

Outcome TPAC Stakeholder Forum FFCS (PEFC-Finland)

Public report
February 2009

Background

This document deals with the reactions of stakeholders on the functioning of FFCS 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 FFCS standard, additional information provided by the system manager of FFCS and posts on the internet stakeholder forum. For the complete assessment of FFCS by TPAC, see the '*Public Report: Final Assessment of FFCS*' ([http://www.tpac.smk.nl/webadmin/Final%20assessment%20FFCS%20111108\(1\).pdf](http://www.tpac.smk.nl/webadmin/Final%20assessment%20FFCS%20111108(1).pdf)).

The Stakeholder Forum on FFCS

In total TPAC received nine comments on three issues related to Sustainable Forest Management (SFM). These pertain to legislation and regulation (P1), the rights of the Sami (P2) and the protection of ecological values of forest under FFCS certification (P4). Most of the forum-reactions are in line with TPAC's preliminary assessments.

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

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

P 1. Legislation and regulation

Author: Sini Harkki, BirdLife international, chairperson
Forest Task Force

Posted: 7/23/2008 2:08:49 PM

Problems with ILO

Regarding the procurement principle C 1.3. it should be pointed out that Finland has not been able to **ratify ILO 169** on indigenous peoples. Although the legal ownership issue is not something to be solved by forest certification, the conflict on forest management has exacerbated the ownership issue as well. UN Human Rights Committee has asked Finland to refrain from any actions that may exacerbate the ownership conflict before it is solved. This was done in their communication to Finland on 2004, in the UN HRC's assembly 82.

Summary: Finland has failed to ratify the ILO Convention 169 on Indigenous Peoples, this, in combination with the fact that the ongoing conflict between the Sami and Metsähallitus regarding ownership indicates that FFCS does not comply with C 1.3.

Criterion: C 1.3 (SFM)

Preliminary score: Fully addressed

Response FFCS: *See response FFCS below related to 'Indigenous conflicts in North Finland'*

Comment of TPAC: TPAC recognises that there are cases of conflict between the Sami and Metsähallitus. This subject is further discussed under C 2.3 on free and informed consent of local populations and indigenous peoples. Since the ILO Convention 169 is generally not recognised as being a core convention and it has been ratified by only 19 countries in total, TPAC has the opinion that the current assessment of criterion 1.3 is adequate.

Consequence for the TPAC assessment:
None

Final score of SFM principle 1 (including C1.3):

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 2 (SFM): Interests of stakeholders

P 2. Interests of stakeholders

Author: Sini Harkki, BirdLife international, chairperson
Forest Task Force

Posted: 7/23/2008 1:04:24 PM

Indigenous conflicts in North Finland

FFCS requires that rights of indigenous peoples and reindeer herders are respected. However, in practice the criteria have had no effect on forestry. State forests has caused a conflict that has sustained for over a decade in the Saami homeland. Reindeer herding suffers of the logging in areas where reindeer herding takes place in old-growth forests. Several reindeer herding co-operatives have written letters to the State forest manager Metsähallitus, to the Finnish government and the forest industry for years and asked for proper consultation and negotiations but their wishes have not been heard. There is a court process going on in Nellim, Inari municipality, between Saami herders and Metsähallitus, and UN Human Rights Committee has asked Finland to refrain from logging in the area. Even this has not even resulted in a comment in FFCS certification. More information can be found for example in www.saamicouncil.net under Inari logging.

Summary: The rights of indigenous peoples and reindeer herders are not respected in FFCS certified state forests: there are ongoing conflicts about logging in Sami homelands and forests used for reindeer herding.

Criterion: C 2.3 (SFM)

Preliminary score: Partially addressed

Response FFCS: From the Certification Body (CB) point of view, Sami parliament and the Reindeer Herders' Association are the two essential external stakeholders. At the preparatory phase of the audit process the forest certificate holder reminds these parties to inform the certificate holder if there are issues that they wish to inform about their co-operation/interaction with Metsähallitus. Neither of these two organizations have disseminated any major concerns to the forest certificate holder.

In the FFCS annual external audit the Certification Body visits Metsähallitus offices to verify if the citizens and stakeholders have systematically been involved in the planning process of Metsähallitus Natural resource planning and management and use planning. Written documents and other relevant materials are used by the CB to draw conclusion about the conformance with the criteria requirement.

In its audit visit to Metsähallitus offices the CB verifies also if the year 2002 Agreement between Metsähallitus and the Reindeer Herders' Association has been followed. Also here the audit specifies if the Natural Resources Planning indicates the integration of forestry and reindeer husbandry.

Comment of TPAC: 90% of the forests in the northern part of Finland are state owned, for these forests adequate standards are developed to guarantee sufficient influence of local populations and Sami in the forest management. However, compensation of local stakeholders is not

mentioned in the standard. Therefore TPAC assesses criterion 2.3 as partially addressed.

Consequence for the TPAC assessment:
None

Final score of SFM principle 2 (including C 2.3):

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:	1
Consultation and permission	C 2.3. The local population and indigenous peoples have a say on 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.	≈

Remarks made on Principle 4 (SFM): Biodiversity

Note that the following three posts all three comment on SFM C4.1

P 4. Biodiversity

Author: Sini Harkki, BirdLife international, chairperson
Forest Task Force

Posted: 7/23/2008 1:30:52 PM

Criteria on biodiversity protection

The criteria on biodiversity are set in the way as to minimize the effort to be done for biodiversity. For example the criterion on old-growth forest probably has no practical effect at all because FFCS has set thresholds in such a way as to make the protection of any more old-growth forest impossible. Most remaining old-growth forests are on state land, where more than 5% of all forest is protected. For no other apparent reason, FFCS standard states that if more than 5% of a forest owner's land is already protected, no further additional protection is needed. By defining the criterion this way FFCS evades completely the problem of logging of valuable old-growth forests on state land. Furthermore, FFCS only requires that valuable habitats smaller than 1ha in size are protected. An intact old-growth forest that fulfils the strict criteria set by FFCS can never be that small because of the detrimental effects of logged edges. Therefore, the whole criterion is written in such a way that it has not possible form of implementation. As a result, the logging of ecologically valuable, ancient old-growth forests goes on. Several forests that have been documented to host hundreds of red-listed species have been logged under FFCS certification. This has been documented closely by Greenpeace and examples are shown on <http://www.flickr.com/photos/greenpeacefinland/collections/72157602260106462/>

Summary: The guidelines under FFCS for the protection of old growth forest are formulated in such a way that they do not limit logging of this rare forest type. This especially holds true for the lack of the need of protection above 5% of the area of state and private forests, and the additional lack of the need of protection above 1 ha in private forests.

Criterion: C 4.1 (SFM)

Preliminary score: Partially addressed

Response FFCS: The "5% limit" does not play special role in Southern Finland. This limit would be activated only if (i) 5% of the certified region's total area is under protection or (ii) if 5% of forest owner's forests in the certified region in question is already under protection. Because in the whole of Southern Finland the present level is less than 5%, "the 5% rule" does not play role on regional level. As Metsähallitus does not apply this 5 % limit in its own practises, forests managed by Metsähallitus in Southern Finland are not subject to this limit either. In Southern Finland forestry conditions there is a very limited number of forest owners, if any, to whom this 5% rule is valid. The "1 ha rule" does not violate the objective of maintaining nature values. In the FFCS the special features of the important biotypes are protected by excluding the most valuable part of each of the sites from the cutting area. As the new forest is generated to the cutting area after the regeneration felling, the features of important biotypes will spread back to the whole of the original site along with the natural development of the stand.

Comment of TPAC: See next post (*'Protection biodiversity in private FFCS forests has not been key priority'*)

Consequence for the TPAC assessment:

See next post (*'Protection biodiversity in private FFCS forests has not been key priority'*)

P 4. Biodiversity

Author: prof. Mikael Hilden, Finnish Environment Institute (SYKE)

Posted: 7/18/2008 2:19:24 PM

Protection biodiversity in private FFCS forests has not been key priority

75 % of the Finnish forestry land (including scrub land and low productive waste land) is privately owned, or owned by municipalities/congregations etc. (15. million ha) in relatively small patches. Conservation of high value forest patches (like old growth) in these forests is a big challenge especially in the hemiboreal, southern boreal and central boreal forests (see attachment) because one cannot simply set aside areas by decree.

FFCS does not demand strict protection of high value patches if it exceeds approximately one ha. If the patch exceeds one ha, protection depends on the activities and resources of authorities or the voluntary action taken by the forest owner supported by the recently approved state program "METSO", which focuses on conservation in the central boreal – hemiboreal region (= "southern Finland").

The success of the METSO program is yet an open question. An experimental phase that ended in 2007 indicated that there is an interest among forest owners to conserve biodiversity. The question is whether the limited amount of money available, and/or competing uses will in the end allow biodiversity to be conserved. Conservation would benefit from a greater emphasis on biodiversity in the FFCS certification criteria. Stronger criteria would probably spur some promising developments where forest owners have come together on a local/regional scale to jointly identify areas and corridors subject to "softer" forestry practices with a greater emphasis on other values than timber production.

It should be noted that nature reserves are excluded from the FFCS as the FFCS is only for managed forests.

The Finnish forestry sector is in fact a traditional sector, with strong emphasis on timber production, and still rather limited emphasis on biodiversity and the rights of indigenous people or other uses of forests. However, in recent times developments take place, both regarding the protection of biodiversity, and the acknowledgement of the rights of the Saami and other uses of forests than those emphasizing timber production. The FFCS certification has contributed to making some of these discussions public.

Attachments:

[/files/discussion/discussions_articles/1/182/20080718141924126_Statistics on Finnish forests.doc](#)

Summary: As FFCS does not require strict protection of old growth if it exceeds 1 ha, protection of old growth in private forests beyond 1 ha is dependent on the voluntary METSO programme, the effectiveness of which seems up to now to be limited.

Criterion: C 4.1 (SFM)

Preliminary score: Partially addressed

Response FFCS: See also response of FFCS above. The level of protection has developed continuously in a positive way after the launch of the FFCS system in 1999-2000. The share of "Entire unchanged" and "Almost unchanged" habitats have increased and the share of "Partially changed" and "Totally changed" habitats have decreased. This indicates that the FFCS system is an efficient instrument to improve the safeguard of nature values that are defined in the Forest Act.

The share of Nature Conservation Act and Forest Act has been 0.5-1.0 % of the assessed area. Respectively the share of voluntarily protected biotopes, such as the FFCS-recognised biotopes, has been 1.5-2.0 % of the total area of regeneration cuttings on annual basis. Thus, it can be concluded that the share of voluntarily protected biotopes in private forests is on the same level, namely 1.5-2.0 % of the private forest area.

This far METSO has been only at a pilot phase on a very limited geographical area in Southern Finland. Also funding was insufficient compared to the high amount of interests that the private forest owners expressed to the METSO. Because the METSO pilot phase resulted in promising outcomes and experiences the METSO (Forest Biodiversity program for Southern Finland) programme has been launched for years 2008-2016.

As also in the forest protection programmes in Finland, the METSO programme is based on ecological site selection criteria. The emphasis is in privately-owned forests, but also Metsähallitus and municipalities, advice of forest owners, training of professional foresters, communications and improving the knowledge base, enhancing of monitoring and other systems as well as inventories of biotopes and species have been recognised in METSO as aims and target groups.

The area of sites that will be established on voluntary basis as private METSO nature reserves is 96,000 ha. Depending on the amount of the METSO funding in 2008-2016 the biodiversity will be safeguarded additionally on 82,000–173,000 hectares of privately owned forests of Southern Finland. As taken into account also the measures of Metsähallitus, the METSO programme totals to the increase of 200,000-300,000 hectares by 2016. This will raise the share of protected biotopes in Southern Finland to the level 2-7% of commercial forests.

Comment of TPAC: FFCS does not fully address the criterion of the Dutch Timber Procurement System that requires the protection of objects of high ecological value and representative areas of forest types. This partial conformity is particularly related to the above mentioned maximum protection requirement under FFCS of 5% for state forests and 1 ha for private forests. However, FFCS has sent documents concerning the METSO-programme which is being implemented in Southern Finland (*see comment of FFCS under the next post*). This programme aims to increase the protected area, including old forests and other objects of high ecological value. Moreover, it is considered that in total approximately 13% of the Finnish forest is strictly protected, which is high for European standards. For these reasons TPAC assesses C4.1 as "partly addressed". However, if in the upcoming years the METSO programme does not show an increase in the area of protected

forests towards 5%, TPAC will reconsider the score of this criterion, which may result in a renewed assessment of FFCS.

Consequence for the TPAC assessment:

No direct consequences, but TPAC will follow the implementation of the METSO programme. If the METSO programme does not sufficiently meet its own goal of increasing the area of protected forests on private land, TPAC will reconsider its assessment of FFCS.

P 4. Biodiversity

Author: Not disclosed

Posted: 6/27/2008 3:28:42 PM

Logging in old growth forests

In Finland old growth forest is rare, occupying only 2-3 % of the total forest area. Real virgin forest is even more rare, occupying about one third of the old growth forest area. Still, logging and draining takes place everywhere in Finland, including old growth and even virgin forest under the certification of PEFC-FFCS. The only old growth forests, which are spared, are those in inaccessible areas. Active conservation of forest, which in principle can be profitably harvested, is nearly absent.

Summary: FFCS does not actively protect old growth forests or virgin forests against logging; the only spared old growth forests are those in inaccessible areas.

Criterion: C 4.1 (SFM)

Preliminary score: Partially addressed

See response of FFCS and TPAC above (post: 'Protection biodiversity in private FFCS forests has not been key priority').

P 4. Biodiversity

Author: Matti Liimatainen, Greenpeace Nordic

Posted: 7/22/2008 3:03:47 PM

FFCS allows logging in intact forests, in habitats of red-listed species.

As pointed out in the previous post: 'Logging in old-growth forests', the FFCS system allows logging in old-growth forests and even in virgin forests. Also wood that is logged from habitats of red-listed species ends to the supply chain of FFCS. Most of the logging in this kind of High Conservation Value Forests is carried out by the Finnish state, by their forestry enterprise Metsähallitus. HCVF-logger Metsähallitus openly promotes FFCS/PEFC, as of course most of the Finnish forestry does, as 95% of forestry is FFCS certified.

Links to recent case studies of HCVF logging with images and other documentation can be found from here:

- <http://www.flickr.com/photos/greenpeacefinland/collections/72157602260106462/>

The photo reports include for instance cases on systematic clear cutting in habitats of red-listed Flying squirrel and other red-listed species in Eastern Finland:

- <http://www.flickr.com/photos/greenpeacefinland/sets/72157602344062332/>

- <http://www.flickr.com/photos/greenpeacefinland/sets/72157603824111265/>

Logging plans in large intact old-growth forests in Lapland:

- <http://www.flickr.com/photos/greenpeacefinland/sets/72157603873426943/>

Logging plans in Southern Finnish HCVFs: Logging plan in habitat of red-listed Flying squirrel

- <http://www.flickr.com/photos/greenpeacefinland/sets/72157605548575912/>

Systematic logging in habitats of red-listed bird Siberian Jay:

- <http://www.flickr.com/photos/greenpeacefinland/sets/72157602348740590/>

Note: Due to high similarity between the two reactions of Matti Liimatainen this reaction is answered together with the next reaction.

P 4. Biodiversity

Author: Matti Liimatainen, Greenpeace Nordic

Posted: 7/23/2008 2:17:12 PM

C 4.1. Objects of high ecological value...

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 respected = FFCS has no mechanisms and no requirements for inventory of habitats of threatened species or other high value areas. It also does not oblige forest owner or forest manager to protect high conservation value forests. An illustrating example on this are old-growth forests, which are globally recognized as habitats of exceptionally high conservation values. In FFCS, forest owner and/or forest manager needs to protect only those old-growth forests that are under 1 hectare (100x100 metres) in size. Any old-growth forests bigger than 1 ha can be logged, and indeed are continuously being logged in Finland under FFCS/PEFC. In Finland, even the very few remaining largest Intact Forest Landscapes, globally recognized intact forests over 50 000 ha in size are being logged by the FFCS/PEFC-logo holder state forestry enterprise; the wood is sold to PEFC- certified industry.

Regarding red-listed species: FFCS requires only that those red-listed species that are critically endangered AND marked for protection by authorities are protected. Other red-listed, threatened species can be logged, and are being logged. In Finland, the environmental authorities have made only very few decisions and markings on protection of critically endangered species protection. This is a marginal, minimal amount of red-listed species. FFCS ignores over 99% of red-listed habitats. According to recent studies by Finnish Environment Institute and Ministry of Environment, forests are the most important habitat for red-listed species in Finland, and (FFCS-certified) forestry is the main cause of species extinction.

Summary: FFCS does not effectively protect high conservation value forests or red-listed threatened species; only critically endangered species are protected if they are marked by the authorities.

Criterion: C 4.1 and 4.2 (SFM)

Preliminary score: C 4.1 partially addressed,
C 4.2 inadequately addressed

For the response of FFCS and TPAC related to old growth forests, please see comments on C 4.1 under the post 'Protection biodiversity in private FFCS forests has not been key priority' above.

For the response of FFCS and TPAC related to C 4.2, please regard the comments under the post 'Poaching of wildlife' below.

P 4. Biodiversity

Author: Not disclosed

Posted: 6/27/2008 3:29:41 PM

Poaching of wildlife

A problem for biodiversity in Finland forests concerns the poaching of wildlife. This is strongly connected with the reindeer husbandry of the Saami. This husbandry takes place at one side of a fence, which divides Finland into a southern part without, and a northern part with reindeer husbandry. In the northern part of Finland, the large predators do not receive protection in practice, despite their red list status. For instance, last winter half of the wolf population of 200 individuals was illegally killed by, or under orders of Saami herders. In the southern part in contrast, there is a small natural reindeer population. Further there is a slow but significant increase of wolf and brown bear populations. This information is based on an interview with a staff member from the 'Bear Kuusamo' organization.

Summary: In Northern Finland no measures are taken against poaching of red listed large predators (wolf, brown bear) by Sami herders.

Criterion: C 4.2 (SFM)

Preliminary score: Inadequately addressed

Response FFCS: As hunting of any animals in Finland, also the hunting of predators is covered by the Hunting Act. The focus of the FFCS system is in forestry activities. Hunting is covered by the FFCS only in terms of interaction between forest management and forest game. The control of animal populations as such is on the outside of the FFCS. The predators are not recognised by the FFCS because as described in the Hunting Act, hunting in Finland is controlled by governmental organisations that are different from forestry organisations. The Metsähallitus has special responsibilities in hunting inspection, but these activities are not organised by Metsähallitus Forestry Unit. Thus the FFCS does not have special role in controlling the hunting of predators in the Sami area. If hunting of predators is carried out in an illegal way, it is a law violation case under the Act of Crime.

Comment of TPAC: Based on the standard of FFCS and the information provided by stakeholders and FFCS, TPAC comes to the following conclusion regarding C4.2, including the issue of the protection of (red listed) large predators:

The Finnish Nature Conservation Act includes a list of 608 species which are strictly protected. TPAC is aware of the fact that the numbers of large predator species, particular bear, wolverine, lynx and wolf, are stable or have significantly increased over the last decade.

The Regional Environmental Centres (not the forest managers) are responsible for identifying the habitats. TPAC is aware of the fact that the habitats demarcated by the Regional Environmental Centres cover a very limited area. In this context TPAC's position is that FFCS should take stronger initiatives in ensuring the protection of protected and endangered flora and fauna.

Consequence for the TPAC assessment:

Besides the reasoning mentioned above, the fact that the FFCS standard only covers the protection of the habitat of protected and endangered species, not the species themselves, results in an assessment of SFM C4.2 as 'partly addressed'.

P 4. Biodiversity

Author: Sini Harkki, BirdLife international, chairperson
Forest Task Force

Posted: 7/23/2008 1:44:54 PM

Threatened species in FFCS

FFCS criterion on threatened species does not in effect secure, or even try to secure the habitats of threatened species. The criterion does not require that threatened species are mapped even in obvious habitats such as old-growth forests. Instead, it only requires that habitats that have been demarcated by environmental authorities are protected. However, environmental authorities lack the resources to carry out the mapping and only some tens of habitats in whole Finland have been demarcated. The ministry of environment has itself assessed that with the current resources it will take 400 years for the current habitats to be demarcated. Therefore it is clearly insufficient to rely on this process in the protection of threatened species. FFCS certified companies such as the state forest enterprise Metsähallitus and UPM have been shown to log habitats of threatened species deliberately, also when having been told about the habitats. Yet, they have been FFCS certified because of the failure of the standard to safeguard threatened species in practice.

Summary: FFCS does not require that habitats of red list species are being mapped by the forest owner.

Criterion: C 4.2 (SFM)

Preliminary score: Inadequately addressed

Response FFCS: Most of the forests in Lapland are managed by Metsähallitus. It has an advanced ecological planning system which is based to a GIS (Geographic Information System) that covers over 8 million hectares (commercial forests as well as other forests) and

information on more than 1.1 million different stands. Stand-level information is based on data of field inventories. The database is used by all the Metsähallitus operational staff.

The specially protected species and other endangered species are listed in Annex 4 of the Decree on Nature Conservation (160/1997), threatened species. In the state-owned forests the inventories on the endangered species are carried out by specialists of the Metsähallitus organisation in co-operation with regional Environmental Centres. The Metsähallitus organisation has a special unit for Nature Protection (under the guidance of the Ministry of the Environment) which is independent from the Metsähallitus Forestry Unit (which is under guidance of the Ministry of Agriculture and Forestry). The results of inventories enhance the data of threatened species and all data is fed into GIS database. All sites where species under strict protection have been recognised are left unmanaged by the Metsähallitus Forestry section. According to Metsähallitus environmental management system also other sites with regional importance are taken into account in forest management activities. See <http://www.metsa.fi/page.asp?Section=3162>

Comment of TPAC: *Comments related to SFM C 4.2 are mentioned under the previous post 'Poaching of wildlife'.*

In addition, TPAC assesses under SFM C 8.3 that essential elements for forest management are indicated on maps. FFCS does not specifically require the use of maps; however, the presence of general high quality Finnish maps leads to the assessment that this criterion has partly been met.

Consequence for the TPAC assessment:

Comments related to SFM C 4.2 are mentioned under the previous post 'Poaching of wildlife'.

Final score SFM principle 4 (including C 4.1 and C 4.2):

Biodiversity	P 4. Biodiversity shall be maintained and where possible enhanced. To that end the system requires that:	1
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.	≈