

FSC Plantations Review

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FSC PLANTATIONS REVIEW – FINAL REPORT FROM THIRD POLICY WORKING GROUP MEETING

Hosted by FSC Spain and WWF Spain, Madrid November 7th-9th (10th)

Participants:

Policy Working Group (PWG):

Javier Baltodano Aragon (Costa Rica, Southern Environmental)
Luis Astorga (Chile, Southern Social)
Tim Cadman (Australia, Northern Environmental)
Joshua Dickinson (USA, Northern Social)
Anders Hildeman (Sweden, Northern Economic)
Luis Fernando Jara (Ecuador, Southern Environmental)
Jutta Kill (United Kingdom, Northern Environmental)
Dag Karlsson (Sweden, Northern Social, replaces Bill Street)
Rob McLagan (New Zealand, Northern Economic)
Dr. John Scotcher (South Africa, Southern Economic)
Dr. Dharam Pal Singh Verma (India, Southern Social)
Roberto Waack (Brazil, Southern Economic)

FSC IC:

Anders Lindhe - Facilitator
Sarah McKay - Policy and Standards Program Officer, FSC IC (preparations, documentation)

FSC Spain:

Carlos Ibero – former President of FSC Spain (sub-group facilitation)
Elisa Pardo Vegezzi - FSC Spain Contact Person (local preparations, logistics, documentation)

Introduction:

After a brief welcome and discussion of the agenda, representatives met for chamber-wise updates. The reports back focused on the experiences from consultations with constituencies. There was a general feeling that it had been difficult to stimulate focused feedback, as the report from the second meeting did not contain enough specific and concrete output. It was suggested that in order to facilitate further consultations, views of the group should be more clearly expressed, and as much as possible of the output from the

third meeting should be formatted as a questionnaire. It was also pointed out that representatives should take every opportunity to solicit face-to-face input from their constituencies during the General Assembly.

The group revisited the 'platform' framework agreed at the second meeting and reconfirmed the introductory statement, "*the task of FSC certification is to improve forest and plantation management practises globally, both directly and indirectly as the leader in forest stewardship*", as the basis for further work.

Four topics from the platform were selected for more in-depth sub-group sessions. Discussions were aimed at developing templates to stimulate feedback from constituencies, rather than to achieve consensus on specific issues. However, the members of the PWG consider that all views and approaches expressed in the output are worthy of consideration by the wider FSC membership in order to assist the working group to develop their recommendations for the FSC Board of Directors.

Discussions during sessions generally focused on large and more intensively managed FMUs. However, PWG representatives are aware that final proposals must be formulated so as to be appropriate to the scale and intensity of operations, and not put undue burdens on small / low-intensity holdings, group certification schemes with small holdings, etc.

During the group and plenary discussions concerns were expressed that certification bodies do not always implement consistently requirements formulated in the P&Cs, standards, guideline documents etc. There were also perceptions that assessment teams tend to include less social than environmental and economic/silvicultural expertise. However, it was also pointed out that there may not always be clear guidance from FSC to help certification bodies perform their task. Other concerns raised was that FSCs own auditing of certification bodies is insufficient, and that certification bodies may over time come to identify more with perspectives of managers than those of other stakeholders which may create biases.

The output from the sessions was formatted by a group of seven PWG members that volunteered to stay an additional day after the meeting proper. This informal 'drafting committee' included representatives from all six sub-chambers.

1. Ecosystem Structure and Function at the Landscape and FMU Level

The workshop focused on the platform elements: "*Forest and plantation management:*

- *ensures ecosystem structure and function at the landscape level*
- *applies continuously improved practises that maintain or enhance ecological structure and function at the forest management unit level*".

The working group consisted of all four environmental chamber representatives plus one representative each from the northern and southern economic sub-chambers.

Output:

The PWG spent part of the time examining potential implications in relation to Principle 6, and the possible need for development of further guidelines. There was general agreement in the group that management practices should maintain or improve ecosystem structure and function at the landscape and forest management unit levels. However, it was also

noted that, while managers have control over their own lands, their potential to influence land-use outside their FMUs is much more restricted.

Concerns were expressed that the impacts of large-scale intensive management at the FMU level may have wider effects at the landscape level. It was suggested that, by tackling ecosystem structure and function at the FMU level, improvements could be made at both the FMU level and the landscape level.

The group discussed the potential relationship between the level of impact of management and the conservation/restoration effort required to ensure / maintain ecosystem structure and function. It was pointed out that any approach to link these concepts would have to take into account that managers in different regions operate in widely different social and environmental contexts.

The level of impact should be evaluated not by the intensity of activity, but by the effect of the activity on the FMU and the landscape (an effects-based approach).

The group discussed identification of thresholds to be met in order to achieve FSC certification. Potential implications are that some operations cannot be certified until the thresholds have been met, as well as that operations that initially meet, but later fail to meet, thresholds can lose their certificates.

Questions for consultations:

1. How should we define landscape?
2. What is the relationship between the intensity of management and the impacts of management on the FMU and landscape levels?
3. To what extent can the impacts of high intensity management be prevented/ eliminated/mitigated by:
 - a) good management practices?
 - b) conservation/restoration efforts?
4. How can the concept of 'general' thresholds be balanced against the need to adapt to different local / regional conditions / standards?
5. In trying to remedy "bad" management, how can we avoid putting undue impositions on "good" managers?
6. If ecosystem structure and function remains largely intact at the landscape level, should there be any / less requirement to undertake conservation/restoration on the FMU?
7. If ecosystem structure and function is degraded on the landscape level, should the manager of the FMU need to take on greater responsibility (and associated costs)?

2. Local sustainable development and poverty reduction

This working group, consisting of all four representatives of the social chamber and one representative each from the northern and southern economic sub-chambers, focused on parts of the following platform elements: *Forest and plantation management:*

- ensures 'good neighbour' relationships with local communities and other stakeholders
- increases opportunities for, and contributes to, positive local sustainable development with an emphasis on reduction of poverty
- upholds the legal rights of workers, ensures workers' rights to organise, and maintains or improves workers' health and social security
- upholds the legal and customary rights of indigenous peoples to own, use and manage their lands, territories and resources

Output:

2.1 Social Management System:

Social issues are fragmented within the P&Cs. A *social management system* is outlined as a comprehensive tool for managers and certification bodies to address social issues in forest and plantation management.

Managers should adopt and implement a *social management system*, appropriate to the scale and intensity of the operation, including:

- social objectives of the FMU in relation to employees (including contractors), the local community and indigenous people
- **a personnel management system**
- **local employment policy and actions**
- **participatory assessment of social impacts on local communities (see also Topic 3)**
- **a strategy for evaluating positive impacts**
- **prevention, elimination, mitigation and/or compensation of negative impacts**
- **actions to participate in, and strengthen the local economy**
- **identification of important aspects of the *social landscape***

Questions for consultations:

1. Are the above elements (bullet-points) adequately addressed in the FSC system?
2. If not, would a social management system improve how these elements are addressed in the FSC system?
3. Are there important elements missing? If so, what elements?
4. Which elements need further definitions or guidelines?
5. Ecological landscape planning has become a widely used tool to address environmental issues. Do you believe that 'social landscape planning' would be similarly useful, e.g. to make sure that communities have local access to important resources?

2.2 Improvement of livelihood and reduction of poverty:

Local communities, particularly in the South, may depend on forest resources for their livelihood to a large extent. Where necessary - taking into account the wide range of differences between regional / national socio-economic contexts, legislative frameworks and welfare systems - such resources, or adequate alternatives, should be sufficiently supplied by management of the FMU.

Issues related to improvement of livelihood and reduction of poverty are primarily addressed in P&Cs: 2.2, 3.1, 3.2, P4, 4.1, 4.5, 5.2, 5.4, see also 1.5.

Questions for consultations:

1. Is provision of resources for local communities an important part of FMU management in countries where government social welfare support is absent or inadequate?
2. What are the impacts on the profitability of the FMU?
3. Are issues of livelihood improvement and poverty reduction adequately addressed in the FSC system?
4. If not, is it a problem of the P&Cs themselves, or the implementation of the P&Cs by managers / certification bodies?
5. If it's a problem of the P&Cs, how can they be improved?
6. If it's a problem of implementation, how can it be improved?

2.3 Land tenure and use

In many cases land records are not updated, leading to displacement of local communities. Safeguards should exist to counteract such effects.

Issues related to land tenure and land use are primarily addressed in P&Cs: all of P2, P3 and last sentence of 10.8, see also 1.5.

Questions for consultations:

1. Are issues of land tenure and use adequately addressed in the FSC system?
2. If not, is the problem the principles and criteria, or the implementation of the P&Cs by managers / certification bodies?
3. If it's a problem of the P&Cs, how can they be improved?
4. If it's a problem of implementation, how can it be improved?

2.4 Workers' rights and conditions:

Management plans should have as an objective to maintain employment levels and include a strategy for assisting people to find an alternative livelihood in the event of loss of employment. Managers should do their utmost to maintain or increase employment and opportunities for training and wealth generation at the local level.

Where local people are available for employment, they should be given preference over imported labor.

All levels of contractors should have conditions (wages, health service etc) equal to or better than those in the FSC-certified 'parent' FMU. Contractors should not be used to take advantages (tax evasion, repression of unions, etc).

Workers should have rights to organize. Where there are no local unions, certification bodies should consult with regional / national / international forest workers organizations during certification audits.

Issues related to workers' rights and conditions are primarily addressed in P&Cs: P4, 4.1, 4.2, 4.3, last sentence of 6.6, and 7.3.

Questions for consultations:

1. Are labour issues adequately addressed in the FSC system?
2. If not, is the problem the principles and criteria or the implementation of the P&Cs by managers / certification bodies?
3. If it's a problem of the P&Cs, how can they be improved?
4. If it's a problem of implementation, how can it be improved?

2.5 People and water:

Many local communities, particularly in dryer climates, are concerned about the impacts of plantations on water quality and quantity.

Water issues are primarily addressed in P&Cs: 5.5, 6.5, 6.9, second sentence of 10.2, last sentence of 10.4, 10.6, see also 10.8.

1. Are water issues adequately addressed in the FSC system?
2. If not, is the problem the principles and criteria or the implementation of the P&Cs by managers / certification bodies?
3. If it's a problem of the P&Cs, how can they be improved?
4. If it's a problem of implementation, how can it be improved?

3. Consultations – identifying, addressing and feeding back on stakeholders' concerns and expectations

Discussions, introduced by a presentation by Tim Cadman (who is researching participation/consultation as a PhD project) were held in two parallel, balanced groups. (Tim's presentation is attached as annex 2 and will be repeated at the GA plantations side-meeting).

Output:

Much of the debate around certification of plantations seems to be related to the nature, role and extent of community involvement in decision-making around management and planning. At present, FSC requirements to involve stakeholders are perceived by some to be fairly limited.

The PWG identified three different situations of stakeholder involvement within the FSC system and suggested that it may be useful to make a distinction between directly *affected* (local) stakeholders, and *interested* (regional/national/international) stakeholders.

a) On-going stakeholder involvement and relations to the manager:

Managers should establish procedures for involving stakeholders, specifying the periodicity and degree of pro-activity, as well as the width and depth, required in different situations.

The main responsibility to maintain, and document, an on-going stakeholder dialogue rests with the manager. This responsibility should be restricted to involvement of affected, local stakeholders. However, managers should also demonstrate openness to receive input from other, interested stakeholders.

FSC should develop guidelines on how to identify and involve affected stakeholders to assist managers. FSC should also develop guidelines on how to resolve conflicts. In some situations it may be useful to get assistance from independent third parties with expertise on participatory processes and good knowledge of the local conditions.

As part of the dialogue, affected stakeholders should be informed about planned forest management activities, their potential effects, and their impact on availability and utilisation of forest-related resources. Information provided that relate to the local economy should be transparent and comprehensible.

b) Stakeholder involvement as part of the certification process:

Pre-assessments and assessments involve both affected and interested stakeholders. Managers should be able to demonstrate to certification bodies that on-going dialogue with affected stakeholders is in place before assessments, both as part of responsible management and as a means to prepare stakeholders for the certification process.

The role of certification bodies is to verify that the on-going dialogue with affected stakeholders meets FSC's requirements. FSC should develop guidelines on assessment and evaluation of such dialogue to assist certification bodies.

Certification bodies should also be responsible for consultation with interested (regional / national) stakeholders, and for ensuring that both affected and interested stakeholders are aware of FSC's conflict resolution processes.

It was noted that FSC-STD-20-006 and 005 respectively, need to be revised and clarified, particularly concerning how stakeholders concerns are responded to by forest managers so that feedback on all issues of concern occur in a timely and discreet manner. Other areas that need clarification are identification of stakeholders, how to engage stakeholders, how to involve national initiatives, and how to design consultation processes appropriate to the scale and intensity of the operation.

c) Development of national standards

The process of setting national standards focuses on interested regional and national stakeholders. All stakeholders must agree to the scope of the discussions at the beginning of the process and be willing to negotiate. Means of identifying and addressing irreconcilable differences, including a dispute resolution process, should be agreed from the start. FSC IC should try to mediate a process to overcome an impasse upon request.

In all three situations, effective involvement implies that:

- Stakeholders adopt a legitimate and agreed-to process that has structures for dialogue and decision-making
- Participants are prepared to negotiate/work together, be accountable, and accept responsibility for outcomes
- There is capacity building, necessary resources and information sharing

Issues related to consultations are primarily addressed in P&Cs: 3.4, 4.4, 4.5, see also 2.3.

Questions for consultations:

1. Are issues related to consultations adequately addressed in the FSC system?
2. If not, is the problem the principles and criteria or the implementation of the P&Cs by managers / certification bodies?
3. If it's a problem of the P&Cs, how can they be improved?
4. If it's a problem of implementation, how can it be improved?
5. Is the current FSC definition of a stakeholder adequate?
6. Do you agree with the group's approach to distinguish between involvement of *affected* and *interested* stakeholders in relation to responsibilities of forest managers and certification bodies respectively?
7. What would be appropriate 'levels' of stakeholder consultation / participation (in terms of Tim's annexed presentation) in:
 - a) on-going stakeholder involvement and relations to the manager
 - b) stakeholder involvement as part of the certification process
 - c) development of national standards
8. What role should FSC play in managing the involvement of stakeholders (e.g. training of certification bodies, mediating conflicts, etc.)?

4. Pesticides

The same subgroups that worked on topic 3, spent two parallel sessions on discussing issues related to pesticide use on FSC-certified plantations. However, both sub-groups felt some uncertainty as how to handle pesticides issues in the review process, as there are at least a couple of other on-going processes in the FSC system that specifically focus on pesticides and pesticide use. It was pointed out that the PWG should establish linkages to these processes in order to avoid double work and splitting of limited resources.

Output:

It was pointed out that high intensity forest management in itself generally increases the needs to use chemicals.

An integrated framework for pest control should be adopted and implemented. Impacts of pesticides on people and nature should be eliminated / minimised through e.g. use of lesser quantities, change to less harmful substances, improved methods of application, adjusting timing and periodicity of application, investigating alternative practises and use of more resistant trees. Progress should be consistently monitored and documented.

While storage and disposal of pesticides were considered to be fairly well addressed in the P & Cs, concerns were expressed that the effects of exposure to high levels of chemicals on workers' health had not received enough attention. In particular, there should be a responsibility to assess the health impacts of long term exposure, e.g. for contractors that apply pesticides many hours a day for years without job rotation.

People that work with pesticides must be properly and adequately trained for their task. It was suggested that certificates / licensing systems may be tools to promote improvement.

Policies and guidelines on pesticide use need to take into account that not all countries have adequate legislation that address proper practises, safety procedures, application methods etc.

Issues related to pesticides are primarily addressed in P&Cs: 6.6, 6.7, 6.8, 8.2d, 10.7, see also 10.8.

Questions for consultations:

1. Are issues related to pesticides and pesticide use adequately addressed in the FSC system?
2. If not, is the problem the principles and criteria or the implementation of the P&Cs by managers / certification bodies?
3. If it's a problem of the P&Cs, how can they be improved?
4. If it's a problem of implementation, how can it be improved?

5. Should FSC keep a separate additional Principle (10) for plantations or should there be a common set of Principles for all certified FMUs, both natural forests and plantations?

This topic was discussed in a plenary session. It was recognised that this is a policy issue of fundamental importance, with a potential to affect the outcome of many aspects of the plantations review process. In order to structure its work, the PWG must decide on which alternative to recommend. However, as changes in the structure of the P&Cs might have ripple effects also for other FMUs than plantations, there must be time for wide rounds of consultations later on before any final proposal to restructure the P&Cs is voted upon by the FSC membership.

The PWG identified four potential alternatives to structure the P&Cs:

a) retain the current structure, plantations must comply with Principles 1-9 + Principle 10

b) adopt a common set of P&Cs that can be applied to all FMUs

d) develop two separate sets of P&Cs, one for natural forests and one for plantations

e) restrict FSC certification to natural forests and develop a 'Plantations Stewardship Council' for certification of plantations

Only the first two of these potential alternatives were commented upon by PWG representatives during the discussions.

a) Retain the current structure

Pros:

- makes it easier to address specific plantations issues

Cons:

- it is difficult to define and categorise natural forests and plantations in many cases. There is a wide range and continuum of forest types and management systems, where do we draw the line?
- are there sufficient aspects in Principle 10 that are not covered in Principles 1-9 to justify keeping P&C as is? 10.9 is the only unique criterion that does not appear in the other nine.

b) Adopt one set of principles for all certified FMUs

Pros:

- avoids difficult and artificial divisions
- focuses on impacts of practices as opposed to forest type
- focuses on changing behaviour for the better
- as yet there are few endorsed standards for plantations – one set of principles may simplify for countries that haven't begun to develop national standards
- provides links between plantations and natural forests and avoids a situation where standard-setting processes only focuses on e.g. plantations

Cons:

- danger of homogenisation of forest types

- risk of changing natural forests to plantations (this is happening with the current system)

Implications:

- a single set of principles would still need to cover a range of impacts and intensities of the management unit
- a single set of principles may have impacts for certification of natural forests as well as plantations (the mandate of this group relates to plantations)
- some countries have already developed two separate standards, with great effort; unknown implications of changing the basic P&C.
- needs safeguards against over-simplification
- review 6.10 with regards to homogenisation and conversion
- if management systems change (e.g. intensity of management), FSC certification would need to be re-evaluated (Principle 7 and 10.1).

Other issues:

Soliciting feedback from constituencies at the FSC General Assembly:

Eight PWG representatives plan to attend the GA in Mananus.

Plantation review side meeting Monday 5th:

One representative from each chamber (Luis Astorga, Tim Cadman and Roberto Waack) will form a committee to be responsible for planning the meeting. PWG representatives will be in charge of the meeting, but the Facilitator agreed to chair and make brief introductory presentation of the process upon request. There will be no FSC IC outcome report, discussions and input will be documented by PWG representatives.

Non-attending PWG representatives should link up with attending colleagues to be kept informed.

Chamber-wise meetings Tuesday 6th:

The PWG side-meeting committee should contact their Board representatives to ensure that they are given opportunity at least to inform constituencies about the review during the chamber meetings. This is most important, as the majority of people that attend the GA will not be there in time to attend the Monday side meeting.

Informal discussions:

PWG representatives are encouraged to discuss plantation review issues with their constituencies e.g. during breaks, meals etc.

PWG representatives should reserve Tuesday 7-8pm for a get-together to assess the status of consultations.

Plantations review, phase 2:

The facilitator presented some ideas for structuring the second, 'technical' phase of the review process. A plenary discussion generated much useful feedback. A key message was to clearly separate phases and responsibilities, and keep expert working groups small.

Summary of FSC IC action points:

Anders:

- To respond to a letter to the PWG received from some Brazilian stakeholders, and liaise with FSC Brazil to, if possible, collect and forward to the PWG more information on concerns documented as part of the FSC Brazil conflict resolution procedure
- To outline in more detail a 'phase two process' for proposing how to implement the policy guidance developed by the PWG, taking into account feedback received during the PWG plenary discussion
- To ask a representative from the FSC on-going working group on pesticides to attend the next PWG meeting to summarise current FSC work on pesticides

Sarah:

- To, upon request, help PWG representatives to distribute any materials that they want to send out to members of their chambers.

Next meetings:

The next (fourth) PWG meeting will be held in Bonn, Germany, April 5-7, 2006. This meeting will produce a draft PWG report.

It was decided to hold an additional, last (fifth) PWG meeting to, based on consultations with constituencies, finalise the report. This meeting was suggested to be held the last week of June, 2006, but no decisions were taken as to dates and location.

Closure:

After a round of evaluations, the facilitator and the PWG thanked Carlos Ibero and Elisa Pardo for their hard work and positive contributions to the meeting. Special thanks were given to Elisa for preparing the meeting and making the arrangements, and for her successful fund-raising efforts. The facilitator and the PWG representatives also thanked WWF Spain for their warm hospitality and for letting us use their facilities.

2005-11-17

Anders Lindhe, Facilitator