

FSC Controlled Wood Risk Assessment
SPECIFIC REQUIREMENTS

INTERPRETATION OF ANNEX 2B OF FSC STANDARD FOR COMPANY EVALUATION OF FSC
CONTROLLED WOOD FOR SPAIN
(FSC-STD-40-005-V-2.1.)

Version: Final

Date of approval: 1st January 2013

National approval: Asociación para Promover el Uso Racional de los
Productos y Servicios del Monte- FSC Spain

International approval: FSC International Center: Policy and Standards Unit

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Summary of Risk Assessment for FSC Controlled Wood

Controlled Wood Category		Risk Level
1	Illegally harvested wood	Low risk
2	Wood harvested in violation of traditional or civil rights	Low risk
3	Wood harvested from forests in which high conservation values (HCV) are threatened by management activities	Low risk
4	Wood harvested from areas being converted from forests or other wooded ecosystems to plantations or non-forest uses	Low risk
5	Wood from forests in which genetically-modified trees are planted	Low risk

Background

The main objective for FSC Controlled Wood is to prevent FSC material (wood and/or wood fiber) from being mixed in FSC products with material from unacceptable sources. For this purpose, FSC has developed two Standards: FSC-STD-40-005-V-2.1, Standard for Company Evaluation of FSC Controlled Wood, and FSC-STD-30-010-V-2.0, FSC Standard for Wood Controlled by Forest Management Enterprises.

In this way, certified enterprises with FSC Chain of Custody that are mixing FSC certified material with non-certified material for the manufacture of FSC Mixed Source products must show that the non FSC certified material has been controlled to prevent sources from any of the following 5 categories:

1. Wood harvested illegally;
2. Wood harvested in violation of traditional and civil rights;
3. Wood harvested from areas where high conservation values are threatened by management activities;
4. Wood harvested from areas being converted to plantations or non-forest uses;
5. Wood harvested from areas in which genetically-modified trees (GMO) are planted.

The scope for application of this document is Spain. The district of origin is taken as Spain in the evaluation of all the indicators.

The normative references for FSC Controlled Wood were defined to help the forest industry and commercial agents avoid the use of wood from unacceptable sources.

There are various ways for FSC to achieve this:

1. Purchase wood from managers of forest areas certified in accordance with FSC Standard for Wood Controlled by Forest Management Enterprises, FSC-STD-30-010;
2. Purchase the FSC Controlled Wood from suppliers who have a valid Chain of Custody certificate that includes FSC Controlled Wood in its scope; and/or
3. Verify sources of supply internally, in accordance with the requirements of FSC-STD-40-005, Standard for Company Evaluation of FSC Controlled Wood. This is an option for enterprises that have the capability of tracing their deliveries to their point of origin.

In the third case, the company has the obligation of performing a risk assessment of its suppliers.

Standard FSC-STD-40-005 establishes the obligation on the part of the enterprise seeking certification (or already certified) to perform a risk assessment. It is the responsibility of the certification body to evaluate and verify the proper technical level and consistency of the risk assessment made by the enterprise.

Accredited National Initiatives, as well as national or regional offices, may orient enterprises in identifying credible sources of information so that they can make a correct decision about the risk assessment (see Annex 2, Standard 40-005 – General Requirements).

Procedure FSC-PRO-60-002 specifies the requirements to be met by National Initiatives that wish to make a risk assessment of FSC Controlled Wood. This will be evaluated by FSC International and after being recognized, it will be compulsory for the district in the category concerned.

The advantage of this procedure is that it allows enterprises working in the same district to use the same risk assessment for FSC Controlled Wood, so as not to waste time or resources in repeating the risk assessment and verifying its consistency.

This document was prepared in accordance with the guidelines given in procedure FSC-PRO-60-002.

RISK ASSESSEMENT FOR FSC CONTROLLED WOOD

This assessment is made for the five categories of FSC Controlled Wood, with Spain as the district of origin and within its geographic area. The risk assessment was made for all types of forest masses (natural, semi-natural and plantations).

1. Wood Harvested Illegally

District: Spain

Requirements	Sources of information	Key information	Conclusion
<p>1. Wood harvested illegally The district of origin may be considered low risk in relation to illegal harvesting when all the following indicators related to forest policies are present.</p>			
<p>1.1 Evidence of enforcement of logging related laws in the district.</p>	<p>http://www.magrama.gob.es/</p> <p>For information about the applicable laws, visit the following web page: http://www.magrama.gob.es/es/biodiversidad/legislacion/#para10/</p>	<p>In Spain, Law 43/2003, of the 21st of November, on Woodlands, amended by Law 10/2006, of the 28th of April, establishes in Article 8, paragraph 1, that the Autonomous Communities have jurisdiction over woodlands and forest harvesting, and those that are attributed to them in their Statutes of Autonomy by means of other jurisdictional titles within the sphere of this law.</p> <p>Article 3 states that wood harvesting and logging shall be regulated by the Autonomous Community's forest agency. In woodlands not managed by the forest agency, such harvesting shall be governed by the basic conditions of sections a and b of that article.</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>

Requirements	Sources of information	Key information	Conclusion
<p>1.1 Evidence of enforcement of logging related laws in the district.</p>	<p>To obtain the contact information for the forest services of each CCAA, visit: http://www.seap.minhap.gob.es/en/aces/administraciones_autonomicas</p> <p>Study of procedures for controlling logging and risk assessment in each Autonomous Community for application of the system of Due Diligence.</p>	<p>The forest agencies of the Autonomous Communities authorize and supervise harvesting efficiently and in accordance with the applicable legislation.</p> <p>Andalusia</p> <ul style="list-style-type: none"> - Law 2/1992, of the 15th of June, on Andalusia Forests - Decree 208/1997, of the 9th of September, which approved the Forest Regulations for Andalusia - Decree 15/2011, of the 1st of February, which established the general planning system for uses and activities in natural parks and approved measures for expediting administrative procedures. <p>Aragon</p> <p>Ley 15/2006, of the 28th of December, on Aragon Woodlands</p> <p>Cantabria</p> <ul style="list-style-type: none"> - Law 6/84, of the 29th of October, on Protection and Promotion of Autochthonous Forest Species in Cantabria and its Regulations (Decree 82/85, of the 29th of November), amended by Decree 21/89, of the 6th of April, - Law 4/2000, of the 13th of November, on Agrarian Modernization and Development. 	

Requirements	Sources of information	Key information	Conclusion
<p>1.1 Evidence of enforcement of logging related laws in the district</p>		<p>Castilla La Mancha - Law 3/2008, of the 12 of June, on Woodlands and Sustainable Forest Management in Castilla-La Mancha, - Agricultural Environment Council Order of 09/03/2011, which approved the special lists of technical-facultative conditions for regulating harvesting and the technical standards for harvesting.</p> <p>Castilla y León Law 3/2009, of the 6th of April, on Woodlands in Castilla y León.</p> <p>Cataluña Law 6/1988, of the 30th of March, on Cataluña Forests.</p> <p>Community of Valencia - Law 3/1993, of the 9th of December, on Forests in the Community of Valencia - Decree 98/1995, of the 16th of May, by the Valencia Government of Valencia, which approved the regulations for that law.</p> <p>Extremadura - Law 1/1982, of the 25th of May, on Grazed Forests - Decree 9/1989, of the 13th of February, on promoting forest repopulation. - Order of the 13th of November 2003 which established the procedure for certain administrative authorizations regarding forest harvesting and forestry treatments in lands not managed by the Autonomous Forest Administration.</p>	

Requirements	Sources of information	Key information	Conclusion
<p>1.1 Evidence of enforcement of logging related laws in the district</p>		<p>Galicia - Order of the 28th of September 2004, which regulates wood harvesting and logging. - Decree 105/2006, of the 22nd of June, which regulates measures related to the prevention of forest fires and protection of rural settlements and regulation of forest harvesting and repopulation (DOG No. 125, of the 30th of June 2006). - Law 7/2012, of the 28th of June, on Galicia Woodlands (DOG No.140, of the 23rd of July 2012).</p> <p>Balearic Isles (State regulations apply)</p> <p>Canary Islands - Decree 47/1998, of the 17th of April, on the Fund for Forest Harvesting Improvements and creation of the Woodlands Commission for the Canary Islands. However, specific regulations for woodlands have not been developed. Authorizations for forest harvesting are granted by each island council, in accordance with Decree 111/2002, of the 9th of August, on the transfer of functions from the Autonomous Community Public Administration of the Canary Islands to the Island Councils in the areas of forest services, livestock routes and pastures; environmental protection and management and conservation of protected natural areas.</p>	

Requirements	Sources of information	Key information	Conclusion
<p>1.1 Evidence of enforcement of logging related laws in the district</p>		<p>La Rioja Law 2/1995 of the 10th of February, on Protection and Development of the Forest Heritage of La Rioja, and Decree 114/2003, of the 30th of October, which approved the regulations for implementation of that law.</p> <p>Community of Madrid Law 16/1995, of the 4th of May, Forests and Protection of Nature in the Community of Madrid, and Regulations for Woodlands, of February 22, 1962</p> <p>Navarra - Statutory Law 3/2007, of the 21st of February, which amends Statutory Law 13/1990, of the 31st of December, on Protection and Development of the Forest Heritage of Navarra. - Statutory Decree 59/1992, of the 17th of February, which approved the Regulations for the Law on Woodlands under Development.</p> <p>Basque Country - Gipuzkoa: Statutory Standard 7/2006, on Woodlands in Gipuzkoa. - Bizkaia: Statutory Standard 3/94, on Woodlands and Management of Protected Natural Areas. Amendments: Statutory Standard 3/2007, amending Statutory Standard 3/1994, of the 2nd of June, on Woodlands and Management of Protected Natural Areas - Álava: Statutory Standard on</p>	

Requirements	Sources of information	Key information	Conclusion
<p>1.1 Evidence of enforcement of logging related laws in the district</p>		<p>Woodlands 11/2007, of the 26th of March.</p> <p>Principality of Asturias Principality of Asturias Law 3/2004, of the 23rd of November, on Woodlands and Forest Regulations, and Principality of Asturias Law 6/2010, of the 29th of October, as the first amendment of the Law on Woodlands and Forest Regulations In addition, Asturias has developed a Forest Plan for Asturias (2001-2015), together with development of Regional Forest Plans prepared for some of the regions of Asturias.</p> <p>Murcia Region - Decree 50/2003 on Protected Wildlife and Plants in the Murcia Region. - Document for Review on the Forest Strategy for the Murcia Region 2003-2007.</p> <p>For information regarding enforcement of the laws, contact the forest services of the respective CCAAs.</p>	
<p>1.2. There is evidence in the district demonstrating the legality of harvests and wood purchases that includes robust and effective systems for granting licenses and harvesting permits.</p>	<p>http://www.magrama.gob.es/ To obtain the contact information for the forest services of each CCAA, visit: http://www.seap.minhap.gob.es/enlaces/administraciones_autonomicas</p>	<p>In compliance with the state and autonomous legislation on forest harvesting, administrative procedures for applications, authorizations and control are followed.</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>

Requirements	Sources of information	Key information	Conclusion
	<p>Study of procedures for controlling logging and risk assessment in each Autonomous Community for application of the system of Due Diligence (pending publication MAGRAMA).</p> <p>Official State Bulletin (BOE, for its initials in Spanish), No. 273 of the 12th of November 2009, pages 94903 to 94930.</p> <p>Law 15/2009, of the 11th of November, on the contract for overland carriage of goods.</p> <p>BOE No. 141, Tuesday June 14, 2011, Sec. I. Page 61018</p> <p>Instrument for Adherence by Spain to the Additional Protocol to the Convention on the Contract for International Carriage of Goods by Road (CMR) related to an electronic letter written in Geneva on February 20, 2008.</p>	<p>Transportation of wood also meets the international and European requirements developed in the state regulations regarding overland transportation.</p>	
<p>1.3. There is little or no evidence or reporting of illegal harvesting in the district of origin.</p>	<p>http://www.guardiacivil.es/</p> <p>Communication from the Head of SEPRONA File No. 99341 to FSC Spain about statistical information on actions by SEPRONA regarding plants, forests and woodlands during the period 2007 - 2011</p>	<p>According to the data from the Head of SEPRONA (General Civil Guard Directorate) for the period 2007 – 2011, 3,002 violations were recorded related to wood harvesting or logging, of which 98.1% were of an administrative nature; 1.0% were misdemeanors and 0.9% crimes. Charges have been filed against 8 people and no arrests have been made.</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>

Requirements	Sources of information	Key information	Conclusion
		<p>For the same period 2007-2011, 2,543 violations were recorded related to gathering fruit or forest products, of which 99.1% were of an administrative nature, 0.5% were misdemeanors and 0.4% crimes. As a consequence of these violations, charges have been filed in 10 cases and 24 arrests have been made.</p>	
<p>1.4. There is a low perception of corruption related to the granting or issuing of harvesting permits and other areas of law enforcement related to harvesting and wood trade.</p>	<p>www.transparency.org http://www.transparency.org/country/#ESP</p>	<p>In the classification of Transparency International's Corruption Perceptions Index (2011) (www.transparency.org), Spain appears in 31st place out of 183, with a score of 6.2 out of 10, so it can be concluded that there is a low perception of corruption.</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>

2. Wood harvested in violation of traditional or civil rights

District: Spain

Requirements	Sources of information	Key information	Conclusion
<p>Criterion 2. Wood harvested in violation of traditional or civil rights. The district of origin may be considered low risk in relation to violation of traditional and civil rights when all of the following indicators are present:</p>			
<p>2.1. There is no United Nations Security Council ban on timber exports from the country concerned.</p>	<p>www.un.org www.globalwitness.org</p>	<p>Information about United Nations Security Council bans on exports can be found on the web pages of the United Nations (www.un.org) and of Global Witness (www.globalwitness.org). There is no United Nations ban on timber exports from Spain.</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>
<p>2.2. The country or district is not designated a source of conflict timber (e.g. USAID Type 1 conflict timber).</p>	<p>www.usaid.gov</p>	<p>Spain has not been designated a source of conflict timber by the U.S. Agency for International Development (USAID) (www.usaid.gov) or other agencies.</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>
<p>2.3. There is no evidence of child labor or violation of ILO Fundamental Principles and Rights of Work taking place in forest areas in the district concerned.</p>	<p>www.ilo.org www.unicef.es www.savethechildren.es http://www.ilo.org/dyn/normlex/es/f?p=1000:13100:3101790025457193::NO::P13100_COMMENT_ID,P13100_LANG_CODE:2700590,es:NO Observation (CEACR) - Adoption: 2011, Publication: 101th CIT meeting (2012) Convention on the</p>	<p>Spain is a signatory to the following ILO conventions: 29, 87, 97, 98, 100, 105, 111, 131, 135, 138, 141, 144, 155, and 182.</p> <p>According to information from the Spanish Government about inspection activities conducted in 2009 and 2010 related to child labor, approximately 700,000 inspection visits were made, and in the course of these last two years, 38 infractions for violations of the provisions regarding the minimum age and 26 infractions for violations</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>

Requirements	Sources of information	Key information	Conclusion
	<p>worst forms of child labor, 1999 (No. 182) - Spain (Ratification: 2001)</p>	<p>of the provisions on work forbidden for minors for reasons of safety and health on the job were found. During the joint visits to inspect labor conditions made by provincial and national security authorities in 2009 and 2010, 12 minors under 18 years of age were found to be present who were victims of sexual abuse or forced labor.</p>	
<p>2.4. There are recognized and equitable processes in place to resolve conflicts of substantial magnitude pertaining to traditional rights including use rights, cultural interests or traditional cultural identity in the district concerned.</p>	<p>http://www.defensordelpueblo.es http://www.fiscal.es</p>	<p>The legal measures in Spain to resolve conflicts pertaining to traditional rights are considered to be effective. This can be verified by consulting the reports by the People's Defender, the Office of the State Prosecutor General, etc.</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>
<p>2.5. There is no evidence of violation of ILO Convention 169 on Indigenous and Tribal Peoples taking place in the forest areas in the district concerned.</p>		<p>There are no indigenous peoples in Spain, as defined by the United Nations.</p>	<p>This indicator is not applicable to Spain.</p>

3. Wood harvested from forests in which high conservation (HCV) values are threatened by management activities.

District: Spain

For the risk assessment of this category, an assessment should first be made as to whether there are any high conservation values threatened by forest management activities at the ecoregion level. The next step is to identify the forest management activities that may represent a threat.

The 6 categories of High Conservation Values according to the glossary of terms in standard FSC-STD-01-001¹ are shown below:

Category	FSC-STD-01-001 Definition
HCV 1	Forest areas containing globally, regionally or nationally significant concentrations of biodiversity values (including protected areas, endemic species, rare or threatened species and seasonal concentrations of species).
HCV 2	Large globally, regionally or nationally significant landscape level forests
HCV 3	Forest areas that are in or contain rare, threatened or endangered ecosystems
HCV 4	Forest areas that provide basic ecosystem services in critical situations (including watershed protection and protection against erosion and fires)
HCV 5	Forest areas fundamental to meeting the basic needs of local communities
HCV 6	Forest areas critical to local communities' traditional cultural identity

¹ For the purposes of controlled wood, the definition of High Conservation Value Forests in the Spanish Standards for forest management does not apply for FSC certification FSC-STD-ESP-2006-01-ESP (V 1.2).

With regard to category HCV1 and HCV3, the areas present in Spain are considered to be contained in protected natural areas. Therefore, forest management does not threaten the values in those categories, since there is adequate compliance with the community, state and autonomous regulations in effect related to these protected natural areas to ensure their adequate conservation.

As for category HCV2, the evergreen grazed forests of *Quercus spp.* (habitat 6310 in Directive 92/43/CEE), which are considered to be a nationally significant landscape, do not present a threat because of activities related to forest management.

In category HCV4, the network of protected natural areas and hydrological planning give consideration to the protection function, so these spaces are considered to correspond to this category and do not present a threat because of forest management.

Category HCV5 does not exist in Spain for the purposes of this evaluation. Although there are woodlands that are very important to local communities because supporting rural life depends on them, they are not included under any special protective system or classified as such.

Category HCV6 coincides with the areas in Spain declared by the UNESCO to be part of the world heritage, in the category of Natural Areas: Doñana National Park, Ibiza, Biodiversity and Culture, Garajonay National Park, Palmeral de Elche, Pyrenees - Monte Perdido and Teide National Park. Likewise, although there are other woodlands in Spain that are important or that include cultural and historical elements of great importance to the local communities, they are not included under any special protective system or classified as such.

FSC International gives the following sources of information as references for identification of ecoregions at the district level:

Definition and information on ecoregions (<http://www.worldwildlife.org/science/ecoregions/item1847.html>):

1. Conservation International (http://www.conservation.org/where/europe_central_asia/Pages/priorities.aspx)
 - Regions identified by Conservation International as High-Biodiversity Wilderness Areas that are forests and contain continuous forest ecosystems with areas of more than 500 km².
 - Regions identified by Conservation International as Biodiversity Hotspots or ecosystems and communities that have been explicitly identified by Conservation International as a key component of a Biodiversity Hotspot.

The Mediterranean basin is the largest of the five Mediterranean climatic regions in the world and extends, from west to east, from Portugal to Jordan, and from north to south, from northern Italy to Morocco. It surrounds the whole Mediterranean Sea, with a total area of 2,085,292 kilometers², and includes parts of Spain, France, the Balkans, Greece, Turkey, Syria, Lebanon, Israel, Egypt, Libya, Tunisia and Algeria, as well as

about five thousands islands scattered throughout the whole Mediterranean Sea. Towards the western part of the continent, the hotspot also includes the islands of Macaronesia: the Canary Islands, the Savage Islands, the Azores and the Cape Verde Islands.

The location of the basin at the intersection of two important land masses, Eurasia and Africa, has contributed to its high diversity and to a spectacular landscape. The region includes mountains with altitudes as high as 4,500 meters, peninsulas, and one of the largest archipelagos of the world. The climate of the Mediterranean basin is dominated by cold, wet winters and hot, dry summers, and the ranges of annual precipitation vary from 100 millimeters to more than 3,000 millimeters.

2. World Conservation Union (IUCN) – regions identified as Centers of Plant Diversity

The Centers of Plant Diversity (CPD) were created in 1998 as a result of a joint initiative between the UICN and WWF classification. The purpose of this initiative was to identify the areas of highest conservation value in the world, in which the largest numbers of plant species have been respected. In 1998, there were 234 Centers of Plant Diversity registered throughout the world, including the Mediterranean basin. Once again, the Mediterranean basin has been identified as one of the principal world centers of plant diversity, with 10% of the world's plants found in an area that represents 1.6% of the world's surface. These areas were later designated as Important Plant Areas (IPA) and regulated by various forms of legal protection, including the Natura 2000 Network.

3. The ecoregions of forests, woodlands and mangroves identified by the World Wildlife Fund as Ecoregion Global 200 and classified by the WWF with a status of endangered or of critical importance.

4. World Resources Institute (http://multimedia.wri.org/frontier_forest_maps/euroruss.html)–

Regions identified by the World Resources Institute as Frontier Forests, as indicated by Greenpeace.

(www.intactforests.org)

Requirements	Sources of information	Key information	Conclusion
<p>3. Wood harvested from forests in which High Conservation Values are threatened by management activities. The district of origin may be considered low risk in relation to threats to high conservation values if: a) indicator 3.1 is met; or b) indicator 3.2 eliminates (or greatly mitigates) the threat posed to the district of origin by non-compliance with 3.1.</p>			
<p>3.1. Forest management activities in the relevant level (ecoregion, sub-ecoregion, local) do not threaten eco-regionally significant high conservation values.</p>	<p>http://wwf.panda.org/what_we_do/where_we_work/mediterranean/about/forests/</p> <p>http://www.worldwildlife.org/science/ecoregions/item1267.html</p> <p>http://www.nationalgeographic.com/wildworld/terrestrial.html</p> <p>http://wwf.panda.org/index.cfm?uGlobalSearch=sub-ecorregiones+terrestres+espa%C3%B1olas%2C</p>	<p>Most of Spain's territory lies within Ecoregion 123: Mediterranean Forests, Woodlands and Scrub in the WWF "Global 200" Network, which identifies the 200 regions of greatest biodiversity on the planet that are most endangered. In this network, the Mediterranean region is classified as an area with a conservation status of critical/endangered.</p> <p>In addition, according to the WWF and National Geographic classification, of the 9 sub-ecoregions in Spanish territory, 7 are in a status of critical/endangered, namely:</p> <p>PA 1203: Canary Islands dry woodlands and forests PA 1208: Iberian conifer forests PA 1209: Iberian sclerophyllous and semi-deciduous forests PA 1215: Northeastern Spain and Southern France Mediterranean forests PA 1216: Northwestern Iberian mountains PA 1219: Southeastern Iberian shrubs and woodlands PA 1221: Southeastern Iberian Mediterranean sclerophyllous and mixed forests</p> <p>The other two sub-regions in Spain (PA0406: Cantabrian mixed forests and PA0433: Conifer and mixed forests of the Pyrenees) are classified as vulnerable.</p>	<p>In Spain, indicator 3.1 is considered a unspecified risk.</p> <p>In Spain, indicator 3.1 is considered an unspecified risk.</p>

Requirements	Sources of information	Key information	Conclusion
	<p>http://www.biodiversityhotspots.org/Pages/default.aspx</p> <p>WWF Spain (2010). Restoring forests or planting fires? A WWF analysis of the future of big forest fires in Spain. Available at: http://assets.wwfspain.panda.org/downloads/incendios_forestales_2010_lr.pdf</p>	<p>On the other hand, the Spanish Mediterranean Region lies within the Mediterranean Basin region in Conservation International's classification of biodiversity hotspots, which identifies 34 regions throughout the world that contain 75% of the most endangered birds, mammals and reptiles.</p>	
<p>3.2. A strong system of protection (effective protected areas and legislation) is in place that ensures survival of the HCVs in the ecoregion</p>	<p>http://www.magrama.gob.es/es/biodiversidad/temas/red-natura-2000/</p> <p>http://www.magrama.gob.es/es/biodiversidad/legislacion/</p>	<p>In the European Union's Natura 2000 Network, 1446 places of Community Importance (PCI) and 595 Special Protection Zones for Birds (SPZB) have been designated, which represent, respectively, 22.93% and 19.94% of the country's area (Ministry of the Environment, June 2012).</p> <p>The basic national legislation on conservation of protected areas is contained in Law 42/2007, of the 13th of December, on the Natural Heritage and Biodiversity (BOE of December 14, 2007). In 2011, Royal Decree 1274/2011, of the 16th of December, was approved, giving approval to the strategic plan for the natural heritage and biodiversity 2011-2017, as the application of Law 42/2007, of the 13th of December, on the Natural Heritage and Biodiversity. In addition, the CCAAs also designate, manage and establish legislative measures for their own systems for protection of natural areas.</p>	<p>Regarding indicator 3.2, Spain can be considered a low risk area.</p> <p>This indicator classifies Category 3 as low risk.</p>

Requirements	Sources of information	Key information	Conclusion
		<p>According to Directive FSC-DIR-40-005, this indicator may be classified as low risk when a strong national system of protection of the High Conservation Values is in place. Also, according to FSC's IC, the definition of "strong" should be based on the effectiveness of law enforcement in the country, which can be demonstrated through a rating of $\geq 75\%$ in the World Bank's "Rule of Law" index. Spain has a rating of 86.73% (Portugal's is 83.41%).</p> <p>Therefore, it is considered that in all of the Spanish ecoregions there is a strong system of protection that ensures the survival of the HCVs.</p>	<p>Regarding indicator 3.2, Spain can be considered a low risk area.</p> <p>This indicator classifies Category 3 as low risk.</p>

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

District: Spain

According to the last FAO report on *State of the World's Forests* (2011), there has been an increase in the forested area in Europe and this growth will probably be maintained because of continued expansion of forest resources on abandoned agricultural lands. As well, the joint report on Forest Europe by UNECE and FAO: *State of Europe's Forests 2011* says that in all the regions of Europe there has been an increase in the total forested area (5.1 million ha since 2005).

The National Forest Inventory gives information through more than 100 indicators on the status and evolution of the woodlands in each Spanish province: their areas, the tree and shrub species found in them, their growth, distribution and some characteristics of the soil in which they grow. It also includes indicators related to regeneration, biodiversity, health, vitality, forestry practices, and to property and protection systems. It also gives the value in monetary terms of the environmental, recreational and production aspects of their forest systems.

Requirements	Sources of information	Key information	Conclusion
<p>The district of origin may be considered low risk in relation to conversion of forest to plantations or non-forest uses when the following indicator is present:</p>			
<p>4.1. There is no net loss AND no significant rate of loss (> 0.5% per year) of natural forests and other naturally wooded ecosystems, such as savannahs, taking place in the ecoregion in question.</p>	<p>http://www.magrama.gob.es/es/biodiversidad/temas/inventarios-nacionales/inventario-forestal-nacional/default.aspx</p> <p>http://www.magrama.gob.es/es/biodiversidad/legislacion/</p>	<p>According to the 3rd National Forest Inventory (NFI3), there has been an increase in the forested area over the treeless area based on the data from the previous NFI 2 (Ministry of the Environment, NFI3 2007). The figures from the NFI3 on the forested area are 18,578,624 ha and 8,947,084 ha of treeless area, compared with 14,210,037 ha of forested area and 11,774,025 ha shown in NFI2.</p> <p>The forest biomass has also increased. According to the NFI3, it is 927,761,315 m³ compared with 597,369,691 m³ in the NFI2.</p> <p>In the case of burned woodlands, Law 10/2006, which amended Law 43/2003, on Woodlands, does not permit any change in the use of the soil for at least 30 years after a fire (Art.50).</p> <p>In Royal Decree Law 11/2005, of the 22nd of July, which approved urgent measures regarding forest fires, preventive measures and compensatory actions were established in the event of forest fires.</p> <p>In Royal Decree 556/2011, of the 20th of April, covering implementation of the Spanish Inventory of the Natural Heritage and Biodiversity, the bases were established to create the instrument that makes it possible to have objective, reliable, comparable information available that is as up-to-date as possible, on the whole territory and that makes it possible to identify and learn about the Natural Heritage and Biodiversity, its status and trends.</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>

Requirements	Sources of information	Key information	Conclusion
	<p>According to the report: GLOBAL FOREST RESOURCES ASSESSMENT 2010 – COUNTRY REPORT - SPAIN (FAO)</p> <p>http://www.magrama.gob.es/es/biodiversidad/temas/montes-y-politica-forestal/estadisticas-forestales/informes_organismos_internacionales.aspx</p>	<p>This report defines:</p> <ul style="list-style-type: none"> - Primary forest: Naturally regenerated forest of native species, where there are no clearly visible indications of human activities and the ecological processes are not significantly disturbed. - Other naturally regenerated forest: Naturally regenerated forest where there are clearly visible indications of human activities. <p>Since the report does not give data on primary forests in Spain, the data available for other naturally regenerated forests are taken as equivalents to other naturally forested ecosystems.</p> <p>To determine the area of other naturally regenerated forests (equivalent to other naturally forested ecosystems), the area with other introduced species was subtracted from that total area, resulting in an area of 15,028,370 ha of other naturally regenerated forests (without other introduced species) This assumes an increase of 980,530 hectares over the amount in the year 2000, and therefore an increase of 6.98%.</p>	

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

District: Spain

In order to ensure sustainable progress and safe use, the EU has established a broad regulatory framework for the purpose of ensuring protection of human health, the ecosystems and agriculture from potential risks associated with the use of chemicals and genetically modified organisms (GMO). Taking into account the possible risks that the release of GMOs into the environment represents for ecosystems, agriculture and human health, it is subject to strict national and community standards.

For this purpose, the EU has been publishing legislation on GMOs since 1990. This legislation establishes standards and procedures regarding use, labeling and traceability. At present, the basic legislation that regulates the release into the environment of genetically modified organisms is Directive 2001/18/EC of the 12th of March, which took effect on October 17, 2002. This policy strengthens the safety mechanism and establishes the principles applicable to environmental risk assessments, with the requirement of a follow-up plan after commercialization of GMOs and limitation of the authority for commercial use to a maximum period of 10 years.

In considering the expected uses, those identified to comply with the requirements are:

- Intentional release of GMOs for experimental purposes (for example, field tests) - Directive 2001/18/EC (Part B);
- Commercial use of products that contain or are composed of genetically modified organisms (for example, growing, importing and processing food products and/or animals) - Directive 2001/18/EC (Part C).

Activities with genetically modified organisms (GMO) are regulated in Spain by Law 9/2003, of the 25th of April, which established the legal system for the confined use, voluntary release and commercial use of genetically modified organisms, and by Royal Decree 178/2004, of the 30th of January, which approved the General Regulations for the Development and Execution of that law (recently amended by Chapter V of Royal Decree 367/2010, of the 26th of March). Through these rules, Spanish legislation has transposed to Spanish legislation various European Directives and Regulations, whose purpose is to protect human health and the environment against the possible effects derived from the use of GMOs.

Articles 3 and 4 of Law 9/2003 established, respectively, the competencies of the General State Administration and the Autonomous Communities, and the additional second provision covers the collegiate bodies responsible for carrying out the activities regulated in it: Inter-Ministerial Council for Genetically Modified Organisms (CIOMG, for its initials in Spanish) and National Biosafety Commission (CNB, for its initials in Spanish)

The CIOMG is the agency that has jurisdiction for authorizing GMO requests when the responsibility falls on the General State Administration. The CNB is a collegiate, consultative body whose function is to report on requests for authorization for confined use, voluntary release and commercial use of GMOs submitted either to the General State Administration or to the Autonomous Communities.

There is a series of European, national and autonomous regulations regarding commercial use of forest materials for reproduction. The Council's Directive 105/1999/EC, transposed through RD 289/2003, of the 7th of March, established the conditions under which seeds and forest plants are to be produced and marketed for silvicultural purposes: Authorization of the basic materials -- seed sources, stands of trees, seed orchards, etc. -- for the various categories is the competency of the Autonomous Communities, which communicate to the Ministry of the Environment and Rural and Marine these units of admission that are then published in Ministerial Orders in the Official State Bulletin.

Requirements	Sources of information	Key information	Conclusion
The district of origin may be considered low risk in relation to wood from genetically modified trees when one of the following indicators is complied with:			
a) There is no commercial use of genetically modified trees of the species concerned taking place in the country or district concerned	http://www.magrama.gob.es/es/calidad-y-evaluacion-ambiental/temas/biotecnologia/organismos-modificados-geneticamente-omg/	There is a public registry in the Ministry of Agriculture, Food and the Environment of notifications and authorizations about commercial use of GMOs. No forest species is included in the data base of commercial varieties with GMOs.	Regarding this indicator, Spain can be considered a low risk area. At this time, no genetically modified forest species are in commercial use.

Requirements	Sources of information	Key information	Conclusion
	<p>http://www.magrama.gob.es/es/calidad-y-evaluacion-ambiental/temas/biologia/organismos-modificados-geneticamente-omg-/notificaciones-y-autorizaciones/</p> <p>http://www.magrama.gob.es/es/biodiversidad/temas/montes-y-politica-forestal/recursos-geneticos-forestales/index2010-10-28_21.02.50.4539.aspx</p>		<p>Regarding this indicator, Spain can be considered a low risk area. At this time, no genetically modified forest species is in commercial use.</p>

Requirements	Sources of information	Key information	Conclusion
<p>b) Licenses are required for commercial use of genetically modified trees and there are no licenses for commercial use</p>	<p>http://www.magrama.gob.es/es/calidad-y-evaluacion-ambiental/temas/biotechnologia/organismos-modificados-geneticamente-omg/notificaciones-y-autorizaciones/</p>	<p>No forest species are included In the Ministry of Agriculture, Food and the Environment's data base of commercial varieties with GMOs</p>	<p>Regarding this indicator, Spain can be considered a low risk area.</p>
<p>c) It is forbidden to use genetically modified trees commercially in the country concerned</p>	<p>http://www.magrama.gob.es/es/calidad-y-evaluacion-ambiental/temas/biotechnologia/organismos-modificados-geneticamente-omg/notificaciones-y-autorizaciones/</p>	<p>As indicated in the introductory text for Criterion 5, Law 9/2003, of the 25th of April, includes the principal standard applicable in Spain in this regard.</p>	<p>Regarding this indicator, the use of GMOs is not prohibited in Spain, but is regulated legally and the respective authorizations are specified.</p>