

Document name	<b>Criteria for Evaluating Category B Evidence, First Edition Review Draft February 2006</b>
Date	13 February 2006 (Comment period closes 18 March 2006)
Purpose	Criteria and guidance for assessing Category A evidence (certification schemes) has existed since 2004. It was recognised that criteria and guidance were also needed to assess Category B evidence (i.e. evidence other than certification).
Information	<p>The forest source requirements for legality and sustainability are based on the UK government definitions and are therefore substantially the same as for Category A evidence.</p> <p>It should be noted that for the sustainable option there is a requirement that the definition of sustainable being used was developed through a participatory process balancing economic, social and environmental interests. Although good management practices can be defined through other mechanisms, CPET does not have the resources to analyse the suitability of huge numbers of definitions of sustainable forest management from around the world and therefore uses the process requirements as a proxy.</p> <p>The requirements for credibility of the evidence and for traceability from the forest of origin are considerably less detailed than the Category A criteria because Category B evidence can be very varied and so the criteria need to be sufficiently flexible to deal with a wide range of situations. It is intended that as the Category B criteria are used, experience will allow further refinement and, if necessary, detail to be added when the criteria are reviewed – initially after a year of use.</p>
Process	<p>Comments are invited on the revisions to the Category A criteria over the period from mid February to 18<sup>th</sup> March 2006.</p> <p>All comments received will be reviewed by CPET and:</p> <ul style="list-style-type: none"> <li>• An un-attributed list of all comments received will be posted on the CPET website.</li> <li>• A summary of comments and the CPET response will be discussed with the CPET Reference Board.</li> <li>• Each person submitting comments will also receive a summary of the CPET response to their comments.</li> </ul> <p>It is envisaged that the revision process should be complete by early April 2006.</p>

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**Central Point of Expertise on Timber**

# **UK Government Timber Procurement Policy**

**Criteria for Evaluating  
Category B Evidence  
First Edition**

**Review Draft, February 2006**

## **Purpose and development of the criteria**

The UK Government's procurement policy on timber and timber products was announced in July 2000<sup>1</sup>. This policy is a binding commitment on all Central Government departments, agencies and sponsored bodies and requires them to actively seek to buy timber products from legal and sustainable sources.

A definition of what 'legal' and 'sustainable' sources are for the purpose of UK Government procurement of timber and wood products is set out in *UK Government Timber Procurement Policy: Definition of Legal and Sustainable*.

A procedure for procuring timber including a contract condition to ensure supply of timber from legal sources and a variant specification for the option of supplying sustainable timber has been developed. *The Timber Procurement Advice Note (November 2005)* advises central departments of the procedure for purchasing legal and sustainable timber.

A key requirement of the contract and variant specification is that suppliers must be able to provide evidence to the Government that the timber or wood products they supply are from legal and, if promised by the supplier, sustainable sources.

The government recognises two types of evidence that the timber or wood products are from legal or sustainable sources:

- Category A evidence: claims based on certification under a certification scheme which delivers government requirements. Criteria for assessing schemes to establish whether they constitute Category A evidence are set out in *UK Government Timber Procurement Policy: Criteria for Evaluating Certification Schemes (Category A Evidence)*.
- Category B evidence: all other credible evidence that material is from forests which meet the requirements for legal and/or sustainable. Criteria for evaluating Category B evidence are set out in this document.

## **Assessment of Category B evidence**

Category B evidence is all forms of credible evidence other than certification schemes. There are two main types of Category B evidence:

- Evidence from schemes and initiatives other than recognised certification schemes;
- *Ad hoc* evidence provided by information such as audit statements, government documentation or supplier declarations.

This type of evidence can vary greatly and needs to be judged on a case-by-case basis. The government recognised that it needed a framework for assessing which evidence can be accepted as delivering its timber policy. These criteria have been developed to provide that framework.

The criteria are divided into three sections reflecting the main factors that determine the adequacy of category B evidence, namely:

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<sup>1</sup> [http://www.press.dtlr.gov.uk/pns/DisplayPN.cgi?pn\\_id=2000\\_0516](http://www.press.dtlr.gov.uk/pns/DisplayPN.cgi?pn_id=2000_0516)

- The requirements for legality and/or sustainability at the forest source, represented by the evidence, including the nature of the process for defining ‘sustainability’. Please note that the criteria for sustainability do not apply to definitions, but rather the processes in place to define sustainability. The UK Government does not have a definition of sustainability for timber procurement.
- The credibility of the evidence for legality and/or sustainability.
- The requirements for traceability from the forest source, represented by the evidence.

The criteria are presented to show:

- The requirement which must be met.
- Notes on understanding and interpreting the requirement.
- An indication of whether compliance is required for legal compliance, sustainability or both.

## Scoring

Compliance with each criterion will be assessed as either ‘adequate’ or ‘not adequate’. Schemes, initiatives and *ad hoc* evidence must achieve adequate compliance with every criterion in order to be acceptable.

## Glossary of abbreviations

ISO	International Organisation for Standardisation
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
EMS	Environmental management system
FLEGT	Forest Law Enforcement, Governance and Trade
FMU	Forest management unit
FSC P&C	Forest Stewardship Council Principles and Criteria
ISEAL	International Social and Environmental Accreditation and Labelling Alliance

# 1. Forest source requirements

## 1.1. Legality

Criteria	Guidance on interpretation	L <sup>2</sup>	S
1.1.1 The forest owner/manager holds legal use rights to the forest	<p>Where the timber or wood products are traceable to a forest source where legal use rights are clear, evidence of this may not be explicitly required and it may be adequate to base evidence on the absence of any substantive claim of non-compliance.</p> <p>However, where the timber or wood products are traceable to a forest source where legal use rights are not clear, evidence of this must be explicitly provided.</p>	✓	
1.1.2 There is compliance by both the forest management organisation and any contractors with local and national laws including those relevant to: <ul style="list-style-type: none"> <li>• Forest management</li> <li>• Environment</li> <li>• Labour and welfare</li> <li>• Health &amp; safety</li> <li>• Tenure and use rights</li> </ul>	<p>Where the timber or wood products are traceable to a forest source where forest governance is robust and there are mechanisms for monitoring of compliance and public reporting of non-compliance, this may not be explicitly provided and it may be adequate to base evidence on the absence of any substantive claim of non-compliance.</p> <p>It is now recognised in some countries laws may be unclear or conflicting making clear definition of legality difficult to achieve. The FLEGT<sup>3</sup> process has proposed that in such countries it will be necessary to have or develop a practical working definition of 'legal' or a set of core laws which must be met which has support from major stakeholder groups. This can be done through a national standard-setting process or other appropriate means.</p>	✓	
1.1.3 All relevant royalties and taxes are paid	<p>Where the timber or wood products are traceable to a forest source where forest governance is robust and there are mechanisms for monitoring of compliance and public reporting of non-compliance, this may not be explicitly provided and it may be adequate to base evidence on the absence of any substantive claim of non-compliance.</p>	✓	

<sup>2</sup> L: required to meet requirements for legal, S: required to meet requirements for sustainable variant

<sup>3</sup> Forest Law Enforcement, Governance and Trade is the European Union's response to the problem of illegal logging and trade in associated timber products. The process of developing a working definition of 'legal' has been initiated for Indonesia.

Criteria	Guidance on interpretation	L <sup>2</sup>	S
1.1.4 There is compliance with the requirements of CITES.	<p>Where the timber or wood products are traceable to a forest source within a country that is a CITES signatory that has incorporated the requirements into national law, this can be implicit under the legal requirements in 1.1.2.</p> <p>However, it must be explicit if the forest source is in non-signatory country or a country which has not incorporated CITES requirements into national law. If the timber or wood product contains a CITES-listed species then all the required documentation must be provided.</p>	✓	

## 1.2. Sustainability

### *Content*

Criteria	Guidance on interpretation	L	S
<p>1.2.1 The definition must be based on a widely accepted set of international principles and criteria defining sustainable or responsible forest management at the forest management unit level, such as:</p> <ul style="list-style-type: none"> <li>• Intergovernmental processes designed for use at FMU level</li> <li>• ITTO Criteria</li> <li>• FSC P&amp;C</li> </ul>	<p>It is not possible to define a detailed global standard for forest management because of the huge variation in climate, vegetation, topography, socio-economic context etc. However, there are a number of widely accepted sets of general principles which provide a consistent basis for national interpretation. Such international principles can be developed either to guide national planning and reporting, or to guide management at the scale of the forest management unit.</p>		✓
1.2.2 The definition must be performance-based.	<p>Only performance-based requirements guarantee a defined level of performance or characteristics of forest management. Therefore, only definitions which include performance requirements can provide the basis for the delivery of the UK government requirements for legal compliance or sustainability.</p>		✓

Criteria	Guidance on interpretation	L	S
<p>1.2.3 Management of the forest should ensure that harm to ecosystems is minimised. In order to achieve this the definition of sustainable must include requirements for:</p> <ul style="list-style-type: none"> <li>a. Appropriate assessment of impacts and planning to minimise impacts;</li> <li>b. Protection of soil, water and biodiversity;</li> <li>c. Controlled and appropriate use of chemicals and use of Integrated Pest Management wherever possible.</li> <li>d. Proper disposal of wastes to minimise any negative impacts.</li> </ul>	<p>The first sentence sets out the goal of the criterion. Compliance will be assessed against the list of requirements.</p> <p>Where an issue (for example, waste disposal) is adequately covered by legal requirements at the forest source, it need not be explicit provided that there is evidence of legal compliance as per 1.1.2.</p>		✓

Criteria	Guidance on interpretation	L	S
<p>1.2.4 Management of the forest should ensure that productivity of the forest is maintained. In order to achieve this the definition of sustainable must include requirements for:</p> <p>a. Management planning and implementation of management activities to avoid significant negative impacts on forest productivity.</p> <p>b. Monitoring which is adequate to check compliance with all requirements, together with review and feedback into planning.</p> <p>c. Operations and operational procedures which minimise impacts on the range of forest resources and services.</p> <p>d. Adequate training of all personnel, both employees and contractors.</p> <p>e. Harvest levels that do not exceed the long-term production capacity of the forest, based on adequate inventory and growth and yield data.</p>	<p>The first sentence sets out the goal of the criterion. Compliance will be assessed against the list of requirements.</p> <p>Where an issue is adequately covered by legal requirements at the forest source, it need not be explicit, provided that there is evidence of legal compliance as per 1.1.2.</p>		✓

Criteria	Guidance on interpretation	L	S
<p>1.2.5 Management of the forest should ensure that forest ecosystem health and vitality is maintained. In order to achieve this the definition of sustainable must include requirements for:</p> <p>a. Management planning which aims to maintain or increase the health and vitality of forest ecosystems</p> <p>b. Management of natural processes, fires, pests and diseases.</p> <p>c. Adequate protection of the forest from unauthorised activities such as illegal logging, mining and encroachment.</p>	<p>The first sentence sets out the goal of the criterion. Compliance will be assessed against the list of requirements.</p> <p>Where an issue is adequately covered by legal requirements at the forest source, it need not be explicit, provided that there is evidence of legal compliance as per 1.1.2.</p>		✓
<p>1.2.6 Management of the forest should ensure that biodiversity is maintained to achieve this the definition of sustainable must include requirements for:</p> <p>a. Implementation of safeguards to protect rare, threatened and endangered species.</p> <p>b. The conservation/set-aside of key ecosystems or habitats in their natural state.</p> <p>c. The protection of features and species of outstanding or exceptional value.</p>	<p>The first sentence sets out the goal of the criterion. Compliance will be assessed against the list of requirements.</p> <p>Where an issue is adequately covered by legal requirements at the forest source, it need not be explicit, provided that there is evidence of legal compliance as per 1.1.2.</p>		✓

Criteria	Guidance on interpretation	L	S
<p>1.2.7 The process of defining 'sustainable' must include balanced representation of economic, environmental and social interest categories.</p>	<p>There is no universally accepted definition of 'sustainable forest management' but it has been widely accepted that it must be based on an appropriate combination of economic, environmental and social interests. In practice this means making compromises between competing interests. The only way this can be done is through balanced participation. Therefore, each of the three major interest categories – economic, environmental and social - needs to be represented.</p> <p>The degree of involvement of stakeholders should be proportional to the use of the resulting definition. Therefore, for a definition being used by a single FMU, it may be sufficient to show input from a limited number of specialists and local interests, whereas for a more widely used definition, a more inclusive process would be required.</p>		✓
<p>1.2.8 The process of defining 'sustainable' must ensure:</p> <ul style="list-style-type: none"> <li>• No individual person or organisation can veto the process;</li> <li>• No decision can be made in the absence of agreement from the majority of an interest category.</li> </ul>	<p>The way in which decisions are made is as important as who is involved in formulating the definition since balance is so critical.</p> <p>Decisions should be made with no single interest able to dominate and no major stakeholder group left out. This can be achieved in practice by a consensus-based process or by a voting system which ensures balanced weighting between stakeholder groups.</p> <p>The degree of involvement of stakeholders should be proportional to the use of the resulting definition. Therefore, for a definition being used by a single FMU, it may be sufficient to show input from a limited number of specialists and local interests, whereas for a more widely used definition, a more inclusive process would be required.</p>		✓

## 2. Credibility of the evidence of compliance

Criteria	Guidance on interpretation	L	S
<p>2.1 Evidence is provided that forest management meets the requirements in the definition of legality.</p>	<p>For timber or wood products originating from forests in countries where legal use rights are clear, forest governance is robust and there are functioning mechanisms for monitoring of compliance and public reporting of non-compliance it may be sufficient to provide evidence of an absence of any substantive claims of non-compliance with the law relating to the forest area.</p> <p>For countries where legal use rights are unclear, forest governance is weak or there are not functioning mechanisms for monitoring and public reporting of compliance, evidence to provide assurance of legal compliance in the forest or forests of origin will be required. This evidence can take a range of forms – guidance will be produced by CPET as experience is gained – but may include such things as official documentation, audit reports or information from civil society groups.</p> <p>If there is any concern about the adequacy, robustness or veracity of the evidence provided then independent verification of the evidence will be required. Independent verification must be undertaken by an individual or body whose organisation, systems and procedures conform to ISO Guide 65 or equivalent and who is accredited to audit against timber production standards by a national or international body whose organisation, systems and procedures conform to ISO 17011 or equivalent.</p>	<p>✓</p>	

<p>2.2 Evidence is provided that forest management meets the requirements in the definition of sustainability.</p>	<p>Evidence that forest management meet the requirements for sustainability must be in two parts.</p> <p>Firstly, the evidence provided must include the definition of sustainability which was used. This must adequately address all the issues defined in criteria 1.2.1 – 1.2.6 and must have been developed through a process which meets the requirements of 1.2.7 – 1.2.8.</p> <p>Secondly, the evidence must provide assurance that the forest or forests of origin are being managed in accordance with the definition of sustainability. This would normally be provided by an audit report.</p> <p>If there is any concern about the adequacy, robustness or veracity of the evidence provided then independent verification of the evidence will be required. Independent verification must be undertaken by an individual or body whose organisation, systems and procedures conform to ISO Guide 65 or equivalent and who is accredited to audit against timber production standards by a national or international body whose organisation, systems and procedures conform to ISO 17011 or equivalent.</p>		<p>✓</p>
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### 3. Traceability from forest source

Criteria	Guidance on interpretation	L	S
<p>3.1 Information is provided which is sufficient to verify that the timber or wood derived product being supplied comes from the forest(s) for which evidence of legality or sustainability has been provided.</p>	<p>The evidence must cover the whole supply chain from forest to the organisation submitting the evidence. Evidence may include invoices, sales documents, transport documents, official government documentation, chain of custody certificates or any other appropriate documentation.</p> <p>Where the supply chain is only in countries where governance is robust and supply chain documentation is reliable, it may be adequate to base evidence on transaction documents that show a clear chain of custody from final product to forest source.</p> <p>However, where the supply chain includes countries where governance is weak or there are substantive claims of illegal activities in the timber sector, the evidence will generally need to include independent tracking or verification.</p> <p>Timber covered by an EU FLEGT Voluntary Partnership Agreement Legality Assurance Scheme will be accepted as legal.</p> <p>If there is any concern about the adequacy, robustness or veracity of the evidence provided then independent verification of the evidence will be required. Independent verification must be undertaken by an individual or body whose organisation, systems and procedures conform to ISO Guide 65 or equivalent and who is accredited to audit against timber production standards by a national or international body whose organisation, systems and procedures conform to ISO 17011 or equivalent.</p>	<p>✓</p>	<p>✓</p>