

CONFLICT-TIMBER SUSTAINABLE DEVELOPMENT ILLEGAL-LOGGING BIODIVERSITY JUST FORESTS
ILLEGAL-LOGGING GREENHOUSE GAS ABATEMENT GOODWOOD LEGAL TIMBER
MELTING ICE FLOODING CONFLICT-TIMBER JOBS SUSTAINABLE DEVELOPMENT BIODIVERSITY

SOWING THE SEEDS OF CHANGE

A National Timber Policy for Everyone...

...to help tackle Climate Change...Poverty...disappearing Resources!

Just Forests - May 2009



JUST FORESTS LEGAL TIMBER SUSTAINABLE DEVELOPMENT LIVELIHOODS plants insects
ILLEGAL-LOGGING CARBON SEQUESTRATION GOODWOOD LEGAL TIMBER
SOIL MELTING ICE FLOODING CONFLICT-TIMBER MOTHER EARTH ILLEGAL-LOGGING
MEDICINAL PLANTS JUST FORESTS BIODIVERSITY SUSTAINABLE DEVELOPMENT BIODIVERSITY
DESERTIFICATION FRESH WATER SPECIES GOODWOOD LEGAL TIMBER MELTING ICE

Disclaimer

The comments, views and opinions expressed anywhere in this document are not necessarily those of any member of the board of Irish Woodworkers for Africa Ltd T/A Just Forests.

A lot of them are mine alone.

Cover: Forest activist/campaigner makes a statement on tropical plywood hoarding surrounding Tullamore swimming pool during its construction. April 2007.

Photo: ©Richard Maye-Tullamore Tribune

Forests Absorb 20 Percent of Fossil Fuel Emissions: Study

Date: 19-Feb-09

Country: UK

LONDON - TROPICAL TREES HAVE GROWN BIGGER OVER THE PAST 40 YEARS AND NOW ABSORB 20 PERCENT OF FOSSIL FUEL EMISSIONS FROM THE ATMOSPHERE, HIGHLIGHTING THE NEED TO PRESERVE THREATENED FORESTS, BRITISH RESEARCHERS SAID WEDNESDAY. USING DATA COLLECTED FROM NEARLY 250,000 TREES IN THE WORLD'S TROPICAL FORESTS OVER THE PAST 40 YEARS, THEIR STUDY FOUND THAT TROPICAL FORESTS ACROSS THE WORLD REMOVE 4.8 BILLION METRIC TONS OF CARBON DIOXIDE EMISSIONS EACH YEAR.

"TO GET AN IDEA OF THE VALUE OF THE SINK, THE REMOVAL OF NEARLY 5 BILLION TONS OF CARBON DIOXIDE FROM THE ATMOSPHERE BY INTACT TROPICAL FORESTS, BASED ON REALISTIC PRICES FOR A TON OF CARBON, SHOULD BE VALUED AT AROUND 13 BILLION POUNDS PER YEAR," SAID LEE WHITE, GABON'S CHIEF CLIMATE CHANGE SCIENTIST, WHO CO-LED THE STUDY, SAID IN A STATEMENT.

THE RESEARCHERS DO NOT KNOW EXACTLY WHY TREES ARE GETTING BIGGER AND MOPPING UP MORE CARBON BUT THEY SUSPECT THAT EXTRA CARBON DIOXIDE IN THE ATMOSPHERE MAY BE ACTING LIKE A FERTILIZER. WHILE NATURE HAS PROVIDED A FREE SUBSIDY FOR DEALING WITH CARBON EMISSIONS, IT IS ONE THAT WON'T LAST FOREVER BECAUSE TREES CAN ONLY GROW SO MUCH BIGGER, SAID SIMON LEWIS, AN ECOLOGIST AT THE UNIVERSITY OF LEEDS WHO LED THE STUDY.

"THE TREES ARE GROWING JUST A BIT BIGGER BUT THEY MAKE A BIG DIFFERENCE BECAUSE THERE ARE SO MANY TREES AND HALF THEIR MASS IS CARBON," LEWIS SAID IN A TELEPHONE INTERVIEW. "OUR STUDY GIVES US ANOTHER REASON WHY IT IS REALLY IMPORTANT TO CONSERVE TROPICAL RAIN FORESTS."

THE U.N. INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE ESTIMATES THAT HUMAN ACTIVITY PRODUCES 32 BILLION TONS OF CARBON DIOXIDE WORLDWIDE EACH YEAR, BUT ONLY ABOUT 15 BILLION TONS ACTUALLY STAYS IN THE ATMOSPHERE AND AFFECTS CLIMATE CHANGE. HUMAN-PRODUCED GREENHOUSE GASES ARE BLAMED FOR WARMING TEMPERATURES, WHICH EXPERTS SAY WILL SPARK HEAT WAVES, DROUGHTS, MORE POWERFUL STORMS, SPECIES EXTINCTIONS AND HIGHER SEA LEVELS. KNOWING WHAT EXACTLY HAPPENS TO THE CARBON DIOXIDE PUMPED INTO THE ATMOSPHERE WILL HELP RESEARCHERS BETTER UNDERSTAND FUTURE CLIMATE CHANGE, LEWIS ADDED.

THE TEAM ANALYZED DATA ON 250,000 TREE RECORDS COLLECTED FROM THE WORLD'S TROPICAL FORESTS OVER A 40-YEAR PERIOD AND FOUND THAT THE TOTAL MASS OF TREES -- WHICH IS MOSTLY IN THEIR TRUNKS -- WAS GETTING BIGGER ON AVERAGE.

AS A RESULT, TROPICAL FORESTS ABSORB MORE CARBON EMISSIONS AND NOW MAKE UP ABOUT HALF THE WORLD'S LAND CARBON SINK, THE RESEARCHERS SAID IN THE JOURNAL NATURE. "THIS IS ALL ABOUT WHAT IS HAPPENING WITH THE TREES BUT WE STILL DON'T KNOW WHAT IS HAPPENING WITH THE SOILS," SAID LEWIS, WHO NOTED THAT OCEANS ABSORB ABOUT 8 BILLION TONS OF CARBON DIOXIDE EACH YEAR.

(EDITING BY WILL DUNHAM AND RICHARD WILLIAMS)

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Working with the Community

TULLAMORE TRIBUNE



Comhairle Chontae Uíbh Fhailí
OFFALY
COUNTY
COUNCIL

Áras an Chontae, Charleville Road, Tullamore, Co Offaly.
 Tel: 057 9346800 Fax: 057 9329230
 Web: www.offaly.ie
 E-mail: environmentdept@offalycoco.ie

**WASTE MANAGEMENT ACT, 1996
LOCAL GOVERNMENT ACT, 2001**

DRAFT WASTE BY LAWS

The Council, in exercise of the powers conferred on it by the above-mentioned legislation, proposes to make, on the 16th February 2009, bye-laws relating to the storage, presentation, segregation and collection of household waste in its functional area, which for this purpose includes the Towns of Tullamore and Birr.

The bye-laws include provision for a person to be served with a notice, specifying a fixed payment of €150, in respect of contravention of the bye-laws.

A draft of the bye-laws may be inspected and a copy may be obtained at these offices during ordinary office hours from the 3rd December 2008 to 19th January 2009. A copy can also be downloaded from the Council's website at www.offaly.ie.

Any written submissions in relation to the draft received by the undersigned before 31st January 2009 will be considered by the Council.

DRAFT TIMBER PURCHASING POLICY

The Council has adopted a draft policy on purchasing timber from contractors, in which preference will be accorded to bids for supply of wood for construction which is legal and sustainable.

A copy of the policy may be inspected and a copy may be obtained at these offices from the 3rd December 2008 to 2nd January 2009.

Any written submissions in relation to the draft received by the undersigned before 10th January 2009 will be considered by the Council.

**DERRYCLURE LANDFILL CHRISTMAS
CLOSING ARRANGEMENTS**

Details of Christmas closing are as follows:

Monday 22/12/2008, Tuesday 23/12/2008 – **Open**
 Wednesday 24/12/2008 through Monday 29/12/2008 – **Closed**
 Tuesday 30/12/2008, Wednesday 31/12/2008 – **Open**
 Thursday 01/01/09 – **Closed**
 Friday 02/01/2009, Saturday 03/01/2009 – **Open**

Michael Roche,
Director of Environment &
Water Services.




Quida nota (August)

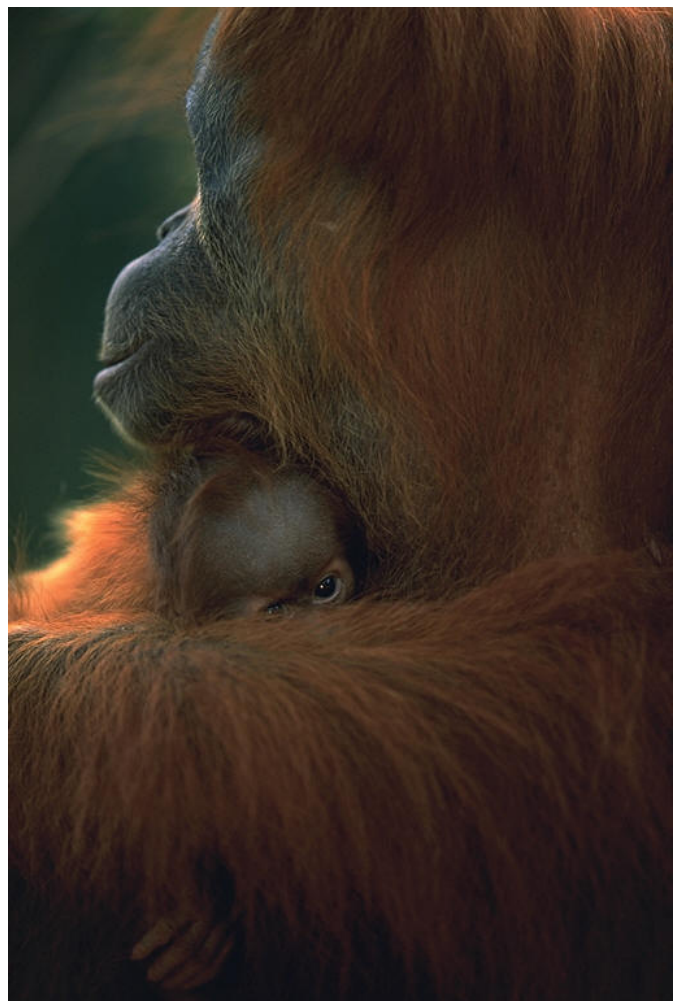
Notice in the Tullamore Tribune, 3rd December, 2008, inviting submissions on
Offaly County Council's proposed

DRAFT TIMBER PURCHASING POLICY

The following line from an early Irish poem lamenting the destruction of Ireland's forests could very well apply to many countries today where forests, people and wildlife are threatened by indiscriminate and illegal-logging....

*"Cad a dheanfaimid feasta gan adhmaid, ta deire na gcoilte
air lar"*

(What shall we do without timber, all the woods are cut)





Balau



Brazilian Cedar

CONTENTS

Part 1. Years of campaigning for a National Timber Procurement Policy

Part 2. Presentation to the Joint Committee on Environment,
Heritage and Local Government for the need for a
National Timber Procurement Policy for Ireland

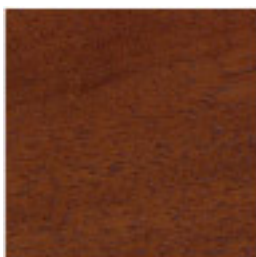
Part 3. Example of a National Timber Procurement Policy (United Kingdom)

Part 4. Example of a Timber Procurement Policy for Irish Local Authorities
(submitted by Just Forests to Offaly County Council –January 2009)

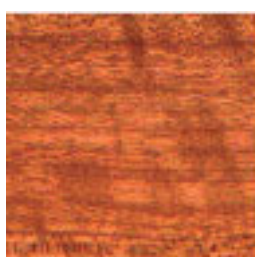


MISSION STATEMENT

Since 1989, Just Forests has worked to contribute to increased public awareness and critical understanding of the link between sustainable forest management, natural resource security, green house gas abatement and poverty reduction. We endeavor to advance public support for sustainable forestry as part of our overall project.



Iroko



Greenheart



Ekki/Azobe



Wenge



Above: Ireland's National Gaelic Games Stadium Croke Park, Dublin. Photo: Curtsey of ©Sportsfile



Above: Picture of tropical hardwood logs during Just Forests visit to Cameroon. Photo: ©Just Forests

An area of
tropical rainforest
the size of
86,400

Croke Park
pitches vanishes
every day

Think about it...

Around the world, illegal logging, criminal exploitation and trade in forest resources are destroying forest ecosystems, undermining the livelihoods of local communities and depriving governments in transition of much-needed revenue.

Illegal logging causes environmental damage, promotes corruption, undermines the rule of law and good governance and funds armed conflict. It retards sustainable development in some of the poorest countries of the world.

Consumer countries like Ireland contribute to these problems by importing timber and wood products without ensuring that they are legally sourced through credible third-party verification.



1996

The 1st Forest Certification and Timber Labelling Conference In Ireland

“A fundamental principle of Irish Aid is that sustainable development is only possible when adequate attention is paid to environmental issues. Therefore, systematic attention is given to environmental questions at all stages of project implementation, including project identification, appraisal, review and evaluation. Implicit in this is the taking into account of issues regarding forestry, forestation and deforestation”.

Excerpt from a presentation by one of our main speakers, Labour Senator, Mr. Pat Gallagher, T.D., at the first public information conference on timber labelling held in Dowdstown House, Navan, Co. Meath, on 22nd November 1996.

Senator Gallagher was then Chairperson of the Sub-Committee on Development Co-Operation of the Joint Oireachtas Committee on Foreign Affairs.

Mr. Gallagher is the current Offaly County Manager.



2002

During his tenure as Minister for Foreign Affairs, our present Taoiseach, Mr. Brian Cowen, launched Just Forests 'Good Wood Policy Guide' in the offices of the Royal Institute of Architects in Ireland (RIAI) in Merrion Square, Dublin 2, on 25th September 2002. The Taoiseach stated,

“I believe that a forest certification scheme like the Forest Stewardship Council is a powerful tool for encouraging responsible forest management. It also provides an opportunity for individuals, companies and local authorities to play a role in supporting sustainable development.”.

.Photo: L to R- Mr. Tom Roche, Just Forests; An Taoiseach, Mr. Brian Cowen; Mr. Jack Keyes, at the time Director of Services, Offaly Co Council; and Mr. Tom Arnold, Chief Executive, Concern Worldwide.

2008

Official Opening Irish Aid Information Centre

Just Forests campaigner highlights the use of tropical plywood containing illegal wood used in the fitting-out of the Irish Aid Information Centre in O'Connell St, Dublin, with former Taoiseach, Mr. Bertie Ahern, in January 2008.



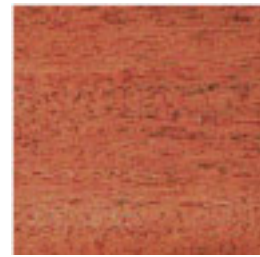
Burmese Teak



Meranti



Ramin



Keruing

...it's been going on for quite a while...



...since the Siege of Limerick...

Irish timber traders have been importing tropical timber into this country for centuries. Above is probably the first sample of Cuban "Spanish" Mahogany to come in to Ireland in 1855.

(Note the hand-written comments)

The following references are of interest:

"The Irish Woods since Tudor Times" – McCracken, E. 1971. Chapter 10 of *"Anatomy of a Siege"* - Wiggins, K; Pub. Wordwell, 2000, ISBN 1 869857 37 2, refers to the use of imported timber in mining during the siege of Limerick.

"Irish Country Furniture" - Kinmouth, C. Pub. Yale University Press, ISBN 0 300 05574 9 and

"Irish Furniture and Woodcraft" - Teahan, J. Pub. National Museum of Ireland, ISBN 0 946172 39 0 refer to imports of various woods, particularly mahogany from America.

The earliest reference (for England) for tropical wood is 1661 referring to the use of *"Jamaica wood"* (Mahogany) for 2 tables and 5 "paire" of stands for Hampton Court. There is also a reference to "Dantzig" oak for panelling in the Mansion House, Dublin, dating back to the 1400's.

(Source: Knaggs, G. 2002.)

Local Authorities are in a very good position to influence change. They construct, operate and maintain economic, social and environmental infrastructure, oversee planning processes and establish local environmental policies and regulations.

They also assist in implementing national and regional environmental policies. They are very close to the people and play a vital role in educating and mobilising the public and responding to community concerns.

Therefore, Local Authorities – large or small – are important players for putting sustainable development into practice. They are important consumers with public procurement policies as a powerful tool for promoting the use of environmentally and socially responsible products and practices.

Local Authorities' behaviour is likely to have an important influence on people and they should take every opportunity to set a good example to the public.

Local Authorities as a role model for CHANGE...by example.



...and now it's time to stop!

In 2001, Offaly County Council became the first local authority in Ireland to formally adopt a 'responsible' timber policy.

The Policy States (extract only)

The full policy document is available from Just Forests by email: woodlife@justforests.org

"From May 2001, Offaly County Council's responsible Timber Purchasing Policy came into effect."

"With immediate effect, the Council will give preference to timber and timber products which carry the Forest Stewardship Council's (FSC) trademark, or other label from an equivalent internationally recognised, globally applicable, independent certification system for good forest management.

This will take into account environmental, ecological, biodiversity, social and economic needs, showing the timber (tropical, temperate or boreal, hardwood or softwood) or timber product is from a credible, responsible source.

With immediate effect, if FSC (or equivalent) trademarked timber proves to be unavailable, (documentation will be provided to prove that every attempt has been made to obtain certified sources before exploring alternatives – flexibility in terms of species specification should be pursued) contractors will, as a second resort only, use timber from a known source, and will attempt to gain as much assurance as possible that the forest is well-managed and will provide documentation of proof."



Johann Heinrich
von Thünen-Institut
Bundesforschungsinstitut
für Ländliche Räume, Wald
und Fischerei

Institut für Holztechnologie
und Holzbiologie

PD Dr. habil. Gerald Koch

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VTI – HTB, Leuschnerstr. 91, 21031 Hamburg

Just Forests
Mr. Tom Roche
Rathcobian Rhode
Co. Offaly
IRELAND

Ihr Zeichen / Ihre Nachricht vom
24.11.2008

Unser Zeichen / Unsere Nachricht vom
KO/353/08

Datum
2008-12-02

Wood identification

Dear Mr. T. Roche,

enclosed with the above cited reference we received two plywood samples for wood identification (sample 1 and 2).

REPORT

For the wood identification small sectioning blocks were prepared from the individual layers of the two plywood samples and microscopically investigated.

Wood identification:

Sample 1 consists of five veneer layers.

The microscopic structural features of the outer layers (face veneers) fully correspond to timbers of the botanical genus

Palaquium (family: SAPOTACEAE)

Timbers pertaining to this genus are marketed under the trade name of **nyatoh**.

The microscopic structural features of the three core layers fully correspond to timbers of the botanical genus

Populus (family: SALICACEAE)

Timbers pertaining to this genus are marketed under the trade name of **poplar**.

Sample 2 consists of nine veneer layers.

The microscopic structural features of the outer layers (face veneers) fully correspond to timbers of the botanical genus

Calophyllum (family: GUTTIFERAE)

Timbers pertaining to this genus are marketed under the trade name of **bintangor**.

Institutsleiter:
Prof. Dr. Arno Frühwald

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21031 Hamburg

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www.vti.bund.de
htb@vti.bund.de

Nyatoh & Bintangor

Report from the Wood Science Department of Hamburg University, on plywood used in the construction of Westmeath County Council's new Civic Offices in Mullingar- December 2008

Local Action

Global Co-operation



In December 2007, co-operation between Just Forests and Greenpeace highlighted the use of plywood hoarding containing illegally-logged timber species, at the Irish Aid Centre in Dublin.

The Economics of Climate Change

“Emissions from deforestation are very significant globally. Independent estimates of the annual emissions from deforestation are put at more than 18% of global greenhouse gas emissions, greater than that produced by the whole of the global transport sector. These emissions could potentially be cut significantly fairly quickly – no new technology has to be developed – although considerable challenges have to be addressed, as discussed below.”

(Above quote was extracted from chapter 25 of the STERN Review-The Economics of Climate Change)

Without Forests We Lose The Fight Against Poverty and Climate Change

NEW Time for a approach...

In October 2002, thirty copies of Just Forests' Good Wood Policy Guide were sent to Mr. Tom Parlon, the then Minister of State at the Department of Finance with responsibility for the Office of Public Works (OPW), for their architects' department. Mr. Parlon is now the Director General of the Construction Industry Federation of Ireland (CIF)

In more recent times Just Forests has tried to persuade Tullamore Town Council to adopt a responsible timber policy to coincide with the construction of the new swimming pool. On July 14th 2006, Just Forests offered this service at a meeting in Tullamore Town Council offices. Agreement in principal to participate in the programme was received. On August 3rd 2006, a fully costed proposal based on the SmartSource programme of the New York-based Rainforest Alliance (RA) which is accredited by the Forest Stewardship Council (FSC) was sent to the Council. The proposal set out in detail what steps needed to be taken:

- a Preliminary Sourcing Review
- introduce Council's staff to current issues facing the timber supply chain, illegal logging, conflict timber, etc
- responsible timber sourcing, forest certification, effective ways to monitor progress, how to communicate Council's sustainability achievements
- guidance for architects
- assistance for suppliers

...because the use of illegal timber is still rampant in Ireland and...





Below: Participants pose for a photo at the Rainforest Seminar organised by Just Forests in Tullamore. May 1992.



...real change is long overdue!

Received 2nd December 2008
(JR)

OIFIG AN AIRE STÁIT
AN ROINN GNÓTHAÍ EACHTRACHA
CEARNÓG AN EASPAIG
CNOC RÉAMOINN
ÁTHA CLIATH 2



OFFICE OF THE MINISTER OF STATE
DEPARTMENT OF FOREIGN AFFAIRS
BISHOP'S SQUARE
REDMOND'S HILL
DUBLIN 2

21st November, 2008

Mr. John Mc Guinness T.D.
Minister for Trade and Commerce
Department of Enterprise, Trade and Employment
Kildare Street
Dublin 2



Our Ref : MOS/PP/293/2008

Dear John,

Thank you for your recent correspondence to both Minister Michael Martin and myself on behalf of Mr. Tom Roche, Just Forests, Rathcobican, Rhode, Co. Offaly, who is seeking funding for a project on 'the development of a National Timber Procurement Policy for Ireland as a means of supporting goal 7 – Ensure Environmental Sustainability – of the Millennium Development goals (MDGs)'.

I am aware of the good work which Just Forests are undertaking in this area and am delighted to inform you that Irish Aid was in a position to grant funding of €52,000 this year towards development education activities which included the Wood for Life exhibition and the development of a resource pack for teachers of technology subjects at senior cycle.

I have had Mr. Roche's current proposal examined by the relevant sections in Irish Aid to see if this project can be considered for possible funding from any of our funding schemes for NGO's. However, while I appreciate that the proposal is linked to MDG 7, as the proposal is mainly focussed on the development and implementation of domestic policy in Ireland I regret that it does not fall within the conditions required from Irish Aid funding schemes. The project may however be more suited for follow up with the Department of the Environment, Department of Agriculture Forestry and Food or the Department of Trade and Enterprise who may be able to assist Mr. Roche and Just Forests with their programme for policy development in this area.

Yours sincerely,

Peter Power T.D.
Minister of State

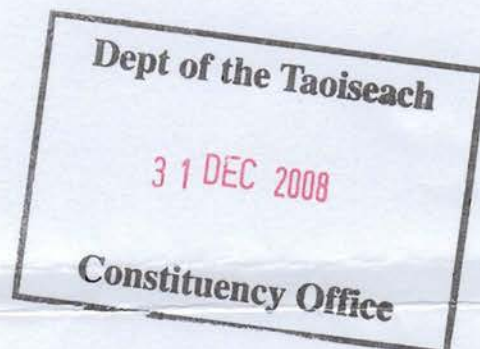


Office of the Minister for Agriculture, Fisheries and Food, Dublin 2.

Oifig an Aire Talmhaíochta, Iascaigh agus Bia, Baile Átha Cliath 2.

30 December 2008

Mr Brian Cowen, T.D.,
An Taoiseach,
Government Buildings,
Dublin 2.



Our Ref: 2008/32996R/CD

Re: National Timber Procurement Policy for Ireland

Dear Taoiseach,

I refer to your representations on behalf of Mr Tom Roche, Just Forests, Rathcobican, Rhode, Co. Offaly about a national timber procurement policy for Ireland.

The Forest Service of my Department welcomes any initiatives that promote responsible timber procurement and is very much aware of Mr Roche's considerable efforts in this area over the years.

Illegal logging and the placing of illegally sourced timber products on the market is currently high on the list of priorities for the European Commission and EU Member States including Ireland. The Commission has just recently proposed a new draft Regulation that seeks to minimize the risk of illegal timber being placed on the European market by imposing due diligence requirements for both imported and domestically produced timber. My Department is currently seeking the views of members of the forest and timber industries, non-governmental organisations, including Mr Roche's organisation Just Forests, and State bodies on this proposed Regulation. This public consultation process will assist my Department in formulating Ireland's response to the Regulation.

I have noted Mr Roche's comments about the effectiveness of the Forest Stewardship Council (FSC) wood certification system and he can be assured that my Department recognises the value of such systems to operators in the Irish forest industry.

Yours sincerely,

Brendan Smith, T.D.,
Minister for Agriculture, Fisheries and Food.



Oifig an Taoisigh
Office of the Taoiseach

Telephone: 01 - 6194000

6th January 2009

Mr. Tom Roche
Just Forests
Rathcobican
Rhode
Co. Offaly

Dear Tom,

I am enclosing a further letter I received from Mr. Brendan Smith T.D., Minister for Agriculture, Fisheries and Food in reply to my representations regarding the development of a national timber procurement policy for Ireland.

I trust this clarifies the present position.

With best wishes

Yours sincerely,

Brian Cowen T.D.
An Taoiseach

15 APR 2009



Head Office
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Dublin 2

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Baile Átha Cliath 2

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Fax: (01) 661 2531

Web: www.opw.ie

From the Office of the Minister of State
Óifig an Aire Stáit

Our Ref : C/ AQ - 2009/162

8 April 2009

Tom Roche,
Co-Ordinator,
Just Forests,
Rathcobican,
Co. Offaly.

Dear Mr. Roche,

Thank you for your recent letter to Minister of State Dr. Martin Mansergh, TD, promoting sustainable forest management and OPW procurement policy.

The OPW has had a sustainable timber policy since 1987. This specification requirement developed out of the Killykeen Forest Park development in Co. Cavan on the shores of Loch Oughter. This was a research and development project designed to discover the potential of seven different species of Irish timber, while at the same time providing a holiday complex in an economically disadvantaged area. The Killykeen project was completed in 1986.

Since the 1980's OPW Architectural Services have completed a significant number of timber projects. In 2001 Mr. Ciarán O'Connor, Assistant Principal Architect in OPW, wrote the book "Woodspec – A guide to designing, detailing and specifying timber in Ireland" (ISBN 0-9539976-0-x, A4 size, 400 pages). This book was revised and reprinted in 2007.

The office is aware not alone of UK but other EU states policies (and non-policies) but we also know of North American, Ghanaian and Malaysian developments. We are also aware of significant rivalry between various timber certification schemes and of the costs associated with registration and on-going subscription..

The timber research and practical experience of this office has led to regular updates of OPW's timber specification regarding sustainable forestry since 1987. The present specification is as follows:

The OPW requires wood that is used for construction in its projects to be legal and sustainable in accordance with European Union regulations regarding public procurement.

Contractors must avoid sourcing illegally logged timber in accordance with E.U illegal logging action plan, known as F.L.E.G.T.

Endangered species on the C.I.T.I.E.S should not be used.

Contractors are required to demonstrate their compliance with the OPW's timber sustainability requirements. Such compliance should be demonstrated by credible evidence of verification which shows that the timber used is both legal and sustainable. There are a number of existing commercial certification systems which are acceptable, namely CSA, FSC, PEFC and SFI. However the OPW recognises that other sources and forms of proof and verification that timber is legal and sustainable may be submitted to demonstrate compliance with its legal and sustainability requirements. Such sources or forms of verification that timber is legal should take the form of 'verification of source' under the terms of the European Union procurement policies; an appropriate chain of custody standard; the requirements for the protection of endangered species; and the independent assurances of sustainable forestry practises.

The OPW will continue to lead in the area of sustainable timber and we hope that other organisations will follow.

Yours sincerely,


SUZANNE MITCHELL
PRIVATE SECRETARY



*Taking a livelihood approach to
forest conservation since 1989*

8 April 2009

Superintendent-in-Charge
Garda Station
Mullingar
Co Westmeath.

RE: Use of Illegally-Logged Timber in NEW Civic Offices

Dear Superintendent,

On Friday 20th March 2009, I made a verbal and written complaint at Mullingar Garda Station regarding the use of illegally-logged timber in the NEW Civic Offices in Mullingar. I also lodged a report from Hamburg University on the species used.

I spoke to a member of the Gardai in Mullingar Garda Station in person on Monday 23rd March 2009 to enquire how the matter was progressing.

Since then I have inspected "timber certification" documents on file at the County Hall in Mullingar, courtesy of Westmeath Co Council's Director of Services, Mr. Riobart O'Ceallaigh. I have also contacted Bennett Construction on a number of occasions, but to no avail, on this matter.

The purpose of this letter is to inform you that Just Forests wishes to continue with our complaint against Westmeath Co Council and its agents and we would hope that you will do all in your power to bring this matter to a satisfactory conclusion.

I am available at any time to meet with you and produce documentary evidence to back up this claim and show how it violates EU & International Directives/Conventions.

Yours sincerely,

Tom Roche
Coordinator

Just Forests
Rathcobican
Rhode
Co. Offaly
Ireland

Tel: 046 9737545
Fax: 046 9737546

woodlife@justforests.org
www.justforests.org

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Fergal Mulloy
Barbara Raftery



Irish Woodworkers for Africa Ltd, T/A Just Forests
Company Reg No: 279353
Irish Charity No: CHY 10686

AN GARDA SIOCHANA

17 6 APR 2009

Oifig an Cheannfort
An Garda Siochana
An Muileann gCearr
Contae na hIarmhi

Tel / Teileafón: 04493 84016

Fax / Facs: 044 9384082



Superintendent's Office
Mullingar
Co. Westmeath

Web site: www.garda.ie

Please Quote the following Ref. No
MG GEN.261/09

Date: 14th April 2009

Tom Roche
Coordinator
Just Forests
Rathcobican
Rhode
Co Offaly

RE: Use of illegally-logged timber in new civic offices

Dear Mr Roche,

I wish to acknowledge receipt of your correspondence dated 8th April 2009 in connection with the above.

I am looking into the matter and will be in contact with you in due course.

Yours faithfully,

A handwritten signature in blue ink, which appears to read 'Nicholas Farrell', is written over a horizontal line.

NICHOLAS FARRELL
INSPR. FOR SUPT.

Ráiteas Misin/Mission Statement:

An leibhéal insroichte is airde a bhaint amach maidir le Cosaint Phearsanta, Tiomantas don Phobal agus Slándáil Stáit.
To achieve the highest attainable level of Personal Protection, Community Commitment and State Security.

**An Comhchoiste um
Chomhshaol, Oidhreacht
agus Rialtas Áitiúil**
Teach Laighean,
Baile Átha Cliath 2



**Joint Committee on the
Environment, Heritage
and Local Government,**
Leinster House,
Dublin 2
Phone (01) 618 3392
Fax (01) 618 4123

Mr Tom Roche
Just Forests
Rathcobican
Rhode
County Offaly

Dear Mr Roche,

Further to your emails expressing concerns about logging practices, the Members of the Joint Committee have agreed to discuss the matter with you. In this respect, they have decided to invite you and your Group to a meeting of the Joint Committee to be held on **Tuesday, 12th May 2009 at 3.30pm in Committee Room 4**, Leinster House 2000, Leinster House, to give a presentation on the subject. This meeting will be in public session.

A definite list of all attending (indicating their position / area of responsibility) should be received by this office no later than 3.00 p.m. on the day preceding the meeting.

Any information requested by the Committee or relevant to the meeting, including any opening statement which you may wish to make, should be supplied by 3.00 p.m. at the latest, on the day preceding the meeting, unless otherwise specified.

You should note that the Joint Committee has directed that in responding to questions posed by members, witnesses should ensure that their replies are brief and to the point. For your information, I enclose a copy (with photographs) of the Members of the Joint Committee.

If you have any comments or questions please contact me at 618 3392.

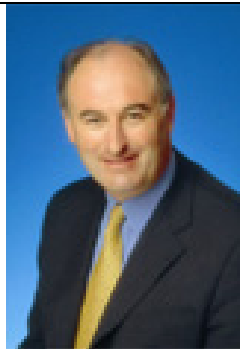
Yours sincerely

Colm Downey
Clerk to the Joint Committee

6th May 2009



**Sean Fleming TD
(FF)**



**Phil Hogan
TD (FG)**



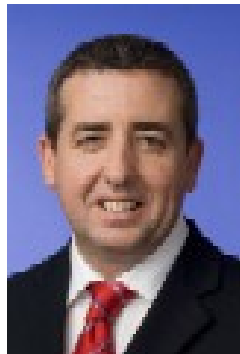
**Ciaran Cuffe TD
(GP)**



**Johnny Brady TD
(FF)**



**James Bannon TD
(FG)**



**Ciaran Lynch TD
(LAB)**



**Joanna Tuffy TD
(LAB)**



**Padraic
McCormack TD
(FG)**



**Christy O'Sullivan
TD (FF)**



**Eamon Scanlon
TD (FF)**



**Michael Fitzpatrick
(FF) TD**



**Senator
Dominic Hannigan
(LAB)**



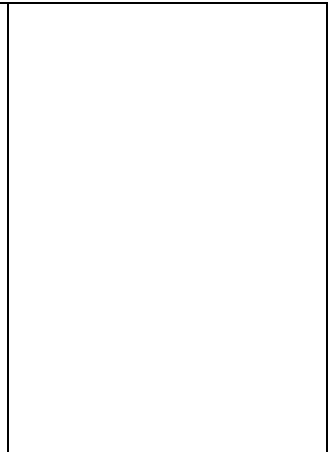
**Senator Ciaran
Cannon (PD)**



**Senator Camillus
Glynn (FF)**



**Senator Paudie
Coffey (FG)**



Part 2.

Presentation to the Joint Committee on Environment,
Heritage and Local Government for the need for a
National Timber Procurement Policy for Ireland



Government Timber Procurement Policy

Using public procurement policy to secure livelihoods
and natural resources

**A presentation to the Joint Committee on Environment, Heritage and Local
Government, Leinster House, Dublin.**

By

Tom Roche

Coordinator - Irish Woodworkers for Africa T/A Just Forests

Rathcobican, Rhode, Co. Offaly, Ireland.

www.justforests.org

Tuesday, 12th May 2009

Summary points

- Tackling Climate Change is the biggest challenge of our age. Ireland has made commitments internationally which we have not lived up to, as the record shows. The Kyoto Protocol commits Ireland to remaining 13% above 1990 levels. Recent figures show we are currently 25.5% above 1990 levels.
- Good intentions are simply not enough. What we require is a robust framework which will translate aspirations into action. It needs to be driven from the very top in a coordinated integrated fashion and it needs to be grounded in legislation.
- Biological diversity represents the natural wealth of the Earth, and provides the basis for life and prosperity for the whole of mankind.
- The use of public procurement policy by a number of consumer states aimed at excluding illegal and unsustainable timber extraction from the world's forests is already in operation.
- The OECD has praised Ireland's overseas development programme as a "cutting edge" model for others to follow. (page 10, The Irish Times, Friday, May 8, 2009)
- A responsible National Timber Procurement Policy is a policy for 'sustainable development' and will greatly assist and enhance Ireland's overseas development programmes while supporting 'livelihoods' at home.
- The overall presentation has been conceived and designed to highlight the established -but still not yet fully recognised and understood- role and significance of timber/forests in the overall debate on sustainable human development.
- The '*development*' rationale of this presentation pivots around a number of key issues and challenges: *wood and poverty, wood and energy, wood and livelihoods/construction, wood and health, wood and education, wood and biodiversity, wood and sustainability, wood and climate-change, wood and conflict/war and wood and economic development.*

Introduction

I would like to start with a couple of quotes from a presentation by one of your members, Deputy Phil Hogan, T.D., to the Fine Gael National Conference in Wexford on Saturday, November 22, 2008. *“Anything that can help make a cleaner, more sustainable and more efficient world should be associated with Ireland...We should be leading the world in environmental thought and action.”*

While the overall document presented to you graphically shows the need for a National Timber Procurement Policy, I will outline for you in this short presentation what Just Forests believes must be done at national and local level to address the importation of illegally sourced timber into Ireland and the illegal practices of the timber industry.

From the outset, I would like to state clearly that legal and illegal logging is often closely linked and that legal logging can also be highly destructive. The illegal aspect of the current timber trade is only part of the wider problem of a timber industry that has largely been unable to regulate itself and is destroying forests and peoples' livelihoods on a grand scale.

We have lost our way because for the past number of decades we have become blinded or side-lined by dreams of un-impeded economic growth. We are now reeling from the effects of that short-sighted economic model. The Church of Ireland primate, Archbishop Alan Harper, said at the opening of the Church of Ireland Synod in Armagh on Thursday last, fiscal stimulus policies that *“at least in part, led to the culture that pervaded the very model that crashed so spectacularly last year...must be avoided.”* So, we must think and act differently from here on.

Few recognise that biological diversity (which includes all living things) represents the natural wealth of the Earth. It provides the basis for life, economic development and prosperity for the whole of mankind.

But, biodiversity is currently vanishing at an alarming rate all over the world. According to Stavros Dimas, EU Commissioner for Environment, *“we are, so to speak, erasing nature's hard drive without even knowing what data it contains.”*¹ The aim of the Convention on Biological Diversity (CBD) and its 190 Contracting Parties, which includes Ireland, is to significantly reduce the loss of biodiversity by 2010. This is an ambitious goal which can only be achieved through the concerted efforts and combined strength of all sections of society. We therefore need alliances between policy makers, science, the public and business at international, national and local level.

1. The Economics of Ecosystems and Biodiversity Report. European Communities, 2008.

As many of you know, a time of crisis is often also a time of opportunity. That time is NOW. The challenge of our times is to find solutions that work from the ground up and put power back in the hands of people who understand that human well-being and not economic growth should be the cornerstone of development. While we understand that economic growth may be an important component of development, it cannot be a goal in itself.

For many years, Ireland has been to the forefront of international donor assistance to developing economies - but in the past 11 months the government has cut a massive €255 million off the aid budget to the world's developing economies, many of whom are the source of our tropical timber needs. It is very clear that such an enormous cut can only lead to devastation and suffering. Vital development programmes will have to be cut, cancelled and postponed. Such financial cuts at this crossroads in our development will make natural resource security much harder to obtain and support not just for people in developing economies but here in Ireland also.

Despite decades of concern, the world's forest cover is more endangered than ever. Forests are disappearing rapidly in the tropics with about 13 million hectares – that's an area the size of the Republic of Ireland felled every seven months or so. Between 1980 and 2000 tropical forest cover declined by up to 2.5 million square kilometres. An EU-commissioned study entitled *The Economics of Ecosystems and Biodiversity* was published in October 2008. It concluded that annual cost of forest loss alone is running at \$2 - \$5 trillion. This is double the putative total losses to date on Wall Street, but the natural capital losses are occurring year after year.²

According to the UNDP (United Nations Development Programme) an area of rainforest the size of a football field is felled every second- that's equivalent to clearing an area the size of 86,400 Croke Parks every day or 31 million Croke Parks every year. This concern for forests is also enshrined in the United Nations Millennium Development Goals (MDGs) –in particular Goal 7 '*Ensure Environmental Sustainability*'.

Just Forests has worked on the issue of responsible timber procurement and independent forest certification, as part of our overall development education work for many years. Since our founding in 1989, Just Forests has worked to contribute to increased public awareness and critical understanding of the link between sustainable forest management, natural resource security, green house gas abatement and poverty reduction³. We endeavor to advance public support for sustainable forestry as part of our overall project.

2. Failing to address forest loss may prove catastrophic-John Gibbons writing in The Irish Times, Thursday, February 26, 2009.

3. Presentation by Tom Roche, to an Oireachtas Sub-Committee on Development and Co-operation, Dublin, 1994.

Ireland's shameful lack of deciduous tree cover has compelled us to rely on other countries for our hardwood timber needs. We are by far the most import-reliant country in the EU (after Iceland) for quality hardwood timber. For centuries⁴ this country has imported hardwood timber from many regions of the world and continues to do so.

The joinery and furniture manufacturing trades in Ireland have relied heavily on regular and predictable supplies of some of Africa's great commercial timber species like **iroko** (*Chlorophora excelsa*), **afroformosia** (*Pericopsis elata*) and African **mahogany** (*Khaya spp.*) for decades. Today, supplies of iroko and mahogany are severely threatened with over-exploitation, while afroformosia is listed in CITES (Convention on International Trade in Endangered Species of Wild Flora and Fauna).

Legitimate government control over forest management in the main range state, Democratic Republic of Congo, has been largely absent during the last few years. As shown by civil society, much of the country's export-oriented afroformosia logging is illegal and regarded by many as "conflict timber" (fuelling civil war). Ivory Coast and Ghana used to be the primary source of afroformosia exports to Ireland but their supplies have collapsed due to over-logging⁵.

There is a great absence of hard information on Ireland's wood trade statistics. In fact there has been international criticism on the poor information available on Ireland's constant lateness in producing what are, at best, unreliable⁶. The most recent figures available, show that Ireland imported almost €100 million worth of *tropical* timber in 2007⁷.

The construction boom of the 1990's saw Ireland using vast amounts of imported tropical hardwood timber and wood-based products in the form of plywood, etc. In many cases the origins of such timber and wood-based products was unknown. It is also appropriate to state here that much of the imported tropical hardwood and wood-based products containing tropical hardwood is of dubious⁸ origins and in many cases the results of illegal logging⁹. (*hold up the sample of Chinese plywood and explain.*)

4. The following references in Just Forests 'Good Wood Policy Guide' –published 2002. "The Irish Woods since Tudor Times"-McCracken, E. 1971. Chapter 10 of "Anatomy of a Siege" - Wiggins, K; Pub. Wordwell, 2000, ISBN 1 869857 37 2, refers to the use of imported timber in mining during the siege of Limerick. "Irish Country Furniture", Kinmouth, C, Pub. Yale University Press, ISBN 0 300 05574 9 and "Irish Furniture and Woodcraft", Teahan, J, Pub. National Museum of Ireland, ISBN 0 946172 39 0 refer to imports of various woods, particularly mahogany from America. The earliest reference (for England) for tropical wood is 1661 referring to the use of "Jamaica wood" (Mahogany) for 2 tables and 5 "paire" of stands for Hampton Court. There is also a reference to "Dantzig" oak for panelling in the Mansion House, Dublin, dating back to the 1400's. (Source: Knaggs, G. 2002. Personal communication)

5. An assessment of tree species which warrant listing in CITES. Prepared by James Hewitt, January 2007 for Friends of the Earth (FOE) –Netherlands

6. Source- Mulloy F, Chairman, European Forest Institute (EFI). Personal communication - 27/02/2002.

7. Email from Drima Marketing, Dublin- 06/02/2009

8. What constitutes illegal-logging? –Tim Curtin. Pacific Economic Bulletin Vol. 22 No 1 March 2007. ©Asia Pacific Press.

9. Species report from Hamburg University on tropical plywood samples from the Irish Aid Public Information Centre, Dublin – October 2007 and the new Civic Offices in Mullingar, Co. Westmeath, in November 2008. (still under construction).

While the Irish government appears to be fully supportive of the EU FLEGT Action Plan it appears to be doing very little proactively to help it succeed.

According to the World Wide Fund for Nature (WWF-UK), Ireland also appears to have a limited awareness of what the Action Plan actually entails. According to WWF 2007 was the first year that the Irish government took part in the Government Barometer Survey (in 2006, Ireland was the only EU Member State ever to have declined to participate). Ireland imports an estimated 1.992 million Euros worth of wood-based products. Assuming importers in Ireland do not actively seek to procure legal wood-based products, around 11% of this trade is thought to be illegal, translating to a per capita import value of approximately €27. Ireland's almost complete lack of progress (apart from recognising the importance of tackling illegal logging within the EU) is therefore surprising. Only the Czech Republic scored as low as Ireland and the former has only a very limited need for imported wood and has only recently joined the EU¹⁰.

It's time to act.

Several EU member states and a number of other countries, now possess government procurement policies aimed at ensuring that public purchasers source only legal and/or sustainable timber and wood products. As of October 2008, these include Belgium, Denmark, France, Germany, Japan, the Netherlands, New Zealand, Norway and the UK; a number of other countries, mostly EU member states, are considering adopting similar policies.¹¹

At European level there are a number of programmes that are being enforced and developed at the moment.

These include:

- the FLEGT (Forest Law Enforcement Governance and Trade) Action Plan that looks at **legal timber trade** although some argue that it encompasses elements of sustainability. FLEGT is based mainly on voluntary bilateral agreements between the EU and tropical timber producing countries. Once the agreement signed, partner countries will be able to sell legal timber to the EU (FLEGT-licensed) and therefore keep their market access. The Partnership agreements implies that Member States will make provision for accepting FLEGT-licensed timber on their markets, which is the case under the UK Government's policy but not yet for all Member States. The other big part of the FLEGT programme is the new Due Diligence Regulation.

10. Government Barometer 2007- <http://barometer.wwf.org.uk/intro.asp>

11. Duncan Brack, associate fellow, Chatham House, London – UK Government Timber Procurement Policy- October 2008

The Due Diligence Regulation will require operators putting timber on the EU market for the first time (either importers or Member State producers) to operate a due diligence system to prove minimum risk of putting illegal timber on the market. There are also talks about possible sanctions for putting illegal timber on the market. For more information on FLEGT and the Due Diligence Regulation, you can have a look here:

http://ec.europa.eu/development/policies/9interventionareas/environment/forest/flegt_en.cfm and <http://www.illegal-logging.info/> that also has a section on public timber procurement policies. Therefore, the FLEGT programme apply to public and private sectors but deals mainly with legality, not sustainability, while the UK Government policy now requires sustainable timber as a minimum or FLEGT licensed timber to encourage the work on good governance in tropical countries. It is hoped that by 2015, enough progress would have been made by the FLEGT partner countries that FLEGT-licensed timber can then be considered as sustainable.

-the Green Public Procurement Regulation: for the **public sector**:

http://ec.europa.eu/environment/gpp/index_en.htm.

They set a certain number of green standards for different types of products, including wood products such as paper, furniture and materials used in construction. The website also has information on how to develop a green procurement policy for the public sector. Here we are talking more about sustainability in general rather than only legality but some of the criteria are quite woolly and Member States will have to decide for themselves the exact criteria they want to use. CPET has fed back to the team working on those at Government level. It is ultimately the issue of forest sustainability that needs to be addressed.

As many forestry legal regimes permit or even encourage corporate malpractice and deny the rights of forest dependent peoples, it is vital that FLEGT initiatives do not reinforce inappropriate laws.

Highlighting the links between the European programmes and a national timber procurement policy.

In essence, there are a few ways to tackle illegal timber trade and its impacts in terms of climate change. The European Union is pushing towards green public procurement and a due diligence system for the private sector. These drivers can be used to put timber procurement higher on the political agenda. In practice, it is possible to design a stand alone “legal and sustainable” timber procurement policy that will be referred to in an overarching green procurement policy (although it will not cover all timber products) and would make provision for FLEGT licensed timber. Otherwise, it is possible to have a policy covering fewer products by including only requirements for timber products in a general green public procurement policy.

But in any case, it is really good to have a definition of legal and sustainable timber that you can refer to and explain what proofs of evidence are accepted.

CPET has developed definitions together with the UK Department of the Environment, Food and Rural Affairs (Defra) and also provides full guidance on them and how to check them in the training¹².

The Central Point of Expertise on Timber Procurement (CPET) has contributed to the development of the UK Government's timber procurement policy. The UK government's timber procurement policy is fully detailed in the attached Guidance Note. From April 2009 there has been a step-change in their timber procurement policy. Central government departments, their executive agencies and non-departmental public bodies are now required to procure timber and wood-derived products originating from either legal and sustainable or FLEGT licensed or equivalent sources.

The Central Point of Expertise on Timber (CPET) is funded by Defra (Department of the Environment, Food and Rural Affairs) to provide free advice and guidance to all public sector buyers and their suppliers to aid compliance with the policy. It is operated by ProForest, an independent company with wide experience in responsible purchasing.

It is very worrying to find out just last week that while the Irish government is "supportive" of the FLEGT process they are at this moment in time "out of the loop" due to a lack of participation at FLEGT meetings because of government "cut backs"¹³.

I appeal to this committee to ensure Ireland re-engages with this process without any further delay. Thank You for the opportunity to make this presentation to you today on this most urgent issue. I will try now and answer any questions members of the committee may have in relation to this presentation.

*****N.B.** *All too often 'policy' development can become so technical-it loses the human dimension. I have brought along a selection of tropical wood samples as visual aids to this presentation which I would like to pass around to members. This is my attempt to put a 'human face' on policy. After all we are talking about precious natural resources that give life. ****

12. CPET Training Workshop for UK Local Authorities held in DEFRA, London, 22nd April, 2009 -attended by Tom Roche, Just Forests

13. Telephone conversation to get an update on the FLEGT process in Ireland between Tom Roche and a Civil Servant-May 2009

Part 3.

Example of a National Timber Procurement Policy (United Kingdom)

Executive Summary of UK Government Timber Procurement Advice Note

April 2009

From April 2009 there has been a step-change in timber procurement policy. Central government departments, their executive agencies and non-departmental public bodies are now required to procure timber and wood-derived products originating from either legal and sustainable or FLEGT-licensed or equivalent sources.

The Central Point of Expertise on Timber (CPET) is funded by Defra to provide free advice and guidance to all public sector buyers and their suppliers to aid compliance with the policy.

Please contact CPET on 01865 243 766 for further details.

1. Identification of need

If identifying a requirement for timber or wood-derived products be aware that the policy has changed from 1 April 2009.

2. Specification of requirements

Timber and wood-derived products should be specified in performance output terms rather than demanding a specific species of timber.

Until further notice, a requirement for timber and wood-derived products originating from either legal and sustainable or FLEGT-licensed or equivalent sources should be specified. FLEGT-licensed timber is not currently on the market and further guidance will be issued once it becomes available.

3. Selection of suppliers invited to tender

Potential contractors should be notified that their record in supplying legal and sustainable and in due course, FLEGT-licensed or equivalent, timber will be assessed and used to help select those suppliers invited to tender.

4. Invitation to tender

Wording should be included in Invitation to Tender ("ITT") covering letters to draw attention to the policy requirement that timber and wood-derived products must originate from either legal and sustainable or FLEGT-licensed or equivalent sources.

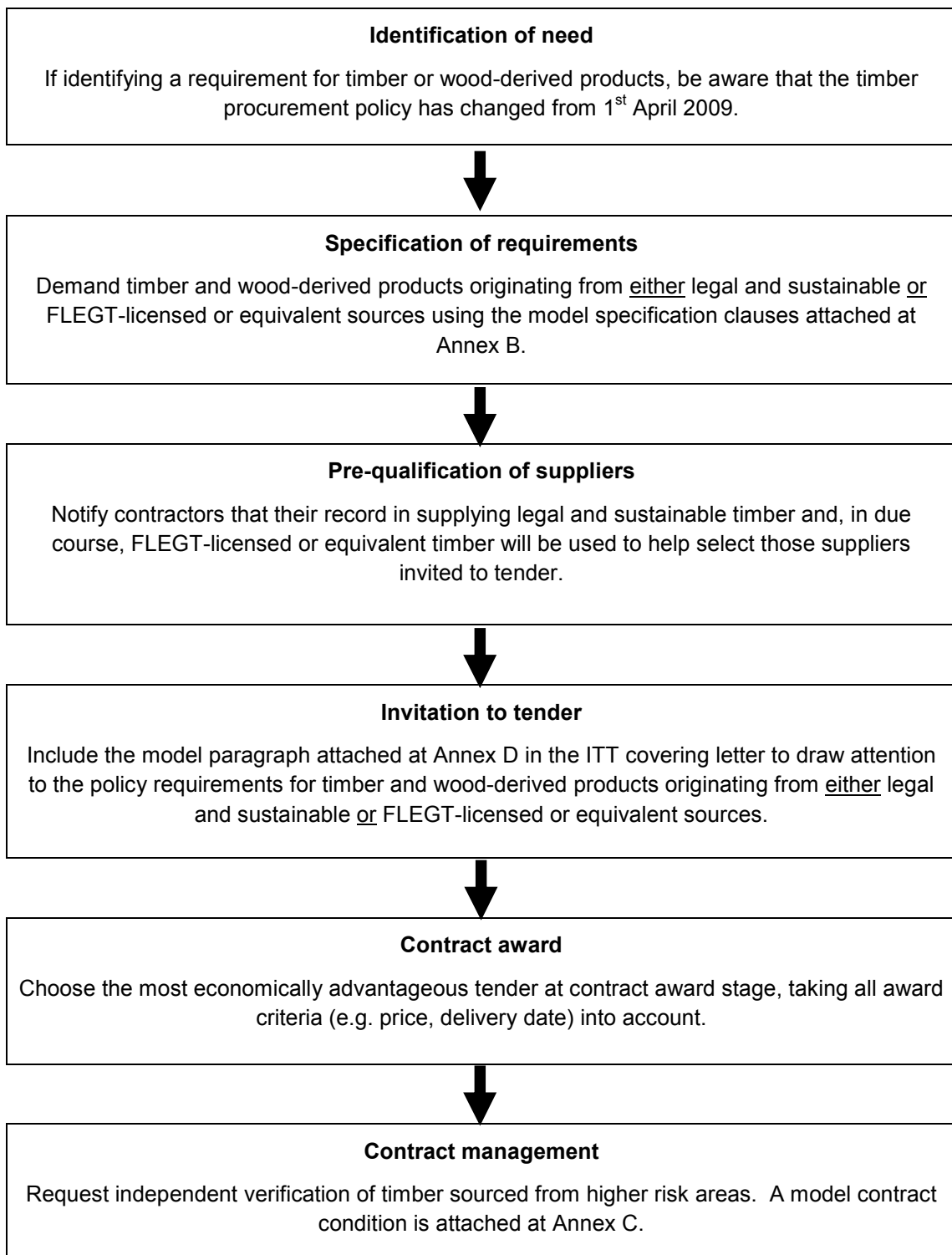
5. Contract award

Bids should be evaluated against criteria defined by the Contracting Authority. Bids offering either legal and sustainable or FLEGT-licensed or equivalent timber can be deemed to be compliant with the policy. Once bids have been assessed to meet the specified requirement, the most economically advantageous bid should be accepted, based on criteria such as price, delivery date and period of completion.

6. Contract management

Government buyers should request independent verification of timber sourced from higher risk areas (see section 2.4, and contact CPET for further guidance on risk).

Timber Procurement Process Overview



Timber Procurement Advice Note April 2009

Purpose

This Note informs central government departments in England of the procedures that are effective from 1 April 2009 for purchasing timber and wood-derived products in line with Government policy. Devolved administrations in Scotland, Wales and Northern Ireland have issued their own policies and guidance. Further information is available from the CPET website www.proforest.net/cpet or by calling the CPET helpline on 01865 243 766.

The Note is in three sections:

- Section 1 provides an overview of timber procurement policy
- Section 2 provides guidance on implementation of the policy
- Section 3 links policy implementation to the main stages in the procurement process

plus Annexes:

- Annex A: Glossary of terms
- Annex B: Model specification text
- Annex C: Model contract condition
- Annex D: Model paragraph for inclusion in ITT covering letter

1. Timber Procurement Policy

The new UK Government timber procurement policy requires that:

From 1st April 2009, only timber and timber products originating either from independently verifiable legal and sustainable sources or from a licensed Forest Law Enforcement, Governance and Trade (FLEGT) partner will be demanded for use on the Government estate – appropriate documentation will be required to prove it.¹ From 1 April 2015 only legal and sustainable timber would be demanded.

By 'licensed FLEGT partner' is meant a timber-producing country that has signed up to a bilateral Voluntary Partnership Agreement with the European Community concerning the EU's Forest Law Enforcement, Governance and Trade scheme and whose timber and wood-derived products have been licensed for export by that country's government (please see section 2.2.3 below for further information).

1.1 Scope of application of the policy

The policy applies to all central government departments, executive agencies and non-departmental public bodies (NDPBs) in England (referred to in this Note as "Contracting Authorities"). **Any such body receiving government funds is mandated to follow the timber procurement policy.**

¹ Until 1st April 2009, the UK Government timber procurement policy required its central departments to actively seek to purchase legal and sustainable timber and wood-derived products.

The policy applies to all timber and wood-derived products² used on the government estate including temporary site works and material supplied by contractors.

The policy applies to virgin timber. As an alternative to demanding (i) either legal and sustainable timber or FLEGT-licensed or equivalent timber, Contracting Authorities can demand (ii) recycled timber. Documentary evidence and independent verification will also apply to recycled timber but will focus on the use to which the timber was previously put rather than the forest source.

Short-rotation coppice is exempt from the requirements of the timber procurement policy and falls under agricultural regulation and supervision rather than forestry. It should be noted that the European Commission is considering the development of sustainability criteria applicable to renewable sources of energy, including woody biomass.

1.2 Model specification text and model contract condition

Model specification text is set out at Annex B and a model contract condition at Annex C. The model specification text should be included in specifications for all contracts and funding mechanisms involving the supply of timber or wood-derived products. Similarly, the model contract condition should be used as a supplementary condition to general conditions of contract for all contracts and funding mechanisms including the supply of timber or wood-derived products.

The model specification text in Annex B requires contractors to ensure that any timber or wood-derived products supplied to the Government are from either legal and sustainable or FLEGT-licensed or equivalent sources and the model contract condition in Annex C requires contractors to provide timber and wood-derived products as outlined in the specification. Bidders shall be required to indicate their acceptance of the contract conditions as a requirement of submitting a compliant bid. This can be achieved by bidders signing a statement to this effect as part of their ITT response. If they do not agree to abide by the contract conditions, their bid can be marked as non-compliant.

2. Implementing the policy

2.1 Practical support for implementation

The Central Point of Expertise on Timber (CPET) is Defra's technical advisory body. It was set up with Ministerial support in 2005 in response to an Environment Audit Committee report. CPET provides free advice and guidance to all public sector buyers and their suppliers.

CPET also publishes the UK government procurement criteria for legality and sustainability, assesses timber certification schemes and makes recommendations to government. The CPET website provides information and advice on procuring legal and sustainable timber and dealing with specification, selecting tenderers, bid evaluation and contract compliance. It is supported by a Helpline available between 9am and 5pm Monday to Friday free of charge.

CPET Website: www.proforest.net/cpet
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² References to either legal and sustainable or FLEGT-licensed *timber* in this Note include all *wood-derived products* originating from either legal and sustainable or FLEGT-licensed sources.

2.2 Evidence of legal and sustainable origin

If requested by Contracting Authorities, contractors are required to provide evidence that their timber or wood-derived products comply with the technical specifications. Where a Contracting Authority has doubts as to the credibility of the evidence, it may request that the contractor has the evidence independently verified.

In order to demonstrate that timber is from a legal and sustainable source it is necessary to prove:

- **The source of the timber (chain of custody):** In general, timber and wood-derived products go through a number of stages between the forest and the final product. Since the policy applies to legality and sustainability in the forest, it is necessary to know the area of the forest the timber originated from.
- **That the forest source was legally and sustainably managed:** Once the source of the timber is known, then it is necessary to show that the forest was managed legally and sustainably.

Therefore, evidence related to both management of the forest and the chain of custody is required. Two types of evidence are accepted:

2.2.1 Category A evidence

Category A evidence is independent certification under a scheme recognised by the UK government as meeting the criteria set out in the document entitled “*UK Government Timber Procurement Policy: Criteria for Evaluating Category A Evidence*” (available from Contracting Authorities on request and the [CPET website](#)). A list of assessed certification schemes that currently meet the government’s requirements can also be found on the CPET website at <http://www.proforest.net/cpet/evidence-of-compliance/category-a-evidence/approved-schemes>. Certification schemes include both forest management certification and chain custody certification.

2.2.2 Category B evidence

Category B evidence is documentary evidence (other than Category A evidence) that provides assurance that the source is legal and sustainable. Further information on collecting and evaluating Category B evidence is set out in the document titled “*UK Government Timber Procurement Policy: Framework for evaluating Category B evidence*” (available from Contracting Authorities on request and the [CPET website](#)). Category B evidence can be combined with Category A evidence (for example a certified forest of origin combined with non-certified evidence of chain of custody).

Government-defined standards for ‘legal and sustainable’ may be acceptable as part of category B evidence; the definition of sustainable requires that a local definition of ‘sustainable’ is developed through an inclusive, multi-stakeholder process (see “*UK Government timber procurement policy: Definition of ‘legal’ and ‘sustainable’ for timber procurement*” which is available on the [CPET website](#) for further details). Standards defined by governments or other groups constituting a single stakeholder group (e.g. an industry standard or an NGO standard) do not meet this requirement. However, if a single-stakeholder standard can be evaluated against a relevant multi-stakeholder standard which does meet the UK government requirements and which as developed for the same geographical area, and can be shown to be broadly equivalent in terms of outputs, then it may be acceptable. Contact CPET for further details on this.

2.2.3 Evidence of FLEGT-licensed origin or equivalent

The Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan is the foundation of the European Union's efforts to support improvements to forest governance around the world. A key part of the FLEGT Action Plan is the negotiation of bilateral Voluntary Partnership Agreements (VPAs) between the European Community and timber-producing countries. Under the terms of a VPA a country agrees with the EC to implement a timber licensing system. From that country, the EU will only accept licensed products, and unlicensed products will be refused customs clearance with the aim of preventing illegal products from entering the EU market.

FLEGT-licensed timber: Once a licensing scheme has been established in a VPA partner country, licensed timber products arriving in the EU from that country should be accompanied by appropriate licence documentation (effectively, the 'FLEGT licence') which will be checked at import. It will then be necessary to have adequate supply chain controls in place from the point of import to the point of delivery to Contracting Authorities to demonstrate that the material being delivered was FLEGT-licensed. This is exactly the same as for any Category B-based evidence and could take the form of:

- A certified generic chain of custody system; or
- Adequate documented evidence of supply chain control.

Once a FLEGT-licensing system is fully operational the FLEGT licence will apply to relevant products³ from the partner country.

Currently there is no FLEGT-licensed timber available in the market and therefore further detailed guidance from CPET will follow as FLEGT-licensed timber become available. The [CPET website](#) will contain up-to-date information on which countries have signed VPAs, whether the licensing scheme in each country is operational, and what products are included in the scope of the scheme. Other information such as what licences look like in practice will also be provided by CPET.

Where a VPA between the EC and a timber-producing country has been entered into but the licensing system is not yet in operation, timber from that country may be accepted. After a VPA has been entered into, it is expected that there will be an interim period before a licensing system becomes fully functional. However, an individual timber producer in a country that has entered into a VPA may have put in place **all** the requirements for the licensing system prior to its official implementation (which would then make the licensing applicable to all exporters to the EU). In such cases, timber exported by that individual timber producer will be considered to meet the requirements of the UK Government's timber procurement policy where it meets all of the FLEGT requirements. The timber must also meet requirements for independently-verified compliance and supply chain controls that would apply if the licensing system were in place. **In respect of timber from a particular origin, this option will be applicable only for an agreed period, reflecting the timetable agreed between the EC and the timber-producing country.** Further advice on this is available from CPET.

FLEGT-licensed timber which has been processed in a third country may also be acceptable. Where FLEGT-licensed timber is exported from a country that has entered into a VPA to a country outside the EU for further processing prior to import into the EU, there must be adequate chain of custody controls in place to ensure that the material used in a product was covered by a FLEGT

³ Each VPA will specify which categories of product will be included in the scope of the licensing scheme. This will always include logs, sawn timber and plywood, but may not always apply to processed products such as mouldings, furniture or paper.

licence immediately prior to processing, and that no other timber other than acceptable legal and sustainable timber was used in the product. Further advice on this is available from CPET.

Equivalent evidence from countries that have not entered into a VPA and that demonstrates that all of the stringent FLEGT requirements have been met will be acceptable (as with all Category B evidence). These stringent requirements for equivalent evidence currently include criteria such as: a broad definition of legality developed through a multi-stakeholder process, application of the definition at the national level and to all exports within a product range, independent monitoring of the system and strengthening the capacity of forest law enforcement agencies to eliminate illegal timber production in the country or region. The guidance on equivalence to FLEGT requirements will be refined as VPAs are developed and signed. All queries concerning FLEGT equivalence should be referred to CPET.

2.4 Evaluating evidence

Requesting copies of evidence: It is recommended that evidence of compliance should be requested using a risk-based approach. Thus, where timber is from a high-risk source, that is, where the record of forest governance is poor and forest management not always responsible, then proof should be routinely requested and, if found to be inadequate, independent verification required. Further information on risk assessment of sources is available from CPET.

Independent verification: The model contract condition at Annex C reserves the right for a Contracting Authority to require independent verification of the evidence. Such independent verification must be provided and paid for by the contractor and must result in a report that (a) verifies the forest source of the timber or wood and (b) assesses whether the source meets the criteria for legal and sustainable or compliance with FLEGT-licensed requirements.

3. Stages of the Procurement Process

3.1 Specification of requirements

It is preferable to specify requirements in performance output terms rather than demanding particular species unless unavoidable. This will give suppliers more flexibility in finding well-managed forests for their sources of timber.

If a Contracting Authority is advised that only a particular species will meet the technical specification then it should obtain confirmation from experts that no other species would be technically acceptable. If the species in question is unlikely to be grown in a well-managed forest this may raise concerns over a contractor's ability to comply with the contract condition to supply timber from a legal and sustainable source, and to prove it. Where it is not feasible to specify the requirements in performance output terms, then those responsible for writing the technical specifications should be asked to consider lesser-known species/timbers in addition to more well-known species/timber.

The OJEU contract notice, accompanying technical specification and ITT covering letter should clearly identify the requirement for the contractor to supply timber and wood-derived products originating from either legal and sustainable or FLEGT-licensed or equivalent sources and to arrange and pay for independent verification if requested. Model specification text is included at Annex B and a model paragraph for inclusion in the ITT covering letter is at Annex D.

There may occasionally be situations where a particular type of product or timber species is needed (e.g. for use in marine defences or refurbishment of an historic building) and no legal

and sustainable or FLEGT-licensed or equivalent source is available. In this case, Contracting Authorities must:

- ensure that they have in place a documented justification setting out why no alternative product or timber species can be used;
- require from potential contractors evidence that the source of the timber was legally managed; and
- give preference to timber from sources that are demonstrably in an active programme to improve and certify forest management.

Further information is set out in the document entitled “*UK Government Timber Procurement Policy: Framework for evaluating category B evidence*” which is available from CPET.

3.2 Pre-qualification of Suppliers

As part of the technical capability criteria, Contracting Authorities can notify potential contractors that their record in supplying timber from legal and sustainable (and in due course, FLEGT-licensed or equivalent) sources will be assessed and used to help select those suppliers that will be invited to tender.

For goods and service contracts, the Contracting Authority can consider track record over the last three years but cannot go beyond that and must restrict consideration to the supply of goods and services of a similar type. The time limit for works contracts is five years. Evidence of failure to supply legal or sustainable (and in due course, FLEGT-licensed or equivalent) timber where there was a promise to do so can be taken into consideration when assessing how well potential contractors meet the selection criteria.

Contracting Authorities can ask at this stage for evidence (including independent verification) of systems employed to implement sourcing policy and to ensure chain of custody control throughout the supply chain.

Suppliers should not be excluded from being invited to tender simply because they have no record of supplying legal and sustainable (or, in due course, FLEGT-licensed or equivalent) timber, but additional scores can be awarded to suppliers with a proven track record.

A supplier cannot be rejected simply because an allegation of illegal conduct has been made. Examples of illegal conduct in this context are trading in illegally logged timber and corruption. A supplier can only be rejected if it has been convicted of a criminal offence, or is found guilty of grave professional misconduct in the course of their business. Note that in the EU, at present it is not illegal to trade in timber that is alleged to have illegally logged. A Contracting Authority’s reaction to any such alleged misdemeanour must be proportionate and any attempt to subsequently rectify an alleged offence by a supplier must be taken into account.

3.3 Contract Award

Evidence of compliance can be provided by a recognised certification scheme (Category A evidence) or through other acceptable evidence (Category B evidence or FLEGT-licence or equivalent evidence).

Even though a Contracting Authority may have doubts as to a tenderer’s ability to obtain independent verification a Contracting Authority must consider a tenderer’s offer to supply properly verified timber

as a legitimate promise. However, as part of the contract award stage of a procurement procedure, tenderers can be reminded of the condition obliging them to obtain independent verification if requested post-award and the implications of failure to comply with the conditions of the contract.

When a supplier indicates that they cannot comply with the requirement for either legal and sustainable timber or FLEGT-licensed or equivalent timber, then that bid should not be considered further.

In the event of no tender offering fully compliant bids under the open or restricted procedures of the EC public procurement rules, then a Contracting Authority needs to assess whether to reject all bids and re-tender (with all the consequent time and cost implication) or to move to a negotiated procedure.

3.4 Contract Management

Contracting Authorities may request documentary evidence of legal and sustainable (or, in due course, FLEGT-licensed or equivalent) origin before the timber or wood-derived product is delivered. This may present difficulties for the contractor but, where reputations are at risk, it is in both parties' interests to clarify the source of the timber before a Contracting Authority has to resort to rejecting deliveries.

Information on which evaluated certification schemes meet the UK Government's criteria for Category A evidence can be found on the [CPET website](#). Schemes that have not yet been evaluated should be treated as Category B evidence for which clarification can be sought through CPET.

There will be occasions where contractors use their best endeavours to ensure that their supply chain provides legal and sustainable wood but are unable to provide credible evidence. Contracting Authorities will need to consider whether there has been a clear breach and, if so to consider notifying other Contracting Authorities who in turn may be able to take non-performance into account when selecting suppliers to invite to bid for future contracts.

Where a decision is made to take no action in the event of a contractor being unable to demonstrate contract compliance, an audit trail leading to such decision should be stored on the file.

Annex A: Glossary of Terms

The terms defined in Annex A are for use in this Timber Procurement Advice Note and, where appropriate, they should accompany the model specification in Annex B and contract condition in Annex C.

1. Definitions

1.1 Timber and wood-derived products: means any product that contains wood or wood fibre, with the exception of "recycled" materials (see below). Such products range from solid wood to those where the manufacturing processes obscure the wood element (e.g. paper).

Timber and wood-derived products supplied or used in performance of the contract that have been recycled or reclaimed are referred to as "recycled" timber, which is defined below.

Timber and wood-derived products supplied or used in performance of the contract that are not recycled are referred to as "virgin" timber when the distinction needs to be made for clarity.

Short-rotation coppice is exempt from the requirements for timber and wood-derived products and falls under agricultural regulation and supervision rather than forestry.

1.2 Legal and Sustainable: means production and process methods, also referred to as timber production standards, as defined by the document titled "*UK Government timber procurement policy: Definition of legal and sustainable for timber procurement*" (available from the Contracting Authority on request and from the CPET website). The edition current on the day the contract is awarded shall apply.

1.3 FLEGT: means Forest Law Enforcement, Governance and Trade, and is a reference to the EU scheme to address the problem of illegally logged timber.

1.4 FLEGT-licensed: means production and process methods, also referred to as timber production standards, as defined by a bilateral Voluntary Partnership Agreement (VPA) between the European Union and a timber-producing country under the FLEGT scheme, where both parties have agreed to establish a system under which timber that has been produced in accordance with the relevant laws of the producing country, and other criteria stipulated by the VPA, are licensed for export by the producing country government. This may also include any timber that has been independently verified as meeting all the producing country's requirements for a FLEGT licence, where a VPA has been signed but the FLEGT licensing system is not fully operational. Evidence from a country that has not signed up to a VPA which demonstrates that all of the requirements equivalent to FLEGT-licensed timber have been met will also be acceptable. CPET will produce further guidance on FLEGT-licensed or equivalent timber in due course.

1.5 Recycled: means recovered wood that prior to being supplied to the Contracting Authority had an end use as a standalone object or as part of a structure. The term "recycled" is used to cover the following categories: pre-consumer recycled wood and wood fibre or industrial by products but excluding sawmill co-products (sawmill co-products are deemed to fall within the category of virgin timber), post-consumer recycled wood and wood fibre, and drift wood. It also covers reclaimed timber which was abandoned or confiscated at least ten years previously.

1.6 Short-rotation coppice : means a specific management regime whereby the poles of trees are cut every one to two years and which is aimed at producing biomass for energy. It is exempt from the UK government timber procurement policy requirements and falls under agricultural regulation and supervision rather than forestry. The exemption only refers to short-rotation coppice, and not 'conventional' coppice which is forest management and therefore subject to the timber policy.

1.7 CPET: means the UK Government's Central Point of Expertise on Timber, which provides a free telephone helpline and website to support implementation of the UK Government timber procurement policy. Phone: 01865 243766. Website: www.proforest.net/cpet.

Annex B: Model Specification Text

1. Requirements for Timber

1.1 All timber and wood-derived products for supply or use in performance of the contract must be independently verifiable and either:

1.1.1 from a legal and sustainable source; or

1.1.2 from a FLEGT-licensed or equivalent source.

2. Requirements for proof of Timber Origin

2.1 Management of the forest or plantation shall be audited at intervals confirming ongoing good forest management and by organisations with appropriate forest management experience that are independent of the organisation that holds timber harvest and/or management rights for that forest.

2.2. The Contracting Authority will accept evidence from any of the following three categories:

2.2.1 Category A evidence: Certification under a scheme recognised by the UK government as meeting the criteria set out in the document entitled "UK Government Timber Procurement Policy: Criteria for Evaluating Category A Evidence" (available from the Contracting Authority on request and on CPET's website). The edition current on the day the contract is awarded shall apply. A list of assessed certification schemes that currently meet the government's requirements can be found on CPET's website. Acceptable schemes must ensure that at least 70% (by volume or weight) is from a legal and sustainable source with the balance from a legal source.

2.2.2. Category B evidence: Documentary evidence, other than Category A evidence and FLEGT evidence, that provides assurance that the source is sustainable. In this context "sustainable" is defined in the document entitled "UK Government Timber Procurement Policy: Evaluation of Category B Evidence: Methodology" (available from the Contracting Authority on request and on CPET's website). The edition current on the day the contract is awarded shall apply. Such Category B evidence may include, for example, independent audits and declarations by the contractor or his contractors. Where Category B evidence is to be relied on, the contractor is required to notify the Contracting Authority of the source or sources of all virgin timber and wood-derived products supplied. Source in this context means the forest or plantation where the trees were grown and all subsequent places of delivery through the supply chain prior to receipt of the timber or wood-derived product by the Contracting Authority. The contractor shall separately identify virgin timber and wood-derived products supplied from forests and plantations that are claimed to be subject to sustainable timber production and shall submit to the Contracting Authority documentation in respect of such wood to confirm that the criteria for sustainable timber production set out in this specification have been met. If mixing is unavoidable within the supply chain then sources can still be accepted provided that there are adequate controls in place and at least 70% (by volume or weight) is from a legal and sustainable source with the balance from a legal source.

2.2.3 FLEGT evidence, from either or both of the following categories:

- Evidence of timber products being exported from a timber-producing country that has signed a bilateral Forest Law Enforcement, Governance and Trade (FLEGT) Voluntary Partnership

Agreement (VPA) with the European Community and which have been licensed for export by the producing country's government. This may also include timber products that have been independently verified as meeting all the producing country's requirements for a FLEGT licence, where a VPA has been entered into but the FLEGT licensing system is not fully operational.

- Equivalent evidence from a country that has not entered into a VPA which demonstrates that all of the requirements equivalent to FLEGT-licensed timber have been met.

Annex C: Model Contract Condition - Timber and wood-derived products

Please note that terms in square brackets will need to be defined according to the relevant contract in which the model contract condition is used.

1. Requirements for Timber

1.1. All timber and wood-derived products supplied or used by [the Contractor] in performance of [the Contract] (including all timber and wood-derived products supplied or used by sub-contractors) shall comply with [the Contract Specification].

2. Requirements for Proof of Timber Origin

2.1 If requested by [the Contracting Authority], and not already provided at the tender evaluation stage, [the Contractor] shall provide to [the Contracting Authority] evidence that the timber supplied or used in the performance of [the Contract] complies with the requirements of [the Contract Specification].

2.2 [The Contracting Authority] reserves the right at any time during the execution of [the Contract] and for a period of 6 years from final delivery under [the Contract] to require [the Contractor] to produce the evidence required for [the Contracting Authority's] inspection within 14 days of [the Contracting Authority's] written request.

2.3 [The Contractor] shall maintain records of all timber and wood derived products delivered to and accepted by [the Contracting Authority]. Such information shall be made available to [the Contracting Authority] if requested, for a period of 6 years from final delivery under [the Contract].

3. Independent Verification

3.1. [The Contracting Authority] reserves the right to decide whether the evidence submitted to it demonstrates legality and sustainability, or FLEGT-licence or equivalent, and is adequate to satisfy [the Contracting Authority] that the timber or wood-derived product complies with [the Contract Specification]. In the event that [the Contracting Authority] is not satisfied, [the Contractor] shall commission and meet the costs of an "independent verification" and resulting report that will (a) verify the forest source of the timber or wood and (b) assess whether the source meets the relevant criteria.

3.2 In [this Contract], "Independent Verification" means that an evaluation is undertaken and reported by an individual or body whose organisation, systems and procedures conform to *ISO Guide 65:1996 (EN 45011:1998) General requirements for bodies operating product certification systems* or equivalent, and who is accredited to audit against forest management standards by a body whose organisation, systems and procedures conform to *ISO 17011: 2004 General Requirements for Providing Assessment and Accreditation of Conformity Assessment Bodies* or equivalent.

4. [Contracting Authority's] Right to Reject Timber

4.1 [The Contracting Authority] reserves the right to reject any timber or wood-derived products that do not comply with [the Contract Specification]. Where the [Contracting Authority] exercises its right to reject any timber, [the Contractor] shall supply alternative timber, which does so comply, at no additional cost to [the Contracting Authority] and without causing delay to [the Contract] completion

period.

Signed..... Name in Capitals (as in tender).....

For and on behalf ofDate.....

Annex D: Model paragraph for inclusion in ITT covering letter

The tenderer's attention is drawn to the contract requirements governing the supply and use of timber and wood-derived products in performing the contract. It is UK government policy to require that all timber and wood-derived products originate from either legal and sustainable or FLEGT-licensed or equivalent sources. Timber and wood-derived products in the context of this contract include any product that contains wood or wood fibre supplied to the Contracting Authority or used by the contractor or his agents and subcontractors in performance of the contract.

The contract conditions require that all timber and wood-derived products supplied to the Contracting Authority or used by the contractor in performing the contract originate from either legal and sustainable or FLEGT-licensed sources, as set out in the specification. The Contracting Authority may reject any bid that cannot offer to provide independent verification that all timber and wood-derived products used in the contract meets this requirement.

Part 4.

Example of a Timber Procurement Policy for Irish Local Authorities
(submitted by Just Forests to Offaly County Council –January 2009)

LOCAL AUTHORITY TIMBER PROCUREMENT POLICY

OFFALY COUNTY COUNCIL

JANUARY 2009

Contents

1	Introduction
2 - 3	Policy statement
4 – 5	Additional guidance and explanatory notes
6 – 7	Other considerations
7 - 8	Steps for successful implementation of the policy
9 -10	Support for this initiative

INTRODUCTION

Forest management can be environmentally appropriate and socially beneficial, but it can also be environmentally and socially damaging. This policy recognises the responsibility of local authorities as a consumer/specifier of forest products to ensure that they have a neutral if not positive effect on the world's forests.

We will give preference to timber and timber products that have been independently certified by a credible, globally applicable forest certification scheme and can demonstrate that the products are derived from well managed sources.

Timber is to be preferred as the most environmentally or climate change-friendly construction material in comparison with alternatives such as concrete, stone, PVC etc and should be the material of choice in all major construction projects.

Having a timber purchasing policy is a valuable tool to help tackle the challenges of illegal-logging, deforestation and climate change and helps in meeting sustainability objectives.

This commitment will be realised through a due diligence approach to responsible purchasing which utilises the best available techniques and information to progressively move away from unwanted and unknown sources, to those whose origins can be demonstrated through valid supporting documentation.

It is important to note that due diligence is not just a moral duty to care but a legal requirement for a proactive behaviour. It obliges operators to show prudence, judgment and positive action in ascertaining the legality of the timber and timber products that enter their supply chain in order to minimize the risk of placing illegally harvested timber and timber products on the Irish/EU Community market.

Ireland/EU has a particular responsibility for deforestation and illegal logging. Economic development and consumption in this country is very much dependent upon natural resources from other parts of the world, in particular some of the poorest countries of Africa, Latin America and S.E. Asia. This is particularly true for timber.

Legality is defined on the basis of the legislation of the country of harvest, applicable to forest management, timber harvesting and timber trade. This policy also implies that timber and timber products covered by a FLEGT license or a CITES permit are considered to have been legally harvested.

Given the major scale and urgency of the problem, it is necessary to actively support the fight against illegal logging and related trade, to complement and strengthen the EU Voluntary Partnership Agreements (VPA's) initiative with timber producing countries and to improve synergies between policies aimed at the conservation of forests and the achievement of a high level of environmental protection, including combating climate change and biodiversity loss.

Policy Statement

Offaly County Council Timber Purchasing Policy

We are committed to the responsible purchasing of forest products and our long-term intention is to source all forest products that we purchase or specify from well-managed forests which have been certified to credible certification standards.

This commitment will be realised through a stepwise approach to responsible purchasing which utilises the best available techniques and information.

Offaly County Council] will not source forest products from:

- Forests or forest product suppliers that do not comply with all relevant national and international legislation relating to the trade in forest products.
- High Conservation Value Forests where these are recognised nationally or regionally, unless these forests are progressing towards credible forest certification in a time-bound, stepwise and transparent manner.
- Protected areas, Parks or similar areas where harvesting operations are not complimentary to responsible forest management.
- Forests which are currently being converted to other land uses, or forests that have been converted since 1994.
- Forests which are in areas of armed conflict or civil unrest where there is a direct relationship between the forest products trade and the funding of such conflicts.

To ensure that these goals are achieved this organisation will:

- Scrutinise all suppliers of forest products for all purchases of goods for resale, not-for resale and in all new construction activities.
- Seek information as to the source of all forest products
- Evaluate this information against our stated policy
- Continuously improve the level of compliance against these policies, with annual reviews, reports and actions agreed with our suppliers
- Work with and encourage suppliers and forest sources who are actively engaged in a process of time-bound, transparent, stepwise commitment to credible certification (such as WWF Producer Group members)
- Work with key stakeholders to ensure that best practice is followed.
- Set annual, publicly communicated targets regarding our performance.

To ensure that all timber and wood products come from proven, well-managed forests.

To ensure that the timber extraction associated with the timber and wood products we purchase does not harm forest conservation or the lives of people who live and work in the forests.

We are committed to sourcing timber only from proven, well-managed forests and we will continue to use our purchasing power to promote good forest management.

We will abide by all local, state and national laws and international conventions (including but not limited to) Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), World Heritage Convention (WHC), and the Convention on Biological Diversity (CBD) as well as moratoria on logging, declarations of protected areas, forestry laws, environmental protection legislation, as well as labour and social laws.



We will never knowingly become involved in, collude with or purchase timber from illegal logging operations. We will work with our supply chain to ensure that all forest products originate from forests where there is full legal and verifiable title to the land, and the harvester has all relevant and current permits and approvals; ensuring products are extracted with full authorisation of those holding rights to the land or forest resources, and with the required authorisation, permits and approvals from all relevant government agencies.

Additional guidance and explanatory notes:

Offaly County Council's Timber Purchasing Policy is to;

- ensure that all the timber and wood products we use come from forests that are credibly certified as well-managed with full Chain of Custody (COC).
- ensure that all tropical hardwood we use is FSC certified with full Chain of Custody or comes from suppliers and supply chains that have a Memorandum of Understanding (MOU) with the Tropical Forest Trust (TFT).
- ensure that all credibly certified timber and wood products that we use are appropriately recorded.

Offaly County Council's Timber Purchasing Standards

Certification must include the ability to trace the timber/wood from the forest to the final processor with certified Chain-of-Custody (COC) in place from the forest, through every step of the supply chain. All virgin wood bought by Offaly County Council will come from forests of known location. The supplier must provide us with sufficient reassurance that the forest is well-managed and independently certified or verified as such.

Timber and wood products certified and with Chain-of-Custody (COC) for both the Forest Stewardship Council (FSC) and the Programme for the Endorsement of Forest Certification (PEFC) will only be acceptable.

Our policy is based upon best known practice which aims to source timber and wood based products from proven, well-managed forests. We do recognise that occasionally there will be a need for a "stepwise" approach to meeting the requirements of the timber policy so we have the following procurement and monitoring rules:

What system is acceptable?

FSC Certified Sources will be accepted with FULL chain of custody.

PEFC Certified Sources of **non tropical species** will be accepted with FULL chain of custody under the following exceptions:

- PEFC certified sources of European wood are acceptable when supported with full chain of custody and confirmation from the vendor that all material used originated in Europe.
- In the case of Finnish PEFC certified wood, vendors must also demonstrate that they have management systems in place to assure that wood from forests areas in which high conservation values are threatened and/or forest areas where traditional or civil rights are violated is excluded from any products supplied to Offaly County Council.

- Other sources of PEFC certified wood will only be accepted when supported with full chain of custody AND evidence of independent assurance that the sources comply with the requirements of the FSC controlled wood standard (FSC-STD-40-005).
- Products which are made from pre- or post-consumer waste recycled must have third party independent verification to prove material is recycled waste.

The following conditions apply:

This following exception will only be operated with the express and specific permission of the Members of the Environment Strategic Policy Committee (SPC) or the Social/Corporate Responsibility Team at Offaly County Council on a project-by-project basis.

Products made from timber from sources that are progressing towards certification, but only when there is an independently verifiable action plan being implemented to drive continuous improvement and ultimately certification. To qualify, the sources and their supply chain must:

- Have a Memorandum of Understanding (MOU) with the Tropical Forest Trust; or
- Have an approved **SmartWood SmartStep** action plan and written contract to progress to FSC; and
- Be a forest participant in the WWF GFTN. We will, as a minimum, expect suppliers to provide evidence that they are members of WWF GFTN, and have signed a time bound agreement to achieve FSC certification of the forest source, and must prove that an independently verified full chain of custody is in place.

Other considerations

Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down the obligations of operators who place timber and timber products on the market. (November 2008)

The main objective of this proposal is to complement and underpin the EU's current policy framework and support the international fight against illegal logging and its related trade.

The European Commission is proposing a Regulation to minimise the risk of illegally harvested timber and timber products being placed on the European market. The proposed Regulation will make it an obligation for operators to seek sufficient guarantees that the timber and timber products that are placed on the market for the first time have resulted from harvesting conducted according to the laws of the country of origin.

The Regulation applies to both timber and timber products produced within the Community and imported timber and timber products.

On 2nd January, 2009, Just Forests submitted comments on the above proposed timber regulation to the;

Forest Policy Section,
Department of Agriculture, Fisheries and Food,
Johnstown Castle Estate, Co. Wexford

What is FLEGT?

FLEGT stands for Forest Law Enforcement, Governance and Trade. It is the EU FLEGT Action Plan and sets out a programme of actions that forms the European Union's response to the problem of illegal logging and the trade in associated timber products. FLEGT addresses illegal logging and endeavours to link good governance in developing countries with the legal trade instruments and influence offered by the EU's internal market.

The Action Plan includes the following key components:

1. Support to Producer Countries
2. Voluntary Partnership Agreements (VPAs)
3. Public Timber Procurement Policies
4. Private Sector Initiatives
5. Investment safeguards
6. Additional Options for legislation
7. Conflict timber

For further information please refer to the European Commission FLEGT [Briefing sheets](#) published at the www.illegal-logging.info website in Chatham House, London.

The following steps are recommended for the successful implementation of the Council's timber procurement policy:

- 1 **Who is responsible?** A nominated person and department will need to be given the specific task of implementing the new timber purchasing policy.
- 2 **Identify and inform key people on policy implementation.** Implementing this policy requires changes and adjustments in current procurement procedures within your Authority. The policy that we recommend has already been assessed to conform to international and national trade agreements, but we suggest that you take advice from your own legal department. Once you have been notified that the policy is legal, the nominated person will need to ensure that the following people are aware and understand the change in policy.
 - 1 Elected Councillors (voting members) and the County Manager/Chief Executive
 - 2 Director of Services – Environment Strategic Policy Committee (SPC)
 - 3 Director of Services – Housing Social & Cultural Strategic Policy Committee (SPC)
 - 4 The Chief Architect and Chief Engineer
 - 5 The Chief Purchasing Officer, Head of Property Services
 - 6 Local Agenda 21 (LA21) Officers and the Chief Environment Officer
 - 7 Outside contractors, sub-contractors and timber/wood product suppliers
- 3 **Demand legal Timber.** Clearly specify requirements for timber/wood products through contract clauses and purchase orders. (**Example of clause:** *All timber and timber products used should carry the Forest Stewardship Council (FSC) trademark or other label from an equivalent internationally recognised, globally applicable, independent certification scheme for good forest management.*)
- 4 **Informing other buyers of new policy.** The easiest way of informing key personnel about the policy change is to hold a meeting. Key staff and outside contractors should be encouraged to attend. It is vital at this stage that everyone is informed about the reasons why particular accreditation schemes are being supported.

Lack of communication is one of the primary factors hindering the implementation of environmental policies.

- 5 **Monitoring.** Once the suggested timber purchasing policy has been cleared by the legal department and staff has been informed of the policy change, a monitoring procedure can be inaugurated.

For simplicity's sake, this might take the form of a pie chart which shows the following headings for timber and wood based products obtained by the Authority:

- 1) Product from known well managed forest – certified
- 2) Product of unknown origin.
- 3) Product from forest areas where good management is probably the norm
- 4) Product from forest areas where good management is probably not the norm
- 5) Product from 'local sources'.

If it is to have any meaning, this chart should be revised (annually), and the proportion of wood in categories 1, 3 and 5 should be required to increase steadily as understanding of wood purchase policy issues spreads through the Authority.

***Cost:** Certified timber may cost more (but often there is no additional charge). Each Authority must decide under Best Value, parameters for supporting genuine "sustainability" in their timber purchasing.

The Economics of Climate Change: The Stern Report acknowledges that deforestation accounts for about 20% of global greenhouse gas emissions. This is more than all the transport sector emissions and would be inexpensive to tackle. Indeed, the Stern report said "curbing deforestation is a highly cost-effective way of reducing greenhouse gas emissions".

Helpline: Just Forests would be available to help and advise in setting up the appropriate structures to ensure implementation of this timber policy. Telephone: 04697 37545

Still not convinced?

Well consider this scenario...

If I hire a couple of blokes with automatic weapons, break into your garden center in Bray, and take, at gun-point, fifty prize roses, I have committed a crime. If I drive those roses across the border to Belfast and sell them to 'Don't Care' DIY Store, 'Don't Care' doesn't own them, and if it sells them suspecting I stole them, 'Don't Care' DIY Store has also committed a crime.

Logging contractors and timber traders are doing the same thing with exquisite tropical timber extracted from forests in Tanzania, the Congo, S.E. Asia and the Amazon. Once they get the wood to Ireland, there's no questions asked.

It's the same thing if they sell the logs in China and the mahogany, teak or bintangor, ends up in furniture in the 'Furniture Heaven Shop' in Tullamore or as plywood in 'McCarennot Timber Supplies' in Limerick.

Illegal trade in timber is one of the huge stories being ignored by the mainstream media. Sixty per cent (60%) of all timber entering the EU is deemed to be illegally logged. More than half of all tropical deforestation is estimated to be the result of illegal logging, and deforestation is causing 20% of total global C⁰² emissions. Ireland is fuelling this crime.

This is a 'livelihoods' issue, it's a human rights issue, it's an environmental issue, it's an (un-fair) trade issue and it's time to stop it...



Above: Bales of Chinese plywood made from tropical hardwood containing red canarium, bintangor and nyatoh, on the site of the new Civic offices in Mullingar, Co. Westmeath.

Below: On St. Patrick's Day, 17 March, 2009, this banner was wheeled through the streets of Mullingar in Co. Westmeath, before an estimated crowd of 20,000 people.

