

Outcome of TPAC's stakeholder forum on FSC

Public report
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Background

This document deals with the reactions of stakeholders on the functioning of FSC in practice, posted on the online stakeholder forum which took place from June 24 until July 24, 2008. This forum is an essential element of the assessment procedure of the Dutch *Timber Procurement Assessment Committee* (TPAC). TPAC is commissioned by the Dutch Ministry of Environment to assess whether forest certification systems meet the *Dutch Procurement Criteria for Timber*. The internet stakeholder forum provides a platform for the stakeholders to comment on the practice of the certification systems.

The final assessment of the system is based on desk studies of all relevant documentation of the FSC standard, additional information provided by the system manager of FSC and posts on the internet stakeholder forum. For the complete assessment of FSC by TPAC, see the '*Public Report: Final Assessment of FSC*' ([http://www.tpac.smk.nl/webadmin/Final%20assessment%20FSC%20111108\(1\).pdf](http://www.tpac.smk.nl/webadmin/Final%20assessment%20FSC%20111108(1).pdf)).

The Stakeholder Forum on FSC

In total, TPAC has received nine posts on the stakeholder forum of FSC. Three reactions are general remarks. Six reactions are related to the following three principles on Sustainable Forest Management (SFM): Legislation and regulation (P1), Biodiversity (P4) and Regulation functions (P5).

Outline

The document is structured as follows. Per criterion first, the post on the stakeholder forum itself and a short summary of the post are given. Thereafter, the related criterion and the preliminary assessment are stated. When provided, the reaction of the system manager regarding the forum post is given. Thereafter, TPAC indicates how the post relates to the final assessment of TPAC. This is concluded with the consequences for the given criterion. Finally, per principle the final score is given, together with the – possibly adapted – scores for the relevant criteria. Note: Box1 indicates the meaning of the scores used.

Box1: The tables below depict the possible scores for criteria and principles.

Scores for Criteria	
=	Fully addressed
≈	Partially addressed
≠	Inadequately addressed
n.r.	Not relevant
c.o.	Covered otherwise in legal and social context

Scores for Principles	
2	Fully addressed
1	Partially addressed
0	Inadequately addressed
n.r.	Not relevant

General remarks

Author: Henry Houghton, Continental Cellulose,
Belgium

Posted: 7/24/2008 11:39:49 AM

Why assessment of both FSC and PEFC?

If sustainability is the joint aim of both FSC and PEFC, how or why can the Dutch government look at backing one type of certification over the other? In developed (safe) countries like Western Europe and North America, there is no credible reason to differentiate between the 2 systems!

Summary: Why are certification systems assessed if both FSC and PEFC aim at sustainability?

Comment of TPAC: Although both systems aim at sustainability, they use different principles and criteria. They are both evaluated against the Dutch Procurement Criteria for Timber. It may well be that the systems are different in meeting the requirements set by the Dutch standard.

Consequence for the TPAC assessment:
None

Author: Leffert Oldenkamp, Keurhout,
Netherlands

Posted: 7/15/2008 9:58:23 AM

Functioning of generic system

As a matter of principle a generic system is not able to provide with transparent information on forest management. This goes for the forest management criteria (each region has its own specific forest sector development) as well as for the legislation aspects. There are enough examples of especially FSC certified forests where certificates were incorrectly awarded or denied. Certification needs region specific approaches.

[/files/discussion/discussions_articles/1/181/20080715095822907_nieuwe tekst E&O.doc](/files/discussion/discussions_articles/1/181/20080715095822907_nieuwe_tekst_E&O.doc)

Summary: FSC needs a region specific approach because a generic system cannot deal with the management of a single FMU.

Comment of TPAC: The observation is correct, but the aim of the present process is not to verify the certification process of individual FMUs. This is the task of the certification bodies. Rather it is the aim to evaluate the general system which forms the basis for the evaluation process at the management level. Still there is a choice between the assessment of the generic international FSC standard and national FSC standards. Concerning that choice, it should be noted that the national FSC standards are to a large extent identical to the international FSC standard: all criteria of the international standard also apply at national level, being that they are elaborated in national indicators. For this reason TPAC assesses the international generic standard. It should be noted that TPAC has made a cross-check at the national level by assessing the FSC systems of Sweden, Brazil and Cameroon.

Consequence for the TPAC assessment:
None

What does TPAC do with anonymous reactions?

Many forum reactions seem to be anonymous. It is unclear if these reactions come from one source or many. This brings up three questions: 1. Does TPAC follow up on reports of possible non-compliance? 2. Under what conditions does TPAC follow up reports of non-compliance? 3. Does TPAC follow up on anonymous reactions?

Summary: The author has three questions about the forum regarding the follow up on reports of non-compliance and on anonymous reactions.

Comment of TPAC: 1. Does TPAC follow up on reports of possible non-compliance?

Basically, there are two forms of non-compliance:

- Non-compliance at system level: the assessed system does not comply with the Dutch Procurement criteria. In chapter 3 of the TPAS User Manual it is described how TPAC assesses a certification system and on what conditions this system will be accepted.
- Non-compliance at the level of single criteria.

We assume that the question refers to the second form of non-compliance. If TPAC is informed about non-compliance at the level of single criteria, it will follow up on those reports of non-compliance depending on the scale and nature of the issue. TPAC will also get in contact with the system manager, to find out whether the system itself is aware of the non-compliance and is dealing with the issue.

2. Under what conditions does TPAC follow up reports of non-compliance?

Whether TPAC follows up on reports of non-compliance depends on the nature and scale of the non-compliance and on how the system manager is dealing with the non-compliance.

In principle, the system itself should be able to research and solve issues of non-compliance. This characteristic of the system is evaluated under the principles belonging to "Development, Application and Management (DAM) of certification systems" of TPAS. If the nature and scale of the non-compliance is serious and the system manager is not dealing with the issue adequately, this may cause TPAC to come to a negative acceptance decision regarding the system as a whole. If the system has already been accepted, TPAC investigates the background and facts of the non-compliance, if necessary and possible in the field. Depending on the outcome of the research TPAC will decide to revoke the acceptance or to request the system manager to make a Corrective Action Plan. The Committee holds the right to temporarily suspend the acceptance pending the investigation (see also the User Manual on page 13).

3. Does TPAC follow up on anonymous reactions?

TPAC indeed follows up reactions of stakeholders of whom the names are not disclosed. It should be noted that the name of the respondent is known to the moderator, who will handle this information with confidentiality. If necessary, the given respondent will be asked, as any respondent, for further verifiable information. Follow up takes place in the same way as with other reactions.

Consequence for the TPAC assessment:
None

Remarks made on Principle 1 (SFM): Legislation and regulation

Author: Simon Counsell , FSC-Watch, United Kingdom

Posted: 7/24/2008 5:54:03 PM

All is in the implementation

As with most of the FSC's Principles and Criteria, they are fine on paper, but the problem is that 'on paper' is where they mostly stay. As with all the other FSC Principles and Criteria, there are many documented examples of where companies are not in compliance with the requirements to obey all laws and regulations and have still been certified by FSC's accredited certifiers, who are presently completely out of the FSC's control - see www.FSC-Watch.org for more information.

Summary: Certified companies frequently do not comply with the requirement to obey all relevant laws and regulations.

Criterion C 1.3 (SFM)

Preliminary score: Fully addressed

Response FSC: *Response of FSC on specific issue*
FSC has a strong system to control certification bodies and problem cases are very limited. That is not to say there is no room for improvement in the system. On the contrary, FSC is constantly looking at ways that it can improve the quality of its certification.

In addition to what has been said before, on the issue of frequent non compliance with national laws and regulations, FSC would like to ask: where is the evidence for such a claim? If this was the case it would mean that companies are frequently tricking their own regulatory systems, plus thorough annual audits by certification bodies and sample accreditation audits by ASI. If such was the case, surely there would be an overwhelming body of evidence.

General response of FSC

The performance of certificate holders and certification bodies (forest management related) can be seen through public summaries. There it is possible to see the corrective actions issued by both ASI and certification bodies, attesting to the fact that non-compliances are being addressed. Furthermore, it is possible to see which certificates and certification bodies have been suspended or terminated, once more demonstrating that the system works.

As in any other certification system, there are specific problem cases. FSC recognizes this and is working to solve them. FSC believes that these cases are an exception and not the norm and that these cases represent a small fraction of the overall number of certificates.

ASI routinely uses comments from stakeholders to help select cases for auditing, thus making sure that any issues are addressed through necessary corrective actions to the certification body.

An independent study on the quality of FSC certification is currently underway. The authors have expressed that their preliminary findings show that FSC is in fact better performing than the traditional ISO certification model (personal communication).

To conclude, it is important to highlight that no single case in FSC-watch has ever resulted in an official complaint to FSC.

Comment of TPAC: Two issues are at stake here. One concerns the inferred non-compliances as such, the other concerns the way the non-compliances are dealt with. How non-compliances are dealt with is subject of the DAM principles and criteria of TPAC (DAM stands for Development, Application and Management of Certification Systems).
 If reports on non-compliance are adequately dealt with by the responsible party (mostly the certification body) non-compliances on FMU level do not have to lead to a categorical rejection of the entire system. At present TPAC is of the opinion that the non-compliances are rather exceptions than common practice in FSC and that FSC has sufficient safeguards and criteria that the responsible parties deal adequately with reports on non-compliance.

Consequence for the assessment by TPAC:
 None

Final score SFM principle 1 (including C 1.3):

Legislation and regulation	P 1. Relevant international, national, and regional/local legislation and regulations shall be respected. To that end the system requires that:	2
Requirements of forest manager	C 1.3. Legal and regulatory obligations that apply to the forest management unit, including international agreements, are fulfilled.	=

Remarks made on Principle 4 (SFM): Biodiversity

P 4. Biodiversity

Author: Not disclosed

Posted: 6/27/2008 3:46:01 PM

Prevention of regeneration in FSC estate in the Netherlands

The comment below is based on observations on the functioning of FSC certification in Boschoord in the province of Drenthe, an estate that mainly consists of mixed pine forest, and is owned and managed by the *Stichting Maatschappij van Weldadigheid*.

Despite the presence of drains, part of the estate shows signs of spontaneous peat formation. In practice this cannot really come off the ground because the drains are kept in meticulously good shape. Thus regeneration of high conservation areas is actively prevented. A comparable situation holds true for a number of small fens and peat bogs, which are scattered over the estate. These fens and peat bogs have high biodiversity but are completely isolated from each other and should urgently be connected with each other, to realise exchange of species via corridors. Some decades ago, production forest was planted just up to the edge of these small wetland areas. In the present management of the estate no serious management of these fens and peat bogs has been made.

Summary: An FSC certified forest in Drenthe, the Netherlands, lacks a suitable management plan for the conservation of important biodiversity areas within its forest, resulting in degradation of peat bogs and fens and avoided recovery of peat lands.

Criterion: C 4.1 and C 4.2 (SFM)

Preliminary score: Both fully addressed

Response FSC: *Comments related to this issue (see also SFM C4.2)*
Despite the fact that we do not have the specific information of the certificate holder or name of the certified operation, through our certificate holder database (www.fsc-info.org) we have been able to trace the FMU that has been referenced in the question and this belongs to the following FSC certificate: CU-FM/COC-011833. This is a group forest management certificate.
We have not been able to contact the certifier (Control Union) to provide us with a proper response to the question, however we have reviewed the public summary report of this certificate holder in order to provide you with a response.
We have attached the public summary report, please consult the surveillance survey sheet 2005 and the summary sheet 2006 for information on the three issues that have been raised: increase of exotic species, removal of dead wood and regeneration.
Should you require more specific information related to this certificate please contact Harrie Schreppers at: hschreppers@controlunion.com

Comment of TPAC: The 'Public certification – summary report' (Unie Van Bosgroepen, EDE, CU-FM/CoC-011833, p64) shows that issues such as stimulating the growth of native species and the amount of dead wood in certified forests are audited. When unconformity occurs, the auditor requires that measures are taken to improve the situation. The raised issues are considered not to be representative for the management of FSC forests in the Netherlands.

Consequence for the assessment by TPAC:
None

P 4. Biodiversity

Author: Not disclosed

Posted: 6/27/2008 3:27:48 PM

Lack of fauna protection in old growth Belarus

Old growth forest in the Northern part of Belarus is mainly limited to inaccessible areas, characterized by a lack of roads and wet field conditions. These forests, for about 80% consisting of natural pine forest and 20% of deciduous forest, have the highest biodiversity of forests in Belarus, including a special bird, the Ural Owl. Since a couple of years considerable areas of old growth forest in Northern Belarus are under FSC certification. Some of these areas are now opened up by roads and sometimes even are being drained, most probably because wood prices are rising and forestry is becoming more profitable. The logging of old growth forest in itself implies amongst others a severe risk to the Ural Owl population. This is the more so because apparently no special measures are taken for conservation of the fauna. This information is based on findings of local people.

Summary: Activities, such as road construction drainage and logging in old growth FSC certified forests in Northern Belarus, threatens high value forests and their biodiversity (Ural Owl).

Criterion: C 4.1 and C 4.2 (SFM)

Preliminary score: Both fully addressed

Response FSC: As stated in the previous response, information of all FSC Forest Management certificates are available through public summary reports that are published at the certifier's website. It is normally impossible to respond to a particular complaint by a stakeholder if we don't have either the name of the certification body or the name of the certificate holder. However, we checked in our certificate holder's database and could be able to identify that all FM certificates in Belarus have been issued by Smartwood. As there is no specific information of the certificate holder we are including as response to your question a public summary report of a FSC certified operation in Belarus.

The main audit report gives a good overview of the issue related to biodiversity protection. Please consult section 3.1 to see information about FSC's Principle 6 and Principle 9. As you will see, major corrective action requests (major CARs) have been issued by the certifier on this same matter. Attached you will also find the annual audit report (see section 3.2 related to Principle 6 and Principle 9) and the verification report (section 3.3 related to CAR 06/06). As you will see, the actions that have been completed by the certificate holder to achieve FSC certification follow a logical sequence in the three reports.

It is also important to clarify that ASI has conducted surveillance audits to the certifier in Belarus with positive outcomes. Should you require more information, please contact Peter Feilberg: pf@nepcon.net

Comment of TPAC: In itself logging of old growth forest is not fully excluded in FSC certified management units; neither is it in TPAS. It must be combined however with protection plans for this type of forests and for its endangered species. The information provided by FSC and Peter Feilberg (see *next post*) indicates that these protection plans are in place.

Consequence for TPAC assessment:
None

P 4. Biodiversity

Author: Peter Feilberg, Rain Forest Alliance/Nepcon, Estonia

Response to: Lack of fauna protection in old growth Belarus

Thanks for the comments. I represent Rainforest Alliance as the lead auditor on the FSC forest management certifications in Belarus. HCVF has been mapped in Belarus as a part of a BirdLife project and protection plans have been prepared for the identified areas within the certified area. If the author has any more specific information on old growth forest covered by the FSC certificates in the area - we will be happy to follow up. Evidence can be forwarded directly to my email (pf@nepcon.net). Please be aware that it is not all forest that are certified in Belarus and that none of the National Parks, which contain most of the old growth are certified.

Best regards, Peter Feilberg

Summary: Reaction on previous post ('Lack of fauna protection in old growth Belarus'). Protection plans have been developed for HCVF in Belarus and most of old growth forests are part of National Parks, which are not certified.

Criterion: C 4.1 and C 4.2 (SFM)

Response of FSC: none (*not relevant*)

Comment of TPAC: Following this reaction and the reaction of FSC on the previous post ('Lack of fauna protection in old growth Belarus') TPAC considers that adequate protection plans do exist for FSC certified FMUs (Forest Management Units) in Northern Belarus.

Consequence for TPAC assessment:
None

P 4. Biodiversity

Author: Not disclosed

Posted: 6/27/2008 3:47:07 PM

Increase of exotic species in FSC estate in the Netherlands

The comment below is based on observations on the functioning of FSC certification in Boschoord in the province of Drenthe, an estate that mainly consists of mixed pine forest, and is owned and managed by the *Stichting Maatschappij van Weldadigheid*.

Despite the fact that the present forest mainly consists of exotic species, like *Picea* and *Larix*, still logging of old growth deciduous species like oak trees takes place. Because no deciduous trees are being replanted, this leads to an increase of the exotic species, in contrast to the requirements set by FSC.

Summary: Increase of exotic species in FSC certified forest in Drenthe, the Netherlands.

Criterion: C 4.4 (SFM)

Preliminary score: Fully addressed

Response of FSC: Despite the fact that we do not have the specific information of the certificate holder or name of the certified operation, through our certificate holder database (www.fsc-info.org) we have been able to trace the FMU that has been referenced in the question and this belongs to the following FSC certificate: CU-FM/COC-011833. This is a group forest management certificate. We have not been able to contact the certifier (Control Union) to provide us with a proper response to the question, however we have reviewed the public summary report of this certificate holder in order to provide you with a response. We have attached the public summary report, please consult the surveillance survey sheet 2005 and the summary sheet 2006 for information on the three issues that have been raised: increase of exotic species, removal of dead wood and regeneration. Should you require more specific information related to this certificate please contact Harrie Schreppers at: hschreppers@controlunion.com

Comment of TPAC: *See also comment under 'Prevention of regeneration in FSC estate in the Netherlands':*
The 'Public certification – summary report' (Unie Van Bosgroepen, EDE, CU-FM/CoC-011833, p64) shows that issues such as stimulating the growth of native species and the amount of dead wood in certified forests are audited. When nonconformity occurs, the auditor requires that measures are taken to improve the situation. Consequently the situation described in the post is considered an incident of temporary nature. TPAC considers that FSC ensures that native species are preferred in plantations, and that a part of the plantation is allowed to regenerate to natural forests.

Consequence for TPAC assessment:
None

Final Score SFM principle 4 (including C 4.1, C 4.2 and C 4.4):

Biodiversity	P 4. Biodiversity shall be maintained and where possible enhanced. To that end the system requires that:	2
Species and Ecosystems	C 4.1. Objects of high ecological value and representative areas of forest types that occur within the forest management unit are identified, inventoried and protected.	=
	C 4.2. Protected and endangered plant and animal species are not exploited for commercial purposes. Where necessary, measures have been taken for their protection and, where relevant, increase of their population.	=
Conversion	C 4.4. In case of plantations native species are preferred and a relevant proportion of the plantation shall be allowed to regenerate to natural forest.	=

Remarks made on Principle 5 (SFM): Regulation functions

P 5. Regulation functions

Author: Not disclosed

Posted: 6/27/2008 3:44:30 PM

Removal of dead wood in FSC estate in the Netherlands

The comment below is based on observations on the functioning of FSC certification in Boschoord in the province of Drenthe, an estate that mainly consists of mixed pine forest, and is owned and managed by the Stichting Maatschappij van Weldadigheid.

Many forestry roads in the estate are bordered with oak trees. At some locations these trees died because they were overgrown by exotic fir tree plantations. This dead wood is extremely important for the biodiversity in forests, especially in pine plantations with low biodiversity. According to the risks the dead trees constituted for visitors, they inevitable had to be cut down. The problem is that after the logging all wood was removed, in contrast to the FSC certificate, which requires dead wood being – at least in part - left in the forest.

Summary: Dead oak trees have been removed, where FSC-criteria require that at least part of the dead wood needs to be left in the forest.

Criterion: C 5.3 (SFM)

Preliminary score: Fully addressed

Response of FSC: None

Comment of TPAC: *See also comment under 'Prevention of regeneration in FSC estate in the Netherlands':*
The 'Public certification – summary report' (Unie Van Bosgroepen, EDE, CU-FM/CoC-011833, p64) shows that issues such as stimulating the growth of native species and the amount of dead wood in certified forests are audited. When nonconformity occurs, the auditor requires that measures are taken to improve the situation. Consequently the situation described in the post is considered an incident of temporarily nature. TPAC considers that FSC ensures the maintenance of important ecological cycles.

Consequence for TPAC assessment:
None

Final score SFM principle 5 (including C 5.3):

Regulation functions	P 5. The regulation function and quality, health, and vitality of the forest shall be maintained and where possible enhanced. To that end the system requires that:	2
Ecological cycles	C 5.3. Important ecological cycles, including carbon and nutrient cycles, which occur in the forest management unit, are at least maintained.	=