

**Joint control measures project – Control measures for specified risk in Slovakia**

FSC-JCM- 1.3 – EN (draft)

Bonn, 2018-03-13

**BACKGROUND**

The Controlled Wood (CW) concept was first introduced in 1997 with the ‘Policy for percentage based claims’ to address the limited possibility to secure supplies and decrease segregation costs reported by certificate holders. One of the main goals of the policy was to increase the visibility of FSC on the market while avoiding unacceptable sources.

Over the years, the CW system has become more complex. On the one hand, it has become one of the primary growth vehicles for FSC, facilitating an increase in the production of FSC certified products by helping in the mixing with FSC 100% sources, while ensuring that material from unacceptable sources is not used in FSC Mix products. On the other hand, the increasing complexity of the standard is making it a challenge for organizations to implement in their supply chains. This challenge has magnified with the latest version of the standard FSC-STD-40-005 V3-1, which came into force from 01st July 2016 onwards.

The main challenge that implementing organizations face is risk management, through the introduction of a Due Diligence System (DDS). The DDS involves gathering information on supply chains, risk assessment (for material origin or mixing in a supply chain) and applying control measures where risk is identified. While the standard specifies the requirements for gathering information and risk assessments, it leaves an element of ambiguity on the extent and scope of what constitutes adequate and effective control measures. This ambiguity is experienced by both certificate holders, as well as certification bodies, with each interpreting the requirements as would best suit their purpose and operational scope.

The ambiguity among stakeholders regarding adequate mitigation steps led to the development of the Joint Control Measures (JCM) project for mitigating specified risks in selected countries of central Europe. This document is one of the first outcomes of this project, consisting of possible control measures to mitigate risks in Slovakia, the first country selected for this project.

These control measures have been developed by and in consultation with a chamber balanced core team established for this project. This discussion paper does not reflect a consensus of opinion among the members regarding the control measures, rather it showcases an array of options, having varying degrees of acceptance among the members. As such, the measures listed in this document are not final and may be subject to changes based on stakeholder inputs. The final document would be released post a formal three-week stakeholder consultation prior to final approval by the FSC PSU (FSC Performance and Standards Unit).

**CONTROL MEASURES – AN INTRODUCTION**

The purpose of control measures is to mitigate the risk that the procured material originates from unacceptable sources. The control measures shall be applied for those supplies that originate in areas with specified risks as identified by the Centralized National Risk Assessment (CNRA) for Slovakia.

Normative requirements regarding control measures are provided in Section 4 (Clauses 4.1 – 4.14) of *FSC-STD-40-005 V3-1 Requirements for sourcing FSC Controlled Wood*

Development guidance and examples of control measures are provided in Annex E of *FSC-STD-40-005 V3-1 Requirements for sourcing FSC Controlled Wood*

**General guidelines on development of control measures**:

1. Control measures should be developed based on how the organization identifies the risk within its supply chains and the operations of its suppliers, and the accepted level of risk (according to the requirements) in the particular conditions in which the organization operates.
2. Different control measures can be established for different ownership structures, different groups of suppliers, different certificate holder types (e.g. primary vs. secondary manufacturers, pulp vs. round wood), etc.
3. The control measures implemented depend on the type of specified risk. Mitigation of some risks will require verification by a field visit to the harvesting sites, document control, or both.
4. It is recommended that control measures comply with the SMART concept (specific, measurable, achievable, relevant and tangible)
5. The control measures described in this document are not mandatory. Organizations are at liberty to select suitable control measures from those provided in this document, based on their specific conditions and requirements and their suitability in mitigating risks for the organization. This means in practice that organizations may use any, all, or a combination of control measures provided in this document to mitigate the risks, based on the scale of operations and the intensity of the risk. These control measures would be acceptable to certification bodies as meeting the requirements of risk mitigation, as long as the measures are undertaken in context, and in line with normative requirements provided in FSC-STD-40-005 V3-1.
6. Organizations operating in Slovakia are also at liberty to use their own control measures instead of those presented in this document, and such measures will be acceptable as long as they adhere to normative requirements and are adequate to mitigate the risks.

General examples of actions that may be taken as control measures:

1. Stakeholder consultation;
2. Complaints/Dispute resolution procedures
3. Expert engagement;
4. Document verification;
5. Supply chain audits;

Field verification at the supply unit level or supplier's site;

1. Third party verifications that cover scope of the specified risks (provided third party verifications result in mitigation of the specified risks as described in the CNRA);
2. Tests to confirm species and/or origin, such as DNA tests, isotope tests and fibre tests (e.g. to confirm the origin of species covered by CITES);
3. Legally binding agreements related to risk mitigation (e.g. conformance commitments with procedures, right to audit at any time, obligations to provide information within a certain time frame) with suppliers and sub-suppliers;
4. Risk mitigation training and capacity building of suppliers and sub-suppliers;
5. Exclusion of suppliers.

NOTE 1: Some of the draft control measures involve engagement with multiple stakeholders The engagement process would be through identification of affected and interested stakeholders, stakeholder outreach and consultation, targeted consultations etc. along with establishment of complaints and grievance redressal mechanisms. It is the responsibility of the organization to collect applicable evidence and act on the complaints and feedback. The organization shall keep records of all such complaint/stakeholder feedback and maintain records of actions taken in response.

NOTE 2: The control measures proposed in this document are based on the following premises:

1. The organization has mechanisms in place to collect information about areas with risk in its supply chain;
2. The organization analyses the information and develops and maintains a database of relevant information;
3. The organization
4. verifies practices and mitigates risk in the areas with identified specified risk or
5. avoids procurement from those areas.

**GENERAL CONTROL MEASURES**

**A. For organizations with long/complex supply chains**

For organizations which have long/complex supply chains, the following measures could be used, either alone, or in combination with other measures, to collect information, as well as to conform the effectiveness of the control measures. The measures in themselves may not mitigate risk, but would provide information on mitigation need as well as effectiveness.

|  |  |  |
| --- | --- | --- |
| **Measures** | **Description** | **Follow –up actions** |
| 1. **Review of publically available information, including media, social media and scientific literature** | It is expected that practices that have a significant impact on forest resources are reported in the press (in countries with a free press and with a high level of public interest). Slovakia is considered to have a free press and a high level of public awareness in environmental issues. Public information from independent sources regarding their supply areas can be collected and analyzed by the organization. | The collected information is reviewed and analyzed using remote (desk based) or on-site evaluation to authenticate the information.  Based on review of information and the on- site evaluation, the organization develops a ‘negative list’ of **areas / suppliers with unacceptable practices.**  **Suppliers/areas with ‘unacceptable’ practices shall not be used for procurement until measures are established to prove conformance with the applicable requirements of the standard.** |
| 1. **Complaints / Dispute settlement** | The organization establishes a complaints/dispute resolution mechanism to receive information from third parties related to the “unacceptable sources” or practices. It is assumed that in Slovakia, there are a number of agencies which are directly or indirectly monitoring forest management practices, including state administrators/authorities, NGOs etc., who would be willing to provide information regarding such practices. |
| 1. **Stakeholders consultation** | A proactive approach to periodically collect information from relevant, affected and interested stakeholders. |
| 1. **Information from third parties** | The organization establishes a permanent mechanism by which it proactively collects information about unacceptable practices from a relevant parties, e.g. a state administration body. |
| 1. **On-site verification** | The organization performs on-site, verifications to verify practices in “risk areas”. The sampling intensity for on-site verification is based on the size and scope of operations and the intensity of the risk. | The activities result in exclusion from the supply chain of those suppliers/supplies that are engaged in “unacceptable” practices or which are sourcing from specified risk areas with no effective control measures in place. |
| 1. **Evidence provided by suppliers** | The organization collects and evaluates suppliers’ documentation/information that provides evidence that (a) the material does not originate in the areas with unacceptable practices or that the (b) practices are “acceptable”. |

1. **For organizations who focus on individual suppliers/direct procurement from forest**

Organizations (e.g. those that procure from individual suppliers, directly from forest owners, etc.) can establish mechanisms that would monitor the supplier’s performance relating to the FSC “unacceptable sources”. Risk mitigation can be undertaken prior to establishment of contract for sale and/or prior to material delivery. Indicators 1-4 from Section B could be also considered when developing “justifiable sampling methodology”

|  |  |  |
| --- | --- | --- |
| **Measures** | **Description** | **Follow – up actions** |
| * + - 1. **Evidence relating to mitigation of “specified” risk in forest management operations** | Information from the state conservation/law enforcement body about legal measures for risk mitigation, evidence of an approved forest management plan for protected / conservation area, etc. | The control measures are considered adequate to mitigate risk, provided the evidence is sufficient to prove mitigation of the risks described in the CNRA. |
| * + - 1. **Third party verification, including evidence of conformity with a third party verification program** | Evidence of conformity to third party verification programs that covers in its scope the specified risks, either individually or cumulatively, including requirements relating to the compliance with legislation, compliance with the ILO fundamental conventions, requirements relating to the conservation/protected areas, requirements relating to the rare, protected and threatened species etc. Evidence provided for meeting requirements for third party verification programs may be considered as a control measure. |
| **3. On-site supplier’s audits/verification** | The organization establishes a system of on-site supplier’s audits that would be based on a justifiable sampling methodology.  Those audits could be performed by the organization itself (by its own or hired personnel) or outsourced to other agencies | On site verifications confirm that management practices ensure that uncontrolled material does not enter the supply chain. However, if on- site verification cannot confirm the same, then supply from those areas/suppliers needs to be stopped till appropriate corrective/preventive measures are implemented. |

**SPECIFIC CONTROL MEASURES**

1. **Controlled wood Category 1 – Illegally harvested wood**

|  |  |  |
| --- | --- | --- |
| **Risk Indicator** | **Risk description** | **Suggested control measures** |
| 1.4 | **Spruce (*Picea abies*) harvest under salvage permits**  The total amount of harvested wood in Slovakia has exceeded the total Maximum Allowable Cut as result of salvage fellings between years 1994-2011. This is despite the gradual increasing of prescribed felling from 5,16 mil. m3 in 1990 to 8, 87 mil. m3 in 2012. Some specialists and NGOs say that salvage fellings are not sufficiently controlled by forestry authorities and often affects healthy trees. Licensed forest managers (OLH) have to report salvage fellings if they exceed 20% of overall inventory of a compartment or if it affects a continuous area of more than 0,5 ha, but the legitimacy of salvage felling is often not checked by responsible authorities. This is the case for especially spruce stands, as it is very complicated to prove if healthy trees or trees affected by bark beetles were harvested, which creates room for potential abuse. | **Control Measure A**  1. Document information about origin of material including origin and nature of harvest – whether it is regular harvest or of salvage felling/sanitation felling. In case of regular harvests, the risk is mitigated. Where possible, the organization should document information on salvage fellings in the previous year, total proportion of salvage fellings from annual spruce harvest and probability of felling in next year.  2. In areas where salvage fellings is occurring, undertake document review - all salvage fellings which exceed 20% of inventory of the compartment and/or exceed 0.5 ha by area need to be reported. The organization verifies these reports and confirming the same with the state/federal forest authorities.  3. Collect information from state forest authority about any non-compliance with applicable legislation related to salvage fellings. If yes, exclude the supply units from DDS. In not, go to step 4.  4. Where possible, salvage fellings can be determined by visual/photographic evidence and documentation (not always viable as salvage/sanitation fellings may also include nearby healthy trees, and this is a commonly accepted and recommended practice for silvicultural control)  5. In cases where risk of abuse of salvage felling provisions is still existing, organization shall implement procedures for random sampling and field inspection of harvest sites to determine salvage fellings. Sampling intensity shall be based on threat perception, volume harvested and number of affected supply units.  **Control Measure B**  1. The organization collects and analyses information from third parties through a complaints/dispute mechanism, stakeholder consultation and/or co-operation with a relevant body (e.g. state forest administration) in order to identify areas of risk that the legal requirements relating to the maximum allowable cut and/or salvage felling are violated.  The organization evaluates evidence received from suppliers identified from specified risk areas and carries out on-site field verifications to establish whether legal requirements for maximum allowable cut have been met. Following the results of the evaluation, the organization shall define appropriate corrective and/or preventive measure, including exclusion of material from its procurement where necessary.  **Control Measure C**  1. The organization collects information on total harvest and maximum allowable cut defined in the forest management plan during the validity of the plan and carries out additional evaluation where the total harvest exceeds the maximum allowable cut.  2. The company carries out a sampling based verification program which scope includes compliance with a maximum allowable cut defined by the forest management plan. Sampling is based on:   1. Percentage of sanitation/salvage felling from the overall yearly allowable cut; 2. On the volumes procured from the area.   **Control Measure D**  In areas where third party verification of supply units cover the scope of this risk, the evidence used for verifying conformance to the requirements may be used as control measure. |
| 1.6 | **Specified risk-protection and special purpose forest**  Problems with designation of protection and special purpose forest and implemented measures have been identified. These forests require specific management and have an exemption for local taxes. Some forest managers (mostly non-state) want to declare such forests to avoid (or decrease) local taxes but without a change of management. Forest Authorities should approve designation of these forest only if there are significant changes in management compared to management in production forests. There are many contradictory decisions of forestry authorities connected with this issue. Sometimes forests with standard management (similar to production forests) were approved as protection and special purpose forests while in some cases forests with very different and very specific management (e.g. strict protected areas) were not approved and remained as production forests. | Designation change for a forest area from 'production' to 'protection/special purpose' forests leads to a reduction in the local taxes. However, this also needs to be reflected in the total production levels from that forest. i.e., protection forests should be yielding reduced quantities once they have been redesignated as protection/special purpose forests.    **Control Measure A**   1. Verify if the material is originating from an area categorized a protection/special purpose forest. If not, conclude no risk, if yes continue to next step. 2. Consult stakeholders (nature conservation authority, NGOs, municipalities) on their opinion on the changed forest category. 3. Verify whether change from production to protection/special category forests resulted in reduced production volumes (need for document verification of annual production levels) if yes, no risk, if no, continue to step iv) 4. If there is no reduction in volumes, are the present production levels as per an approved management plan? (e.g. review of AAC established and approved in the management plan vs actual) If yes, no risk, if no, cease further sourcing form these areas. |
| 1.9 | **Wood sourced from protection sites (Sites with level 3-5 of protection according to national legislation, NATURA 2000 areas**  Most of the protected areas in Slovakia still have not prepared or approved a Management Plan of Protected Areas, all human activities in protected areas are regulated only by Nature Protection Act (consist mostly of restrictions but not specific protection measures).  Information about endangered, rare and threatened species is not integrated in the forest management plan. Forest managers often do not have information about these species and protection measures which should be implemented as required by law. Sites and species protection then depends on the individual approach of foresters and the assumption that the forest manager will actively cooperate with other specialists. This cooperation sometimes works very well but there are many cases where disputes between forest managers and Nature Conservancy or NGOs are an obstacle of proper protection of sites or endangered, rare and threatened species. In some cases, there are even opposing decisions between state authorities (Forestry and Environmental authorities) regarding intervention in protected areas habitats, or species protection. | **Control Measure A**   1. The organization maps the supply chain and identifies whether protection sites (sites with level 3-5 of protection and/or NATURA 2000 sites) are present in the supply units. This information is mapped and available online. If the documentation on the wood origin enables to prove the wood originates from areas with low risk (outside protected areas of the given categories or from those with approved management plan in place) then no further CMs are required. 2. If sites are present, they are identified in the forest management plans by compartment. The organization shall verify whether habitat and RET (Rare, Threatened and Endangered) species protection plans are available.   **Control Measure B**   1. The organization collects and analyses information/evidence by (a) complaints / dispute mechanism and/or (b) stakeholder consultation and/or (c) cooperation with a relevant body (e.g. state administration/state authority) in order to identify legally protected sites (category 3-5 and/or Natura 2000 areas) which have been damaged or are in risk of being damaged by forest management activities. 2. The organization evaluates evidence received from these areas and where necessary carries out on-site verification to establish whether the values for which the legally protected areas have been designed are damaged. On site field verification shall be undertaken at a sampling intensity commensurate with the scale, intensity of the risk. Following the results of the verification, the organization shall define appropriate corrective and/or preventive measure, including exclusion of material from its procurement where necessary.   **Control Measure C**   1. Areas covered by a third-party verification programs can be considered having mitigated risk if the verification program requires approved management plan and verifies protection for legally protection sites (category 3-5 and/or Natura 2000 areas).   **Control Measure D**   1. When sourcing from areas having forests with 3rd -5th degree of protection or NATURA 2000 without a nature management plan, stakeholder consultation shall be undertaken at least annually and as per the requirements in Annex B of FSC-STD-40-005 V3-1 2. Precautionary approach - if stakeholder consultation proves that current forest management may threaten conservation of the protected areas then wood will not be sourced from these areas until adequate management measures are implemented. Establishment / adoption / adaptation of adequate measures in forest management plans or internal guidelines ensures that forestry operations comply with conservation goals of protected areas and are agreed with State Nature Conservancy and other stakeholders. 3. The Organization shall verify the application of adequate measures by sampling the supply units from where it is sourcing. |
| 1.21 | There is illegal logging legislation that covers domestic production but no new legislation for imports. For enforcement of some of the requirements of the EUTR, current national legislation is applicable (especially concerning forest owners and users). Within this legislation there is no due diligence provision. There are sanctions regarding illegal logging, but they do not apply to imports and are not specific to placing timber on the EU market or due diligence. There are no provisions for confiscating wood, and the competent authority (CA) is not empowered to act. | The specified risk is pertaining to imports, which is not covered by the illegal logging legislation.  **Control Measure A**  The organization needs to prove that the material was harvested from within Slovakia, and all legal procedures for felling, harvest and transportation were followed.  1. In case the timber was harvested in Slovakia the risk is considered as “low”.  2. In case the timber was imported to Slovakia prior to April, 1, 2018 documents shall be reviewed to prove the origin of the timber:  a) in case the timber originates from the EU, the risk is considered “low”.  b) in case the timber originates from outside the EU, the importer shall provide information to prove to have access to the origin of the timber and has used his own DDS to show compliance with the EUTR.  (Note: Slovakia has approved national legislation relating to EUTR that is effective as of 1st April 2018. Therefore, the risk may be downgraded to low during next revision.)  **Control Measure B**  Evidence of third party certification or other third-party-verified schemes which cover compliance with applicable legislation.  **Control Measure C**  The organization collects information/evidence from third parties by complaints/dispute mechanism, stakeholder consultation and/or co-operation with a relevant body in order to identify forest owners that are violating national legislation relating to the EUTR. It evaluates evidence received from the suppliers from these areas and where necessary carries out an on-site audit to establish whether the EUTR related legislation has been violated. Following the results of the evaluation, the organization shall define appropriate corrective and/or preventive measure, including exclusion of material from its procurement where necessary. |

1. **Controlled Wood Category 2 – Wood harvested in violation of traditional and civil rights**

Requirements as per FSC-STD-40-005 V3-1 Clause 4.10 - For material originating from areas not covered by an NRA approved according to FSC-PRO-60-002 V3-0, and where there is specified or unspecified risk related to traditional and human rights:

a) Material shall not originate from areas where there is substantial evidence of widespread violation of the rights of Indigenous Peoples or traditional peoples;

b) Material shall not originate from areas where there is conflict of substantial magnitude pertaining to the rights of Indigenous Peoples and/or traditional peoples, unless steps that are recognized by the affected Indigenous Peoples and/or traditional peoples as fair and equitable are being taken by the conflicted parties to resolve the conflict, or free, prior, and informed consent (FPIC) is given by the affected Indigenous Peoples and/or traditional peoples for management activities related to the sourcing of material; and

c) The organization shall obtain the opinion of at least one expert, and seek the opinion of the relevant FSC network partner(s) on requirements relating to FPIC when implementing 4.10 b). The experts shall meet the minimum requirements provided in Annex C.

|  |  |  |
| --- | --- | --- |
| **Risk Indicator** | **Risk description** | **Suggested control measures** |
| 2.2 | **Specified risk for discrimination of Roma in the Labor Market**.  Share of Roma in total population – 7.45%  Majority living in the less developed eastern and southern regions of Slovakia. Roma are over represented among the poor and are largely excluded from the formal labor market, and represent a high proportion of the unemployed.  Major causes for high unemployment rates in Roma are: (1) lack of general education and vocational qualification valued on the labor market; (2) residential segregation and marginalization; (3) exclusion from the primary labor market and relegation of activities to the grey economy; (4) significant gender gap, (i.e. besides low rate of employment among Roma man, Roma women are even more excluded from the labor market); (5) extent of labor market discrimination.  8% of employed Roma work in agriculture and forestry sectors. | **General**  Organizations need to analyze whether there are any Roma populations in their own supply areas. In areas where there the presence of Roma as a percentage of the overall population is negligible and there are is known or reported presence of areas of ‘excluded localities’ of Roma within the procurement region, the risk may be considered mitigated.  Once the risk has been localized, the CMs could be of two types viz., a) avoiding discrimination and b) positive/affirmative actions to undo existing or perceived discrimination.  *a) Avoiding discrimination*  **Control Measure A**  1. The company collects, analyses and acts upon information/evidence of Roma discrimination in employment by forest owners/managers that is provided in a) a complaints mechanism to deal with issues related to Roma discrimination and b) public stakeholder consultation carried out at least annually.  **Control Measure B**  1. Documentation of active processes for engaging with Roma community members, especially w.r.t. recruitment, in areas/provinces/districts where there are known cases of discrimination  2. Documentation of processes and steps by which Roma community members were provided equal opportunities for employment, and active processes to reach out to them were made by the organization  3. Evidence that action has been taken when discrimination was noticed or reported  4. Publically available organization written policy against discrimination signed by top management  *b) Positive/affirmative actions*  **Control Measure C**  1. Active engagement with community representatives - could be done by organizations individually or collectively  2. Explore possibility of setting up quotas for employment for Roma community in areas with a) relatively higher percentage of the general population and b) known incidence of discrimination  3. CH showing support for anti-discriminatory initiatives which could include educational projects, specialized training for the Roma community members, etc. |

1. **Controlled Wood Category 3 – Wood from forests in which High Conservation Values are threatened by management activities**

Requirements as per FSC-STD-40-005 V3-1 Clause 4.11 - For material originating from areas not covered by an NRA approved according to FSC-PRO-60-002 V3-0, and where there is specified or unspecified risk related to high conservation values (HCVs) 2-6:

a) HCV 3 (Ecosystems and habitats): Material shall not originate from areas where HCVs are present, unless specific measures that are designed to protect the HCV inherent in the ecosystem (e.g. logging in areas of rare, threatened, or endangered ecosystems is designed to protect the extent and values of these ecosystems) are in place.

b) HCV 4 (Critical ecosystem services): Material shall not originate from identified or mapped watersheds that supply local communities with drinking water, unless best practices of forest management are applied, including water course buffers, equipment restrictions, road building, and protection against contamination. NOTE: The implementation of best practices may be assessed based on the enforcement of codes of best practices and other general regulations.

c) HCV 6 (Community needs - Cultural values): Material shall not originate from areas where HCVs are present, unless there is evidence that confirms that local communities and Indigenous Peoples are engaged, and their requirements are met.

|  |  |  |
| --- | --- | --- |
| **Risk Indicator** | **Risk description** | **Recommended control measures** |
| 3.1  HCV 1 | **Forests with 3rd – 5th level of protection without a Nature Management Plan.**  **Forests with 1st or 2nd level of protection without a Nature Management Plan that are also, or also contain, NATURA 2000 areas.**  HCV1 is identified in the area under assessment and it is threatened by management activities through habitat removal and/or fragmentation and/or facilitating invasive species encroachment for protection sites with level 3-5 of protection according to national legislation and/or NATURA 2000 areas without approved Nature Management Plans are considered Specified risk | **Control Measure A**  1. The organization collects and analyzes information/evidence from third parties by a complaints/dispute mechanism, stakeholder consultation and/or co-operation with a relevant body in order to identify legally protected sites (with protection category 3-5) and Natura 2000 areas (with 1st and 2nd level of protection) without nature management plan where the protected values may be endangered by harvesting activities. Stakeholder consultations shall be as per the provisions of Annex B of the FSC-STD-40-005 V3-1 standard.  2. The organization assists in establishment / adoption / adaptation of adequate measures in forest management plans or internal guidelines of FMEs ensuring that forestry operations comply with conservation goals of protected areas and are agreed with nature conservation authorities and other stakeholders.  3. The organization evaluates evidence received from the relevant forest owners/managers and from the relevant Nature Conservation Authorities and where necessary, carries out field verifications to  i) complement the information received from these authorities, and identify with more precision areas where HCVs are threatened  ii) Work with experts to identify areas where forest management operations can be undertaken without threatening the HCVs or  iii) verify that the measures specified in step 2 are fulfilled.  **Control Measure B**  1. When forests are verified by a third party verification scheme that includes within its scope the risk covered in this indicator, the evidence presented for obtaining conformance with the requirements may be considered as a control measure. |
| 3.3  HCV 3 | The main threats from forestry operations for all HCV 3 forests are linked to habitat removal, habitat fragmentation and overall insufficient level of protection of HCV 3 values.  There is an insufficient level of protection for old-growth forests in Slovakia and forest management is threatening these ecosystems through habitat removal, fragmentation and/or facilitating the encroachment of invasive species, old-growth sites are considered Specified risk.  The locations of RTE biotopes and rare yew ecosystems are often not known and/or there is a high likelihood of forest management threatening these HCV 3 values through habitat fragmentation or removal.  Source of conflict between conservationists and foresters, revolving around inappropriate management and protection level designations for protected sites. For example, salvage logging after natural disturbances in protected sites (including 5th level strict protection sites) is driven by the forestry sector with conservationists arguing this should not be done due to the ecological importance of fallen trees, snags, coarse woody debris etc. | In total, all forest RTE biotopes known to date cover approximately 63000 ha; and, with non-forest RTE biotopes occurring within forests, cover approximately 64 000 ha. Additionally, 10481 ha comprises of old-growth forests and natural forests with old-growth characteristics (122 sites that support old-growth forests and which exceed 20 ha in area), with a total area of about 8 849 ha; and 136 sites of old-growth forest remnants; these are sites of area 5–20 ha, with a total area of about 1 634 ha are also identified and marked on maps.  RTE habitats are small, scattered and only a few are mapped. Information on some locations can be obtained from State Nature Conservancy or NGOs.  For forests with natural occurrence of yew, there is no comprehensive map, but occurrence of yew is usually described in the Forest Management Plan or information on location can be obtained from State Nature Conservancy or NGOs.  If the documentation on the wood origin enables to prove the wood originates from areas with low risk (outside areas with known or potential occurrence of HCV3) then CMs are not required.  **Control Measure A**  1. The organization collects information/evidence from third parties by a complaints/dispute mechanism, and/or stakeholder consultation and/or co-operation with a relevant body in order to identify where the old growth forests and RTE biotopes are threatened by harvesting activities. State Nature Conservancy and NGOs active in forest protection to be always consulted.  For the “risk areas”, the organization evaluates evidence received from the relevant forest owners/managers and from the relevant State Nature Conservancy body and in cases where the values have been endangered, the organization implements appropriate corrective and/or preventive actions. Where necessary, the organization carries out field verifications to establish with more precision where management activities are threatening the old growth forests and RTE biotypes as well as to verify the implementation of corrective actions.  2. Precautionary approach - if stakeholder consultation suggests that current forest management may threaten HCV3 values the wood will not be sourced from such risk area until risk mitigation measures address concerns expressed by stakeholders. Mitigation measures include documents verification, field survey, and field verification specifically targeting the HCV3 values in question undertaken by experts qualified in nature protection, ecology, or similar subject (e.g. judicial appraiser in nature and landscape protection) and results shared with stakeholders to disconfirm suspicions.  **Control Measure B**  1. Establishment / adoption / adaptation of adequate measures in forest management plans or internal guidelines of FMEs ensuring that forestry operations are not threatening / are supporting HCV3 and execute on site verification to prove the measures are properly implemented. |
| 3.4  HCV 4 | **Protection forests that are mountain forests**  HCV 4.2 - Forests with significant importance for hydrological functions: protection forests according to Decree of Ministry of Agriculture no. 453/2006 CoL. on forest management, Article 2 sec. 1 char. (b), (c) and in part char. (a) (forest types of sets "a" and "c" (flood and high moisture/ wet locations and peatlands).  Logging or salvage logging after natural disturbances can threaten the values and functions of these HCV 4.2 forests; however, since the changes in the forest management legislation (amendments to Law on Forest no. 326/2005 CoL from 2012, 2013 and 2014), professional forest managers (odborný lesný hospodár) have more responsibility including determining the way in which these forests are managed.  Overall, professional forest managers are under pressure from forest owners to ensure the maximum profit from each forest management area; the level of logging in protection forests has therefore increased in the last decade. Increased pressure to log ‘Protection Forests’ has also resulted from the growing demand of Slovakia’s wood and paper processing industry. The most endangered forests that fall within this category are mountain forests that are located below the tree line.  The main principles linked to responsible forest management of these mountain forests are: allowing for continuous regeneration with low impact, selective single tree harvesting; or an uneven-aged management harvesting regime. All other harvesting methods lead to the destruction of these fragile forests, including their soils and their hydric property. Other harvesting methods also have negative impacts on other forests surrounding these mountain forests, e.g. through wind throw, dieback, erosion and biodiversity loss. Due to the pressures outlined above, it is common that forest managers are logging at an increased rate in mountain forests which threatens HCV 4 values. This is leading to increase rate erosion of vulnerable and reduction of water quality and quantity. | **Control Measure A**  1. The organization collects information/evidence from third parties by a complaints/dispute mechanism, stakeholder consultation and/or co-operation with other relevant bodies to identify “protective forests” ('mountain forests' below tree line) where the protective functions are threatened by harvesting activities. CMs not required if material originating from areas not categorized as protection forests comprising of 'mountain forests' below tree line.  2. For areas with risk as identified above, the organization evaluates evidence received from the relevant forest owners/managers and from the relevant State Nature Conservancy body and where necessary, carries out an on-site evaluation to establish with more precision where management activities are threatening the protective functions. In case where the values have been endangered, the company implements appropriate corrective and/or preventive actions, including:  a) avoids procurement from those areas and/or  b) ensures forest management activities do not threaten HCVs.  **Control Measure B**  1. Organization obtains evidence that material does not originate from areas categorized as protection forests comprising “mountain forests below tree line.  2. if sufficient evidence is not available, the organization checks for presence of protection forests with significant hydrological functions (as defined by applicable law) within the supply area.  3. In case of presence of protection forests in supply regions, the organization undertakes consultation with relevant stakeholders (some of the relevant stakeholders may include State Nature Conservancy, NGOs, Slovak Hydro-Meteorological Institute, municipalities, etc.) whether current management of these forests threatens their protective function.  4. In case stakeholder consultation suggests that current forest management may threaten HCV4.2 values the organization does not source unless:  a) the field verification provided by experts prove the current forest management constitutes of selective single tree harvesting or uneven-aged management harvesting regime or other suitable silvicultural measures that allow continuous regeneration with low impact  or  b) Forest management is adapted to be in line with the desired management regime of ensuring the protective functions of these forests. |
| 3.6  HCV 6 | ‘**Primeval Beech Forests of the Carpathians and the Ancient Beech Forests of Germany’** sites include four separate forest areas in the Eastern Carpathians–Poloniny in eastern Slovakia and are considered HCV 6 under the HCV guideline for Slovakia – containing globally significant natural sites. These forests are comprised of old-growth forests (also having HCV 3 values), some of which are designated with the fifth level of strict protection. Some of the other non-old-growth forests within the site have been designated with second and third level protection (Nature and Landscape Protection Act nb.543/2002 Coll and Forest Act) allowing for commercial logging; yet they fall under a UNESCO Heritage site which recognizes the forests HCV 6 outstanding nature values.  These sites are threatened by habitat removal caused by commercial logging as some of the forest areas designated with second to fourth level protection according to the national legislation, which are insufficient to protect the biodiversity values of the forests. The HCV 6 values are under threat of being degraded and disturbed from forest management activities through habitat removal and fragmentation.  ‘**Primeval Beech Forests of the Carpathians and the Ancient Beech Forests of Germany’**  should now be read as  ‘**Ancient and Primeval Beech Forests of the Carpathians and Other Regions of Europe’** UNESCO World Heritage site | **Control Measure A**  1. Organization is able to provide confirmation (documentary evidence, GPS tracking system etc.) that no wood is being sourced or supplied from forest management organizations operating in UNESCO World Heritage areas; namely sites known as ‘Primeval Beech Forests of the Carpathians and other regions of Europe.  NOTE: The total area covered is 18,000 ha as per nomination project submitted by Slovakia in 2007. Core area of 5700 ha is non-intervention area ((confirmed by ministry of environment) <https://spravy.pravda.sk/domace/clanok/430455-pre-pralesy-dviha-unesco-varovne-prst/>  <http://www.unesco-slovakia.sk/sk/prirodne-pamiatky/karpatske-bukove-lesy/karpatske-bukove-lesy-na-slovensku>)  **Control Measure B**  For organizations that are sourcing from buffer zone of UNESCO World Heritage areas (excluding the 5700 ha of core area):  1. Organization shall ensure that wood does not originate from core area of 5700 ha and;  2, Organization shall ensure that wood is traceable to the compartment level and;  3. Organization shall undertake consultation with State Nature Conservation Authority, local environmental NGOs and other stakeholders and ensure that harvest area/compartment does not contain and HCV 6 values nor would management operations lead to fragmentation of old growth forests. |