

Sustainable for Whom?



**A discussion paper on certification and
communities in the boreal region
– case studies from Canada and Sweden**

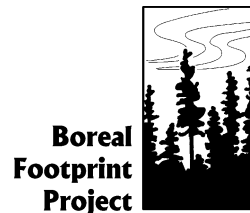
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**Taiga Rescue Network
Boreal Footprint Project**



Taiga Rescue Network (TRN) is an international network of non-governmental organizations and indigenous peoples working for the protection and sustainable use of the world's boreal forests. TRN was established in 1992 to give voice to those wanting to see sensitive development in the boreal region. Today more than 180 organisations are participants of the network.

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Boreal Footprint Project (BFP) is an American participant of the Taiga Rescue Network. BFP aims to reduce Americans' ecological footprint on the boreal forests of Canada and Alaska through education, advocacy and campaigning.

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”The type of mainstream environmentalism being espoused by governments and leading development agencies....has been somewhat limited in scope and beneficiaries. What may be labeled ’environmentalism for nature’ and ’environmentalism for profits’ tend to hold sway, while a third facet which is essential to sustainable development, namely ’environmentalism for people’ often comes a poor third. This is apparent in various respects.....:the failure to integrate many conservation initiatives with the livelihood concerns and priorities of local people; the failure to locate conservation policy and strategy within a coherent development policy framework; and the failure of many agencies to support the organized efforts of local people to defend their natural resource base.”

Peter Utting

Introduction

Market-based certification of forest management is the latest effort by civil society to internalize the environmental and social costs of wood production by endorsing a green label for products that have been produced in a manner reflecting broad environmental and social standards. The Forest Stewardship Council (FSC) in particular has received enthusiastic support from environmental non-governmental organizations (ENGOs) as international forest policy initiatives, voluntary agreements and permissive legislative environments have failed to produce progressive, measurable change in the forestry industry. In the last few years, there has been a strong campaign to increase the numbers of both buyers and producers of FSC certified wood. FSC is intended to reform and ”green” the forestry practices of forestry operators within a multi-stakeholder framework, mutually agreed upon between environmental and social NGOs, industry, labour, and Indigenous Peoples’ organizations. As a volun-

tary scheme to green forestry practices, the FSC has so far had varied success, based on the strength of regional standards and the ability of the certifiers and stakeholders to hold the certified companies accountable to FSC standards.

In a few countries such as Sweden, FSC has become one of the dominant avenues to forestry reform vigorously pursued by both NGOs and Indigenous Peoples, with approximately 43 per cent of productive forest land certified, including State-owned land and all of the major private forestry operations. In Canada, only 0.01 per cent of the country’s forested land base is certified (based on FSC data and in-country data).

Taiga Rescue Network participant groups have been involved in FSC certification issues since the initiative’s inception to a greater or lesser extent. The scope of this study will be limited to small communities directly involved in or affected by an FSC-certified forestry operation or a company that is considering becoming certified. Canada and Sweden provide an interesting comparative

Forest certification aims at the following goals:

- 1 To improve forest management
- 2 To ensure market access for certified wood products

According to environmental NGOs, any credible certification system must fulfill the following basic requirements:

- be based on objective and measurable performance based standards – both environmental and social
- be based on a labeling system including a credible chain of custody
- be based on equal participation of a broad range of stakeholders
- be based on independent third party assessment
- be based on reliable and independent assessments and control mechanisms
- be fully transparent to the parties involved and the public
- take place at the forest management unit level (and not at country or regional level)
- show commitment towards sustainable forest management from the forest owner/manager
- be cost effective and voluntary

Source: joint NGO statement on forest certification and specifically the following schemes: PEFC; SFI; CSA and FSC – November 2000

base because both countries have Northern, resource dependent communities with high unemployment and yet are global leaders in the timber trade. Many of the forestlands surrounding these communities are heavily managed for timber extraction but are also extensively utilized by locals for non-timber forest products; another similarity is the lack of economic infrastructure which could capture and circulate economic benefits within the community. Many communities, for instance, lack processing facilities, value-added industries, banks, and a variety of shops.

Another issue common to both Canada and Sweden involves the dominance of vertically integrated companies and the concurrent difficulties small communities have in accessing even local wood markets. For instance, despite the fact that half of productive forestlands in Nova Scotia are held by small woodlot owners, political and economic power is mostly concentrated in industrial pulp and paper operations and their patrons (Sandberg and Clancy, 1996). One very large difference, though, is in the legal protections of Indigenous forest use. While Indigenous land and treaty rights are enshrined in section 35 of the Canadian Constitution (though usually not im-

plemented until contested), Sweden has yet to codify comprehensive laws relating to Indigenous land rights. The study is limited to Sweden and Canada, as the majority of the world's FSC-certified forestlands lie in Sweden and Canada is in an early phase of FSC-certification, with few large certified tracts.

The purpose of this study is to examine regional policy and legal conditions which must exist in order for market-based certification to reward both green and equitable forestry, which works for the environment while providing meaningful work and economic livelihoods for local people. Through case studies, this report aims to document opportunities and challenges of small-scale forest management projects which are both FSC-certified and beneficial to local populations in order to analyze the policy frameworks which are supportive to locally beneficial forest management. Taiga Rescue Network has chosen to undertake this study because of the long-term association many participant groups have had with FSC and because participant groups are eager to analyze FSC's potential for social as well as ecological reform and sustainable community development in the boreal.

The Forest Stewardship Council (FSC) defines a list of 10 principles and criteria which form the basis for the development of local and regional standards. Principles 2, 3, 4 and 5 deal with tenure issues, indigenous peoples' rights and community benefits.

PRINCIPLE #2: TENURE AND USE RIGHTS AND RESPONSIBILITIES

Long-term tenure and use rights to the land and forest resources shall be clearly defined, documented and legally established.

- 2.1 Clear evidence of long-term forest use rights to the land (e.g. land title, customary rights, or lease agreements) shall be demonstrated.
- 2.2 Local communities with legal or customary tenure or use rights shall maintain control, to the extent necessary to protect their rights or resources, over forest operations unless they delegate control with free and informed consent to other agencies.
- 2.3 Appropriate mechanisms shall be employed to resolve disputes over tenure claims and use rights. The circumstances and status of any outstanding disputes will be explicitly considered in the certification evaluation. Disputes of substantial magnitude involving a significant number of interests will normally disqualify an operation from being certified.

PRINCIPLE #3: INDIGENOUS PEOPLES' RIGHTS

The legal and customary rights of indigenous peoples to own, use and manage their lands, territories, and resources shall be recognized and respected.

- 3.1 Indigenous peoples shall control forest management on their lands and territories unless they delegate control with free and informed consent to other agencies.
- 3.2 Forest management shall not threaten or diminish, either directly or indirectly, the resources or tenure rights of indigenous peoples.
- 3.3 Sites of special cultural, ecological, economic or religious significance to indigenous peoples shall be clearly identified in cooperation with such peoples, and recognized and protected by forest managers.
- 3.4 Indigenous peoples shall be compensated for the application of their traditional knowledge regarding the use of forest species or management systems in forest operations. This compensation shall be formally agreed upon with their free and informed consent before forest operations commence.

PRINCIPLE #4: COMMUNITY RELATIONS AND WORKER'S RIGHTS

Forest management operations shall maintain or enhance the long-term social and economic well-being of forest workers and local communities.

- 4.1 The communities within, or adjacent to, the forest management area should be given opportunities for employment, training, and other services.
- 4.2 Forest management should meet or exceed all applicable laws and/or regulations covering health and safety of employees and their families.
- 4.3 The rights of workers to organize and voluntarily negotiate with their employers shall be guaranteed as outlined in Conventions 87 and 98 of the International Labour Organisation (ILO).
- 4.4 Management planning and operations shall incorporate the results of evaluations of social impact. Consultations shall be maintained with people and groups directly affected by management operations.
- 4.5 Appropriate mechanisms shall be employed for resolving grievances and for providing fair compensation in the case of loss or damage affecting the legal or customary rights, property, resources, or livelihoods of local peoples. Measures shall be taken to avoid such loss or damage.

PRINCIPLE #5: BENEFITS FROM THE FOREST

Forest management operations shall encourage the efficient use of the forest's multiple products and services to ensure economic viability and a wide range of environmental and social benefits.

- 5.1 Forest management should strive towards economic viability, while taking into account the full environmental, social, and operational costs of production, and ensuring the investments necessary to maintain the ecological productivity of the forest.
- 5.2 Forest management and marketing operations should encourage the optimal use and local processing of the forest's diversity of products.
- 5.3 Forest management should minimize waste associated with harvesting and on-site processing operations and avoid damage to other forest resources.
- 5.4 Forest management should strive to strengthen and diversify the local



European NGOs, media and industry visiting Tåssåsen.

Socially-beneficial Forestry

Forestry which is most responsive to multiple uses within a community and based upon shared values is likely to be within a communal access regime – based upon ownership and/or control of the resource base. Community forestry refers to forest management that serves both economic and social goals, under the control of a local community or larger social group with long-term claims, rights, and commitment to the forest (Irvine, 1999). FSC, in its principles and criteria, aims to promote, "...environmentally responsible, socially beneficial and economically viable management of the world's forests, by establishing a worldwide standard of recognized and respected Principles of Forest Stewardship" (FSC, 2001). The Forest Stewardship Council has been particularly successful in promoting communal forestry in Mexico and Central America; Mexico and Guatemala together hold over 73 per cent of all com-

munal FSC certificates (FSC, 2001). In terms of systemic change, however, the record is less impressive as communal operations comprise less than 3 per cent of all certified hectares of forests worldwide. In fact, industrial operations in the North comprise a majority of certified forests; 42 per cent of these forestlands lie in Sweden alone (over 10 million hectares).

FSC's criteria related to community benefits are found in Principles 4 and 5. It is not TRN's intention to measure the case studies against these criteria, but to highlight needed policy changes and underlying problems affecting long-term progress toward these same goals. FSC has great promise to reward socially beneficial forestry in small community-run operations; however, large operations on public or disputed lands bring up many contentious issues because of the multiple functions public lands serve – such as subsistence animal and plant harvests, recreation, tourism, and ecosystem services.

Underlying Causes of Deforestation and Forest Degradation

Early in 1999, worldwide regional representatives and Indigenous organizations were invited to submit case-studies discussing the underlying causes of deforestation and forest degradation at an official Intergovernmental Forum on Forests meeting in Costa Rica (see adjacent box).

In particular, the case from Jokkmokk, Sweden highlighted the fact that although the town is surrounded by industrial forestry operations (most now FSC certified), it benefits little from employment, taxation, or processing (Lindahl, 1999). When the study was conducted, there were more people employed in tourism, handicraft production, and NTFP production than forestry in the town. Similarly, a 1992 study of wood-based job trends in Ontario showed that high value-added secondary wood industries in southern Ontario provided nearly twice as many jobs as all wood-industry jobs in northern Ontario combined despite a larger northern harvest (SCAN, 1992).

Community stability in resource-dependent towns relies upon quality of employment, social cohesion and local empowerment in addition to

Common underlying causes of deforestation and forest degradation across the boreal include the following:

- large corporate tenures
- forestry legislation which sustains harvests (not ecosystems),
- undervaluation of NTFPs and ecosystem services
- resource colonization
- economic pressure to increase exports
- "perverse" incentives to continue large-scale industrial forestry
- inadequate institutional capacity to provide technical and financial support to small forest owners and communities

simple economic stability (Beckley, 1995). Sustainable development relies on community empowerment, whether or not communities have the flexibility to pursue their own agendas for resource development. Crabbe et al. (1995) describe community sustainability as a measurement of quality of life, determined by the adequate combination of four forms of capital: natural, social, human and physical (see box below). The economic concept of 'capital' is used by the authors to connote the integrated sectors affecting community well-being.

Empowerment relies upon four kinds of community 'capital'

Natural capital

land and resources

Social capital

employment opportunities
meaningful work
common vision
gender equity
wealth equity

Human capital

education
health
income
age distribution

Physical capital

presence of several employers
home value
schools
variety of stores
healthcare

Based on Crabbe et al, 1995

All forms are required in order for a community to have flexibility and resilience in the face of change. For small communities in the boreal, this flexibility rests on the following underlying issues: rights to land, tenure and economic capacity.

Preexisting rights to land. Indigenous and treaty or customary rights to land are addressed through FSC criteria. Some communities may simply want a company to agree to leave land alone, and others may demand employment or otherwise access to economic benefits. Either way, social sustainability should be driven by community criteria.

Tenure. The concentration of corporate tenure in Canada and elsewhere is a severe constraint to sustainability and socially beneficial forestry. Large corporations are often not required to significantly involve community stakeholders in decision-making or manage for multiple uses and biodiversity despite the public ownership of land and the responsibility of the government to manage for multiple uses and preexisting rights, such as Indigenous land rights. In addition, most tenures are not based on performance criteria beyond economic return (to investors). A provincial workshop in Canada focused on tenure reform outlined the following conditions necessary in order for tenure to promote community prosperity:

- * all tenures must guarantee long-term environmental sustainability
- * all tenures must respect and adequately accommodate Indigenous Peoples' rights and title
- * communities must have a greater say in the management of their local forest tenures
- * all tenures must lead to more diversity in both forest products and economic conditions (Cathro and Walsh, 1999)

Although the vast majority of forest management tenures in Canada are held by corporations, tenure reform is slowly progressing. Positive recent developments include the formation of a non-profit community management board overseeing 1 million hectares in Ontario and forest tenant programs in Quebec, where small operators sub-lease degraded woodlands operated by corporations and restore them while conducting low-intensity harvests. These are the operations which most likely reflect socially sustainable forest management.

Economic capacity. For communities surrounded by corporate tenures, some effort should be required to foster community economic development through local processing, investment in local facilities, training, and non-timber forest product development or other alternative economic activities. A community's economic benefit should not stop at employment, as local facilities are needed in order to capture and retain money in local circulation. These efforts should be verified through rigorous criteria which includes quantifiable goals, timelines and implementation strategies.

When we discuss socially as well as ecologically beneficial forestry we begin to look at two basic questions: who owns and controls the forest, and who benefits from its current use?



Case Studies

Tåssåsen, Sweden

Principal political actors:

Tåssåsen Sámi community
Small non-FSC forest landowners
Large FSC-certified landowners:
SCA, MoDo and Stora-Enso
Swedish State

Tåssåsen Sámi community lies within the central parts of the Swedish mountain range, west of the town of Östersund, near the border with Norway. The village lies on the border of State-owned lands ("year-round lands") and private near-mountain forests ("winter grazing lands"). Three large Swedish forest companies own land in the winter grazing area: SCA, Holmen and Stora-Enso. They own approximately 40 percent of the land and are all FSC-certified. The remaining landowners control a patchwork of small forest holdings. Very few, if any, are certified and most refuse reindeer grazing on their lands (though some have indicated they would reconsider if they were compensated). The year-round land covers an area of 111,000 hectares and consists of mountain land and 'mountain-near' forests. The winter grazing land ranges 100 km to the south and 30 km northwest of the year-round lands. The Tåssåsen community is allowed a total of 5,500 grazing reindeer.

The Sámi herders need the use of both lands – the year-round area and the winter grazing land – in order to support their reindeer in all seasons, since lichens are quickly covered with deep, hard snow in the mountains during winter. In order

for reindeer herding to be sustainable, the following conditions must be met within all forests used:

- 1) access to forest land,
- 2) undisturbed forests with a good supply of ground-growing lichens, and
- 3) old forests with a good supply of tree-hanging lichens (Johansson, 1999).

In this way, what's good for old growth forests is good for reindeer and the Sámi culture. Good management on private lands relies upon the landowners' biodiversity conservation measures and adherence to the Swedish FSC standard, if they are certified. Through early involvement in the national standards-setting process, Swedish Sámi associations were able to integrate their land use requirements into the Swedish FSC standard. The right to use the State-owned land is based on customary use and guaranteed by law – the right to use all private lands is also based on customary use, but is only guaranteed by FSC participation of surrounding landowners. Herein lies the conflict.

Areas of Reindeer Husbandry

The forest owner accepts and gives consideration to the Sami people's reindeer husbandry carried on his land holdings if it is within the area that the County Agricultural Board, the National Board of Physical Planning and Building report no. 44, Section 5, 1978, has designated as a reindeer husbandry area (year-round and winter grazing land).

–Swedish FSC Standard for Forest Certification, section 4.2.1, 1998

A collective group of 50 private landowners has been suing Tåssåsen reindeer herders, along with several other communities – claiming that the Tåssåsen reindeer damage the forest. Tåssåsen is also affected by a larger suit filed against four Sámi communities by 700 private landowners in the county of Härjedalen. Both court cases – covering 75 per cent of available winter grazing land – hinge on the fact that Sámi can not produce written documents showing their customary right to use the forest land. However, at a public meeting of forest activists and small forest owners in April 2000, the spokesman of the forest owners’ group claimed that if the State had clarified Sámi rights on private lands in law, the conflict would be solved. The Sámi are traditionally a nomadic people, and have not kept written records or deeds for their lands while the Swedish State demands documentation of Sámi occupation of forest land in order to recognize Sámi customary use. The State relies on its own maps and records of Sámi occupation in order to justify its reindeer policies; so far the State has refused to intervene in this dispute (Johansson, 1999).

Forest management on the year-round area is regulated by the Swedish Forestry Act and the Reindeer Husbandry Act -which stipulates that the State must consult with Sámi herders about planned activities. While the 1996 Forest Act stipulates twin goals of production and biodiversity conservation, implementation of the second goal

has been vaguely defined and largely left to landowners’ discretion. Sámi rights of access are based on customary use and described within the Reindeer Husbandry Act, in which lawmakers refused to draw a boundary delineating winter foraging areas. A subsequent map developed by the Swedish National Planning Commission does not take Sámi traditional knowledge of grazing areas into account.

Who Owns the Forest?

The winter grazing land stretches across both large and small private owners, FSC and non-FSC, as well as State-owned lands. Reindeer roam through the forests; they are not confined. Most large nearby private landholders (SCA, Holmen and Stora-Enso) have been certified with the FSC standard and do support reindeer foraging; many of the small landowners do not agree and as such are not FSC certified since respect of reindeer herding historical practices is a prerequisite of FSC certification in Sweden. It is impossible for the herders to keep the reindeer out of the small landowners’ forests. Most herders and large forest owners doubt claims that reindeer grazing damages small trees, especially when compared to damage created by browsing moose.

Who Uses the Forest? (winter grazing lands)

Management priorities: timber, reindeer	
Uses	Who benefits?
Timber	State, private forest owners
Reindeer herding	community, 15 families who herd reindeers
Recreation	all
Fishing/hunting	State, private landowners
Cultural	Tåssåsen community depends upon reindeer
Other NTFPs	all
Firewood	private landowners
(all above information based on Johansson, 2000).	

Who Benefits?

If the court cases are resolved in favor of the small landowners, Sámi reindeer herders will have an impossible situation. The mix of public, FSC-certified, and non-FSC certified landholdings fragments the political landscape that the reindeer need to access. It was the involvement of the Sámi in the Swedish FSC standards setting process that integrated their land use rights into the standard. Although Tåssåsen and other Sámi communities have been able to use FSC as a leverage point with both the Swedish government and local landowners— especially in terms of consultation, the basic inaction of the Swedish government has led to this impasse. Proposed solutions include a State-supported 'Reindeer Damages Fund' or State ratification of ILO Convention 169 on the rights of Indigenous and Tribal Peoples (Johansson, 2000). Both will require significant movement by the Swedish State as well as NGO and public support.



Locations of the Swedish case studies.

Drevdagen, Sweden

Principal political actors:

Drevdagens Intresseförening (local community group)
Swedish FSC Working Group
Sveaskog (State-owned forestry company)
Swedish State

Drevdagen is a small village in the middle-west of Sweden, a rural community surrounded by forests but receiving little of the benefit. The nearby forest has been managed historically in a collective fashion since the 1300s. In 1864 the State transferred management of the forest to itself, reportedly claiming that the villagers were not capable of managing it sustainably. At the time, a majority of the villagers were farmers with woodlots using forests for local housing and grazing cattle. With increasing industrialization, more people in the village began to work in mills and with logging. According to community members, this situation was accepted as long as the community benefited from the forestry. With "structural rationalization" involving regional centralization of timber processing in the 60s, Drevdagen began to lose much of its employment and infrastructure.

Who Owns the Forest?

In 1994 the Swedish government partially privatized a large portion of its landholdings into the company AssiDomän. Drevdagen soon found itself surrounded by a nature reserve on one side, and AssiDomän forestland on the other. With AssiDomän's (now held by Sveaskog) certification in 1998, Drevdagen is now bordering an FSC certified forest.

Who Uses the Forest?

Management priorities: timber, wildlife reserve

Uses	Who benefits?
Timber	Sveaskog, remote mills outside of community, State
Recreation	all
Tourism	Idrefjäll ski resort, community
Berries	all
Fishing/Hunting	State, subsistence
Firewood	State, subsistence
Cultural use	community
Nature reserve	all
Handicrafts	barter

(all above information based on Lindh, 2000).

Who Benefits?

The forests around Drevdagen are regulated under the Swedish Forestry Act, the Environmental Act and the FSC principles and criteria. The community is dissatisfied with the quality of the forestry on the disputed lands, and would like to at least receive a benefit from employment or use of the lands. At the present, Drevdagen has a strong informal and barter economy. Many people in the village directly or indirectly rely on employment wages from Idrefjäll, a ski resort 25 km away. The community is very keen on making its own land use plan integrating cultural use, tourism, conservation and community-based forestry. It has

invited the government, Sveaskog, and local conservation groups into its discussions (Lindh, 2000).

At the time of Assidomän's initial certification (1998), certifier SGS QUALIFOR noted, "...the region has a poor overall register of stakeholders with key groups missing." In terms of local economic opportunities, SGS reports, "Employment policy neither favours nor discriminates against local people," and "An issue in many areas dependent on forestry work is the general rationalisation with a decreasing work force that has occurred within the forestry sector. This is a difficult issue for forestry companies to address unilaterally and could perhaps be evaluated on a national level."

Drevdagen has not been able to economically benefit from forestry on the disputed land. A lawsuit to determine title could resolve the dispute, though Drevdagen community does not have the resources to mount a court battle. Two court cases to date have found ambiguity in the State's (and subsequently, Sveaskog's) right to title. In the absence of Sveaskog surrendering its title, the certifier could promote community interests through requiring a thorough social benefit analysis (as provided for in International FSC Criteria 4.4) on the certificate. Alternatively, Drevdagen could pursue a co-management agreement with Sveaskog.

Social Benefits for Local Communities

Forest management shall maintain or enhance the long-term social and economic well-being of forest workers and local communities.

Forest owner's should carry on responsible long-term forestry management on their property, promoting a high degree of utilization of forest production potential with due consideration given to the natural environment and other interests.

Appropriate silvicultural and forestry management methods, and the appropriate sale or refinement of forest products will preserve and develop employment, competitiveness and profitability.

Particular attention shall be paid to the recreational values of forest environments for the local population.

-Swedish FSC Forest Certification Standard 4.3, 1998.

Mitchikanibikok Inik (Algonquins of Barriere Lake), Quebec, Canada

Principal political actors:

Algonquins of Barriere Lake
Domtar (large forestry company)
Small forestry companies
Province of Quebec
Canadian State

The small, traditional Algonquin community of Barriere Lake, Quebec, lies approximately 200 km north of Ottawa, the capital of Canada. The Algonquins of Barriere Lake have been attempting to implement a comprehensive co-management agreement with the governments of Quebec and Canada since 1991. The resulting plan, the Trilateral Agreement, was modeled upon the Brundtland Report and outlines a progressive agenda of sustainable development. The agreement seeks to, "...develop...a draft Integrated Resource Management Plan (IRMP) with a commitment to the principles of sustainable development, conservation, and continuation of our traditional way of life while at the same time allowing versatile resource use" (Matchewan, 2000). The Trilateral Agreement provides a framework for coexistence of Barriere Lake traditional use with Quebec and Domtar's timber harvesting, as well as a plan for the community to receive social and economic benefits from the management. Matchewan and Byford (2000) lists the following objectives for the Algonquin Integrated Resource Management Planning Process:

- * to conserve and enhance traditional and cultural land and resource uses
- * to provide for an optimal and equitable local, regional and provincial sustainable contribution of economic and social benefits from natural resource-based activities within the Trilateral Agreement territory

- * to minimize and resolve resource use disputes between forest user groups with respect to the utilization of natural resources in the Trilateral territory
- * to ensure traditional knowledge and western knowledge are assimilated and applied in the decision-making process.

Barriere Lake's traditional use area covers approximately 10,920 km² of forested land within La Verendrye Wildlife Reserve, which has been managed by Quebec fairly exclusively for timber through volume-based tenures. Barriere Lake has been attempting to convince Domtar, one of the regional timber companies, to change its forest practices to an alternative tenure agreement and then apply for FSC certification, with Barriere's Lake's approval. In this way, Barriere Lake could speed up the implementation of the Trilateral Agreement by using FSC as a "carrot" to convince Domtar to change its forest practices. Barriere Lake sees FSC as a tool to both implement parts of the agreement and gain political leverage. The Trilateral Agreement has no enforcement mechanism beyond the good will of the State; Barriere Lake's only redress to date has been through civil disobedience or prohibitively expensive legal action (Matchewan, 2000).

Who Owns the Forest?

Barriere Lake did not sign treaties with French or English settlers, and so retains its aboriginal title to land, though they have not pursued a formal claim to this title. The province of Quebec manages the forestry regime and wildlife within the wildlife reserve; Barriere Lake manages their subsistence hunt, fishing and trapping. The forest management is guided by the Quebec Forest Act. Domtar is partially owned by the government (45 per cent).

Who Uses the Forest?

Out of the total area in question, 9,188 km² (84 per cent) is occupied by tenure agreements. Although the wildlife reserve is almost exclusively managed for timber, one of Barriere Lake’s main goals in negotiating the Trilateral Agreement was the protection of their subsistence economy. According to community leader Jean-Maurice Matchewan, ”The forest not only provides for the spiritual, cultural and economic needs of our community, but it is central to our social system – giving full meaning to Algonquin values of sharing, respect for living creatures and of reciprocity” (Matchewan and Byford, 2000).

Who Benefits?

The Algonquins of Barriere Lake receive no direct or indirect economic benefit from timber production on their traditional land use area. In addition, no member of the band is employed in the natural resource sector within the wildlife reserve. The community receives no taxation, resource rent or other revenue (Matchewan and Byford, 2000). Barriere Lake has encouraged companies operating in their traditional area to become FSC certified. Incremental change in forest practices now moves the implementation of the Trilateral Agreement towards a true co-management regime, as stipulated in the agreement. The potential certification also provides a new leverage point for the community in

making sure the government of Quebec as well as the companies under its control live up to their side of the agreement. In this way, FSC can give tangible redress – or teeth – to existing legislation which aims to manage for multiple use and protect indigenous land use. The community is the strongest voice for protection of the forest, as their culture, identity and livelihood depends upon it.

Management priorities: timber, cultural use	
Uses	Who benefits?
Timber	Domtar, other companies, Quebec
Recreation	all
Cultural/Spiritual	community
Medicinal harvest	community
Hunting/Fishing – subsistence	community
Hunting/Fishing – commercial	State
Other NTFPs	all

(all above information based on Matchewan, 2000).



Locations of the Canadian case studies.

Pictou Landing First Nation

Principal political actors:

Pictou Landing First Nation
 First Nations Forestry Association in Nova Scotia

The Pictou Landing Certified Forest is a 405 ha mixed-species restored woodlot owned and managed by the community, a small Native Mi'kmaq community of 375 people. The community decided to pursue FSC certification because it fit with traditional Mi'kmaq teachings of forest use.

Who Owns the Forest?

The land is communally held with every band member holding a share in the forest. The forest is managed by the Chief and Council in conjunction with a forestry board. 121 ha of the forest is Native Reserve land (federal lands), and 283 ha is held in deed by the Band. Even though 121 ha of the forest are held in "trust" by the federal government, they do not practice management oversight of the land. The forest is managed day-to-day by the forestry staff, overseen by the community forest board and the Chief and Council. Management decisions are discussed in several venues. A specified band member takes any management ideas to the board, who discuss the situation, the member also discusses options with the Chief Forestry Officer of the First Nations Forestry Association, administrated by the Confederacy of Mainland Mi'kmaq, for the 13 Mi'kmaq reserve communities which have forest lands. The discussions are very informal – the board takes the ideas back to their families, and all discuss around kitchen tables and backyards. The majority opinion rules.

Who Uses the Forest?

The forest is used by virtually every family in the community, commercially, spiritually, and recreationally.

Management priorities: timber, multiple-use

Uses

Timber
 Value-added
 Hunting
 Ntfp
 Educational
 Spiritual use

Who benefits?

community: 4-6 part-time jobs + revenue
 1 furniture maker, 2 basket-makers
 community
 community
 community, local university
 community

(all above information based on MacDonald, 2000.)

Pictou Landing First Nation has initiated an innovative spin-off agreement with St. Francis Xavier University to use their certified forest as a platform for research, models, studies and projects both in life sciences and social sciences. The community has a reciprocal research part-nership with the university and has an agreement that each project will be collaborative, will somehow benefit PLFN, and will have a band member associated with the project in order to foster the partnership and provide community insight into the projects, as well as promote educational opportunities for band members. For its part, the community wishes to measure and document the non-monetary values of the forest.

According to community liason Dan MacDonald, the forest also lends itself to helping to solve problems in the community; the forest provides jobs, learning experiences, the promotion of human-nature relationships, and the building of self esteem, love and respect. For example, a troubled youth taught to horse-log learns many lessons including respect for nature, caring for another, job skills, and a paycheck for hard work (2000).

Who Benefits?

Pictou Landing First Nation has been able to reap multiple uses of its lands and has many options for the future due to its title rights and customary rights to manage their land. In addition, they have been aided by institutional support (First Nations Forestry Association in Nova Scotia) and community support for their unique, culturally-based management plan and goals. Pictou Landing has a very strong informal, subsistence and word-of-mouth economy. Everyone technically has a communal share of the forest revenues, though the

Chief and Council have the authority to use the money for something else. There is strong consensus that the money, when generated, should go back into sustaining the forest unless there is a strong community need to use the money for other things. All efforts are being put to maintaining what the community has, and teaching the messages of their forest project – educational facilities, building a guest/teaching facility for out-of-towners, creating a model to share with other communities, etc (MacDonald, 2000).



Demonstration of removal of birch bark for craft or traditional uses.

Discussion

FSC fits within a reformist agenda – and to date has succeeded in reforming forestry planning of many large companies (especially in Sweden, where the majority of the world’s FSC-certified forests lie). In terms of addressing underlying causes such as resource colonization and lack of technical and financial support to small forest-dependent communities, FSC has been instrumental in encouraging and attracting support for community-based forestry enterprises, especially in Latin America. These enterprises are possible because of international aid supporting twin goals of small business development and forest conservation as well as available tenure. Barriers to boreal communities gaining control over forests include the following: tenure systems, community organization, and infrastructural support.

Of the four case studies presented, the Tåssåsen Sámi community and the Drevdagen community have unrecognized rights to land and are in economic jeopardy because of it. In the Sámi case, the willingness of the large forestry companies to accommodate reindeer grazing and the recognition of Sámi rights within the FSC standard have been valuable political tools to reinforce their customary use rights. The rights have been acquired by long-term use, not by State decree; it is partially due to this situation that the rights are not respected by the court (on the disputed lands) or the small landowners who are not FSC-certified. The only way for the Sámi communities to prevail is to have a favorable court hearing, convince the Swedish parliament to pass new reindeer herding legislation finalizing the winter grazing boundaries, or to come to an on-the-ground compromise with the small landowners. As for the

Drevdagen case, the community’s claim of land ownership should be taken seriously and investigated by either the State, the Swedish FSC board, or a participating NGO, as the credibility of FSC is harmed by ownership uncertainty.

The volume-based tenure system in Quebec is a definite constraint to sustainability. A company operating in Quebec requests a license to cut a specific volume of wood, not an area. Therefore, one management unit often holds multiple operators. All operators would have to agree to cooperate in order to reach FSC standards across the entire area. FSC can be used here, again, as a catalyst towards reform of the tenure system, since any company applying for FSC certification may face challenges in meeting international FSC standards within the present Quebec tenure regime. However, certification is only a preliminary step towards equity in the share of profits and management decision-making, especially without changes in the underlying policy framework which rewards, almost demands large-scale, industrial forestry. What FSC can do is serve as a leverage tool the Algonquins can use to influence management decisions. It cannot fundamentally change the power dynamics in Quebec which have so far rewarded forestry companies despite widespread forest degradation and violation of Indigenous rights. The Trilateral Agreement is unique in that it mandates that companies operating in the area will be required to share, and eventually give up, power for the benefit and sovereignty of the Algonquin people. The transfer of power is something that requires the good will and action of the State since implementation of the agreement is costly and requires significant commitment and cooperation between all parties.

The Algonquins of Barriere Lake's Trilateral Agreement and Pictou Landing First Nation's Forest Management Plan represent the most elaborate and comprehensive plans to integrate social benefits principles and criteria into planning and decision-making within these four case studies. Each community is planning a diverse economy (both subsistence-based and profit-based) in order to raise the local standard of living and quality of life. In both instances, success depends upon developmental support and real power in decision-making. Pictou Landing, though depending on a modest sized forest, is on its way to turning a profit and opening doors to its community. Crucial to its success has been developmental support through the First Nations Forestry Association in Nova Scotia, community support for culturally-based ecoforestry, and the land rights (title and reserve land) to pursue its own agenda.

The Drevdagen case study illustrates a typical small village in post-rationalization Sweden, where forest-based communities have slowly lost most of their commerce, population, and forestlands. With the local FSC certification, Drevdagen was hopeful that modern forestry in their community would change – however, no economic benefits have trickled down to their town, and they feel powerless to help their community. Drevdagen is but one of the small villages within the Sveaskog FSC certificate area. In order for Sveaskog to abide by Principle 4 – regarding the economic well-being of forest communities, it would have to take on the functions of a rural development planning department. In short, if

taken to an extreme, Sveaskog would have to abandon "modern" industrial forestry as it is now practiced. Sveaskog's purpose in buying Assidomän's land was to create a forest operator that would manage for multiple uses, including supplying rural industry with wood. Sveaskog's progress towards true multiple-use management will be worth watching. However, Drevdagen, as many other villages in the boreal, cannot survive without either access to land, a co-management regime with Sveaskog and the State, or a return of the land. Since Sveaskog is owned by the Swedish State, perhaps it will be interested in binding social benefits to local communities, in conjunction with other Swedish ministries.

The Swedish National FSC Standards are currently undergoing a review; the Swedish working group should take this opportunity to improve their social standards as they are weaker than their international counterparts (see L. Johansson et al, 2000). For instance, while reviewing Assidomän's original application, SGS noted:

Social aspects of forest management are not well-defined in the procedures. However, in general these are considered to be of low importance in Sweden due to social structure and norms with clear laws and well-established, respected customary rights of access to the forest...Accordingly, social appraisal is not a top priority for forest companies (1998).

Specific requirements regarding social benefits analyses should be incorporated into both a revised Swedish FSC standard and the Swedish Forest Act if community sustainability is truly an objective of both agencies.

Conclusions

Certification schemes such as FSC have been criticized by some for "depoliticizing" environmental problems and thus masking the underlying policy regimes and power differentials which create and perpetuate environmental problems (Sandilands, 1993). It is not within FSC's mandate to advocate for a revolutionary construction of relations between people, the State, the market and the land despite the fact that underlying causes require a toolbox of revolutionary as well as reformist politics. FSC should be one of the tools utilized by communities and NGOs but support for FSC needs to be balanced (with time as well as resources) by a concerted campaign addressing underlying causes such as tenure reform, violation of Indigenous rights and perverse incentives. In evaluating the effectiveness of voluntary measures for "corporate greening", Robert Gibson (2000) emphasizes, "A new politics of corporate greening based on (State regulatory) authority, markets and habit...would design regulations and market-based initiatives to be mutually supporting." Furthermore, "...we should mobilize as many driving motivations and as many active participants as possible."

Reviewing the case studies, Pictou Landing appears to receive the most benefit from its forest. This is no doubt due to its land title, tenure agreement and developmental support from the First Nations Forestry Association in Nova Scotia. The Algonquins of Barriere Lake retain many subsistence benefits but at present, do not capture any monetary values of the timber harvest on

their lands. Potential benefits, promised through the Trilateral Agreement, are to be delivered through cooperative forest management policy development as well as heavy investments in training and economic development for the community. The Sámi community of Tåssåsen primarily benefits from local FSC-certified forests in the form of guaranteed access to land which they retain customary rights to. They do not receive substantive other benefits from the winter grazing lands. Finally, Drevdagen is the community which receives the least tangible benefits from the forest it depends upon due to the lack of three forms of capital – social, natural, and physical. Policy frameworks which support community sustainability include the following: binding tenure, customary use or Indigenous rights recognized by the respective State; legislated social development agreements with specific targets, goals and timelines; and forest management policy which includes meaningful, targeted reform of underlying causes of forest degradation such as unsustainable tenure agreements.



While FSC cannot and should not take the place of a rural development program, it has the potential to provide community leverage or to reinforce existing tenure agreements, whether positive or negative. If NGOs and the public want to "green" and socially improve large corporate tenure-holders, a credible development program for affected local communities must compliment certification. FSC is a voluntary labeling scheme, and as such does not have the power to create jobs, help communities organize, or redistribute wealth

in communities. In fact, very few large corporate tenure agreements on public or disputed lands provide social benefits in keeping with a moderate interpretation of FSC Principle 4 or 5. In short, making the jump from good intentions to the implementation of something like the Algonquins' social benefits assessment within the Trilateral Agreement will require substantial NGO support, State and regional movement, apart from corporate compliance with the FSC Principles and Criteria.

Recommendations

FSC national initiatives and certifiers should:

- * hold government and corporate operators on public lands to rigorous, quantifiable socio-economic thresholds since these lands and operations are directly and indirectly subsidized by the public
- * strengthen criteria for community consultations (ie. who is invited, what constitutes appropriate consultations?), especially regarding Indigenous communities

FSC bodies and NGOs should:

- * supplement capacity-building support for communities' participation in FSC with capacity-building for resource decision-making in general

NGOs should:

- * balance their support for market-based initiatives and incentives with a concerted effort to expose and reform "underlying causes" of forest degradation since market tools cannot reform hidden or institutionalized subsidies
- * pressure their governments to address Indigenous title, treaty and customary rights as a corollary to making forest management more "sustainable"
- * embark on an "underlying causes" campaign dedicated to reorganizing, redistributing, or retiring unsustainable tenure agreements

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