

RESPONSE FORM - TPAC Stakeholder Forum

FSC International - 18 March – 15 April 2013



Respondent	
Name:	
Organisation:	
Country:	
Date:	

Sustainable Forest Management (SFM)

Legislation and regulation	P 1. Relevant international, national, and regional/local legislation and regulations shall be respected.
<p>There are lots of FSC standards that are NOT available in English. They cannot be assessed. http://www.gfa-certification.de/Certification_Content_3509349.html</p>	
Interests of stakeholders	P 2. The interests of directly and indirectly involved stakeholders shall be taken into account.
<p>The Russian National Standard (v. 6-01) http://www.scsglobalservices.com/files/standards/FSC-STD-RUS-V6-1-2012%20Russia%20Forest%20Stewardship%20Standard%20EN.pdf limits the rights of indigenous people only to those people “whose subsistence and cultural traditions critically depend on the use of resources within the forest area” (3.1.1.). Indigenous people do not have a say in forest management, but only in silvicultural operations on sites where said local/indigenous community (obshchina) owns or uses natural resources.” (3.1.5). Indigenous people cannot withhold consent.</p> <p>The Chinese FSC standard http://www.scsglobalservices.com/files/standards/SCS_Interim_Standard_for_China_2-23-09.pdf does require the forest manager to only provide “opportunities” to consult indigenous peoples concerning the identification and protection of sites of special cultural, ecological, economic or religious significance within the defined forest area only “as appropriate”. No definition is given in terms of what “appropriate” means, but it is clear that there are likely situations where indigenous people are not consulted – otherwise, there wouldn’t be a reason for such a formulation. “Opportunities” are limited to those afforded by law. Whether or not such opportunities are in line with TPAC requirements is up for question.</p> <p>The Bureau Veritas standard provides no means to local stakeholders to have a say in forest management or to withhold consent http://www.bureauveritas.com/wps/wcm/connect/301de780414dc42899dfb9f6a4e71b92/RF03+FSC+M+BV+standard+for+China+v3.4.pdf?MOD=AJPERES&CACHEID=301de780414dc42899dfb9f6a4e71b92 Forest managers are required to identify and record legal, customary, land tenure or land use rights. If local communities then authorize and delegate control, they have access “to harvesting activities taking place through official harvest designs/permits”, but they neither have the right to withhold consent – it appears that if they don’t consent, they even loose access to “harvesting activities”.</p>	
Health and labour conditions	P 3. Safety, health, and labour conditions shall be sufficiently safeguarded and where relevant enhanced.
<p>The Brazilian SLIMF standard (http://ic.fsc.org/download.fsc-std-bra-01-2010-brazil-slimf.910.htm), in violation of the ILO core convention 138, for workers with an age of less than 15 years to be employed (P4.c2.i9 and P4.c2.i10)</p> <p>The French SGS standard http://www.sgs.com/~media/Global/Documents/Technical%20Documents/SGS%20Standards/sgs-ssc-ad-33-fr-fm-standard-france-english-v5.ashx does not require adequate mechanisms for dispute resolution to be in place (2.3.1.). It fully relies on the availability of locally accepted mechanisms and institutions, which may – or may not – be appropriate. Rare, threatened and protected species are only protected in French SLIMF forests “where known”. Measures to increase their population does not need</p>	

to be taken (6.2.1). Also, representative areas in French SIMF forests are not protected – SLIMF Forest owners are exempt from the respected requirements (6.2)	
Biodiversity	P 4. Biodiversity shall be maintained and where possible enhanced.
<p>The Cameroon SLIMF standard (http://ic.fsc.org/download.fsc-std-cam-01-2010-cameroon-slimf.911.htm) allows for conversion of forests to plantations “in order to restore the land securely and in the long term to a pre-existing “High Conversation Value” habitat”. This seems to be a contradiction in itself as it appears unlikely for plantations to have higher “High Conversation Value” than forests. TPAC should investigate what the reasoning behind this formulation is and whether it may be in contradiction to TPAC requirements.</p> <p>The Zimbabwean FSC standard (http://www.sgs.com/~media/Global/Documents/Technical%20Documents/SGS%20Standards/sgs-ad33-zw-04-fm-standard-zimbabwe-en-10.ashx) clearly violates TPAC 4.3. Not only is the term “small” not quantified, but forest conversions are allowed without any area limitation if there are of “negligible environmental impact” (6.10.1) It appears that FSC has not learned its lessons from its policy in Brazil and its completely ignoring the social impact and thus the social pillar of sustainability.</p> <p>In China, there is no limitation on conversions for bamboo or SLIMF at all – as long as it is legal, you can convert as much as you like! http://www.bureauveritas.com/wps/wcm/connect/301de780414dc42899dfb9f6a4e71b92/RF03+FSC+FM+BV+standard+for+China+v3.4.pdf?MOD=AJPERES&CACHEID=301de780414dc42899dfb9f6a4e71b92</p>	
Regulation functions	P 5. The regulation function and quality, health, and vitality of the forest shall be maintained and where possible enhanced.
<p>The Russian National Standard (v. 6-01) http://www.scsglobalservices.com/files/standards/FSC-STD-RUS-V6-1-2012%20Russia%20Forest%20Stewardship%20Standard%20EN.pdf it its requirements concerning water protection, only refers to “water bodies which are to have protective zones and shelter belts according to the federal legislation”. – 5.5.1, Guidance. Other water bodies are excluded from any protection in the FSC standard, unless they are considered key habitats. Indicator 5.5.8 first and foremost refers to drinking water, not to ground water or surface water!</p> <p>FSC de facto does not prohibited the use of class 1A and 1B pesticides and chlorinated hydrocarbons – the list of approved derogations, available at https://www.google.ch/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CD0QFjAA&url=http%3A%2F%2Fic.fsc.org%2Fdownload.fsc-qui-30-001a-v1-0-en-list-of-approved-pesticides-derogations.a-469.pdf&ei=0dxmUbHMDei04ASJqoCIAg&usq=AFOjCNHn9cjK6KuC_AJb1bOY4fmaBaw8_A&sig2=L7YPYhWgeuMaI9l7beVehg&bvm=bv.45107431,d.bGE&cad=rja clearly demonstrates that such chemicals are used.</p>	
Production function	P 6. The production capacity of timber and relevant non-timber forest products shall be maintained.
Contribution to local economy	P 7. Forest management shall contribute to the local economy and employment.
Management system	P 8. Sustainable forest management shall be realised through a management system.
Management group	P 9. Forest management in a group or regional association shall offer sufficient safeguards for sustainable forest management.

Chain of Custody (CoC)

Chain of Custody system	P 1. A Chain of Custody (CoC) must be in place from the forest unit of origin to the final point of sale, which provides a link between the certified material in the product or product line and certified forest units.
Chain of Custody group certification	P 2. If Group certification of the CoC is allowed, the standard must require that the group as whole must comply with the same requirements which are posed on individual companies.
Logos and labels	P 3. Logos and labels that belong to the certification system and occur on products and documents shall have an unambiguous meaning and shall be applied in accordance with the rules established by the certification system.

Development, Application and Management of certification systems (DAM)

Standard development	P 1. The process of standard development and the standard itself shall fulfil the requirements as established by international umbrella organisations (such as ISO and ISEAL).
<p>Many FSC standards do not contain any information about the standards development process – see e.g. http://www.sgs.com/~media/Global/Documents/Technical%20Documents/SGS%20Standards/sqs-ssc-ad-33-fr-fm-standard-france-english-v5.ashx As it cannot be demonstrated that the standards were developed with the required stakeholder input, public consultation, etc, FSC fails the respective requirements.</p>	
System manager	P 2. The certification system shall be managed by a legal entity (system manager). The tasks and responsibilities shall be clearly distributed among the organisations, which form an organisational and/or functional part of the system.
Decision-making bodies and objection procedures	P 3. Decision-making bodies shall reflect the interests of stakeholders and shall provide for adequate procedures for objection and appeal regarding the decisions made and the functioning of the decision-making bodies.
Certification bodies and procedures	P 4. Certification bodies shall be independent and shall be competent to assess sustainable forest management and the chain of custody system.
Accreditation	P 5. The accreditation agencies that grant the accreditations for certification of sustainable forest management and/or the chain of custody shall be competent and independent, national or international organisations that are preferably member of the IAF.

General

<p>Letter requesting FSC members to vote NO to the proposed revised version of the Principles and Criteria - Jan 2012 - http://www.greenpeace.org/international/Global/international/publications/forests/2012/FSC%20Vote</p>

[%20NO%20letter%20-%20Jan%202012.pdf](#) this letter summarizes a variety of shortcomings of the revised P&C - many of which are also relevant for TPAC and indicate potential non-compliances with TPAC requirements.

FSC At Risk - Summarizes a wide range of challenges that FSC is facing the social conflict issues as well as the human rights violations should raise warning signals for TPAC. Unfortunately, Greenpeace does not provide any evidence for its claims, but TPAC should be able to retrieve and investigate them
<http://www.greenpeace.org/international/Global/international/briefings/forests/2013/FSC-at-risk.pdf>

Credibility at Stake by the Swedish Society of Nature Conservation lists a number of cases that TPAC needs to have a close look at.

http://www.naturskyddsforeningen.se/sites/default/files/dokument-media/rapporter/2013_engelsk_rapport_skog_credibility_at_stake.pdf

FSC Watch has published a range of cases worth investigating. Most significant are the following that indicate a lack of robustness on the ground:

http://www.fsc-watch.org/archives/2013/02/22/FSC_commits__major_b

http://www.fsc-watch.org/archives/2012/10/08/Veracel__Sustainabl

http://www.fsc-watch.org/archives/2012/03/26/FSC_Complaints_Panel