



FSC Controlled Wood Risk Assessment for Germany
Assigned code: FSC-CWRA-007-DEU (V 3-1)

Approved: 03 June 2011

Summary of Risk:

1. Illegally harvested wood: **Low Risk**
2. Wood harvested in violation of traditional and civil rights: **Low Risk**
3. Wood harvested in forests where high conservation values are threatened by management activities: **Low Risk**
4. Wood harvested in forests being converted to plantation or non-forest use: **Low Risk**
5. Wood from forests in which genetically modified trees are planted: **Low Risk**



Preliminary note:

Following document represents the final version of a German National Controlled Wood Risk Assessment for submission to FSC International. The risk assessment for Germany was generated by FSC Germany according to the rules of FSC International and under consultation of interested stakeholder groups.

The result of the German risk assessment stands in context of strategically considerations of FSC Germany. This document provides information in addition to the actual risk assessment (Chapter 1) in order to simplify stakeholder's access to the RA and to explain this strategically considerations. This information can be found in Chapters 7-9 of this document. Beside the actual risk assessment, the strategically considerations has been part of the stakeholder consultation.

Chapter 2-6 of this document completes the formal frame of the national controlled wood risk assessment.



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1. Risk assessment for non-FSC certified wood (controlled wood risk assessment) from German forestry

1.1. Illegally harvested wood

Germany enjoys well established forest legislation across all of the federal states. The legislation is applied reliably with respect to the legality of forest wood harvesting measures. The legality of wood harvesting measures is provided for by the legislation, and is implemented at the administrative level (STD 40 005; Anh. 2B; 1.1 & 1.2).

FSC Germany is not aware of any instances of illegal wood harvesting in Germany resulting in a threat to either the forest area or the population (STD 40 005; Anh. 2B; 1.3). Nor is FSC Germany aware of any cases of corruption in relation to the granting or assignation of felling licences or in other areas of law enforcement in relation to wood harvesting in Germany or in the trade of German wood (STD 40 005; Anh. 2B; 1.4).

→ Therefore, FSC Germany considers a low risk for illegal wood harvesting in German forests.

1.2. Wood harvested in violation of traditional and civil rights

There is no UN Security Council embargo on wood exports from Germany (STD40 005; Anh. 2B; 2.1). As far as FSC Germany is aware, Germany is not deemed to be a source of conflict wood (STD40 005; Anh. 2B; 2.2).

FSC Germany is not aware of any instances of child labour or of any violations of fundamental principles and rights of the International Labour Organisation (ILO) occurring at work places in the forestry sector in Germany (STD40 005; Anh. 2B; 2.3).

Recognised and fair processes regulating conflicts surrounding traditional rights, including land use, are anchored in the German legislation. Some such conflicts arose in the federal states formerly belonging to East Germany (German Democratic Republic) following German reunification in 1990. The German authorities systematically pursued and processed these cases according to due legal process (STD40 005; Anh. 2B; 2.4). There are no indigenous populations in the Federal Republic of Germany, as defined by the United Nations (see also German FSC Standard, Principle 3) (STD40 005; Anh. 2B; 2.5).

→ Therefore, FSC Germany considers a low risk for wood harvested in violation of traditional and civil rights in Germany.

1.3. Wood harvested in forests where high conservation values are threatened by management activities

From the perspective of FSC Germany, forest management in Germany is in need of considerable improvement. Requiring particular attention in this respect are forests of high conservation value. The German forest area currently accounts for 30 % of the total national territory. Approximately 20 % of the German forest area is currently designated protected area under the European Union's Habitats Directive.¹ The specific protection of these areas

¹ According to data collected by the BMU: 'Meldungen und Ausweisung von FFH Gebieten' (as of 2008).



derives from various legal regulations (national and state nature conservation laws, state forest laws, Habitats Directive, etc.).²

Definitive management specifications intended to safeguard protected resources in the individual forests stem directly from these laws, or from binding regulations that derive from them, such as, for example, protected area ordinances and habitat management plans. Breaches of these laws and regulations represent acts that may be pursued and punished by the German state. A legal framework surrounding the use of forests of high conservation value is in effect, therefore, and applies to all forest owners equally (STD 40 005; Anh. 2B; 3.2).

In spite of these comprehensive legal norms and the existing means of state control, one cannot rule out breaches of these laws and regulations by forest enterprises. Many of these violations are penalised by the responsible authorities, however.

The national report prepared for Germany under art. 17 of the Habitats Directive from the year 2007 outlining the results of an appraisal of the ecological conservation statuses of the habitat types in the special areas of conservation (SACs) throughout Germany found these to be unfavourable in parts of the country (especially in the Atlantic and continental regions). By the time of the next appraisal carried out under art. 17 of the Habitats Directive in 2012, and the subsequent publication of the corresponding report, the development and implementation of protected area ordinances and management planning should have improved considerably.

Given the legal framework in place in Germany, and in spite of the numerous instances of an unfavourable rating of the ecological status of SACs, it is not currently expected that breaches of protection regulations will lead to a large-scale threat to the conservation aims and the protected objects within SACs as a consequence of forest management. Nor is it believed that these forests are extensively and substantially endangered by forestry (STD40 005; Anh. 2B; 3.1).

Also important in this context, however, is the fact that the pressure on the use of the resource wood is continuously growing throughout Germany at the present time. It may be assumed that this growing pressure on the resource will result in an increase in the potential threat of endangerment posed to forests of especially high conservation value in Germany by forestry. The FSC certification to safeguard biodiversity in German forests is, therefore, a central strategic goal of FSC Germany.

The specifications of the CW Standard also require an assessment of the possible impacts upon 'protection categories' of global importance. These, according to the FSC, include biodiversity hotspots and the WWF's Global 200 Ecoregions. These are evaluated in the following.

In Germany, parts of a Global 200 Ecoregion are found only in the southern German Alp region. The 'European-Mediterranean Montane Mixed Forests Region' (partial region of the Global 200 Ecoregions in the German northern Alp region) spans the Alp countries and includes the southernmost part of Germany (Alp region). This region was designated a part of the ecoregion on the basis of the diversity of its coniferous and mixed forests (temperate coniferous forests habitat type). Many species are endangered as a consequence of the long tradition of use and the high degree of human activity.

The part of the ecoregion situated in Germany encompasses the southern Bavarian Alps and the Alp foothills, covering a total expanse of approximately 15 000-20 000 square kilometres,

² A document containing an overview of the applicable laws in Germany and the EU is available online at www.fsc-deutschland.de/controlledwood/consult.



large parts of which are not forest. In this region of Germany the following large-scale protected areas in particular represent the habitat type:

- Berchtesgaden National Park and Biosphere Reserve (20 805 ha),
- the Ammergebirge (18 496 ha)
- the Karwendel and Karwendel foothills (19 000 ha)

Consequently, a total of almost 600 square kilometres are protected under the nature conservation laws. Added to this are smaller nature and landscape conservation areas, information about which can be found at the following website www.bayern.de/lfu/natur/flaechenschutz/index.html.

Through this designation of extensive protected areas in the German forests of the ecoregion, within which forestry operations are subordinate to the conservation aims of the sites, a safeguard against substantial threats to the areas in question as a result of forestry operations is in place.

Furthermore, a considerable proportion of the forest area falls under the category protection forest (avalanche protection forest), and so underlies a further protection designation under which, for example, clear felling is only possible in exceptional cases and is subject to official approval.³

The CW Standard also requires an assessment of whether further forest forms with a particular conservation value (STD40 005; Anh. 2B; 3.1) exist. This is not the case in Germany. According to the definition proposed by Conservation International, there are no 'global hotspots' of biodiversity in Germany, and there are no large continuous areas of forest classed wilderness by Conservation International. Moreover, in Germany there are neither intact forest landscapes, as defined by Greenpeace, nor areas declared frontier forest by the World Resources Institute.

→ Therefore, FSC Germany considers the risk for wood harvested in forests where high conservation values are threatened by management activities currently as low⁴.

1.4. Wood harvested from areas being converted from forests and other wooded ecosystems to plantations or non-forest uses.

True 'natural forests' are not widespread in Germany. The applicable sites are generally located within protected areas (national parks, core zones of biosphere reserves, nature conservation areas, etc.). The conversion of natural forests to plantations or other non-forest uses can be disregarded in Germany.

Where a conversion of forest occurs in Germany, for example, for infrastructural measures or other uses subject to permits granted under planning law, compensation areas must as a rule be established, or compensation payments made. According to the results of the national forest inventory, approximately 1 % of the German forest area (around 82 000 ha) was converted between the years 1988 and 2002. There was no impact on primary forest, however. There is, therefore, no 'large scale' conversion of forest to other land uses. According to the national forest inventory, the national forest area actually increased slightly during the observation period 1987 to 2002 (STD40 005; Anh. 2B; 4.1).

³ BayWaldG (2005): Zweiter Teil, Abschnitt II, Art. 14: Bewirtschaftung des Waldes

⁴ Whether there has been an improvement or a deterioration in the ecological conservation status of the forest habitat types in the SACs will not be known until the results of the next evaluation become available in the year 2012.



→ Therefore, FSC Germany considers a low risk for wood harvested from areas being converted from forests and other wooded ecosystems to plantations or non-forest uses.

1.5. Wood from forests in which genetically modified trees are planted

FSC Germany is not aware of any commercial planting of genetically modified trees in Germany. Any such activity is prohibited in Germany without the appropriate official permits. FSC Germany is unaware of any commercially oriented trials involving genetically modified trees taking place in Germany at this time.

FSC Germany has been informed of a few scientific field trials (e.g., with aspen). The resultant wood is not used commercially.

There are no commercially oriented or site relevant release trials of genetically modified trees taking place anywhere in Europe that we are aware of.

The trials that have taken place in Germany to date are the result purely of fundamental scientific motivations (e.g., risk assessments), and have not been conducted for commercial reasons. We are not aware of any intentions to employ genetically modified trees in forestry in Germany.

It is our view that there is no widespread risk of an independent release into the wild of genetically modified trees from the sites of scientific trials (STD 40 005; Anh. 2B; 5.a).

→ Therefore, FSC Germany considers a low risk for Wood from forests in which genetically modified trees are planted.



2. Scope, purpose and commitment

The controlled wood risk assessment is carried out by the FSC Arbeitsgruppe Deutschland according to the specifications of FSC-PRO 60 002 (V2.0). The risk assessment is being carried out for the entire area of the Federal Republic of Germany. All five assessment categories (see section 2: What is controlled wood?) of the FSC Controlled Wood Standards are being assessed. The Risk Assessment is carried out for all types of German forests including plantations. The definition of forests and plantations in Germany can be found in the German FSC Forest Standard.

3. Contact details

The controlled wood risk assessment is being carried out and supervised by FSC Germany. The relevant contact persons at FSC Germany are:

Thomas Häbe & Uwe Sayer, FSC Deutschland, Nussmannstr. 14, 79098 Freiburg, Tel.: +49 761 38653-62, Fax: +49 761 38653-79, email: thomas.haebe@fsc-deutschland.de

4. Timetable

The planned timetable for the risk assessment is as follows:

- Start of public consultation (stakeholder participation) on 18th March 2011
- End of public consultation on 29th April 2011
- Revision of the draft and incorporation of the results of the public consultation by 10th May 2011
- Adoption of the second, revised draft by the board of FSC Germany by mid-May 2011
- Assessment of the documentation by the FSC International for formal recognition from June 2011

5. Participating groups

The following is an overview of the stakeholders actively approached by FSC Germany in relation to this process:

Business representatives

- Forest owners of all types and forest owner associations
- Forestry enterprises and related associations
- Primary processor enterprises

Interested social groups

- People working in forests and their representative unions
- Organisations and institutions active in the area of recreation

Interested environmental groups focussing on aspects of biodiversity, water, soil, ecosystems and landscape

- Nature conservation and environmental associations in Germany



6. Stakeholder consultation report

Version V1-1 of this national risk assessment has been developed under a well balanced decision making process between the three FSC chambers.

Stakeholder consultation of Version 1-1 has been held between 18.03.2011 and 29.04.2011. As described in chapter "Participating groups", a broad and balanced group of stakeholders has been invited to participate to the discussion.

At the end of this phase several comments had reached the NI:

- Glunz AG, Nettgau
- VDS – Verband der Deutschen Säge- und Holzindustrie e.V., Wiesbaden
- Zellstoff Stendal GmbH, Arneburg
- Zellstoff- und Papierfabrik Rosenthal GmbH, Blankenstein
- Berliner Forsten, Berlin
- Stefan Salvador, Bad Honnef
- Stora Enso Deutschland GmbH, Düsseldorf
- Pfeleiderer Holzwerkstoffe GmbH, Neumarkt
- Arbeitsgemeinschaft Rohholzverbraucher e.V., Berlin
- BSHD – Bundesverband Säge- und Holzindustrie Deutschland e.V, Berlin

Comments of all stakeholders have been reviewed. There has been almost no critic in the Version 1-1 of this Risk Assessment. The stakeholder complied with the argumentations. Most comments were about the need of the Controlled Wood Risk Assessment for Germany.



7. A Controlled Wood Risk Assessment for Germany

In Germany and across the globe, the FSC stands for exemplary forest management. The work of the FSC enables the consumer to actively choose to favour products stemming from exemplary forest management.

The industrial manufacture of FSC certified products is often hampered by a shortage of FSC certified raw materials. A step taken towards solving this problem was the introduction of the FSC mixed label, which permits enterprises to incorporate a certain proportion of non-certified material in their products.⁵

To ensure that FSC products do not incorporate wood obtained from controversial sources, the FSC demands a proof of origin and a detailed risk assessment for these non-FSC certified components. Where the risk is deemed to be low, this wood can be incorporated into the production of FSC products as controlled wood (CW). If the material stems from a region where the risk is unclear, comprehensive individual audits of the forests of origin are required.

The 'National Controlled Wood Risk Assessment,' carried out by national FSC Working Groups, is a formal process to examine whether a low or unclear risk exists for non-FSC certified material at national or regional level (e.g., Germany). This involves analysing and assessing the various CW requirements in the context of (German) forest management, in consultation with stakeholders.

If a low risk is deemed to exist for a country/region, the controlled wood certification process is simplified for all who use wood from the country/region in the production of FSC mixed products. Those affected to the greatest degree in Germany are the primary wood processing industrial enterprises (sawmills, particle board industry, pulp and paper industry). For this reason, FSC Germany is striving to implement the National Controlled Wood Risk Assessment process.

A national risk assessment of this kind follows fixed formal steps⁶ and involves the participation of all interest groups. The final version of a corresponding risk assessment must be recognised by the FSC International. A recognised national risk assessment subsequently replaces all prior controlled wood analyses carried out by, for example, enterprises.

8. What is controlled wood?

Material from non-certified forests must meet the FSC controlled wood criteria if it is to be incorporated into an FSC mixed product. The fundamental requirement for such material is that its origins are clear.

Once the origins of the material have been determined, a risk assessment based on the five FSC controlled wood criteria⁷ is carried out for the source region. If the assessment reveals that the risk of a violation of one of the criteria is low, material from the regions assessed can be incorporated in the manufacture of FSC certified products as controlled wood. If the assessment finds an unclear risk in relation to one of the criteria, the finding for the region is that of an 'unspecified risk.' Material from these regions can only be used in the manufacture

⁵ For purposes of simplification, the issue of recycling is not taken into consideration here. This can – under a separate set of rules – also play a role in FSC mixed products.

⁶ The formal framework of a National CW Risk Assessment is set down in FSC PRO 60-002 Vers. 2-0.

⁷ The procedure behind a risk assessment of this kind is set down in FSC STD 40-005 Vers. 2.



of FSC products upon completion of a detailed assessment of the forest of origin. It must be verified that the CW requirements of the FSC are not violated in the region in question.

According to the FSC requirements for controlled wood, the material may not:

- stem from illegal harvesting;
- stem from areas where breaches of traditional and human rights occur;
- stem from areas where the management of forests represents a threat to forests of particular conservation value;
- stem from forests converted to plantations;
- stem from genetically modified trees.

Controlled wood is not a 'watered down' FSC certification, and the fulfilment of the criteria described cannot be compared to the high demands the FSC associates with exemplary forest management. From the FSC's perspective, improvements are required in many of the controlled wood source forests with regard to the existing forest management. It is for this reason that the FSC prohibits the communication of an observation merely of the controlled wood requirements; for example, through the use of a CW label. This serves to ensure that consumers do not come to perceive CW as being a sustainability standard.

Controlled wood, therefore, is only ever possible in conjunction with FSC mixed products.

9. Significance of CW risk assessments for the FSC in Germany and for the processing industry

In the event that Germany is classed a 'low risk' area, it would follow that a large quantity of controlled wood from Germany would be constantly available. This situation does not alter the fact, however, that only so many FSC mixed products can be manufactured as is allowed for by the proportion of FSC certified material that is incorporated in the production process.

In the event that Germany is classed an 'unspecified risk' area, processing enterprises may decide to remove FSC mixed products from their product ranges due to the effect the comprehensive auditing system (see above) has on complicating the manufacture of FSC mixed products. Industrial enterprises inform us that the additional storage space necessary for separate FSC product lines, in order to guarantee the manufacture of 100 % FSC products, is not available. In this way, FSC wood would seep into the production chain. This applies especially for the first line of processors in the value chain (sawmills, paper producers, fibre processors). In the long term this dilemma can only be solved by a large FSC certified forest area in Germany, guaranteeing a long term supply of FSC certified raw materials for industrial enterprises. This is the stated strategic goal of FSC Germany.

The classification of Germany as a low risk area would presumably have various advantages for the FSC in Germany:

- harmonisation and transparency of risk assessment (currently done by enterprises, verified by certifiers);
- simplification of the production of industrial FSC products in Germany with German wood and, as a consequence, the creation of markets and incentives for further FSC forest certification in Germany;
- improved competitiveness of FSC certified products from Germany relative to FSC certified products from neighbouring countries (e.g., Poland, Romania, etc.), where the availability of CW and certified material is greater;
- the possibility to assess production conditions and risk situations locally (because they then take place before our eyes).



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In the absence of a risk assessment in Germany, it is conceivable that the degree of acceptance of the FSC in the wood processing sector continues to stagnate at a low level. It is even possible that the existing participation of individual industrial enterprises declines.

Further background information relating to controlled wood and FSC mixed products can be obtained from our website (www.fsc-deutschland.de/controlledwood) and from our offices.