

Behind the logo

The development,
standards and procedures
of the Pan European
Forest Certification
scheme in Finland,
an introduction



A report prepared for Fern

April 2001
Finnish Nature League

The development, standards and procedures of the Pan European Forest Certification (PEFC) scheme in Finland, an introduction.

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This report is part of a series, including a report on the PEFC in France; the PEFC and the FSC in Sweden; the PEFC and the FSC in Germany; the SCA in Canada and the SFI and the FSC in the USA. All reports, as well as a synthesis report based on these case studies, are available at Fern's website: www.fern.org.

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I History of the Finnish Forest Certification System

On 24th of June 1996, the Finnish Central Union of Agricultural Producers and Forest Owners (MTK) and the Finnish Forest Industry Federation (FFIF), together with WWF Finland and the Finnish Association for Nature Conservation (FANC) created a national private sector working group to develop a Finnish national forest certification standard. The national working group started its activities in August 1996¹. The group consisted of 29 members. *See Appendix 4*. In 1997 the national working group produced a proposal for a forest certification standard.

The official objective of the national working group was “*to introduce a voluntary certification system in a way that is suitable for small-scale forest ownership, and based on a wide consensus and auditing by an independent third party*”². The Finnish environmental NGO (WWF, Birdlife and FANC) state there was a **spoken** agreement that the standard would eventually be sent to the Forest Stewardship Council (FSC) for the latter’s official approval. However, the existence of such an agreement is denied by the Finnish Forest certification Scheme (FFCS)³.

On April 10th 1996 a Committee on Forest Certification was set up by the Ministry of Agriculture and Forestry to prepare an assessment of the conditions for a certification scheme that would be suitable for the Finnish situation and would be widely accepted. In its report of March 1997, the committee concluded that “*Finland should develop a national application for certification which would be compatible with the present international certification systems as well as those being developed*”⁴.

A month later, on April 16 1997, the national working group presented its proposal for a national certification standard. The proposal was signed by five environmental NGOs: WWF Finland, FANC, Environment and Protection (EP) and Birdlife Finland. Greenpeace did not participate in this working group and Finnish Nature League (FNL) had resigned from the working group at its last meeting, as they felt they had had no real power in the standard setting process.

The environmental groups that did sign the proposal, signed (what they considered to be a rather weak standard), expecting that evaluation of the standard by the FSC secretariat and board would necessarily improve the standard. A year later all the environmental organisations that originally approved the standard withdrew their support, when -as they claimed- it was not sent to FSC for approval as they had been promised it would⁵.

¹ Personal email communication between Saskia Ozinga and Auvo Kaivola, secretary general of the FFCS. 25-4-2001.

² The Finnish Forest Certification System: Development Process and Elements. Finnish Forest Certification Process 1998.

³ Personal email communication between Saskia Ozinga and Auvo Kaivola, secretary general of the FFCS, 25-4-2001.

⁴ Development of Forest Certification in Finland; ISBN 951-53-1460-7. Ministry for Agriculture and Forestry 1997

⁵ Letter from Birdlife to the forestry industry on 8 March 1999: “In 1997 several conservation NGOs, including Birdlife Finland, signed a draft set of forestry certification standards together with industry and forest owner representatives. These were intended for international comment by several parties, particularly the FSC. The intention was to obtain FSC approval, which was known to almost inevitably entail changes to the standards as they then stood. Subsequently several Finnish paper companies and MTK reneged on this agreement and started their own certification system, the FFCS, using the draft standards from the original negotiation

MTK and several Finnish paper companies subsequently started to develop their own Finnish certification scheme, using the proposal for a Finnish certification standard, developed by the original negotiation process of the national working group. The fact that a number of environmental NGOs had participated in the drafting process of the standard was (and still is) actively communicated by the MTK and others, as a proof of NGO support. This upset the environmental NGO community in Finland at large, and led to the public denouncement of the FFCS by the Finnish environmental NGOs in a statement on April 23, 1998 and on October 27. *See Appendix 1 and 5, as well as footnote 5.*

Despite this standpoint of environmental NGOs, the Finnish forestry industry and MTK, and a number of other parties, with the support of the consultancy firm Indufor, continued the development of the FFCS. The scheme was tested in 1997 in three pilot regions. The testing project revealed some problems in the verification of the criteria. Out of the 37 criteria, 4 proved to be difficult to assess in their present form, 16 needed further refinement and 17 were found suitable for auditing. The 4 which proved to be difficult were: (4) accomplishment of urgent tending of seedling stands; (6) increase in biological control of root rot and spongy saprot; (17) organisation engage only entrepreneurs who adhere to statutory obligations and (33) responsible everyman's rights are safeguarded⁶.

Following the testing, in March 1998, the FFCS launched a Forest Certification Capacity Building Project to develop the monitoring systems to make the scheme operational. The project was co-ordinated by Indufor. A steering group⁷ and four separate working groups developed the FFCS based on the standard proposed by the 1996-1997 working group. The mandate of these groups included the development of guidelines for interpretation of the criteria and for data collection (audit guidelines), the development of rules for group certification, the development of procedures for the verification of the chain of custody, and the preparation of the qualification criteria for external auditors and certification bodies.

The proposed scheme, the FFCS, was approved by the remaining members of the national working group on forest certification standards, on September 23 1998. The Finnish Forest Certification Council (FFCC), to guide the scheme, became a registered association in February 2000. Its tasks were:

1. to guide the implementation of the Finnish Forest Certification System;
2. to prepare guidelines on forest certification;
3. to develop certification procedures and practices;
4. to decide on any possible changes in the certification system
5. to release statements on forest certification;
6. to disseminate information on forest certification at national and international levels; to elect members of the working group on Development of the certificate (a subgroup of FFCS).

7. to nominate members for a working group discussing development needs and recommendations to improve the FFCS.

process. FFCS has consistently used the existence of this draft to give the impression of conservation NGO approval."

⁶ Testing of the Finnish Forest Certification Standard, 12-01-1998

⁷ The steering group consisted of representatives of the MTK, FFIF, Ministry of Agriculture and Forestry, Ministry of Trade and Industry, Ministry of Environment, the Finnish Forest Foundation and the state forestry enterprise Forest and Park Service. Although invited, environmental and social interest groups decided not to participate.

The FFCC presented its certification scheme (the FFCS) for approval to the PEFC Council, who endorsed it on May 24 2000. From that moment on the FFCC became the governing body for PEFC Finland and the FFCS became the PEFC scheme for Finland.

1.2 *The current state of play of FFCS*

In the two years of its existence, the FFCS covers 21.9 million hectares of forest in Finland, presented in PEFC newsletters a ‘certified’⁸. This accounts for 95% of the total of 23 million hectares of Finnish forests. The scheme is relevant to all forest types and sizes. Certification is possible at three ‘implementation levels, i.e. at the levels of Forestry Centres, Forest Management Associations, and individual forest holdings.

In practice, FFCS certification is carried out at THE regional level, certifying an entire region of a Forestry Centre at once. Finland has been divided into 13 Forestry Centres (regional forestry authorities that work under the guidance of the Ministry of Agriculture and Forestry). All forests of the 13 Finnish Forestry Centres were certified in 1999 and 2000, under the group certification regime⁹. The applicant is the regional Union of Forest Management Associations, who is authorised by its members to engage in certification¹⁰. Forest owners that are not a member of a Forest Management Association need to provide a written commitment to become certified. The large majority of the forest owners (i.e. those that are members of a Forest Management Association) does not need to provide such a written commitment; their forests are certified automatically, once their Forest Management Association has applied for participation and the certificate for the region has been granted.¹¹ Instead, to step out of the certification process, a forest owner has to make a separate announcement. So far no individual Forest Management Association, or forest holdings have been certified.

1.3 *FFCS: Label and Chain of Custody*

No FFCS label exists. However, with the endorsement of FFCS by PEFC the Finnish Forest Certification Council (FFCC) is authorized to assign Finnish companies the rights to the PEFC label. The FFCC has given several Finnish companies the right to use the PEFC label. To use the PEFC label, a company must have a chain of custody approved by an independent certification body. In Finland these are: DNV Certification, SFS-Certification, Lloyd’s Register Quality Assurance and Bureau Veritas Quality International¹². *See also IV and V.*

1.4 *The costs of certification*

⁸ PEFC newsletter number 4, December 2000.

⁹ “About 5 % of the forest area in Finland does not belong to the certification, mainly because forest owners of these areas have chosen not to participate in the regional certification”. Personal email conversation with Auvo Kaivola, 16-5-2001

¹⁰ The participation of the members of a FMA is based on a decision made at a members meeting. Participation in PEFC certification requires a decision taken with 2/3 majority.

¹¹ Personal email conversation between Saskia Ozinga and Auvo Kaivola, GS of the FFCS; 17-4-2001.

¹² Auvo Kaivola, personal email conversation with Saskia Ozinga; 16-5-2001.

FFCS certification in each of the 13 regions costs about Euro 250,000. This figure includes the work and other costs of the Forest Owners' Associations, the Union of Forest Owners Associations and the Forestry centres. It also includes the costs of the certification audits. The figure excludes the costs of the forestry industry companies and Forest and Park Service. So the actual cost per region could be close to Euro 336,000¹³.

A study by Ilkka Malmi comes to the following costs per hectare certified¹⁴. Total average costs per hectare certified during the first year are 11.314 Euro. These consist of

- auditing costs: 0.08 Euro/ha;
- preparation for certification: 0.258 Euro/ha;
- costs to meet criteria 10 -preservation of key biotopes: 9.755 Euro/ha;
- costs to meet the rest of the criteria --5,9,14,16,21¹⁵--:2.778 Euro/ha.

II The PEFC Finland/ FFCS standard

2.1. The standard

See Appendix 8 for the criteria of the FFCS. The FFCS is performance based, although the standard does contain system-based elements as well. E.g. criterion 24 ("Environmental impact assessment for forestry road construction") and criterion 27 ("Water protection plans for ditching") are mainly system-based and contain hardly any performance requirements¹⁶.

Although performance based, several criteria are defined in a broad or vague manner. For example, criterion 28 ("*Buffer zones are left along the banks of waterways and minor water bodies*") is performance-based but presents no clear description of buffer zones¹⁷.

The criteria most relevant for the preservation of biodiversity are criterion 10: "*Preservation of key biotopes*" and criterion 20: "*Known habitats of endangered species are safeguarded*". However these criteria require to a large extent, no more than compliance with current legislation and silvi-cultural guidelines. One of the FFCS certifiers argues that criterion 10 goes beyond what is required

¹³ Personal email communication between Saskia Ozinga and Auvo Kaivola, GS of the FFCS; 10-5-2001.

¹⁴ Certification costs in private forestry. Summary of a report by Ilkka Malmi; University of Helsinki; (Masters thesis); December 2000.

¹⁵ These are the following criteria 5: promotion of first thinning; 9: increase in prescribed burning; 14: supplementary training of staff; 16: training and extension of forest owner; 21: retention trees on regeneration areas.

¹⁶ One of the certifiers (SFS) comments that their interpretation of these criteria does include performance elements: "we do look at environmental impact assessments for forestry road construction and water protection plans in relation to applicable guidelines –not just whether such procedures exist or not". Personal email correspondence between Saskia Ozinga and Olli Eeronheimo SFS 14-5-2001.

¹⁷ One of the certifiers comments that " Guidelines do exist for buffer zones. Along small water bodies which are considered valuable biotopes the zone is 10 to 30 metres depending on slope and exposure to sunlight. For rivers, ponds and lakes the zone is 10 to 20 metres and for streams 3 to 5 metres, respectively". Personal email conversation between Saskia Ozinga and Olli Eeronheimo, 15-5-2001.

as attention is paid to class 3 biotopes¹⁸. Although it is definitely true that criterion 10 goes beyond legislation, according to the author, it does not go beyond existing silvicultural guidelines.

The effectiveness of many of the performance-based criteria, and specifically criterion 10 and 20, suffers from unclear or insufficient methods of assessment and verification. The assessment procedures for environmental performance are defined in criterion 13 (“*Habitat care monitoring system*”), which is itself a problematic criterion. The monitoring system is based on a simple assessment sheet that the certified forestry parties fill in themselves. Thus, the forestry sector monitors itself.

The effectiveness of many of the performance-based criteria, and specifically criterion 10 and 20, suffers from unclear or insufficient methods of assessment.

Criterion 20 requires that “*the known occurrences of endangered species be safeguarded*”. Criterion 10 also requires the preservation of “known” valuable habitats. The Guidelines for interpretation define “known” in this case as a habitat demarcated and notified as such to the land owner by the regional Environment Centre¹⁹. Thus, a habitat known to the land owner but not demarcated by the Environment Centre can be destroyed.

In order to preserve ‘valuable habitats’ (criterion 10) and ‘habitats of endangered species’ (criterion 20), it is necessary to assess these habitats before any operations in the forest take place. However, FFCS does not require such pre-assessment. Finnish Regional Environment Centres have criticized the FFCS system for the insufficient assessment procedures and have submitted reports complaining that in most cases the implementation of the criterion has in no way led to the preservation of the above-mentioned habitats. *See appendix 2.*

Box: Need for demarcation of key habitats for preservation

One of the main reasons for disputes between environmental NGOs and forest owners and forestry industry lies in the fact that there are little data available to determine and describe key-habitats for preservation²⁰. Regional Environmental Centres have the task to demarcate and map these areas. However, due to a lack of resources, demarcation or assessment of these habitats is not carried out sufficiently²¹. At least three of the 13 Regional Environmental Centres did not demarcate any habitats in 1999 and 2000. Thus in several regions, no key-habitats have been identified for preservation. Therefore, the environmental NGOs argue that articles 10 and 20 cannot be properly implemented until there is an operational system for mapping of these habitats. This position is supported by the Regional Environmental Centres. *See appendix 2.*

A further problem is that data obtained by Forestry Centres with regard to demarcation of key habitats are not made public, or available to the Environment Centres. As long as these data are not available, Regional Environment Centres cannot demarcate the habitats known to Forest

¹⁸ These include: 1) Habitats defined in the Forest Act, which are common in the area or not representative enough to be protected by the Forest Act; 2) Old growth conifer forests, mixed forests and broad-leaved forests that are valuable for nature conservation; Southern ridges and kettle holes; 4) Herb-rich swamps; 5) Wooded pasture land and forest meadows in traditional landscapes. Quoted by SFS certification Ltd, Mr Olli Eeronheimo. Personal email conversation between Saskia Ozinga and Mr Eeronheimo 17-4-2001.

¹⁹ i.e. regional environmental authorities that work under the guidance of the Ministry of Environment

²⁰ Although key-habitats are described in books etc, the information that is missing is where they are. Personal email conversation of Saskia Ozinga with Olli Eeronheimo and Sini Harkki, 16-5-2001.

²¹ The Forestry Centres are currently carrying out an inventory on key habitats in their areas and all data will be put in a geographical information system. Olli Eeronheimo. Personal email communication with Saskia Ozinga 16-5-2001.

Management Associations or Forestry Centres and thus the habitats can be destroyed -as they are not listed-, while the forests are nonetheless being certified. NGOs therefore feel that they are obliged to gather these data themselves to be able to carry out their watch-dog function.

2.2. *International agreements*

According to the FFCC, the standards were prepared taking into account international agreements such as the Rio Principles. The bases for the criteria were the UNCED forest principles, the Helsinki Criteria and Indicators for sustainable forest management, the principles and criteria of the FSC scheme, the ISO and EMAS environmental management systems, the Finnish forestry environment programme, the Finnish Forest and Nature Conservation Acts and the principles of Finnish forest management. The criteria are divided into economic, social and ecological criteria.

Finland has not yet ratified ILO Convention 169 on Indigenous and Tribal People, which requires recognition of government responsibilities to protect the rights of indigenous and tribal peoples. Existing Finnish legislation is not in line with this Convention.

The FFCS standard contains a criterion concerning Sami people, which is solely based on existing legislation. Despite the fact that a Sami representative was involved in the standard setting process, the Sami people are unhappy with the formulation of the criterion, because they feel that it does not take into consideration the Sami peoples' customary rights, in the process of harmonisation of forestry and the traditional livelihoods of the Sami. *See Appendix 3*

There have been conflicts between the reindeer herders²² and the Finnish Forest and Park Service with regard to winter grazing and logging of forests that are important pastures for the reindeer. However negotiations are currently going on between the Finnish Forest and Park Service and the Reindeer Herding Organisation to seek a solution for this conflict.²³

According to the environmental NGOs the FFCS' standard is primarily based on existing national legislation and regulations, although there are parts that are more far reaching than present legislation²⁴. They claim that the standard requires virtually no improvement in the current forest management practice to obtain certification. A position that is strengthened by the fact that within a year 95% of Finnish forests have been 'certified'. The environmental NGO community therefore feels that the effect of the more broad-ranging requirements is marginal, which is due to the vague processes of assessment, verification and implementation associated with the standard.

2.3 *Commitments on the standard*

The FFCS has been criticized by environmental NGOs for requiring not sufficient commitment from forest owners/managers to obtain a certificate. FFCS certification has been carried out by certifying forests at a regional level. Forest Management Associations of a specific region decide to join the certification scheme if a 2/3 majority in the members' assembly votes in favour of such a decision. So far no Forest Management Association has opted out. The forests of the members of a

²² In Finland reindeer herding is not restricted to Sami people, also Finnish people herd reindeer.

²³ Personal email conversation between Saskia Ozinga and Auvo Kaivola, 17-4-2001.

²⁴ Forestry Development Centre states that 28 out of the 37 criteria are more broad ranging than legislation and a Master Thesis by Christian Hornborg, concludes that 8 of the 14 criteria included set higher requirements. Stated by Auvo Kaivola, personal email to Saskia Ozinga 25-04-2001.

Forest Management Association are certified *automatically* through their Associations unless they notify them in writing that they *do not* wish to participate in certification. Forest Management Associations are required to inform the forest owners about the certification by a letter or through their newsletters and journals. No written commitment from individual forest owners, that are member of a Forest Management Association, is required to join FFCS. Only those forest owners that are not members of Forest Management Associations need to give a written commitment to participate in regional certification.

A study conducted in the area of the Forestry Centre of North Ostrobothnia in January 2000 revealed that a majority of the forest owners of the area were *not aware* of their involvement in certification or of the fact that their forests were being certified as the result of their Forest Management Association's decision²⁵. It should be noted that the study was conducted before the final issuance of the certificate. Hence, the FFCS states that it is not surprising that forest owners were not yet aware of the certification debate. The environmental NGOs, on the other hand, feel that there is no real commitment until the forest owners are aware of certification from the very beginning of the process. All forest owners receive a written notification of the certification in their region, and the FFCS states that awareness on certification issues among forest owners is only increasing gradually, due to the large number (440 000) of private forest owners that need to be informed²⁶.

FFCS certifiers have reported that forest owners are not required to be aware of the certificate or what the standard requires. According to DNV Certification (Det Norske Veritas) –one of the PEFC certifiers in Finland- lack of awareness on the part of the forest owners will not be interpreted as a non-conformity. DNV furthermore states that “ *a great majority of the harvesting activities is planned and carried out by forest management associations, wood-buying companies, harvesting contractors and forest workers, who are obliged to operate in compliance with the standard requirements. So, even if forest owners do not know exactly the requirements, there are advisory bodies, planning organisation and companies to give information while he/she is selling the wood or planning other activities*²⁷”. The certifier SFS Certification states “*It has been documented in the auditing procedures that Forest Management Associations and their Unions, have put a lot of effort in informing forest owners about the requirements of the FFCS. This has been carried out through courses, excursions, meetings, personal letters etc. Despite this, not every forest owner is fully aware of the requirements. However, unless the forest owner/manager carries out the operations by himself, it is difficult for him/her to manage the forest against the standard since all major actors in forestry (extension services, forestry industry, forest contractors etc) are committed to operate in compliance with the criteria*²⁸”.

It is clear from these statements that the FFCS scheme, for practical reasons, does not put the onus of meeting the certification standard on the forest owner or manager. Furthermore, these statements seem to imply that 1) the ‘extension services, forestry industry, contractors etc’ all are very well informed about the requirements of the certification standard; and 2) the minority of forest owners who do manage their own forests, can be certified without managing their forests in compliance with the standard.

²⁵ Tuomikoski, Heikki. Knowledge and attitudes concerning forest certification, and the development of commitment and distribution of information. Oulu 2000, the Polytechnic of the Oulu region

²⁶ Personal email conversation between Saskia Ozinga and Auvo Kaivola, 17-4-2001.

²⁷ Personal email conversation between Saskia Ozinga and DNV Certification Ltd/Mr Olli Lounasvuori. !7-4-2001.

²⁸ Personal email conversation between Saskia Ozinga and Olli Eeronheimo, SFS 17-4-2001 and 15-4-2001.

III Standard setting procedures

3.1. *Who participated in the standard setting process?*

Environmental NGOs have complained that the standard-setting procedure was not as open and transparent as it should have been. They felt all along that they had no real power in the standard working group (1996-1997) although they had the right to 'participate in' its work (i.e. attend). They felt they were heard, but not listened to. When Greenpeace Finland decided not to participate in the working group, it sent a letter addressed to the working group announcing its position and expressing its wish that the working group would adopt a more FSC-like process. The chairman never passed the letter on to the members of the working group although a transparent process would require this. When the chairman was later asked what had happened to the letter, he said that he could not show it to the working group because "*the demands [in the letter] were impossible*²⁹".

Specific problems arose in the working group concerning the rights of reindeer herders and the indigenous Sami people. Reindeer herders were not heard at all when the criterion 37 concerning the harmonisation of state forestry and reindeer herding was developed. They were asked only to approve the criterion that had been elaborated by other people, and responded that they found the criterion insufficient. They have since stated that the negotiations required by the criterion have not led to concrete changes in forestry practices or to a real harmonisation of forestry and reindeer herding. Negotiations are now in progress between the herders and the state enterprise, Forest and Park Service (FPS), to find a consensus. Whether this will also affect the criterion is unclear.

The Sami people had a representative in the working group. However, neither the representative nor the Sami parliament has approved the FFCS standard or the Sami criterion 36. In November 2000, the Sami parliament stated officially its belief that the criterion is not implemented in a way that would ensure the respect of their rights. *See appendix 3.*

IV Certification procedure

4.1 *Requirements for certification bodies*

At the moment, two certifiers carry out FFCS certification in Finland: DNV Certification (DNV) and SFS-Certification (SFS). Both are independent certification companies that have personnel specialised in forest certification. The PEFC Council requires that '*certification bodies must be accredited by the national accreditation body, so as to ensure the credibility of the certification work and to facilitate mutual recognition*³⁰'. Neither DNV nor SFS have yet been accredited by the national accreditation body for forest certification against the FFCS standard for no such accreditation process yet exists. However, both have been accredited for certification against ISO

²⁹ Personal interview of Nature League with the former Greenpeace forest campaigner Matti Ikonen 3-2001

³⁰ www.pefc.org. April 2001. Original with the author.

9001, ISO 14001 and EMAS, by the national accreditation body³¹. Accreditation procedures for FFCS certification do not yet exist but are under development and foreseen in mid 2001^{32,33}.

The FFCS does require certification bodies to meet the following criteria (according to SMS 1004, see appendix 6);

1. They must fulfil, as appropriate, the criteria for certification bodies defined in SFS-EN ISO 45012 standard (Guidelines for environmental auditing. Qualification criteria for environmental auditors);
2. They must have good knowledge of the FFCS with regard to forest management;
3. They must have general knowledge of forest management and its environmental impacts.

The certification bodies should demonstrate their expertise in forestry “*on the basis of appropriate education and/or professional experience*”³⁴.

4.2 Certification process

Certification is carried out according to the FFCS-standards SMS 1001 (Application of FFCS criteria at alternative implementation levels) and SMS 1002-1 (the FFCS criteria).

The certifiers state that they use general guidelines and practices included in all certification processes, as defined by the ISO and also have internally prepared guidelines for FFCS certification based on the FFCS criteria. The detailed guidelines used for certifying the forests are not publicly available. However, SFS Certification has published a general description of the certification procedure for forest certification, and has developed an internal checklist that incorporates SMS1002-2³⁵, FFCS recommendations and their own point of view³⁶. See point 6, below.

In line with general PEFC requirements, the FFCS does not require that the certifier must consult all relevant stakeholders. However, both certifiers who have certified the 13 regions (DNV and SFS) have consulted local nature conservation associations, regional governments and representatives of reindeer herders where appropriate. The certification audit concentrates on the organisations to be certified, i.e. mostly the Forest Management Associations, but also the forest industry companies and the Forestry Centres.

Both certifiers (DNV and SFS) report that they carry out approximately 50 field visits per Forestry Centre³⁷. With a total of 23 Million hectares and 13 Forestry Centres, this works out to roughly 1 770 000 hectares per Forestry Centre, or one visit per 35 400 hectares. Although it should be noted that only part of this area was harvested and the certifiers concentrated on the harvested area. The

³¹ This is partly the case because each certifier must carry out two certifications before it can apply for accreditation.

³² According to the FFCS “*Within the ISO framework the routines of certification procedures have to be established before the accreditation procedures will be developed on the basis of the experiences from the executed audits*”. Personal email communication between Saskia Ozinga and Auvo Kaivola, 16-5-2001.

³³ Personal email communication between Saskia Ozinga and Auvo Kaivola, 17-4-2001

³⁴ FFCS standard SMS 1004

³⁵ See appendix 6

³⁶ Personal email conversation with Olli Eeronheimo SFS; 16-5-2001

³⁷ Personal email conversation between Saskia Ozinga and Mr Olli Eeronheimo (SFS) and Mr Olli Jussi Lounasvuori (DNV); 17-4-2001

sampling is specific: sites of specific importance (known valuable habitats, buffer zones etc.) are chosen³⁸. Here it is recalled that one of the shortcomings mentioned above is that no inventories of valuable habitats were established prior to the launch of this scheme.

The certification process of FFCS follows a widely used pattern consisting of:

1. Request for certification by the applicant (i.e. normally the Union of Forest Management Associations) to the certification body they choose;
2. Review of the application and the material presented by the applicant;
3. A voluntary pre-audit if the applicant so wishes
4. Certification audit by an audit team;
5. Assessment by the certification body;
6. Follow-up /monitoring audits.

Monitoring audits of the areas of the Forestry Centres are carried out at least once a year. According to FFCS, “*monitoring audits are not necessarily as comprehensive as certification audits. In the monitoring audits, the execution of corrective action and the progress of its implementation are always monitored*”³⁹

4.3 Non-conformities

The certification body classifies non-conformities with the criteria as either minor or major. Major non-conformities prevent the issuance of the certificate or at least postpone it until adequate corrective action by the applicant has been carried out. Minor non-conformities are not necessarily an obstacle for certification.

The certifiers have found minor non-conformities in all certified areas. Criterion 10 (preservation of key biotopes) has been among the non-conformities found in every Forestry Centre area. The same non-conformities have often been found in monitoring audits as well. It is unclear when these minor non-conformities will have to be addressed to ensure forest management in the Forestry Centre are in full compliance with the certification standard. So far none of the certificates has been withheld or withdrawn on the basis of non-compliance.

V Complaints Procedures

The accredited certification bodies must have defined procedures for fair dispute settlement on complaints between a certification body and the applicant. FFCS has additionally established procedures according to the PEFC requirements for possible disagreements among different parties participating in certification.

According to the FFCC, “*the Forest Certification Appeals Panel settles forest certification disputes, which may arise between the parties involved in certification. The Council requests the Central Chamber of Commerce of Finland to nominate a Chair for the Appeals Panel for one to*

³⁸ One of the certification bodies, DNV, states that it is not the task of the certification body to make scientific studies on the fulfilment of the standards requirements. They argue it is the responsibility of the auditee to collect adequate data on the criteria. The certifier then checks the results of the internal data collection. Personal email conversation between Saskia Ozinga and Olli Jussi Lounasvuori of DNV. 17-4-2001.

³⁹ SMS 1004

three years. The parties of a dispute nominate one member each to the Appeals Panel. The Secretary-General of the Council acts as secretary of the Appeals Panel⁴⁰.

The Appeals Panel of the FFCS thus works as part of the Finnish Forest Certification Council (FFCC). The rules of the FFCC also broadly define how the Appeals Panel works. (*See appendix 7*). Since no application has ever been refused, the appeals procedure has not yet been tested. According to the FFCC rules, those who can file complaints before the Appeals Panel include a “*member of a certification group, or a registered association representing the interests of entrepreneurs or workers who are members of the certification group⁴¹*”. It is not possible for other stakeholders, such as environmental NGOs or reindeer herders to file a complaint within FFCS appeals procedures.

VI Transparency

As noted above, the FFCS requires that the certifier fulfil the above-mentioned requirements for certification bodies, and have sectoral expertise in forestry.

No specific guidelines for the certifiers have been issued by FFCS besides the broad requirements of SMS 1004. The certification bodies report that they have their own internal guidelines for FFCS certification based on FFCS criteria. The detailed guidelines are not public. Records concerning a particular company’s chain of custody are not made public.

When issuing the certificate, the certifier publishes a short summary report on the results of the audit, including the number and types of non-conformities found in the certification. According to FFCS, “*the applicant and the certification body agree upon the contents [other than the non-conformities] of the public report*”.⁴²

VII Label protection and chain of custody

FFCS does not have its own label. However, the FFCC can assign Finnish companies the right to use the PEFC label if a certification body has approved the chain of custody of the company.

FFCS has guidelines for chain of custody systems based on either physical segregation (in which non-certified and certified material are physically separated) or percentage-based (a minimum of 70% of the wood of a certain product should be certified for the product to be certified) accounting methods⁴³. Percentage-based accounting methods are recommended by FFCS as the method most suitable to Finnish conditions. The FFCS contains no specific binding requirements, apart from those listed above, on what the chain of custody should be like, only recommendations. It requires only that the chain of custody of the company is based on a “documented method”, which has to be approved by the certifier.

⁴⁰ www.ffcs-finland.org

⁴¹ www.ffcs-finland.org

⁴² Personal conversation between Nature League and Mr Auvo Kaivola, March 2001

⁴³ SMS 1003-1, SMS 1003-2

According to the FFCS's chain of custody standard SMS 1003-1: *“The company may obtain a certificate if it has a system based on which the origin of wood raw material or procured products can be verified...The company must communicate the principles based on which the shares of wood or wood fibre procured from different origins have been determined”*.

However, actual records or details of timber/material flows for the chain of custody system that give companies the right to use the PEFC label are not public. The secretary general of FFCC, Mr Auvo Kaivola has stated that: 1) the chain of custody certificates itself are open to the general public; 2) the chain of custody systems within the companies are not open to the public, as they form part of a larger information systems that include market sensitive business information.⁴⁴

⁴⁴ Personal email conversation between Saskia Ozinga and Auvo Kaivola; 17-4-2001

Appendix 1: Press release: Finnish environmental NGO do not support the national forest certificate

April 23. 1998

Finnish Nature League, Finnish Association for Nature Conservation, WWF, Natur och Miljö (Environment and Protection), Birdlife Finland

(Press release, translated by the Finnish Nature League)

THE NATIONAL FOREST CERTIFICATE IS NOT SUPPORTED BY ENVIRONMENTAL NGOS

The Finnish forest certification project presented today by the forest industry, the Central Union for Agricultural Producers and Forest Owners MTK and the consultant agency Indufor Ltd is not internationally credible. The preparation of the national certificate contradicts the contentions of the National Forest Certification Committee (1997) and the concluding report of the monitoring committee of the Environmental Programme for Forestry (1998). Environmental NGOs will set up a working group to develop Finnish criteria for forest certification according to the international Forest Stewardship Council (FSC) system.

The Finnish forest certificate that has now been presented implies a setback for forest certification. The results of the work that has been done in developing Finnish forest certification are being wasted. Until now the preparatory work has been aiming at an international system such as FSC for forest certification and ISO and EMAS for environmental management systems.

The project of the forest industries and MTK may lead to improvements in the sustainable use and protection of Finnish forests. However, in forest certification, the ENGOS support the international FSC scheme.

Decisions in FSC are made locally and internationally based on a three-chambered structure in which ecological, social and economic interests are equally represented. The participation of ENGOS results in international credibility of the FSC scheme. Certification is carried out by an impartial certification body accredited by FSC. These features are essential characters of a certification scheme whose intention is to guarantee that consumers can obtain products from forests that are managed well in respect to the environment.

The FSC criteria define performance-based requirements for forest management. ENGOS consider it important that the environmental criteria to forest management are clearly defined and strict enough. Old-growth forests, occurrences of endangered plants and animals and other valuable habitat types should be protected in certified forests. Respectively, in forests where few valuable habitats remain or have been protected, habitats should be set aside to return to a natural state.

Certification is voluntary. Major forest owners can apply for certification of their forests. Certification of small forest holdings can be organised through group certification. In such cases the applicant for the certificate would be e.g. the Forest Management Association. The forest owners decide if they participate in the groups applying for the certificate or not. Commitment to certification is documented in a written agreement.

The proposal of the standard working group is a basis for development

FANC, WWF, BirdLife Finland and NoM participated in the national working group for forest certification standards. In April 1997 the working group published a proposal for a forest certification standard and a system for the implementation of the standard. The initiators of the process FANC, WWF, MTK and the Finnish Forest Industries Federation had agreed in the beginning that the objective of the process would be FSC compatibility.

In the testing of the standard in 1997 the standard proposal of the working group was found incomplete in regard to the criteria and principles of group certification. The standard proposal is also partly outdated due to recent, fast-paced international development.

Environmental NGOs consider that it is possible to develop a standard that fulfils all international requirements of the FSC on the basis of the April 1997 standard proposal. The Finnish criteria should reach at least the performance level of the Swedish FSC standard which was the first national standard endorsed by the international FSC in January 1998. In Sweden FSC certification has already been started up in the forests of forestry companies and private forest owners.

Appendix 2: “Extracts from statements by the Finnish regional Environment Centres”

Official statements of the Environment Centres of South Savo and Pirkanmaa in 1998, 1999 and 2000.
(translated by Finnish Nature League)

Statement by a researcher of the Environment Centre of South Savo on FFCS criteria in 1998:

“...many of the definitions related to valuable biotopes and habitats are subject to differing interpretations and there are no possibilities for non-forestry parties to assess or verify the classifications made by the forestry sector.”

“...the system falls short in the rather simplified assessment sheet that the forestry sector uses to assess their own performance retrospectively...The monitoring system is a closed system of the forestry sector built up under conditions of forestry. Possibilities for subjective interpretation are so severe that according to our understanding the system does not meet the requirements of impartial reliability.”

Statement of the Environment Centre of Pirkanmaa on the implementation and collection of data concerning criteria 10 and 20 in 1999:

“The Environment Centre of Pirkanmaa generally states, that the Environment Centre is no systematic or sample-based monitoring system in relation to most of the [FFCS] criteria. Possible non-conformities are usually found coincidentally and thus the data from the Environment Centre cannot be seen to guarantee that the criteria have been met.”

Statement by the Environment Centre of South Savo on the lack of pre-assessment of valuable habitats in 2000:

“The situation is unsustainable in terms of species conservation, as e.g. the main responsibility of preserving flying squirrel occurrences is on the operator of a harvester...”

Appendix 3: Announcement of the Sami Parliament on FFCS criterion 36

(translated by the Finnish Nature League)

The Sami Parliament November 3. 2000

Addressed to the Union of Forest Management Associations of northern Finland

Announcement on the implementation of the [FFCS] criterion 36

The Finnish constitution enacts (17.3 §) that the Sami as an indigenous people have a right to maintain and develop their own language and culture. According to the grounds of the proposal HE 309/1993 vp of the Finnish government, the form of the Sami culture safeguarded by the basic rights provision includes the traditional livelihoods of the Sami such as reindeer herding.

The forest certification criterion 36 implies that in the Sami homelands the management, use and protection of the natural resources administered by the Forest and Park Service is harmonised in cooperation with Sami representatives such that the conditions for the practising of traditional livelihoods and the Sami culture are maintained.

According to the 6 § of the Law on the Sami Parliament the Sami Parliament represents the Sami in national and international matters that are included in the functions assigned to it.

The Sami Parliament states that “the requirements mentioned in the criterion 36 are not met because the Forest and Park Service does not negotiate with the Sami Parliament and the related reindeer herding co-operatives and harmonise measures that have significant effects on the traditional livelihoods of the Sami, such as the Forest and Park Service Wilderness area plans and the lodging services, selling and leasing of land and land operations of the Wild North. As an example of the disadvantages of forest management operations to reindeer herding the Sami Parliament refers to the letter of the Hammastunturi reindeer herding co-operative addressed to the Forest and Park Service on 26.10.2000 and to the letter of the Muotkatunturi reindeer herding co-operative to the Forest and Park Service in which the abovementioned co-operative points out to the Forest and Park Service that the Forest and Park Service has not met its statutory duty prescribed to state authorities by the Reindeer Herding Law (53 §) to negotiate when planning operations that significantly affect reindeer herding as every forest logging operation does.

The Sami Parliament considers that the Forest and Park Service does not sufficiently pay attention to the legislative position of the Sami and does not harmonise forest logging and management operations in cooperation with the Sami and the reindeer herding co-operatives in the manner implied by the forest certification criterion 36.

In addition to the aforementioned the Sami Parliament refers to the announcement given to the Forest and Park Service on 4.2.1998 on the Forest and Park Service’s draft of guidelines on the management of pine-dominated forests of high areas.

Deputy chairman Irja Seurujärvi-Kari

Presentor Siiri Jomppanen

Appendix 4: members of the national working group on forest certification

Representatives of environmental interest

WWF Finland **
Finnish Association for Nature Conservation **
Nature League *
Birdlife Finland **
Organic Farming Association
Natur och Miljö/Environment and Protection **
Satakunta District Association for Nature Conservation

Representatives of social interest

Sami Parliament (which has not approved the standard)
Finnish 4H Federation
Guides and Scouts
Finnish Ski Track
Association of Forest Machine Entrepreneurs
Wood and Allied Workers' Union
Union of Academic Foresters
Union of Environmental Professionals
Hunters' Centre Organisation
Consumers' Association
Union of Finnish Foresters

Representatives of economic interest

Central Union of Agricultural Producers and Forest Owners (MTK)
Central Union of Swedish Speaking Agricultural Producers and Forest Owners (SLC)
Forest Owners in the Helsinki Region
Forest and Park Service
Enso Oyj, Forest Division
UPM-Kymmene Oyj, Forest
Metsäliitto Group
Pölkky Oy
Isku Oy

* Resigned on April 16, 1997

** Resigned on April 23, 1998

Appendix 5: Joint press release by Finnish environmental organisations on FFCS, October 1998

October 27, 1998, at 9 a.m.

FINNISH ENVIRONMENTAL ORGANISATIONS DO NOT SUPPORT THE CERTIFICATION INITIATIVE PROMOTED BY FOREST INDUSTRY AND PRIVATE FOREST OWNERS

The forest certification initiative developed by the Finnish forest industry and MTK (The Central Union of Agricultural Producers and Forest Owners) being presented tomorrow in Helsinki fails to satisfy the most significant environmental organisations in Finland.

The primary goal of environmental NGOs is to develop a certification system which significantly improves the conservation of biodiversity in managed forests. Several Finnish environmental NGOs together with numerous other European organisations have signed a declaration, in which the characteristics of a credible certification system are listed. The declaration states that so far FSC is the only certification system to meet these demands.

There are some 700 endangered forest-dwelling species in Finland. Forest protection alone is not enough to save these species: changes need to take place also in the management of commercial forests. To this end Finnish NGOs find the following points of particular importance in forest certification:

- * that old-growth forests and other key habitats remain un-logged also in managed forest areas
- * that the area of forests permanently left un-logged is increased
- * that the amount of deciduous trees in managed forests is increased
- * that the number of individual trees retained in both thinning and final fellings is increased

Finnish environmental NGOs hope that it would still be possible to develop a national FSC standard in Finland. The development of a national FSC standard requires that there be a working group consisting of people from various environmental, social and economic interest groups supporting FSC.

The task of such a working group is to develop a standard according to the principles of FSC. The standard should also be in compliance with FSC standards approved in neighbouring countries with similar circumstances.

Numerous organisations in Europe give their support to FSC

Numerous European NGOs have signed a declaration on the requirements of a credible forest certification system. In this declaration, signed also by many Finnish NGOs, it is stated that a forest certificate should comprise two components: forest auditing, which makes sure that the loggings and > other management activities comply with the specific certification standards and product certification with a chain-of-custody monitoring of a timber product from the forest to the customer, which makes possible product labelling.

In addition a credible certification system has to fulfil e.g. the following basic requirements:

- * to improve forest management and ensure market access for certified wood products
- * to provide a standard with internationally applicable and comparable as well as objective and measurable criteria.
- * the system should be acceptable to a large range of involved parties and be credible to both consumers and NGOs.

While it is recognised that a range of initiatives can make positive contributions towards more sustainable forest management, the undersigned organisations consider FSC to currently offer the only framework to meet the basic requirements of a good certification system.

Appendix 6: Elements of the Finnish Forest Certification System:

SMS 1000 Vocabulary for forest certification

SMS 1001 Application of certification scheme at alternative implementation levels

SMS 1002-1 Criteria for forest certification

SMS 1002-2 Guidelines for interpretation and data collection of forest certification criteria related to the area of Forestry Centre

SMS 1002-3 Guidelines for interpretation and data collection of forest certification criteria related to the area of Forest Management Association

SMS 1003-1 Verification of chain of custody of wood – Account of material flows

SMS 1003-2 Verification of chain of custody of wood – Physical segregation

SMS 1004 Qualification criteria for auditors and certification bodies, and certifying procedures

Appendix 7: Rules of the Forest Certification Council

§ 15: Appeals Panel

Rules of the FFCC, published at www.ffcs-finland.org

The Forest Certification Appeals Panel (hereafter referred to as Appeals Panel) settles forest certification disputes which may arise between the parties involved in certification (members of certification group).

The Council requests the Central Chamber of Commerce of Finland to nominate Chair for the Appeals Panel for one to three years. The parties of a dispute nominate one member each to the Appeals Panel. The Secretary-General of the Council acts as secretary of the Appeals Panel.

A member of a certification group, or a registered association representing the interests of entrepreneurs or workers who are members of the certification group, can request their case to be considered by the Appeals Panel

The Appeals Panel considers the appeal immediately after the reception of a written request addressed to the Secretary-General.

The request must include the following:

1. the name, domicile and address of the entrepreneur or worker
2. the appeal and its justification
3. copies of the contracts and other documentation related to the appeal, and
4. any other relevant information.

The applicant must sign his request.

The decision of the Appeals Panel is submitted in writing and the Chair and members of the Appeals Panel will sign it. In the decision, there is a brief description of the case, the justification for the decision and the final decision of the Appeals Panel. The decision is communicated to the Council for information.

No fees on the decisions or recommendations for dispute settlement are collected from the concerned parties.

The concerned parties cover their own costs due to the processing of their case in the Appeals Panel. They equally share and cover the costs of the Chair.

Appendix 8: The FFCS Criteria for forest certification, SMS 1002-1

1. Making use of participatory planning the Forestry Centre has prepared for its area a sustainable forestry objective programme which includes a description, repeatable at least every five years, of the development needs and objectives applying to ecological, economic and social issues.
2. For the practical guiding of sustainable forest management, the Forestry Centre prepares for the area silvicultural recommendations in which, in addition to the economic perspectives, the preservation of biodiversity, the prevention of environmental harm, and social perspectives, are all taken into account. The Forest and Park Service (FPS) and other bodies may draft similar guidelines for the forests under their management or ownership.
3. The number of forest plans taking biological and environmental values into account is increased annually so that the combined coverage of this and the previous forest plan in the region is at least 50%.
4. The amount of seedling stand treatment considered urgent is determined in conjunction with the regional target programme for forestry, and the urgent seedling stand treatment is mainly accomplished within five years.
5. The Forestry Centre, the Union of Forest Management Associations and the area's most important timber purchasers/users prepare within one year of application for the certification scheme a programme of measures for the promotion of first thinnings in the area.
6. The contribution of annual biological control measures in harvesting to be carried out for the prevention of spruce root rot and spongy saprot of pine in their high risk areas during the summer season is increased to prevent the spread of these diseases.
7. The total drain of the growing stock on forestry land in commercial forests is smaller than the total increment viewed over a 5-year period.
8. The proportion of as yet unforested open areas due to regeneration cutting of the forests and of seed tree stands constitutes 5% of the forest land of the commercial forests at maximum.
9. The amount of prescribed burning on areas suitable for this is increased at least two-fold over the 5-year period 1998-2002 compared to the period 1993-1997.
10. In key biotopes in the forest ecosystem, forest management measures are planned and carried out such that:
 - sites designated for protection under Nature Conservation Act by forest and nature conservation authorities should retain all their typical features,
 - habitats recognized as especially valuable under the Forest Act should retain all their typical features
 - other valuable habitats should retain all or almost all their typical features. In the regional application of this criterion, however, attention will be paid to the number of nature protection areas and areas included in the approved protection programmes and the abundance of the habitats meant in this criterion over a larger area.
11. The proportion of aged forests, including those in the protected areas, is over 15% in different parts of the country, i.e.
 - in southern Finland over 80 year-old stands
 - in Kainuu and northern Ostrobothnia over 100 year-old stands
 - in Lapland over 120 year-old stands.

12. The area has a sample-based monitoring system for harvesting damage, stores of unpeeled softwood, and root rot (*Fomitopsis annosa*) control. The results are transparent and from the standpoint of the summarised data they are public.
13. The area has a habitat care monitoring system producing follow-up data regularly. The results are made public and from the standpoint of their summarised information are accessible to everyone.
14. Annually at least 20% of the clerical staff, forest workers and harvester/forwarder operators in the forest organisations operating in the region receive supplementary training which includes e.g. training in biodiversity and occupational safety.
15. The forest organisations give adequate instructions from the standpoint of work quality to the employees and contractors prior to the carrying out of the measures to be accomplished in the forest.
16. The number of persons receiving supplementary training, and personal and group extension, intended for the region's forest owners must be equivalent to at least 10% of the total number of forest owners.
17. For carrying out silvicultural and harvesting work, the forest organisations engage only entrepreneurs who have paid their legal dues and taxes and who adhere to the employment legislation and collective agreements in force.
18. The new forest management plans also include:
 - protected areas and areas incorporated in approved protection programmes
 - the valuable habitats referred to in criterion number 10
 - the known habitats of species which have to be specially protected
 - areas important from the game management perspective
 - hiking routes and recreation areas.
19. The conservation value of protected areas and places incorporated in protection programmes is not endangered by forestry measures.
20. In forestry procedures, the known habitats of endangered species¹ singled out for special protection are safeguarded.

The known habitats of other endangered species² are taken into consideration such that there is no threat to the maintenance at least of the current population level of these species.
21. In cuttings and silvicultural procedures, where they exist snags, hollow and other decaying trees, single windfalls, or tree specimens from the previous tree generation, rare broadleaves, large aspens and sallows, are left...
22. In seeding and planting, apart from in special cases indigenous tree species are used, as well as seeds and seedlings with a provenance suitable to the area and of known origin.
23. A forest road network master plan has been drafted for the region taking into account environmental perspectives. In the plan, attention must be paid to the traffic requirements of the region and to the environmental impact of road building. In the Sami region, attention is also paid to the impact on the Sami's traditional livelihoods.
24. The new forest road construction plans drafted by the forest organisations include a study on biological and environmental values.
25. First-time drainage will not be provided in peatlands in a natural state.

26. Ditch cleaning and supplementary ditching does not take place in areas in which drainage has not clearly improved the growth of the tree stand. Particular attention is paid to endangered peatland types and the opportunities available for restoring them to a natural state.
27. A water body protection plan is incorporated in the drain maintenance plans drafted by the forest organisations.
28. In timber haulage in the forest, ditch cleaning and supplementary ditching, forest fertilisation, site preparation and prescribed burning a buffer zone is left along the shores and banks of waterways and minor water bodies for taking up solid matter and nutrients from loading.
29. In soil scarification, a method suitable for the site and as light as possible is used, with an eye on assuring a good regeneration result. Deep ploughing is not used on mineral soils. On inclines, leaching is prevented by means of suitable measures.
30. In forest harvesting, damage to the trees left growing and damage to the terrain that may weaken the growing conditions for the stand, is avoided.
31. Pesticides and herbicides are used only when unavoidable as, for instance, for the control of ground vegetation on forest regeneration areas and for controlling the weevil *Hylobius abietis*. Broadleaf brush is not treated, either in forest regeneration areas or in young stands, with chemical foliage sprays, unless absolutely necessary to prevent the spread of fungal diseases through aspen brush in young Scots pine stands. Chemical control measures are not applied in the buffer zones of waterways and minor water bodies, groundwater areas important and applicable from the water supply standpoint, and in the valuable forest habitats meant in criterion number 10.
32. Forest fertilisation is not used in the buffer zones of waterways and minor water bodies, in the valuable habitats mentioned in criterion number 10, nor in groundwater areas important for water supply. Highly soluble fertilisers are spread only when the ground is not frozen.
33. The legislated 'Everyman's rights' (Rights of access) for responsible people must be safeguarded.
34. Cultural-historically important ancient monuments are protected from forestry measures.
35. In forestry measures, care is taken to ensure that culturally valuable landscape complexities are preserved.
36. In the Sami homelands the management, use and protection of natural resources administered by the Forest and Park Service is harmonised in cooperation with Sami representatives such that the conditions for the practising of traditional livelihoods and the Sami culture are maintained.
37. In the State's forest areas forestry measures and reindeer farming are harmonised by recourse to local cooperation.

