submitted to different ombudsman’s offices.(^ {101})</td>
</tr>
<tr>
<td><strong>Verifier 8.1.5.4:</strong> The Committee of Forest and Wild Fauna Management (CGFFS)(^ {102}) promotes actions of prevention and conflict resolution among the stakeholders that have an impact on the forest and wild fauna resources.</td>
<td><strong>Verifier 8.1.5.4:</strong> The Committee of Forest and Wild Fauna Management (CGFFS)(^ {102}) promotes actions of prevention and conflict resolution among the stakeholders that have an impact on the forest and wild fauna resources.</td>
</tr>
</tbody>
</table>

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\(^{100}\) The Peruvian Government recently passed Legislative Decree N° 1267, creating the National Registry of Public Safety. This registry will contain databases in any type of printed or electronic form with information or data that will allow for a follow-up on the criminal activity nationwide. Police records are part of this registry.

\(^{101}\) A petition is a request to the Ombudsman’s Office for its intervention in dealing with and solving a state of defenselessness that affects or threatens fundamental rights, which does not constitute a breach of duty by the Public Administration or the public service providers, but falls within the jurisdiction of the Ombudsman’s Office.

\(^{102}\) The CGFFS is a citizen participation agency for forest users, local communities, producers, local governments, civil society representatives, and other public and private institutions developing activities within a certain Forest and Wild Fauna Management Unit (UGFFS).
### Indicator 8.1.6:

There is evidence of initiatives that support participation of native and peasant communities in activities related to the Forest Management Unit.

#### Guidance Notes/Verifier

- *directly in the administrative headquarters.*

  **Note 2:** The absence of petitions submitted to the Ombudsman’s Office may be verified directly in the headquarters of such institution or through an access application to public information.

#### Legal References:

- Peruvian National Police Law – Legislative Decree Nº 1267.
- Forest and Wild Fauna Law – Law Nº 29763.
- Justice of the Peace Law – Law Nº 29824.
- Regulations for Justice of the Peace Law – Executive Decree Nº 007-2013-JUS.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.
- Ombudsman’s Protocol – Administrative Resolution Nº 047-2008/DP-PAD.

| For natural forest, plantations, and agroforestry systems: |
| Verifier 8.1.6.1: Minutes or agreements signed by representatives of authorization certificates with the representatives of the native or peasant communities. |
| Verifier 8.1.6.2: Representatives of native or peasant communities participate in the training programs implemented by titleholders. |

#### Legal References:

- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
<table>
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</table>
| **Indicator 8.1.7:** The Forest Management Plan (PMF) includes information about socio-economic aspects of the Forest Management Unit (UMF). | **Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.**  
**Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.**  
**Guidelines for the formulation of the General Forest Management Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.**  
**Guidelines for the formulation of an Operational Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE.** |

For natural forests:

**Verifier 8.1.7.1:** Verify that the General Forest Management Plan (PGMF) of forest concessions covers socio-economic aspects identified in the UMF:
- Description of the current area usage
- Infrastructure of services

**Verifier 8.1.7.2:** Verify that in local forests the technical study supporting the establishment and the authorization of local forest management contains information about the existence of and a characterization of the local population, indicating main socio-economic activities they engage in, with an emphasis on the activities related to the use of forest and wild fauna resources.

**Verifier 8.1.7.3:** Verify that in forests of native and peasant communities Intermediate Forest Management Plans (PMFIs) include socio-economic aspects.

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103 Guidelines for the preparation of local Forest Management Plans have not yet been approved by SERFOR. This matrix gathers information from the guidelines for the establishment of local forests and conditions for their management – Resolution of Executive Direction N° 116-2016-SERFOR-DE. Nevertheless, the guidelines approved for the DEMA for timber products in native and peasant communities, guidelines approved for the PMFI of timber forest products in native and peasant communities, and guidelines for the PGMF and PO in timber forest concessions may be used as a reference for local forests.

104 To date, the guidelines for the development of intermediate-level and low-level PMFs for the upper rainforest and lower rainforest ecoregions have been approved.
**Indicator**

(typed of populations, main activities, main products sold, infrastructure, identification of limitations and risks, etc.).

**Verifier 8.1.7.4:** Verify that the request of assignment for use agreement for agroforestry systems includes a description of:
- Main economic activities conducted by the titleholder (agriculture, husbandry, fishery, etc.)
- The existence of infrastructure in the area (dwellings, recreational areas, warehouses, etc.)

**Legal References:**

- Forest and Wild Fauna Law – Law N° 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N°021-2015-MINAGRI.
- Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE.
- Guidelines for the preparation of Management Declarations for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE.
- Guidelines for the establishment of local forests and conditions for their
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<th>Guidance Notes/Verifier</th>
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<tbody>
<tr>
<td><strong>Criterion 8.2: The company recognizes legal or customary rights of indigenous/local peoples pursuant to laws and regulations.</strong></td>
<td><strong>Indicaror 8.2.1:</strong> There is information available on the identity and location of all local populations (indigenous or non-indigenous) that live around the Forest Management Unit (UMF) or that are affected by its operations. <strong>Verifier 8.2.1.1:</strong> Verify the identity and location of the native and peasant communities on the “Database of Indigenous or Tribal Peoples” managed by the Vice-ministry of Interculturality of the Ministry of Culture. For a search on native communities, go to: <a href="http://bdpi.cultura.gob.pe/busqueda-de-comunidades-nativas">bdpi культура gob pe/busqueda-de-comunidades-nativas</a>; for a search on peasant communities, go to: <a href="http://bdpi.cultura.gob.pe/busqueda-de-comunidades-campesinas">bdpi культура gob pe/busqueda-de-comunidades-campesinas</a>. <strong>Verifier 8.2.1.2:</strong> Verify the location of native communities, peasant communities, and neighboring local populations on the maps included in the Forest Management Plans of the authorization certificate. <strong>Verifier 8.2.1.3:</strong> Verify the location of native communities, peasant communities, and neighboring local populations in the geoportal of the Infrastructure of Spatial Data of Regional Governments that are in the process of implementation. <strong>Verifier 8.2.1.4:</strong> Verify recognition and ownership applications of native and peasant communities in the Agricultural Regional Direction of the corresponding Regional Government. <strong>Note 1:</strong> “The database of Indigenous or Tribal Peoples” is being implemented in a progressive manner, and it is steadily updated. This database is used for</td>
</tr>
</tbody>
</table>

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105 The database is a tool that provides entities of public administration and citizens with general access to the following information:

- Official and self-denominations whereby indigenous or aboriginal people are identified.
- Geographical and access references.
- Relevant cultural and ethnic information.
- Ethno-linguistic map with the habitat determination of the regions occupied or used in some manner by indigenous or tribal peoples.
- System, organization standards, and statutes adopted.
- Representative institutions or organizations, scope of representation, identification of their leaders or representatives, and period and powers of representation.

106 The Geoportal of Infrastructure of Spatial Data is an Internet-based interactive information system for citizens. It combines aesthetics and web standards, and it is easy to use to optimize the website administration and its distribution among different users through diverse browsers.
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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<tbody>
<tr>
<td></td>
<td>declaration and reference purposes.</td>
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<tr>
<td>Note 2: Through web portals of Regional Governments, Geoportals of Spatial Data Infrastructure (IDE) can be accessed. Not every Regional Government is implementing IDE; its implementation is being accomplished with a progressive approach.</td>
<td></td>
</tr>
</tbody>
</table>

**Legal References:**

- Forest and Wild Fauna Law – Law Nº 29763.
- Regulations of Organization and Functions of the Ministry of Culture – Executive Decree Nº 005-2013-MC.
- Policy of State Modernization – Executive Decree Nº 004-2013-PCM.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree Nº 020-2015-MINAGRI.
- Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.
- Directive that regulates the functioning of the Official Database of Indigenous and Tribal Peoples – Ministerial Resolution Nº 202-2012-MC.
- Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution Nº 163-2015-SERFOR-DE.
- Guidelines for the formulation of an Operational Plan for timber forest concessions – Executive Directorate Resolution Nº 046-2016-SERFOR-DE.
- Guidelines for the preparation of the Management Declaration for forest harvesting permits in native and peasant communities – Executive Directorate Resolution Nº 065-2016-SERFOR-DE.
**Indicator 8.2.2:** Native and peasant communities are compensated for the use of their traditional knowledge on the good use of the forest or management systems applied in forest operations.

**Guidance Notes/Verifier**


**For natural forests, plantations, and agroforestry systems:**

**Verifier 8.2.2.1:** Previous written informed consent from the community with collective knowledge.

**Verifier 8.2.2.2:** License agreement for the use of collective knowledge entered into by the representative organization of indigenous peoples who are in possession of collective knowledge and a third party. Said agreement incorporates terms and conditions on the use of such collective knowledge. The license agreement must stipulate the compensation amount the community will receive.

**Verifier 8.2.2.3:** A document evidencing the deposit of a percentage not lower than 10% of the value from gross sales before tax payments resulting from the commercialization of products developed on the basis of collective knowledge to the Fund for Indigenous Peoples’ Development.

**Legal References:**

- **Convention 169 of the International Labour Organization concerning indigenous and tribal peoples in independent countries, approved in Peru by Legislative Resolution Nº 26253.**
- **Forest and Wild Fauna Law – Law Nº 29763.**
- **Law providing for the protection regime of collective knowledge of Indigenous Peoples on Biological Resources – Law Nº 27811.**
- **Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI.**
- **Decision 391 of the Andean Community of Nations concerning the common regime for the access to genetic resources.**
### Indicator 8.2.3: The Forest Management Plan (PMF) includes a “Contingency Plan” when the Forest Management Unit (UMF) is found in areas nearby reserves established by the state in favor of indigenous peoples in isolation or initial contact or where there are reports about their proximity.

**Verification:**

**Verifier 8.2.3.1:** Verify that the PMF incorporates a “Contingency Plan” approved by the Ministry of Culture when the UMF is located in neighboring areas established by the state for indigenous peoples in isolation or initial contact or where there are reports about their proximity.

### Legal References:

- Forest and Wild Fauna Law – Law N° 29763.
- Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.
- Regulations for Organization and Functions of the Ministry of Culture – Executive Decree N° 005-2013-MC.
- Technical Guideline: Relations for cases of interaction with indigenous peoples in isolation or initial contact – Ministerial Resolution N° 797-2007-MINSA.
- Health Technical Standard: Prevention, contingency in case of contact and mitigation of health hazards in scenarios with indigenous peoples in isolation or initial contact – Ministerial Resolution N° 799-2007-MINSA.
- Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE.
- Guidelines for the preparation of Management Declarations for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE.
- Guidelines for the preparation of the Intermediate Forest Management Plan for...
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<tr>
<td></td>
<td><strong>Forest harvesting permits in native and peasant communities</strong> – Executive Directorate Resolution N° 086-2016-SERFOR-DE.</td>
</tr>
<tr>
<td></td>
<td>- Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution N° 116-2016-DE.</td>
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</table>

**Criterion 8.3: The company abides by the laws and regulations regarding its employees’ and workers’ rights.**

**Indicator 8.3.1:** The companies observe the agreements signed by Peru within the framework of the International Labour Organization (ILO) concerning working conditions.\(^{107}\)

**For natural forests, plantations, and agroforestry systems:**

**Verifier 8.3.1.1:** Absence of sanctions imposed by the National Superintendency of Labor Control (SUNAFIL) or by the Regional Government for noncompliance with the socio-labor regulations.

**Verifier 8.3.1.2:** Absence of complaints to the Justice of the Peace and the Peruvian National Police (PNP), as well as petitions before the Ombudsman’s Office,\(^ {108}\) because of subjecting their employees to degrading or forced labor.

**Verifier 8.3.1.3:** Absence of complaints to labor courts for the protection of individual, plural, or collective rights.

*Note 1: The absence of sanctions imposed by SUNAFIL can be verified by an access request to public information.*

*Note 2: The absence of petitions submitted to the Ombudsman’s Office may be verified directly in the headquarters of such institution or through an access request to public information.*

*Note 3: The absence of reports before the PNP may be verified directly at the*

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\(^{108}\) A petition is a request to the Ombudsman’s Office for its intervention in dealing with and solving a state of defenselessness that affects or threatens fundamental rights, which does not constitute a breach of duty by the Public Administration or the public service providers, but falls within the jurisdiction of the Ombudsman’s Office.
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<tr>
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<td>administration headquarters. You can access information on legal proceedings only after the proceeding has concluded.</td>
</tr>
<tr>
<td><strong>Legal References:</strong></td>
<td></td>
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<tr>
<td>- Peruvian National Police Law – Legislative Decree Nº 1267.</td>
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<tr>
<td>- General Labor Inspection Law – Law Nº 28806.</td>
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<tr>
<td>- Justice of the Peace Law – Law Nº 29824.</td>
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<tr>
<td>- Regulations for the General Labor Inspection Law – Executive Decree Nº 019-2006-TR.</td>
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<tr>
<td>- Regulations for Justice of the Peace Law – Executive Decree Nº 007-2013-JUS.</td>
<td></td>
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<tr>
<td>- Regulations for Labor Inspection System – Executive Decree Nº 002-2017-TR.</td>
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<tr>
<td>- Ombudsman’s Protocol – Administrative Resolution Nº 047-2008/DP-PAD.</td>
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<tr>
<td><strong>Indicator 8.3.2:</strong></td>
<td>Forest workers receive training and supervision in the transportation and processing of timber, as well as in the proper implementation of the Forest Management Plan.</td>
</tr>
<tr>
<td><strong>Verifier 8.3.2.1:</strong></td>
<td>In case of forest concessions, a training plan must be in place to establish training by occupational groups. Trainings can be imparted on subjects, including map handling and mapping tools, chainsaw handling and maintenance, directed logging, design and building of forest roads, traceability of timber, planned dragging, closing of extraction activities, silvicultural operations, work health and safety, and production and costs record systems, among others.</td>
</tr>
</tbody>
</table>
## Indicator 8.3.2: Training activities are reported by the titleholder of the authorization certificate or the regent in the Forest Execution Report.\(^{109}\)

### Legal References:
- Forest and Wild Fauna Law – Law Nº 29763.
- Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI.

## Indicator 8.3.3: Workers have signed employment contracts with obligations and rights guaranteed and approved, according to the labor regime the company belongs to.\(^{110}\)

**For natural forest, plantations, and agroforestry systems:**

### Verifier 8.3.3.1: Workers are registered in the Ministry of Work and Promotion of Employment.

### Verifier 8.3.3.2: Verify that workers enjoy the following employment benefits:

#### A. In companies under the General or Common Labor Regime:
Minimum wage, working time, payment of compensation for time of services (CTS), payment of two bonuses per year (in July and December), family allowance (if applicable), social security coverage (through Essalud), provisional coverage, compensation for dismissal, overtime pay, life insurance coverage and complementary workers’ compensation insurance, vacations, and

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\(^{109}\) The Forest Execution Report is intended to report the implementation of the activities conducted within the framework of the management.

\(^{110}\) Pursuant to the labor legislation, there are two labor regimes: (i) the General or Common Labor Regime, and (ii) the Special Labor Regime for Small-Sized Enterprises and Micro-Enterprises (MYPE).
B. In companies under the Special Labor Regime [1]:

Microenterprises: minimum wage, working time, paid rests, overtime pay, vacations, social security coverage (through the Comprehensive Health Insurance – SIS), provisional coverage, and compensation for dismissal.

Small-sized companies: minimum wage, working time, paid rests, overtime pay, vacations, social security coverage (through Essalud), provisional coverage, compensation for dismissal, life insurance coverage and complementary workers’ compensation insurance, bonuses (in July and December), right to participate in the company’s profit-sharing, compensation for time of services.

Legal References:
- Single Revised Text of Legislative Decree N° 728, Law of Labor Productivity and Competitiveness – Executive Decree N° 003-97-TR.

Indicator 8.3.4: The titleholder of the Forest Management Plan observes all the health and safety regulations throughout all the stages of forest management, plantations, processing, and export of wood or timber products.

For natural forests, plantations, and agroforestry systems:
Verifier 8.3.4.1: Employers with 20 or more workers must prepare them for Occupational Health and Safety Regulations.
Verifier 8.3.4.2: An Occupational Health and Safety Committee, when the employer has 20 or more workers.
Verifier 8.3.4.3: Occupational health and safety supervisor, when the employer

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111 Pursuant to Section 5 of the Single Revised Text of the Law on the Promotion of Productive Development and Business Growth – Executive Decree N° 013-2013-PRODUCE, they are:
- Small-Sized Enterprises: Their annual sales are over 150 tax units (UITs) up to a maximum amount equivalent to 1,700 UITs.
- Microenterprises: Their annual sales are up to a maximum amount equivalent to 150 UITs.
**Indicator 8.3.4:** Evidence of freedom of association and affiliation with the trade unions of representation of class by employees, workers, contractors, and partners of the company.\(^{112}\)

**Guidance Notes/Verifier**

- has fewer than 20 workers.
- **Verifier 8.3.4.4:** Trainings in occupational health and safety issues focused on workers and members of the occupational health and safety committee.
- **Verifier 8.3.4.5:** Risks map, prepared with the participation of the union trade organization, workers’ representatives, delegates, and the occupational health and safety committee. The map should be displayed in a visible place.
- **Verifier 8.3.4.6:** Medical examinations on workers before, during, and at the end of the labor relationship, according to the risks they are exposed to in their jobs.

**Legal References:**

- Occupational Safety and Health Law – Law Nº 29783.
- Regulations for Occupational Safety and Health Law – Executive Decree Nº 005-2012-TR.

**Indicator 8.3.5:** Evidence of freedom of association and affiliation with the trade unions of representation of class by employees, workers, contractors, and partners of the company.\(^{112}\)

**For natural forests, plantations, and agroforestry systems:**

**Verifier 8.3.5.1:** Absence of complaints before the Justice of the Peace and the Peruvian National Police Force (PNP), as well as the absence of petitions to the Ombudsman’s Office\(^{113}\) for infringement of workers’ trade union freedom.

**Verifier 8.3.5.2:** Absence of complaints before the Regional Government and

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\(^{112}\) To organize and operate, trade unions must register at least 20 workers when they operate as company trade unions, or 50 workers when they operate as trade unions of a different nature. In accordance with the Single Revised Text of the Law of Collective Labor Relations, approved by the Executive Decree Nº 010-2003-TR, trade unions can be as follows:

- Of a company organized by workers of several professions, trades, or specialties providing services for the same employer.
- Of activity organized by workers of several professions, specialties, or trades of two or more companies within the same activity field.
- Of a guild organized by workers of several companies performing the same trade, profession, or specialty.
- Of several trades organized by workers of different professions, trades, or specialties working in different companies or activities when in a certain place, province, or region, the number of workers does not reach the legal minimum number required to create other types of trade unions.

\(^{113}\) A petition is a request to the Ombudsman’s Office for its intervention in dealing with and solving a state of defenselessness that affects or threatens fundamental rights, which does not constitute a breach of duty by the Public Administration or the public service providers, but falls within the jurisdiction of the Ombudsman’s Office.
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<td>SUNAFIL of the place where the Forest Management Unit is located, for infringement of workers' trade union freedom.</td>
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<td><strong>Verifier 8.3.5.3:</strong> Absence of criminal procedures before the criminal courts for crimes defined and characterized in the Peruvian Criminal Code as “infringement on freedom of work and association.”</td>
</tr>
<tr>
<td></td>
<td><strong>Note 1:</strong> The absence of reports before the PNP may be verified directly at the administration headquarters. Access to information on legal proceedings is available once the proceeding has come to an end.</td>
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<tr>
<td></td>
<td><strong>Note 2:</strong> The absence of petitions submitted to the Ombudsman’s Office can be directly verified at the headquarters of such institution or by means of a request for access to public information.</td>
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<tr>
<td></td>
<td><strong>Nota 3:</strong> The absence of complaints before SUNAFIL or the Regional Government can be verified by means of a request for access to public information.</td>
</tr>
<tr>
<td></td>
<td><strong>Legal References:</strong></td>
</tr>
<tr>
<td></td>
<td>- Criminal Code – Legislative Decree Nº 635.</td>
</tr>
<tr>
<td></td>
<td>- Peruvian National Police Law – Legislative Decree Nº 1267.</td>
</tr>
<tr>
<td></td>
<td>- Justice of the Peace Law – Law Nº 29824.</td>
</tr>
<tr>
<td></td>
<td>- Regulations for Justice of the Peace Law – Executive Decree Nº 007-2013-JUS.</td>
</tr>
<tr>
<td></td>
<td>- Regulations for Labor Collective Relations Law – Executive Decree Nº 11-92-TR.</td>
</tr>
<tr>
<td></td>
<td>- Ombudsman’s Protocol – Administrative Resolution Nº 047-2008/DP-PAD.</td>
</tr>
</tbody>
</table>

**Criterion 8.4:** The company abides by laws and regulations regarding the welfare of its employees and workers.
**Indicator 8.4.1:** Working conditions for all employees include a healthy, clean, and safe environment within the Forest Management Unit and the processing plants.

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<tr>
<td><strong>For natural forests, plantations, and agroforestry systems:</strong></td>
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<tr>
<td><strong>Verifier 8.4.1.1:</strong> Absence of notice of occupational accidents (Single Occupational Accident Card) in the Regional Government and the Executive Directorate of Occupational Health of the Ministry of Health.</td>
</tr>
<tr>
<td><strong>Verifier 8.4.1.2:</strong> Absence of complaints before the Justice of the Peace and the Peruvian National Police Force (PNP), as well as of petitions before the Ombudsman’s Office(^\text{114}) for offenses against occupational health and safety conditions.</td>
</tr>
<tr>
<td><strong>Verifier 8.4.1.3:</strong> Absence of complaints before the criminal courts for crimes defined and characterized in the Peruvian Criminal Code as “offense[s] against occupational health and safety conditions.”</td>
</tr>
</tbody>
</table>

**Note 1:** The absence of complaints before the PNP may be verified directly at the administrative headquarters. Access to information on legal proceedings is available once the proceedings have come to an end.

**Note 2:** The absence of petitions submitted to the Ombudsman’s Office can be directly verified at the headquarters of such institution or by means of a request for access to public information.

**Legal References:**
- [Criminal Code – Legislative Decree N° 635](#).
- [Justice of the Peace Law – Law N° 29824](#).
- [Occupational Safety and Health Law – Law N° 29783](#).
- [Regulations for Occupational Safety and Health Law – Executive Decree N° 005-2012-TR](#).
- [Single Notice Form of Accident at Work – Ministerial Resolution N° 511-2004-](#).

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\(^{114}\) A petition is a request to the Ombudsman’s Office for its intervention in dealing with and solving a state of defenselessness that affects or threatens fundamental rights, which does not constitute a breach of duty by the Public Administration or the public service providers, but falls within the jurisdiction of the Ombudsman’s Office.
**Indicator 8.4.2:** The titleholder of the Forest Management Plan provides instructions about precautions and conditions so as to avoid occupational accidents or occupational diseases.

**For natural forests, plantations, and agroforestry systems:**

**Verifier 8.4.2.1:** To learn more about occupational health and safety issues, employers should perform the following actions, as applicable:

a. Give each worker a copy of the occupational health and safety regulations.

b. Complete at least four trainings per year on occupational health and safety issues.

c. Attach to the employment contract the description of occupational health and safety recommendations.

d. Provide economic facilities and paid leave for the participation of workers in training courses related to their field.

e. Prepare a risks map in conjunction with the trade union organization, representatives of workers, delegates, and occupational health and safety committee, which should be displayed in a visible place.

**Verifier 8.4.2.3:** Absence of complaints before labor courts for occupational diseases and occupational accidents.

**Legal References:**

- Occupational Safety and Health Law – Law Nº 29783.
- Regulations for Occupational Safety and Health Law – Executive Decree

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115 Occupational disease is every pathological condition leading to temporary or permanent disability or death and occurring as a direct consequence of the type of work accomplished by the worker (Regulations of the Law of Modernization of the Health Insurance System – Executive Decree Nº 009-97-SA).

116 Work accident is any bodily injury occurred in the occupation or as a result of the accomplished work for which the worker has been hired, caused by fortuitous and unforeseen action or external sudden violent force that suddenly affects the person, regardless of his/her own will and that may be certainly determined by physicians (Regulations of the Law of Modernization of the Health Insurance System – Executive Decree Nº 009-97-SA).
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<th>Indicator</th>
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<tr>
<td><strong>PRINCIPLE 9: TAXES LIABILITIES AND ROYALTIES (MONEY RETRIBUTIONS)</strong></td>
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<tr>
<td><strong>Criterion 9.1: The company fills (submits) its tax returns in accordance with its professional activity.</strong></td>
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</tbody>
</table>
| **Indicator 9.1.1:** Individuals and legal entities conducting forest activities are registered and authorized by the national tax authority. | **For natural forests, plantations, and agroforestry systems:**
**Verifier 9.1.1.1:** Verify that the individual or legal entity has a Single Taxpayer Registration number (RUC), an 11-digit number granted by the National Superintendency of Customs and Tax Administration (SUNAT).  
**Verifier 9.1.1.2:** Verify the registration and authorized condition of the individuals or legal entities in the “Taxpayer Data Sheet” (accessible for free on the SUNAT website).  
**Legal References:**  
• Single Taxpayer Registration Law – Legislative Decree Nº 943.  
| **Indicator 9.1.2:** Individuals and legal entities conducting forest activities comply with their national | **For natural forests, plantations, and agroforestry systems:**
**Verifier 9.1.2.1:** Registration of the On-line Tax Return Filing (PDT) of the |
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<th><strong>Guidance Notes/Verifier</strong></th>
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<td>and local tax obligations.</td>
<td>income tax payment – third category, in accordance with the registration place of the individuals or legal entities conducting forest activities (place of businesses):</td>
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<tr>
<td></td>
<td>a. Five percent income tax in the departments of Loreto and Madre de Dios and the districts of Iparia and Masisea of the province of Coronel Portillo, and in the provinces of Atalaya and Purús of the department of Ucayali.</td>
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<td>b. Ten percent income tax in places defined as Amazon region in the Law of Investment Promotion in the Amazon Region – Law N° 27037:</td>
</tr>
<tr>
<td></td>
<td>- Department of Amazonas</td>
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<td></td>
<td>- Department of San Martín</td>
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<td></td>
<td>- Department of Ucayali (with the exception of the provinces and districts above mentioned)</td>
</tr>
<tr>
<td></td>
<td>- Districts of Sivia, Ayahuanco, Llochegua, and Canayre, of the province of Huanta, and Ayna, San Miguel, Santa Rosa, and Samugari, of the province of La Mar, of the department of Ayacucho</td>
</tr>
<tr>
<td></td>
<td>- Provinces of Jaén and San Ignacio, of the department of Cajamarca</td>
</tr>
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<td></td>
<td>- Districts of Yanatile, of the province of Calca; the province of La Convención; Kosñipata, of the province of Paucartambo; Camanti and Marcapata, of the province of Quispicanchis, of the department of Cusco</td>
</tr>
<tr>
<td></td>
<td>- Provinces of Leoncio Prado, Puerto Inca, Marañón, and Pachitea, as well as the districts of Monzón of the province of Huamalies; Churubamba, Santa María del Valle, Chinchao, Huánuco, and Amarilis, of the province of Huánuco; Conchamarca, Tomayquichua, and Ambo, of the province of Ambo, of the department of Huánuco</td>
</tr>
<tr>
<td></td>
<td>- Provinces of Chanchamayo and Satipo, of the department of Junín</td>
</tr>
</tbody>
</table>

118 The On-line Tax Return Filing (PDT) is one of the computer resources developed by SUNAT to file tax returns as well as record the information required.

119 The income tax is a tax imposed on the income of individuals, companies, or other legal entities due to business activities conducted in the sales of products or services. Companies and businesses fall into the third category.
c. The income tax in the rest of the country is 29.5%.

**Verifier 9.1.2.2:** Recording of the On-line Tax Return Filing (PDT) of the income tax payment by:

- First Category – for rent and/or assignment of personal property or real estate
- Second Category – for profits of transferable securities, investment over rights, or capital invested or profits from the transfer of real estate
- Third Category – see Verifier 9.1.2.1
- Fourth Category – for independent professional fees, and daily allowances of company directors
- Fifth Category – for independent professional fees
**Indicator** | **Guidance Notes/Verifier**
---|---
**Verifier 9.1.2.3:** Recording of the annual payment of tax on vehicle ownership made in the municipality of the province where the individual or legal entity conducting forest activities is registered.\(^{120}\)

**Verifier 9.1.2.4:** Recording of On-line Tax Return Filing – “PDT Electronic Form” for the monthly payment of the Public Health Insurance System (ESSALUD).\(^{121}\)

**Verifier 9.1.2.5:** Recording of On-line Tax Return Filing – “PDT Electronic Form” for the monthly payment of the National Pension System or the Private Pension System.

**Legal References:**
- Single Revised Text of Legislative Decree Nº 728, Law of Labor Productivity and Competitiveness – Executive Decree Nº 003-97-TR.
- Single Revised Text of Law of Private System of Pension Fund Management – Executive Decree Nº 054-97-EF.
- Framework Law of the National Tax System – Legislative Decree Nº 771.

\(^{120}\) This tax has been imposed since 2002 on the ownership of motorcars, vans, station wagons, trucks, buses, and omnibuses that are not more than three years old, counting from their first registration with the Car Ownership Registry Office.

\(^{121}\) ESSALUD is the Peruvian Public Health Insurance System, organized to provide coverage to the insured and their dependents through the provision of services of prevention, promotion, recovery, rehabilitation, economic, and social security benefits that correspond to the contributions to the Public Health Insurance System, as well as the provision of other types of human risk insurances.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</table>
| **Law of Investment Promotion in the Amazon Region – Law N° 27037.**
| **Single Revised Text of Income Tax Law – Executive Decree N° 179-2004-EF.**
| **Regulations for Law that Creates the National Pension System of the Public Health Insurance System – Executive Decree N° 011-74-TR.**
| **Issue rules referred to the application of tax on vehicle ownership by the Municipal Administration – Executive Decree N° 22-94-EF.**
| **Regulations for Income Tax Law – Executive Decree N° 122-94-EF.**
| **Regulations of Tax Provisions Set Out in the Investment Promotion Law in the Amazon Region – Executive Decree N° 103-99-EF.**
| **Single Revised Text of Municipal Tax Law – Executive Decree N° 156-2004-EF.**

**Indicator 9.1.3:** Individuals and legal entities conducting forest activities keep accounting books or records according to the tax legislation.

For natural forest, plantations, and agroforestry systems:

**Verifier 9.1.3.1:** Income and expenditures are entered in specific books (in printed and/or digital form) according to the tax regime of the individual or legal entity that carries out forest activities:122

**A. Single Simplified Regime – NRUS:** There is no requirement but to keep

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122 The accounting books or records may be on:

1. A manual system: Books and records are purchased from a library, are handwritten, and are legalized before any registration thereon.
2. A computerized system: Accounting data is recorded using a SUNAT structure-based accounting software for each book and register.
3. Electronic books software-PLE: Books are produced from the taxpayer’s software and validated by a SUNAT application that generates summarized accounting data and then issues a confirmation of receipt of each book by SUNAT.
4. Book system from website -SLE: Taxpayers may generate their books from the SUNAT website, and its logging-in and production of books is voluntary.

Keep in mind that some electronic books are already mandatory for companies with higher proceeds from sales.
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<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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<tr>
<td>vouchers issued, as well as those of the purchases made, in chronological order.</td>
<td><strong>B. Special Income Regime – RER:</strong> (i) Purchase Record and (ii) Sales Record.</td>
</tr>
</tbody>
</table>
| **B. Special Income Regime – RER:** (i) Purchase Record and (ii) Sales Record. | **C. MSE (MYPE) Regime:**  
- Up to 300 UITs of net income: (i) Sales Record, (ii) Purchase Record, and (iii) Journal of Simplified Format.  
- With yearly net income higher than 300 UITs up to 500 UITs of gross income: (i) Sales and Revenues Record, (ii) Purchase Record, (iii) Ledger, and (iv) Journal.  
- Of 500 UITs of gross income up to 1,700 UITs of net income: (i) Sales Record, (ii) Purchase Record, (iii) Ledger, (iv) Journal, and (v) Inventory and Balance Sheet Book. |
| **C. MSE (MYPE) Regime:**  
- Up to 300 UITs of net income: (i) Sales Record, (ii) Purchase Record, and (iii) Journal of Simplified Format.  
- With yearly net income higher than 300 UITs up to 500 UITs of gross income: (i) Sales and Revenues Record, (ii) Purchase Record, (iii) Ledger, and (iv) Journal.  
- Of 500 UITs of gross income up to 1,700 UITs of net income: (i) Sales Record, (ii) Purchase Record, (iii) Ledger, (iv) Journal, and (v) Inventory and Balance Sheet Book. | **D. General Regime:**  
- Up to 150 UITs: (i) Sales Record, (ii) Purchase Record, and (iii) Journal of Simplified Format.  
- More than 150, up to 500, UITs: (i) Sales Record, (ii) Purchase Record, (iii) Journal, and (iv) Ledger.  
- More than 500, up to 1,700, UITs: (i) Sales Record, (ii) Purchase Record, (iii) Journal, (iv) Ledger, and (v) Inventory and Balance Sheet Book.  
<p>| <strong>Verifier 9.1.3.2:</strong> Accounting books are audited by the National Superintendency of Customs and Tax Administration – SUNAT. | <strong>Legal References:</strong> |</p>
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</table>
|           | • Law of Single Taxpayers’ Registration – Legislative Decree Nº 943.  
|           | • Single Revised Text of Tax Code – Executive Decree Nº 133-2013-EF.  
|           | • Regulatory Provisions of the Single Taxpayers’ Registration Law – Superintendency Resolution Nº 210-2004-SUNAT.  
|           | • Rules concerning books and records related to tax issues – Superintendency Resolution Nº 234-2006-SUNAT.  
|           | • Provisions for the implementation of electronic bookkeeping related to tax issues – Superintendency Resolution Nº 286-2009-SUNAT. |

Criterion 9.2: The company must give clear evidence of timely payment of taxes, quotas, and royalties (money retributions) in accordance with current laws and regulations.

**Indicator 9.2.1:** The titleholder of the authorization certificate pays for the harvesting right of timber forest resources.

**Verifier 9.2.1.1:** Pay for the right of use of timber forest resources in accordance with the corresponding title:

**A. Timber forest concessions**

a. By surface: This is a payment to maintain the right on the total concession area applicable whose basic rate per hectare is equal to 0.01% of UIT. The payment for its validity is made on an annual basis, and it is paid for until the end of the calendar year as established in the conditions by the ARFFS. This payment is required to transport products to the next year, and it is made regardless of the implementation of the forest harvesting.

b. By resource granted: This payment is made according to the value of the natural conditions of timber species harvested and volume moved.

c. Timber forest concessions applicable as of the date of release of the regulations may be adjusted to the previous regime.

**B. Permits in native and peasant communities**

a. The payment is made in accordance with the value in the natural state and volume extracted.

b. It is calculated on the basis of the payment for the value in the natural state by species.

c. Payment for the value in the natural state is made with each transportation.
<table>
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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<tbody>
<tr>
<td><strong>C. Permits in private properties and forest authorizations</strong>&lt;br&gt;a. Payment of right of use of timber resources is made by the volume or amount extracted of the product, in accordance with the value in the natural state.</td>
<td></td>
</tr>
<tr>
<td><strong>D. Concessions for forest plantations</strong>&lt;br&gt;a. It is calculated on the basis of the surface granted in accordance with the applicable technical methodology, as a function of the land’s cost and accessibility to the management area.</td>
<td></td>
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<tr>
<td><strong>D. Concessions for forest plantations</strong>&lt;br&gt;b. Said payment is made on an annual basis.</td>
<td></td>
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<tr>
<td><strong>E. Assignment for use agreements for agroforestry systems</strong>&lt;br&gt;a. It is paid by surface, which constitutes a payment to maintain the right of the area applicable, equal to 0.5% of the tax unit (UIT) per hectare/year.</td>
<td></td>
</tr>
<tr>
<td><strong>E. Assignment for use agreements for agroforestry systems</strong>&lt;br&gt;b. In addition, once forest resources are harvested, a payment will be made as a function of the value in the species’ natural state, by amount or volume extracted.</td>
<td></td>
</tr>
<tr>
<td><strong>E. Assignment for use agreements for agroforestry systems</strong>&lt;br&gt;c. The use of forest plantations and forest products that arise out of the same does not require payment for rights of use.</td>
<td></td>
</tr>
<tr>
<td><strong>F. Assignment for use agreements for residual forests</strong>&lt;br&gt;a. A fee is paid by a surface equal to 0.01% of UIT per hectare/year.</td>
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<tr>
<td><strong>F. Assignment for use agreements for residual forests</strong>&lt;br&gt;b. In addition, once forest resources are harvested, a payment will be made as a function of the value in the species’ natural state, by amount or volume extracted.</td>
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<tr>
<td><strong>G. Management agreement of local forests</strong>&lt;br&gt;a. The payment is made by the beneficiary.</td>
<td></td>
</tr>
<tr>
<td><strong>G. Management agreement of local forests</strong>&lt;br&gt;b. It is paid as a function of the value in the species’ natural state, according to the amount or volume extracted, harvested species, and products.</td>
<td></td>
</tr>
<tr>
<td><strong>G. Management agreement of local forests</strong>&lt;br&gt;c. This payment is made to the local government at the request of the Regional Government.</td>
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<tr>
<td></td>
<td><em>Note 1: Timber forest products from forest plantations in private lands and peasant or native communities’ lands are exempt from harvesting rights.</em></td>
</tr>
</tbody>
</table>

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123 SERFOR will approve guidelines for the calculation of payment for right of use in concessions for plantations. Said guidelines will be formulated in coordination with the ARFFS.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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</thead>
<tbody>
<tr>
<td>Indicator 9.2.2: The titleholder of the authorization certificate has benefited from the promotional regime for the forest right of timber forest resources.</td>
<td>Note 2: Harvesting for domestic use, self-consumption, or subsistence of peasant and native communities and other traditional users of forests is exempt from harvesting rights.</td>
</tr>
</tbody>
</table>

**Legal References:**
- Organic Law for the Sustainable Use of Natural Resources – Law N° 26821.
- Forest and Wild Fauna Law – Law N° 29763.
- Regulations for Forest Management – Executive Decree N° 018-2015-MINAGRI.
- Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.
- Regulations for Forestry and Wild Fauna Management in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.
- Methodology for the determination of timber value in its natural state for the payment of harvesting rights” and “timber values in its natural state” – Executive Directorate Resolution N° 241-2016-SERFOR-DE. |

**Indicator 9.2.2.1:** The titleholder of the forest authorization certificate has benefited from some of the promotional regimes applicable to each of its authorization certificates:

**For public natural forests and private lands:**
The following accumulative discounts can be given, with a maximum discount of up to 70% of the harvesting rights corresponding to the affected year, as applicable.\(^{124}\)

a. A 25% discount on the payment of harvesting rights if research is developed in line with the Forest Research Program approved by SERFOR and has provable,\(^{124}\)

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\(^{124}\) Conditions and procedures for the granting of above-mentioned discounts will be approved by SERFOR.
<table>
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<tr>
<th>Indicator</th>
<th>Guidance Notes/Verifier</th>
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<tr>
<td></td>
<td>replicable, and scientifically based field results.</td>
</tr>
<tr>
<td>b. A 20% discount on the payment of harvesting rights if the titleholder of the forest authorization certificate carries out the following activities in the elementary educational centers, technical-productive centers, universities, or institutes and higher education schools located within the neighboring districts:</td>
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<tr>
<td></td>
<td>o A comprehensive and sustained program of environmental education for students and teachers of elementary education, considering human rights, interculturality, and gender approaches.</td>
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<tr>
<td></td>
<td>o Training and coaching in environmental education management for teachers and directors.</td>
</tr>
<tr>
<td></td>
<td>o Likewise, the titleholder will benefit from an additional 5% discount on the payment of harvesting rights if he/she implements internship programs through the signing of agreements with institutes, schools, and universities.</td>
</tr>
<tr>
<td>c. A 25% discount on the payment of harvesting rights if the titleholder is located in priority areas of the government.</td>
<td></td>
</tr>
<tr>
<td>d. Up to 30% discount on the payment of harvesting rights if the titleholder of the forest authorization certificate implements comprehensive projects, and the processing is executed in the processing center owned by the titleholder of the forest authorization certificate or by one of the members of the legal entity (if the titleholder is a legal entity), or by one of the members of the consortium (if the titleholder is a consortium), or through a management agreement in favor of the titleholder of the forest authorization certificate.</td>
<td>This discount will apply as follows: 15% when primary processing is carried out in the concession area or neighboring village; 8% when it is carried out outside such scope but within the regional scope; 10% when only secondary processing is carried out and the primary processing is executed through third-party services, irrespective of the centers’ location; and 30% when primary and secondary processing are carried out, regardless of the centers’ location.</td>
</tr>
<tr>
<td>e. Up to 35% discount on harvesting rights for voluntary forest certification, adoption of duly certified good practices, legal origin certifications, and others, and an additional 20% in case of more than a five-year maintenance.</td>
<td>A 5% discount for up to one year for the issuance of the assessment report or</td>
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<td>Indicator</td>
<td>Guidance Notes/Verifier</td>
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<tr>
<td></td>
<td>“scoping” of the concession by the certifying company.</td>
</tr>
<tr>
<td>f.</td>
<td>A 25% discount on the payment of harvesting rights if the concession titleholder reports annually to the ARFFS and SERFOR the results of the permanent sample plots established in the concession area.</td>
</tr>
<tr>
<td>g.</td>
<td>Up to 25% discount on the payment of harvesting rights for the preservation and/or recovery of areas not intended for the forest harvesting, according to the surface used for these activities.</td>
</tr>
<tr>
<td>h.</td>
<td>Up to 20% discount on the payment of harvesting rights for the forest’s diversified management: diversified use of timber or non-timber forest species and conduction of ecotourism activities.</td>
</tr>
<tr>
<td></td>
<td>The conditions and procedures for the discounts mentioned above will be approved by SERFOR.</td>
</tr>
<tr>
<td></td>
<td>For forest plantations and agroforestry systems in public lands:</td>
</tr>
<tr>
<td></td>
<td>The following accumulative discounts can be given, with a maximum discount of up to 100% of harvesting rights, as applicable:</td>
</tr>
<tr>
<td>i.</td>
<td>At the beginning of plantation concessions, the following initial promotional regimes apply:</td>
</tr>
<tr>
<td></td>
<td>o In plantation concessions for recovery or restoration purposes, a discount of up to 75% on the payment of harvesting rights for up to 10 years, if all the recovery or restoration activities approved in the management plan are conducted, pursuant to the guidelines approved by SERFOR.</td>
</tr>
<tr>
<td></td>
<td>o In plantation concessions for protection purposes, a discount of up to 75% on the payment of harvesting rights for up to eight years, if the technical proposal offered in the concession is fully complied with, pursuant to the guidelines approved by SERFOR.</td>
</tr>
<tr>
<td></td>
<td>o In plantation concessions for production purposes, at the start of the harvesting of the planted forest resource (when the payment of harvesting rights starts), the concession titleholder may be eligible for a discount of up to 75% on the payment of harvesting rights for up to six years if the technical proposal of production and investment offered in</td>
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<tr>
<td>Indicator</td>
<td>Guidance Notes/Verifier</td>
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<td>the concession is complied with, pursuant to the guidelines approved by SERFOR.</td>
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<tr>
<td>j.</td>
<td>A 25% discount on the payment of harvesting rights if the research developed on the concession is aligned to the Timber Forest Research Program approved by SERFOR and has provable, scientifically based field results.</td>
</tr>
<tr>
<td>k.</td>
<td>A 25% discount on the payment of harvesting rights if the concession titleholder conducts the use of wild fauna, ecotourism, or non-timber products, and pays the corresponding fee of the harvesting rights for each activity it carries out.</td>
</tr>
<tr>
<td>l.</td>
<td>A 20% discount on the payment of harvesting rights if the concession holder carries out the following activities in the elementary educational centers, technical-productive centers, universities, or institutes and higher education schools located within the neighboring districts:</td>
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<tr>
<td></td>
<td>o A comprehensive and sustained program of environmental education for students and teachers of elementary education, considering human rights, interculturality, and gender approaches.</td>
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<tr>
<td></td>
<td>o Training and coaching in environmental education management for teachers and directors.</td>
</tr>
<tr>
<td></td>
<td>o Likewise, the titleholder will benefit from an additional 5% discount on the payment of land-use right if he/she implements internship programs through the signing of agreements with institutes, schools, and universities.</td>
</tr>
<tr>
<td>m.</td>
<td>A 25% discount on the payment of harvesting rights for water reuse for the purpose of initiatives to install forest plantations with previously treated water.</td>
</tr>
<tr>
<td>n.</td>
<td>A 25% annual discount on the payment of harvesting rights for the conventional biotechnology application to the establishment of Forest Plantations under irrigation.</td>
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<tr>
<td>o.</td>
<td>A 25% discount on the payment of harvesting rights for the establishment of two or more native species.</td>
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<tr>
<td>p.</td>
<td>A 25% discount on the payment of harvesting rights for the establishment of species listed as threatened.</td>
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<tr>
<td>q.</td>
<td>A 25% discount on the payment of harvesting rights for the establishment of forest plantations in priority zones of the government.</td>
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<tr>
<td>Indicator</td>
<td>Guidance Notes/Verifier</td>
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<tr>
<td>r. Up to 30% discount on the payment of harvesting rights if titleholder implements comprehensive projects, and the processing is executed in a processing plant owned by the titleholder of the authorization certificate, or by one of the members of the legal entity (if the titleholder is a legal entity), or by one of the members of the consortium (if the titleholder is a consortium), or through a management agreement in favor of the titleholder of the authorization certificate. This discount will apply as follows: 15% when primary processing is carried out in the concession area or neighboring village; 8% when it is done outside such scope but within the regional scope; 10% when only secondary processing is carried out and the primary processing is executed through third-party services, irrespective of the centers’ location; and 30% when primary and secondary processings are carried out, regardless of the centers’ location.</td>
<td></td>
</tr>
<tr>
<td>s. A 25% discount on the payment of harvesting rights for the time of validity of such certification, if the concession titleholder secures a voluntary forest certification.</td>
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</tr>
<tr>
<td>t. A 25% discount on the payment of harvesting rights if the concession titleholder reports annually the results of the forest inventory, pursuant to the guidelines approved by SERFOR. The discount is approved every year after receiving the information on the physical and digital inventory.</td>
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The discounts referred to in paragraphs (b) to (j) are given upon approval of the management plan, a document that must contain the activities justifying the requested discount, or upon submission of a request according to the format approved by SERFOR, in the case of assignment for use agreements for agroforestry systems that do not require a Management Declaration. Should OSINFOR determine that the activities mentioned above were not fulfilled, the ARFFS will demand the amount of the land-use right that was not paid, without any justification.

**In natural forests in lands of native and peasant communities:**
The following cumulative discounts can be given, with a maximum discount of up to 70% of harvesting rights corresponding to the year affected, as applicable.125

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125 Conditions and procedures for the granting of the above-mentioned discounts will be approved by SERFOR.
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<tr>
<td>Guidance Notes/Verifier</td>
</tr>
<tr>
<td>d. A 25% discount on the payment of harvesting rights if they are located in priority areas of the state.</td>
</tr>
<tr>
<td>e. Up to a 35% discount on harvesting rights for voluntary forest certification, adoption of duly certified good practices, legal origin certifications, and others, and an additional 20% in case of more than a five-year maintenance. A 5% discount for up to one year for the issuance of the assessment report or “scoping” of its permit by the certifying company.</td>
</tr>
<tr>
<td>f. A 25% discount on the payment of harvesting rights if the concession titleholder reports annually to the ARFFS and SERFOR the results of the permanent sample plots established in the permit area.</td>
</tr>
<tr>
<td>g. Up to a 25% discount on the payment of harvesting rights for the conservation and/or recovery of areas not intended for the forestry use, according to the surface used for these activities.</td>
</tr>
<tr>
<td>h. Up to a 25% discount on the payment of harvesting rights for diversified forest management, including the diversified use of timber and/or non-timber forest species.</td>
</tr>
</tbody>
</table>

**Legal References:**

- [Organic Law for the Sustainable Use of Natural Resources – Law N° 26821.](#)
- [Forest and Wild Fauna Law – Law N° 29763.](#)
- [Forest Management Regulations – Executive Decree N° 018-2015-MINAGRI.](#)
- [Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI.](#)
- [Regulations for Forestry and Wild Fauna Management in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI.](#)

**ACRONYMS USED**

- ARFFS
- SERFOR
- MINAGRI
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>AB</td>
<td>Baseline Area</td>
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<tr>
<td>ALA</td>
<td>Local Water Authority</td>
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<tr>
<td>ANA</td>
<td>National Water Authority</td>
</tr>
<tr>
<td>ANP</td>
<td>Natural Protected Area</td>
</tr>
<tr>
<td>ARFFS</td>
<td>Forestry and Wild Fauna Regional Authority</td>
</tr>
<tr>
<td>ATFFS</td>
<td>Forestry and Wild Fauna Technical Administration</td>
</tr>
<tr>
<td>CGFFS</td>
<td>Forestry and Wild Fauna Management Committee</td>
</tr>
<tr>
<td>CITES</td>
<td>Convention on International Trade in Endangered Species of Wild Fauna and Flora</td>
</tr>
<tr>
<td>CTS</td>
<td>Compensation for Time of Services</td>
</tr>
<tr>
<td>DAP</td>
<td>Diameter at Breast Height</td>
</tr>
<tr>
<td>DEMA</td>
<td>Management Declaration</td>
</tr>
<tr>
<td>DGAAA</td>
<td>MINAGRI’s Direction of Agricultural Environmental Matters</td>
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<tr>
<td>DIA</td>
<td>Environmental Impact Statement</td>
</tr>
<tr>
<td>DNI</td>
<td>National Identity Card</td>
</tr>
<tr>
<td>EIA-d</td>
<td>Detailed Environmental Impact Study</td>
</tr>
<tr>
<td>EIA-sd</td>
<td>Semi-detailed Environmental Impact Study</td>
</tr>
<tr>
<td>ESSALUD</td>
<td>Public Health Insurance System</td>
</tr>
<tr>
<td>EVAP</td>
<td>Preliminary Environmental Assessment</td>
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<tr>
<td>FOB</td>
<td>Free On Board</td>
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<tr>
<td>GPS</td>
<td>Global Positioning System</td>
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<tr>
<td>GTF</td>
<td>Forest Transportation Guide</td>
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<tr>
<td>IDE</td>
<td>Spatial Data Infrastructure</td>
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<tr>
<td>IMA</td>
<td>Environmental Monitoring Report</td>
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<tr>
<td>MA</td>
<td>Harvestable Mass</td>
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<tr>
<td>MINAGRI</td>
<td>Ministry of Agriculture and Irrigation</td>
</tr>
<tr>
<td>MINAM</td>
<td>Ministry of Environment</td>
</tr>
<tr>
<td>MTC</td>
<td>Ministry of Transportation</td>
</tr>
<tr>
<td>MYPE</td>
<td>Small and Micro-sized Enterprises</td>
</tr>
<tr>
<td>NRUS</td>
<td>Simplified Single Regime</td>
</tr>
<tr>
<td>OIT</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>OSINFOR</td>
<td>Supervisory Agency of Forest and Wild Fauna Resources</td>
</tr>
<tr>
<td>PAMA</td>
<td>Environmental Compliance and Management Program</td>
</tr>
<tr>
<td>PCM</td>
<td>Presidency of the Council of Ministers</td>
</tr>
<tr>
<td>PDT</td>
<td>On-line Tax Return Filing Software</td>
</tr>
<tr>
<td>PGMF</td>
<td>General Forest Management Plan</td>
</tr>
</tbody>
</table>
LIST OF REGULATIONS

General Regulations
1. 1993 Political Constitution of Peru
2. Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES), approved in Peru by Decree Law Nº 21080
3. Convention 169 of the International Labour Organization concerning indigenous and tribal peoples in independent countries, approved in Peru by Legislative Resolution Nº 26253
4. Organic Law for the Sustainable Use of Natural Resources – Law Nº 26821
5. Law concerning the conservation and sustainable use of biological diversity – Law Nº 26839
6. Forest and Wild Fauna Law – Law Nº 29763
7. Law that creates the Supervisory Agency of Forest and Wild Fauna Resources – Decree Law Nº 1
8. Measures to combat illegal logging – Legislative Decree Nº 1220
9. Modification of the Criminal Code regarding environmental crimes in forestry matters – Legislative Decree Nº 1237
10. Measures of administrative simplification for procedures provided by Law Nº 29763, Forest and Wild Fauna Law, modifying articles in this law – Legislative Decree Nº 1283
11. Measures to promote trade of forest and wild fauna products of legal origin – Legislative Decree Nº 1319
12. Regulations for the law concerning the conservation and sustainable use of biological diversity – Executive Decree Nº 068-2001-PCM
13. Regulations for the organization and functions of SERFOR – Executive Decree Nº 07-2013-MINAGRI
14. National forest and wild fauna policy – Executive Decree Nº 09-2013-MINAGRI
18. Regulations for Forest and Wild Fauna Management in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI
19. Single Text of Administrative Procedures of the Forest and Wild Fauna National Service (SERFOR) – Executive Decree Nº 001-2016-MINAGRI
20. Regulatory rules for the implementation of Legislative Decree Nº 1220 – Executive Decree Nº 010-2016-MINAGRI
21. Regulations to promote the formalization and adaptation of activities of the forest and wild fauna sector – Executive Decree Nº 011-2016-MINAGRI
23. Amendment to the Single Text of Administrative Procedures (TUPA) of the Forest and Wild Fauna National Service (SERFOR) – Ministerial Resolution Nº 0613-2016-MINAGRI
24. Regulations for the organization and functions of the Supervisory Agency of Forest and Wild Fauna Resources (OSINFOR) – Executive Decree Nº 029-2017-PCM
26. Logbook Form of Forest Products Primary Processing Centers, and Instructions on the Use and Recording of Information – Executive Directorate Resolution Nº 156-2015-SERFOR-DE
28. Guidelines for registering plantations with the National Register of Forest Plantations – Executive Directorate Resolution N° 165-2015-DE
29. Guidelines for obtaining and renewing the license to exercise the regency – Executive Directorate Resolution N° 029-2016-SERFOR-DE
30. Guidelines for the registration of portable sawmill records – Executive Directorate Resolution N° 044-2016-SERFOR-DE
32. Guidelines for the formulation of an Operational Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE
33. Guidelines for preparation of the Management Declaration for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE
35. Guidelines for granting concessions for forest products other than timber, ecotourism, and conservation through direct concession – Executive Directorate Resolution N° 086-2016-SERFOR-DE
36. Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution N° 116-2016-DE
37. Guidelines for granting timber forest concessions through summary procedure – Executive Directorate Resolution N° 078-2017-SERFOR-DE

Principle 1: ACCESS, RIGHT OF USE, AND POSSESSION

1. Convention 169 of the International Labour Organization concerning indigenous and tribal peoples in independent countries, approved in Peru by Legislative Resolution N° 26253
2. Law of Native Communities and Agricultural Development of the Amazon Region and Upper Rainforest – Law Decree N° 22175
3. General Law of Peasant Communities – Law N° 24656
4. Creation of the National System and the Superintendency of Public Records – Law N° 26366
6. General Law on Corporations – Law N° 26887
7. Forest and Wild Fauna Law – Law N° 29763
8. Law of State Contracting – Law N° 30225
9. Peruvian Civil Code – Legislative Decree N° 295
10. Peruvian Criminal Code – Legislative Decree N° 635
11. Single Taxpayer Registration Law – Legislative Decree N° 943
12. Legislative decree that establishes measures for administrative simplification in the procedures set out in Law Nº 29763, Forest and Wild Fauna Law, and amending articles thereof – Legislative Decree Nº 1283
13. Legislative decree that approves diverse measures for administrative simplification – Legislative Decree Nº 1246
14. Legislative Decree of Migration – Legislative Decree Nº 1350
15. Law that creates the Supervisory Body for Forest Resources and Wildlife – Legislative Decree Nº 1085
17. Regulations for the law for the creation of the Forest Resources and Wild Fauna Supervision Agency – Executive Decree Nº 024-2010-PCM
23. Executive decree that enlarges the information for the progressive implementation of the interoperability for the citizen benefits within the framework of the Legislative Decree Nº 1246 – Executive Decree Nº 051-2017-PCM
24. Regulatory provisions of Legislative Decree Nº 943 that approved the Single Taxpayer Registration Law – Superintendency Resolution Nº 210-2004-SUNAT
28. Guidelines for registering plantations with the National Registry of Forest Plantations – Executive Directorate Resolution Nº 165-2015-DE
29. Guidelines for granting concessions for forest products other than timber, ecotourism, and conservation, through direct concessions – Executive Directorate Resolution Nº 105-2016-SERFOR-DE
33. Guidelines for granting timber forest concessions for public tender – Executive Directorate Resolution Nº 105-2017-SERFOR-DE
34. Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution Nº 116-2016-DE

Principle 2: HARVESTING REGULATIONS (LOGGING)
2. Organic Law of Regional Governments – Law N° 27867
3. Forest and Wild Fauna Law – Law N° 29763
5. Single Text of Administrative Procedures of Ancash – Regional Executive Resolution N° 0052-2012-REGION ANCASH/PRE
10. Single Text of Administrative Procedures of Cuzco – Regional Ordinance N° 117-2016-CR/GRC.CUSCO
19. Single Text of Administrative Procedures of Moquegua – Regional Ordinance N° 01-2010-CR/GRM
22. Single Text of Administrative Procedures of Puno – Regional Ordinance N° 05-2014-GRP-CRP
24. Single Text of Administrative Procedures of Tacna – Regional Ordinance N° 002-2016-GOB.REG.TACNA
30. Forest and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI
Principle 3: TRANSPORTATION OF LOGS (TRUNKS) AND TIMBER PRODUCTS
1. Forest and Wild Fauna Law – Law N° 29763
2. Single Text of Administrative Procedures of the Ministry of Transportation and Communications (TUPA) – Executive Decree N° 008-2002-MTC
3. Waterway Transport Regulations – Executive Decree N° 014-2006-MTC
4. Regulations for Organization and Functions of the Ministry of Transportation and Communications – Executive Decree N° 021-2007-MTC
5. National Regulations of Transportation Management – Executive Decree N° 017-2009-MTC
10. Logbook Form of Primary Processing Centers of Forest Products, and Instructions on the Use and Recording of Information – Executive Directorate Resolution N° 156-2015-SERFOR-DE

Principle 4: PROCESSING (TRANSFORMATION) REGULATIONS
1. General Law on Corporations – Law N° 23407
2. Organic Law of Regional Governments – Law N° 27867
4. Single Revised Text of Law N° 28976, framework law of operating license and sworn statements forms – Executive Decree N° 046-2017-PCM
5. Forest and Wild Fauna Law – Law N° 29763
6. Single Taxpayer Registration Law – Legislative Decree N° 943
7. Legislative decree that approves diverse measures of administrative simplification – Legislative Decree N° 1246
10. Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI
11. Single Text of Administrative Procedures of the Forest and Wild Fauna National Service (SERFOR) – Executive Decree N° 001-2016-MINAGRI
13. Amendment to the Single Text of Administrative Procedures (TUPA) of the Forest and Wild Fauna National Service (SERFOR) – Ministerial Resolution N° 0613-2016-MINAGRI
14. Regulatory provisions of Legislative Decree N° 943 that approved the Single Taxpayer Registration Law – Superintendency Resolution N° 210-2004-SUNAT
15. Logbook Form of Primary Processing Centers of Forest Products, and Instructions on the Use and Recording of Information – Executive Directorate Resolution N° 156-2015-SERFOR-DE
18. Guidelines for the formulation of an Operational Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE

Principle 5: IMPORT AND EXPORT REGULATIONS
2. Forest and Wild Fauna Law – Law N° 29763
3. General Customs Law – Legislative Decree N° 1053
4. Legislative decree that approves diverse measures of administrative simplification – Legislative Decree N° 1246
5. Regulations of Organization and Functions of the Ministry – Executive Decree N° 005-2002-MINCETUR
6. Regulations for Plant Quarantine – Executive Decree N° 032-2003-AG
8. Regulations for Organization and Functions of the National Service of Agrarian Health (SENASA) – Executive Decree N° 008-2005-AG
10. Regulations for the General Customs Law – Executive Decree N° 010-2009-EF
11. Single Text of Administrative Procedures of National Service of Agrarian Health (SENASA) – Executive Decree N° 014-2010-AG
15. Organization and Functions Regulations of the Supervisory Agency for Forest and Wild Fauna Resources (OSINFOR) – Executive Decree N° 029-2017-PCM
16. Vouchers Regulations – Superintendency Resolution N° 007-99/SUNAT
17. Regulatory provisions of Legislative Decree N° 943 that approved the Single Taxpayer Registration Law – Superintendency Resolution N° 210-2004-SUNAT
18. Definitive Export Procedure INTA-PG.02 (version 6) – Resolution of National Deputy Customs Superintendency N° 050-2019/SUNAT/A
19. Single Revised Text of Administrative Procedures of the National Superintendency of Customs and Tax Administration (SUNAT) – Superintendency Resolution N° 192-2015/SUNAT
20. Categories of Phytosanitary Risk of plants, vegetable products, and other regulated items related to national sub-entries – Directorial Resolution N° 0050-2016-MINAGRI-SENASA-DSV
   Regulations for the Forestry and Wild Fauna Resources Supervision and Supervision Policies for OSINFOR – Presidential Resolution N° 063-2016-OSINFOR

Principle 6: ENVIRONMENTAL REGULATIONS
1. Law of Natural Protected Areas – Law N° 26834
2. Law of the National System of Environmental Impact Assessment – Law N° 27446
3. Law on Water Resources – Law N° 29338
4. Forest and Wild Fauna Law – Law N° 29763
5. General Agrarian Health Law – Legislative Decree N° 1059
6. Regulations for the Law of Natural Protected Areas – Executive Decree N° 038-2001-AG
7. Regulations for Organization and Functions of the National Service of Agrarian Health (SENASA) – Executive Decree N° 008-2005-AG
9. Regulations for Law on Water Resources – Executive Decree N° 001-2010-AG
10. Single Text of Administrative Procedures of the National Water Authority (ANA) – Executive Decree N° 012-2010-AG
12. Environmental Offences and Sanctions of the Agricultural Sector Regulations – Executive Decree N° 017-2012-AG
18. Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI
21. Regulations for administrative procedures for the granting of water use rights and works execution authorization in water natural sources – Presidential Resolution № 007-2015-ANA
25. Guidelines for the preparation of the Management Declaration for forest harvesting permits in native and peasant communities – Executive Directorate Resolution № 065-2016-SERFOR-DE
27. Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution № 116-2016-DE

Principle 7: CONSERVATION REGULATIONS
1. Law on Prevention of Risks Arising from the Use of Biotechnology – Law № 27104
2. Forest and Wild Fauna Law – Law № 29763
3. Law Establishing a Moratorium on the Inflow and Production of Living Modified Organisms in the National Territory for a Period of 10 Years – Law № 29811
4. Law on Animal Protection and Welfare – Law № 30407
5. Regulations Corresponding to the Law on Prevention of Risks Arising from the Use of Biotechnology – Executive Decree № 108-2002-PCM
6. Regulations Corresponding to the Law Establishing a Moratorium on the Inflow and Production of Living Modified Organisms in the National Territory for a Period of 10 years – Executive Decree № 008-2012-MINAM
7. Executive Decree approving the updating of the classification and categorization list of legally protected and endangered wild fauna species – Executive Decree № 004-2014-MINAGRI
11. Forestry and Wild Fauna Management Regulations in Native and Peasant Communities – Executive Decree № 021-2015-MINAGRI
12. Organization and Functions Regulations of the Supervisory Agency for Forest and Wild Fauna Resources (OSINFOR) – Executive Decree № 029-2017-PCM
17. Regulations for the Supervision of Forestry and Wild Fauna Resources and Directive on Supervision for Timber Forest Authorization Certificates of OSINFOR – Presidential Resolution N° 063-2016-OSINFOR
18. Guidelines for the preparation of Management Declarations for forest harvesting permits in native and peasant communities – Executive Directorate Resolution N° 065-2016-SERFOR-DE
20. Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution N° 116-2016-DE

Principle 8: SOCIAL REGULATIONS
1. Convention 169 of International Labour Organization concerning indigenous and tribal peoples in independent countries, approved in Peru by Legislative Resolution N° 26253
2. Decision 391 of the Andean Community of Nations concerning the common regime for the access to genetic resources
4. Law of Modernization of Public Health Insurance System – Law N° 26790
5. Law Against Discriminatory Acts – Law N° 27270
6. Law providing for the protection regime of collective knowledge of Indigenous Peoples on Biological Resources – Law N° 27811
7. General Labor Inspection Law – Law N° 28806
8. Law for equal opportunities for women and men – Law N° 28983
10. Forest and Wild Fauna Law – Law N° 29763
11. Occupational Safety and Health Law – Law N° 29783
12. Justice of the Peace Law – Law N° 29824
14. Criminal Code – Legislative Decree N° 635
<table>
<thead>
<tr>
<th>Number</th>
<th>Title</th>
<th>Document Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Peruvian National Police Law – Legislative Decree Nº 1267</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Regulations for Labor Collective Relations Law – Executive Decree Nº 11-92-TR</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Regulations for Labor Development Law – Executive Decree N° 001-96-TR</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Single Revised Text of Legislative Decree N° 728, Law of Labor Productivity and Competitiveness – Executive Decree N° 003-97-TR</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Law of Modernization of the Public Health Insurance System – Law Nº 26790</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Law of Modernization of the Public Health Insurance System – Executive Decree N° 009-97-SA</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Regulations for the General Labor Inspection Law – Executive Decree N° 019-2006-TR</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Regulations for Occupational Safety and Health Law – Executive Decree N° 005-2012-TR</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Policy of State Modernization – Executive Decree Nº 004-2013-PCM</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Regulation for Organization and Functions of the Ministry of Culture – Executive Decree Nº 005-2013-MC</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Regulations for Justice of the Peace Law – Executive Decree Nº 007-2013-JUS</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Forest Management Regulations – Executive Decree Nº 018-2015-MINAGRI</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Regulations for the Management of Forest Plantations and Agroforestry Systems – Executive Decree N° 020-2015-MINAGRI</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Regulations for Forestry and Wildlife Management in Native and Peasant Communities – Executive Decree N° 021-2015-MINAGRI</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Regulations for Labor Inspection System – Executive Decree N° 002-2017-TR</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Single Notice Form of Accident at Work – Ministerial Resolution Nº 511-2004-MINSA</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Technical Guideline: Relationship in case of interaction with indigenous peoples in isolation or initial contact – Ministerial Resolution Nº 797-2007-MINSA</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Health Technical Standard: Prevention, contingency in case of contact and mitigation of health hazards in scenarios with indigenous peoples in isolation or initial contact – Ministerial Resolution Nº 799-2007-MINSA</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Directive that regulates the functioning of the Official Database of Indigenous and Tribal Peoples – Ministerial Resolution Nº 202-2012-MC</td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>Protocol of the Ombudsman’s Office – Administrative Resolution Nº 047-2008/DP-PAD</td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>Guidelines for the preparation of Management Declarations in assignment for use agreements for agroforestry systems – Executive Directorate Resolution N° 163-2015-SERFOR-DE</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>Guidelines for the formulation of the General Forest Management Plan for timber forest concessions – Executive Directorate Resolution N° 046-2016-SERFOR-DE</td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>Guidelines for the preparation of Management Declarations for forest harvesting permits in native and peasant communities – Executive Directorate Resolution Nº 065-2016-SERFOR-DE</td>
<td></td>
</tr>
</tbody>
</table>

Guidelines for the establishment of local forests and conditions for their management – Executive Directorate Resolution N° 116-2016-DE

Principle 9: TAXES, RATES, AND ROYALTIES (MONEY RETRIBUTION)

1. National Pension System of Public Health Insurance System – Decree Law Nº 19990
2. Framework Law of National Tax System – Legislative System Nº 771
3. Law of Modernization of Public Health Insurance System – Law Nº 26790
4. Organic Law for the Sustainable Use of Natural Resources – Law Nº 26821
5. Law of Investment Promotion in the Amazon Region – Law Nº 27037
6. Forest and Wild Fauna Law – Law Nº 29763
7. Law of Single Taxpayers’ Registration – Legislative Decree Nº 943
10. Regulations for Law that Creates the National Pension System of the Public Health Insurance System – Executive Decree Nº 011-74-TR
11. Issue rules referred to the application of tax on vehicle ownership by the Municipal Administration – Executive Decree Nº 22-94-EF
12. Regulations for Income Tax Law – Executive Decree Nº 122-94-EF
16. Regulations of Tax Provisions Set Out in the Investment Promotion Law in the Amazon Region – Executive Decree Nº 103-99-EF
20. Regulations for Forestry and Wild Fauna Management in Native and Peasant Communities – Executive Decree Nº 021-2015-MINAGRI
23. Rules concerning books and registers related to tax issues – Superintendency Resolution Nº 234-2006-SUNAT
25. Methodology for the determination of timber value in its natural state for the payment of harvesting rights” and “timber values in its natural state” – Executive Directorate Resolution Nº 241-2016-SERFOR-DE