

Dutch Procurement Criteria for Timber

PRINCIPLES AND CRITERIA FOR:

SUSTAINABLE FOREST MANAGEMENT (SFM)

CHAIN OF CUSTODY AND LOGO USE (CoC)

**DEVELOPMENT, APPLICATION AND MANAGEMENT OF
CERTIFICATION SYSTEMS (DAM)**

**PROCEDURE ON ENDORSEMENT OF CERTIFICATION SYSTEMS BY
A META-SYSTEM (PEM)**

March 2014

NOTE ON VERSION MARCH 2014

This March 2014 version includes three changes compared to the first version of the criteria dated October 2008. The changes were necessary to ensure that the Dutch Procurement Criteria are in line with the EU Timber Regulation (EUTR) which prohibits the placement of illegally harvested timber and timber products on the EU market. The changes are:

- Criterion 1.4 (illegal activities) has been renamed Criterion 6.2;*
- A new criterion 1.4 has been included reflecting the definition of 'legally harvested' of the EUTR;*
- Criterion 1.3 has been altered to avoid duplication with the new criterion 1.4.*

SUSTAINABLE FOREST MANAGEMENT (SFM)

Legislation and Regulation		
Legislation and regulation	P 1. Relevant international, national, and regional/local legislation and regulations shall be respected. To that end the system requires that:	
Requirements for forest manager	C 1.1. The forest manager holds legal use rights to the forest.	
	C 1.2. The forest manager complies with all obligations to pay taxes and royalties.	
	C 1.3. International agreements that apply to the forest management unit are fulfilled.	Guidance: International Agreements pertain in particular to the Convention on Biological Diversity (CBD), the Convention on International Trade in Endangered Species (CITES), ILO agreements and the UN Declaration on the Rights of Indigenous Peoples. Irrespective of the fact whether a given country has ratified these agreements, the standard of the Certification system should, where relevant, reflect the intention of these agreements.
Legality	C1.4 The timber is harvested in accordance with the applicable legislation in the country of harvest, that is legislation covering the following matters: <ul style="list-style-type: none"> a. rights to harvest timber within legally gazetted boundaries, b. payments for harvest rights and timber including duties related to timber harvesting, c. timber harvesting, including environmental and forest legislation including forest management and biodiversity conservation, where directly related to timber harvesting, d. third parties' legal rights concerning use and tenure that are affected by timber harvesting, and e. trade and customs, in so far as the forest sector is concerned. 	
Social Aspects		
Interests of stakeholders	P 2. The interests of directly and indirectly involved stakeholders shall be taken into account. To that end the system requires that:	
Tenure and use rights	C 2.1. The legal status of the management of the forest management unit and claims of the local population, including indigenous peoples, in the property/tenure or use rights regarding the forest management unit or a portion thereof have been inventoried and are respected.	
Consultation and permission	C 2.2. Effective communication with and consultation and participation of stakeholders take place regarding the management of the forests.	Guidance: A plan and reports on how and when communication with stakeholders takes place are considered to be indicators of effective communication.

	C 2.3. The local population and indigenous peoples have a say in forest management on the basis of free and informed consent, and hold the right to grant or withhold permission and, if relevant, receive compensation where their property/use rights are at stake	<p>Guidance: Free and informed consent is interpreted in the sense that the activity will not be undertaken before the relevant consent is given.</p> <p>Guidance: The local population and indigenous peoples can only prevent activities through withholding their consent where their property/use rights are at stake.</p>
Public availability	C 2.4. The forest management plan and accompanying maps, relevant monitoring results and information about the forest management measures to be applied are publicly available, except for strictly confidential business information.	<p>Guidance: Public availability implies that if stakeholders should have limited access to certain media, the management plan is dispersed through other channels. Depending on the level of detail in the management plan, the full plan or a summary should be available.</p> <p>Guidance: Wherever practical and necessary, information on the forest management can also be communicated to the people in the forest through <i>in situ</i> markings or information displays.</p>
Dispute resolution	C 2.5. Adequate mechanisms are in place for resolving disputes regarding forest management, property/usage rights, work conditions, or social services.	Guidance: In case of a conflict of significant dimension, the FMU will not be certified.
Objects of cultural and economic value	C 2.6. Objects of cultural and traditional economic value are identified and inventoried in consultation with the stakeholders and are respected.	
Health and labour conditions	P 3. Safety, health, and labour conditions shall be sufficiently safeguarded and where relevant enhanced. To that end the system requires that:	
Health and safety	C 3.1. The forest manager must take adequate health and safety measures, at least in compliance with relevant legislation and in accordance with ILO conventions, in order to protect the personnel, including contractors and their employees and, where appropriate, the local and indigenous population.	<p>Guidance: The core conventions of ILO in relation to this criterion are:</p> <ul style="list-style-type: none"> • Convention 155 - Occupational Safety and Health and its accompanying Recommendation No. 164; • Convention 161 - Occupational Health Services and its accompanying Recommendation No. 171.

Employment conditions	C 3.2. Employees have the right to organise and negotiate wages and employment conditions, in accordance with national laws and the core conventions of the International Labour Organisation (ILO).	<p>Guidance: The following ILO conventions are relevant:</p> <ul style="list-style-type: none"> • 'Freedom of Association and Collective Bargaining' (Conventions 87 and 98); • 'Elimination of Forced and Compulsory Labour' (Conventions 29 and 105); • 'Elimination of Discrimination in respect of employment and occupation' (Conventions 100 and 111).
Ecological Aspects		
Biodiversity	P 4. Biodiversity shall be maintained and where possible enhanced. To that end the system requires that:	Guidance: The objective that biodiversity shall be maintained should be reviewed taking into account time and scale.
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.	Guidance: 5% is considered to be a relevant proportion
	C 4.2. Protected and endangered plant and animal species are not exploited for commercial purposes. (C 13.2) Where necessary, measures have been taken for their protection and, where relevant, increase of their population.	Guidance: Plant species include tree species.
Conversion	C 4.3. Conversion of forests in the FMU to other types of land use, including timber plantations, shall not occur unless in justified exceptional circumstances.	<p>Guidance: Exceptional circumstances are for example natural disasters. In addition conversion can take place if the area to be converted is insignificant, if it enables clear long term conservation benefits, or if it is based on undisputed governmental decisions.</p> <p>Guidance: The forest manager of a plantation should aspire to make clear how the plantation helps in relieving pressure from natural forests; for instance when the plantation is established on degraded land instead of by conversion of natural forest.</p>
Plantations	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.	Guidance: 5% is considered to be a relevant proportion
	C 4.5. Plantations shall not be established through the conversion of natural forests after 1997.	Guidance: Degraded land and degraded forest may be converted into plantations if this is ecologically and economically beneficial and if the owner or user has no relation to the actors behind the degradation.

Non-timber forest products, hunting and fishing	C 4.6. The exploitation of non-timber forest products, including hunting and fishing, are regulated, monitored and controlled. Insofar as relevant, knowledge of the local population, indigenous peoples, and locally active environmental organisations is utilised in monitoring commercial exploitation.	
Genetically modified organisms	C 4.7. Genetically modified organisms are not used.	
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:	
Soil	C 5.1. The soil quality of the forest management unit is maintained and, where necessary, improved, whereby special attention is given to shores, riverbanks, erosion-prone parts and slopes.	Guidance: Thresholds for allowable maximum altitude and maximum gradient are relevant indicators for the prevention of soil erosion.
Water	C 5.2. The water balance and quality of both groundwater and surface water in the forest management unit, as well as downstream (outside of the forest management unit), are maintained and, where necessary, improved.	
Ecological cycles	C 5.3. Important ecological cycles, including carbon and nutrient cycles, which occur in the forest management unit, are at least maintained.	Guidance: e.g., no lowering of groundwater table on peat soils, avoidance of turbidity of streams, measures which avoid large leakage of nutrients after logging.
Reduced impact logging	C 5.4. Avoidable damage to the ecosystem is prevented by application of the most suitable and available methods and techniques for logging and road construction under the prevailing conditions.	
forest fires	C 5.5. Initiating of forest fires is only permitted if that is necessary for the achievement of the management goals of the forest management unit and adequate safety measures are taken.	Guidance: Small scale, traditional sustainable "slash and burn" practices within a FMU are not restricted by this criterion.
Diseases and pests	C 5.6. Forest management is geared towards preventing and controlling diseases and pests, inasmuch as they threaten the timber production.	
Chemicals	C 5.7. The use of chemicals is only permitted if maximum use of ecological processes and sustainable alternatives proves insufficient. The use of class 1A and 1B pesticides, as drafted by the World Health Organisation, and of chlorinated hydrocarbons is not permitted.	
Waste and litter	C 5.8. Non-organic waste and litter are avoided, collected, stored in the designated places and removed in an environmentally responsible manner.	

Economic Aspects		
Production function	P 6. The production capacity of timber and relevant non-timber forest products shall be maintained. To that end the system requires that:	
Production capacity	C 6.1. The production capacity of each forest type of the forest management unit as a whole is maintained.	Guidance: Over-exploitation of individual commercial tree-species shall be avoided.
Illegal activities	C 6.2. The forest management unit is sufficiently protected against all forms of illegal exploitation, illegal establishment of settlements, illegal land use, illegally initiated fires, and other illegal activities.	
Contribution to local economy	P 7. Forest management shall contribute to the local economy and employment. To that end the system requires that:	
Employment	C 7.1. Forest management stimulates employment of the local population, including indigenous peoples, as well as the local processing of timber and non-timber forest products.	Guidance: The employment of local people, including indigenous peoples, shall be stimulated, for example through training.
Infrastructure	C 7.2. Insofar as not provided for otherwise, a contribution is made to the development of local physical infrastructure and of social services and programmes for the local population, including indigenous peoples. This contribution is made in agreement with the local population.	
Management Aspects		
Management system	P 8. Sustainable forest management shall be realised through a management system. To that end the system requires that:	
Management cycle	C 8.1. Forest management aims to achieve the goals formulated in the forest management plan and comprises the cycle of inventory and analysis, planning, implementation, monitoring, evaluation, and improvement.	
Forest management plan	C 8.2. There is a forest management plan, consisting of, or dealing with at least: <ul style="list-style-type: none"> a. a description of the current condition of the forest management unit b. long-term objectives c. the average annual allowable cut per forest type, and, if relevant, the annually allowable exploitation of non-timber forest products, based on reliable and current data d. budget for the implementation of the forest management plan. 	Guidance: A realistic budget should allow the implementation of the management plan. Guidance: In the management plan attention should be given to economic, social as well as ecological (ecosystems, species, functions) elements.
Maps	C 8.3. Essential elements for forest management are indicated on maps.	
Monitoring	C 8.4. The implementation of the forest management plan and the ecological, social, and economic effects of forest management on the FMU and its surroundings are monitored periodically on the basis of adequate data.	
Knowledge and expertise	C 8.5. Forest management is based on scientific research and, if needed, information on comparable forests types.	
	C 8.6. Forests are managed by professional staff and forest workers. Adequate periodic training secures the level of skills, including knowledge of relevant laws and treaties.	

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Management group or regional association	P 9. Forest management in a group or regional association shall offer sufficient safeguards for sustainable forest management. To that end the system requires that:	
Group or regional association	C 9.1. A group or regional association is under the leadership and supervision of an independent legal entity.	
	C 9.2. The management system of a group or regional association offers sufficient guarantee to fulfil criterion 9.3.	
Sustainable forest management requirements	C 9.3. A group or regional association complies with the requirements set by the SFM standard of the certification system. In addition, each member of a group or regional association complies with these requirements, inasmuch as they apply to its operations.	

CHAIN OF CUSTODY AND LOGO USE (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. To that end the system requires that:	
Organisation	C 1.1 Each individual organisation in the CoC possesses an operational CoC system.	
	C 1.2 The management system of each organisation in the CoC provides sufficient guarantees that the requirements of the CoC standard are being met.	
	C 1.3 Each individual organisation in the CoC registers quantities and the names and certificate numbers of the organisations from which it purchases timber and to which it sells timber.	
Legal sources	C 1.4 If the system allows for mixing of SFM-certified and non-SFM-certified material, the non-SFM certified material is covered by a verifiable system to ensure that it is from non-disputed, at least legal sources. This applies to new-, including pre-consumer recycled material, and post-consumer recycled material.	Guidance: For post-consumer recycled material it is sufficient if its status as post-consumer material is ascertained by the verifiable system; the legality of the origin of the timber is not taken into account. In contrast, for pre-consumer recycled material the legality of the origin must be ascertained by the verifiable system.
	C1.5 SFM-certified timber, including timber products, timber from other verified legal sources and timber from non-verified (legal) sources are administratively separated. Timber from non-verified (legal) sources is also physically separated from the other two sources.	
Mixed wood and assembled products	C1.6 If the system allows for mixing of SFM-certified and non-SFM-certified material, (one of) the following approaches shall be used: <ul style="list-style-type: none"> • mass balance claim: the proportion of the product sold as SFM certified is equal to the proportion of SFM certified material entering a process; • percentage based claim: the percentage of SFM certified material in a product or product line is reported. 	
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. To that end the system requires that:	
Juridical entity	C 2.1 A group has a juridical entity, which is responsible for the group as a whole.	
Management	C 2.2 The group has a management system that provides sufficient guarantees that C 2.3 will be met.	
	C 2.3 The group operates according to principle 1; in addition, each member of the group complies with these requirements inasmuch as they apply to its operations.	

Registration	C 2.4 The group leader has a registration system in place including: a. names and addresses of the group members b. declarations of each member to comply with the certification requirements of the CoC.	
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. To that end the system requires that:	
Design and use of logos and labels	C 3.1. The system manager employs rules for the use of logos and labels and for supervision of compliance. The rules comprise at least: a. specification of the logos and labels b. unambiguous description of the claim that the logos and labels represent, including the requirement to communicate the actual or minimum percentages of SFM certified- and post-consumer recycled material included in the product or product line c. rights to use logos and labels d. instructions regarding the use of logos and labels and the informative text they show.	
Copyright	C 3.2. The logo is copyrighted and is a registered trademark.	
Clear and accurate claims	C 3.3 There is a clearly defined mechanism for controlling all claims made about the certified nature of products, which ensures that claims are clear and accurate and that action is taken to prevent any false or misleading claims.	

DEVELOPMENT, APPLICATION AND MANAGEMENT OF CERTIFICATION SYSTEMS (DAM)

Standard Development		
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). To that end the system requires that:	
ISEAL and ISO Guide 59	C 1.1. The development process of the standard fulfils the requirements established in the <i>ISEAL 'Code of Good Practice for Setting Social and Environmental Standards'</i> , the <i>ISO Guide 59 'Code of Good Practice for Standardisation'</i> or equivalent requirements. The development process and application of the standard at least fulfil the following criteria: 1.2. through 1.10.; 2.1. and 2.2.; 3.3. through 3.6. of this assessment table.	
Stakeholder input	C 1.2. The standard development body comprises the relevant interested groups that serve the economic, social and environmental interests without undue dominance of one interest.	
	C1.3 Decisions of the standard development body are made, if possible, by consensus. If consensus is not reached, qualified majority voting applies.	Guidance: The most common requirement for a qualified majority is a two-third majority; other requirements can apply as long as the different interests are taken into account.
	C 1.4. The development of the standard takes place with input of the relevant stakeholders. Potential limitations for certain groups such as indigenous peoples and small forest owners to contribute directly are taken into account.	
Public consultation	C 1.5. The standard development procedure provides for public input during a reasonable period of time.	
Justification for handling comments	C 1.6. With the development of the standard, the standard setting organisation takes into account any comments submitted in writing and communicated verbally. The organisation maintains reports of the development process of the standard including the received input and how it is dealt with. A summary of it is published and is freely available.	
Publication	C 1.7. The standard setting organisation publishes the standard as soon as it has been established.	
Reference to international standards	C 1.8. A national standard which is part of an international certification system with a generic standard or which is based on a generic standard of an umbrella organisation, must refer to the relevant generic standard and be accepted by the relevant international system or organisation.	

General applicability	C 1.9. The standard and the procedures for establishing compliance are sufficiently flexible to be applied under changing local conditions and to forest management units of any size, either as a part of a group or regional association or otherwise.	
Process criteria and performance criteria	C 1.10. The standard contains both process and performance criteria and consists, where appropriate, of measurable, unambiguous parameters with guidelines for interpretation.	
Certification system management		
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. To that end the system demonstrates that:	
Legal entity, statutes	C 2.1. The system manager is a legally registered organisation with statutes, contact address, telephone, e-mail, and website.	
Entities, distribution of responsibilities	C 2.2. The distribution of the responsibilities, authorities, and tasks among the entities, comprising an organisational and/or functional part of the certification system, and the procedures to be followed are clear and publicly available. The certification system comprises at least rules for the following functions: a. standard development b. certification c. accreditation d. supervision of proper performance of tasks and compliance with the rules e. objection and appeal handling f. design and use of logos and labels	
Decision-making bodies and objection and appeal 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. To that end the system requires that:	
Composition	C 3.1. The decision-making and advisory bodies comprise the relevant interested groups without undue dominance of one interest.	Guidance: In case certain interest groups are not represented, TPAC will examine the reason why this is the case. In addition, it will be examined whether the interest is represented through other means. If TPAC holds the opinion that given interests are unjustifiably absent, this will be taken into account in the assessment of the criterion.
Decision-making	C 3.2. Decisions of decision-making and advisory bodies are made, if possible, by consensus. If consensus is not reached, majority voting applies.	

Provision for objection or appeal	C 3.3. Objection and appeal procedures are publicly available and clearly indicate the entity a stakeholder must turn to in the event of an objection or appeal against the operation of a particular entity or against a decision made by a particular entity.	
Justification	C 3.4. The objection and appeal procedures require that the submitter or a representative substantiates the objection or appeal with arguments and relevant documentation.	
Reasonable period	C 3.5. Objection and appeal procedures contain clear and reasonable deadlines for handling of the objection or appeal.	
Independent forum	C 3.6. A forum of independent persons, which adequately represent legal and domain knowledge, handles appeal cases. Decisions are taken by majority voting.	
Certification Bodies and Certification Procedures		
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. To that end the system requires that:	
Certification bodies	C 4.1. The certification bodies are accredited on the basis of the requirements and guidelines in ISO 17021 ¹ ' <i>Conformity Assessment - Requirements for Bodies Providing Audit and Certification of Management Systems</i> ' and/or ISO Guide 65 (EN 45011) ' <i>General Requirements for Bodies Operating Product Certification Systems</i> ' and preferably on the basis of specific supplemental requirements for performance of conformity assessments according to the standards for sustainable forest management and the chain of custody.	
Procedure for assessment	C 4.2. The certification contains an assessment of system documents, site visits, and sufficient consultation of external stakeholders.	
	C 4.3. In case of group or regional certification an adequate sample of group members must be audited.	
Public availability	C 4.4. The certification agency makes the following items public in addition to the requirements in ISO 17021 and ISO Guide 65: a. summaries of assessment reports b. a list of the granted certificates	

¹ ISO 17021 has replaced ISO Guide 62 (EN 45012) and ISO Guide 66. A transition period applies. ISO Guide 62 (EN 45012) and ISO Guide 66 may be used until September 2008.

Accreditation		
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. To that end the system requires that:	
Accreditation body	C 5.1. Accreditation must be granted by a national or international organisation that fulfils requirements as included in ISO 17011 ' <i>General Requirements for Assessment and Accreditation of Certification Bodies</i> '.	
Peer review	C 5.2. The accreditation body takes part in a peer review process with sister organisations, preferably within the framework of the IAF.	Guidance: A peer review preferably takes place within the framework of the IAF and its regional bodies. Comparable frameworks include: the multilateral arrangements for ISO/IEC 17021(SFM certification) and ISO/IEC Guide 65 (CoC).

PROCEDURE ON ENDORSEMENT OF CERTIFICATIONS SYSTEMS BY A META-SYSTEM (PEM)

Processes of assessment and endorsement	P1 Processes of assessment and endorsement of Certification Systems are reliable and transparent.	
Procedure	C 1.1. The assessment procedure is transparent and follows a clear time table.	
Assessment: Independence and expertise	C 1.2. The assessment is performed by an independent body. The auditors have relevant experience and expertise.	
	C 1.3. The system manager of the meta-system shall submit the assessment report for peer review.	
Consultation	C 1.4. A provision is in place for consultation of the system manager on the assessment report.	
	C 1.5. The assessment procedure provides for public input on the scheme during a reasonable period of time.	
	C 1.6. The assessing body takes into account any written comments. Records of the received input and how it is dealt with shall be maintained. At least a summary of the received comments is published and freely available.	
Modes of Assessment	C 1.7. The assessment procedure includes a desk study based on: <ul style="list-style-type: none"> a. a standardized checklist for assessment; b. a documented interpretation of terms and criteria. 	
	C 1.8. The assessment procedure includes a visit to the country of the applicant and consultation of amongst others: <ul style="list-style-type: none"> a. the system manager; b. forest managers; c. forest authority; d. certification bodies; e. local communities; f. Non-Governmental Organisations. 	
	C 1.9. The assessment procedure provides for a transparent scoring system.	
Assessment time	C 1.10. The assessment procedure provides for a reasonable period of time from the start of the actual assessment to the submission of the report.	
Decision on acceptance	C 1.11. The decision on acceptance is taken by an accountable body through transparent and reliable procedures.	
Publication of decision	C 1.12. The decision on the acceptance is published as soon as possible.	

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Validity	C 1.13. All changes in the system have to be reported to the manager of the meta-system.	
	C 1.14. The acceptance terminates after five years, or sooner if substantive changes are made to the certification system. In both cases a re-assessment procedure is required for the system to be re-accepted.	
	C 1.15. Criteria and mechanisms shall be in place for suspension and withdrawal of the acceptance of the certification system.	
Resolution of complaints and appeals	C 1.16. Objection and appeal procedures are publicly available and clearly indicate the entity a stakeholder must turn to. The procedure also indicates clear time schedules.	
	C 1.17. Appeal cases are handled by an independent body with adequate legal and domain knowledge. The decision on the appeal is taken by an accountable body through transparent and reliable procedures.	

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