

## **DISCUSSION PAPER FOR IFL MOTIONS DISCUSSION GROUP 10 May 2022 INTACT FOREST LANDSCAPES TOWARDS THE FSC GENERAL ASSEMBLY 2022**

### **1. Motion 65/2014, concerns, and motions for the FSC GA 2022 on Intact Forest landscapes, a summary**

Motion 65 on Intact Forest Landscapes (IFL) was approved at the FSC General Assembly in 2014 to 'ensure the implementation of Principle 9 and the protection of intact forest landscapes. The motion required the protection of 80% of the IFL area inside FSC certified management units (MU) until more specific rules had been included in the applicable National Forest Stewardship Standards.

Strong concerns about Motion 65/2014 were raised early on by some certificate holders and governments, among others. In 2019, the FSC Board of Directors approved guidance for Standard Development Groups, allowing protection levels to be at least above 50% where there is evidence that the 80% threshold is not achieving the greatest conservation gains, for example due to an increased risk under more stringent FSC protection rules of losing the IFL status, associated HCVs and forest resources.

*This discussion paper is developed by the Secretariat for discussion in the IFL Motions Discussion Group as an analysis to explore ideas towards the FSC GA 2022. Ideas for consideration follow in part 3 of this discussion paper for the Motions Discussion Group, after an introduction. The concerns over motion 65/2014 and how they have been considered by FSC and its members is further explained in **Annex 1** below.*

### **2. Discussions towards a membership decision at the 2022 GA on how to move forward on the implementation of FSC's rules related to IFLs**

As Motion 65, requiring high levels of protection of IFLs inside FMUs, is a motion approved by FSC's highest decision-making body, the FSC General Assembly of members, only a **new** decision by the General Assembly can change the requirements set by the motion.

For the general assembly in 2022, 4 motions have been submitted, presenting different ideas for how the current IFL rules could be revised.

These motions are:

- [M18](#): Withdrawal of motion 65\_2014 and elaboration of effective forest protection measures (prioritized)
- [M19](#): Compliance with the law (legislative and regulatory framework) outlined in motion 65 in 2014
- [M21](#): Development of a holistic approach for HCV2 management (prioritized)
- [M23](#): Approach to address maintaining HCVs at the Landscape Level

Motion 18 and 21 were prioritized for discussion by the FSC members. Therefore, a discussion on issues related to IFLs is foreseen for the preparations towards the general assembly in 2022. The preparation process is expected to address the following scope:

- a. The Motions Committee has pointed out in a quality check that several of the above mentioned motions could do with improvements to ensure clarity, needed for the motion to be implemented in a reasonable timeframe.
- b. Even though not all motions related to IFLs were prioritized for discussion, they include ideas that can be relevant for the discussions to improve Motion 18 and 21. Therefore, they can also be considered.

Beyond the 4 motions above that propose changes to the IFL rules, there is another motions which can also be considered in this context:

- c. [M46](#) , Incentives and benefits for the conservation of Intact Forest Landscapes.

Several opportunities are planned for member discussions on IFL related motions:

- The motions on Intact Forests Landscapes are planned to be discussed in a members' webinar on 11 May.
- A motion discussion group on IFL issues is running in parallel with these members webinars. The purpose of the motion discussion groups is to create a facilitated setting for motion proposers to discuss their motions with other members. This is also the case for the IFL motions, and the Focus Forests Advisory Group, established with representation of motion proposers of the most relevant IFL motions above, while ensuring regional and chamber balance, has indicated its willingness to engage in this discussion group with the motion's proposers.
- FSC will organize discussions on IFL motions at Regional Members' Meetings and other forums (such as cross-chamber meetings)

These discussions may lead to a decision by the motion proposers (who are the decision-makers on any change to a motion text), to revise or possibly merge one or more of the motions towards the deadline for amendments on September 2<sup>nd</sup>, 2022.

### **3. Possible ideas for what could be considered as elements of a future set of rules guiding the required levels of IFL protection in FSC certified areas:**

In preparation for the motion discussions on IFLs and based on the discussions in the reports on motion 34, the letters of concerned stakeholders, and discussions with a variety of members and stakeholders, the FSC International Secretariat has identified some ideas for possible new guidance for management and protection of IFLs in FSC certified forests.

The ideas are based on an analysis of the motions and discussions with the Focus Forests Advisory Group (FFAG). They are not mutually exclusive and may be changed and/or additions may be developed in the discussion. These ideas are for feedback and consideration by the FSC membership and could be considered in the context of the motion discussions and decisions at the general assembly.

In discussions, the following **characteristics of and considerations in redesigning a solution space for IFLs** were identified:

- IFL's should be viewed as a continuum, not a binary. Currently a forest IS or ISN'T an IFL (a 0 or a 1), which can be considered as an over-simplification. We mostly reconceive IFL's to a spectrum of intactness that ranges from 0 (a paved parking lot) to 100% (a forest operating solely under a

natural disturbance regime). This relates to both human intervention as well as biodiversity levels.

- Biodiversity can also be considered as a response indicator varying across a spectrum from 0 to 100 (in relation to deviations from a fully natural system)<sup>1</sup>.
- The spirit of Principle 9 on the protection of high conservation values relates to this understanding, and requires that HCV areas are identified with stakeholder consultation
- Roads are a core challenge in relation to intactness. While some form of access is required to harvest trees, these linear features also bring unwanted ecological implications to the forest (e.g., illegal logging, overharvest of wildlife, introduction of invasive plants and animals). On the other hand, roads are often important for indigenous peoples and communities living in the forests, and useful for their market opportunities. How roads are constructed and deconstructed is of crucial importance<sup>2</sup>.
- Forests are inherently resilient<sup>3</sup>. Given time (sometimes less, sometimes more) a forest will return to successional pathways.
- Restoration can be considered a component of our intactness system. Roads, and in some cases, harvest areas may need active forms of restoration to get them back on a successional pathway and move intactness to higher levels.

Given these characteristics we have reason to consider intactness as some form of ledger system where forests ebb and flow in intactness through longer periods of time.

Below are ideas developed by the Secretariat – please consider them as not being mutually exclusive, so certain combinations thereof would be conceivable as well:

- a. The IFL core area of the full and surrounding landscape in which an FSC certified FMU is situated, could be mapped. This mapping could identify the level of protection status of this full IFL landscape area. Based on evidence of and the percentages that are already protected, and/or not protected, it could be determined which percentage of the IFL area inside the FMU needs to be protected, and if the remainder could be allowed to be selectively logged, as long as it is able to maintain its status as HCV2. Possibly, percentage categories can be developed, similar to the FSC Russian standard, where landscape and land use and management identifies if protection is at 80%, 50% or 30%). This option would often include a jurisdictional approach, as the local authorities would engage in identifying protection levels for the full landscape.
- b. Explicit, strict provisions for Reduced Impact Logging in HCV2 areas, including IFLs, inside FSC certified FMUs could be incorporated in the applicable National Forest Stewardship Standards. This means that a National Standard would identify strict identification elements and their protection measures and percentages for the different categories of protection in the forests. These provisions can be based on stakeholder consultation tools, and shall include social provisions, including respect for historic and traditional land use impacts.

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<sup>1</sup> As an example: [The Alberta Biodiversity Monitoring Institute](#) has developed one example of how biodiversity intactness can be calculated.

<sup>2</sup> on this subject of road building, see [Impacts of logging roads on tropical forests](#), Fritz Kleinschroth, John R. Healey (2017) and [A Global Map on Road Building](#), William Laurance and Andrew Balmford (Nature, 2013)

<sup>3</sup> an overview of scientific literature on the resilience of forests can be found in the book *A Trillion Trees, How we can reforest our world*, Fred Pearce, 2021

- c. IFLs, and possibly other high biodiversity forest areas in the landscape could be identified and excluded from future FSC certification if this includes industrial logging. These areas could still be certified for Ecosystem Services, for NTFPs that can be harvested without impacting the IFL character of the area, or for Indigenous Peoples' management as Indigenous Cultural Landscapes (ICLs).
- d. Permission for selective logging in FSC certified IFL areas could be made dependent on the establishment of an effective biodiversity monitoring system for the IFL and/or the FMUs inside it (to demonstrate 'no harm' or to indicate the need for higher conservation levels). However, biodiversity monitoring is an expensive proposition and is preferably addressed through collaborative processes involving government, industry and communities.
- e. Permission for selective logging in FSC certified IFL areas could be made dependent on the implementation of a system for Environmental and Social Risk Assessment (ESRA) for the management of IFL areas (possibly required at FMU level). If a management unit could produce such an ESRA, a selective logging permission could be agreed through a consultative process.
- f. Broad and proven stakeholder support for the proposed IFL core area percentage would be a requirement. This could be achieved through a landscape dialogue as proposed in Focus Forests and involve an FPIC process where relevant rights holders are affected.

**See Annex 1 below for an overview of developments in FSCs IFL approaches between 2014 and now.**

## **ANNEX 1 – INTACT FOREST LANDSCAPES IN FSC 2017 - 2022**

### **1. Introduction: Motion 65 and what has been done to implement it**

Motion 65 on Intact Forest Landscapes (IFL) was approved at the FSC General Assembly in 2014 to 'ensure the implementation of Principle 9 and the protection of intact forest landscapes. The motion required the protection of 80% of the IFL area inside FSC certified management units (MU) until more specific rules had been included in the applicable National Forest Stewardship Standards. Implementation of this requirement began in 2017, based on an Advice Note requiring not to impact more than 20% of the IFL area within an MU and to not reduce any IFL below the 50,000 ha threshold in the landscape until new rules had been written into national standards.

New requirements for standard developers were developed and incorporated in the International Generic Indicators (IGI) Version 2 which was approved in 2018. These IGI still included the default requirement to protect 80% of the IFL falling within the MU but opened possibilities for standard development groups to adapt the rule. In addition, the IGI enabled SDGs to propose improved maps of IFLs when it could be documented that areas designated as IFLs in maps from WRI, were in fact not IFLs.

Strong concerns about Motion 65/2014 were raised early on by some certificate holders and governments, among others. In 2019, the FSC Board of Directors approved guidance for Standard Development Groups, allowing protection levels to be at least above 50% where there is evidence that the 80% threshold is not achieving the greatest conservation gains, for example due to an increased risk under more stringent FSC protection rules of losing the IFL status, associated HCVs and forest resources.

### **2. Concerns over Motion 65**

In the FSC general assembly of 2017 two motions of importance to IFL were passed: [Motion 71](#), indicating FSCs support for Indigenous Cultural Landscapes, and [Motion 34](#), asking for regional assessments of the impacts of the implementation of Motion 65/2014.

In Motion 34, the FSC membership asked FSC to 'enable the conducting of regional assessments of the short and long-term impacts – positive and negative – of the management and protection measures associated with the implementation of Motion 65/2014 and the International Generic Indicators (IGI)'. Standard development groups engaged independent consultants to assess the impact of the implementation of Motion 65/2014 in the [Congo Basin](#) and [Brazil](#), and in [Canada](#) and [Russia](#). These regional assessments showed 2 main conclusions<sup>4</sup>:

1. The IFL areas inside FSC certified MUs amounted to between 0,6 and 7% of the total IFL area in the landscapes. This small percentage would not really ensure the protection of IFL at landscape and country level, thus only marginally contributing to achieving the intent of Motion 65/2014.
2. The economic viability of certification would be threatened at least in a medium to long-term perspective by rules for IFL protection inside FMUs as required under M65.

Letters to the FSC Board of Directors from SDGs and Network Partners in Tropical regions confirmed these perspectives and were supported across chambers. The letters also stated that the rules for protection of IFLs inside a FMU would not help to protect the IFL as a whole but would rather lead FSC certified operations to drop their certificate or even abandon the areas. This would enable illegal

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<sup>4</sup> See the overall report on Motion 34/2017 at the FSC website [here](#), available in English, Spanish, French, Portuguese and Russian.

operations to step in, or governments might assign relevant forest concessions to non-FSC certified organizations and thereby bring increased risks of their degradation or even deforestation.

Members also indicate that the current IFL rules are a barrier to entry for new participants and potentially existing certificate holders who may be considering expanding to additional FMU's. IFL is not an FSC concept, and the concept is not embraced by national authorities, which makes it an additional consideration for companies looking to be certified. As a result, a (potential) certificate holder is thus faced with additional costs and potential conflict with authorities when entering the FSC system. This is a further disincentive to consider FSC. While the value proposition for FSC pulp and paper is existing, a strong value proposition for solid wood markets and/or ecosystem services is not (yet). This adds another dis-incentive for certification.

These concerns were reflected in 4 motions that have been proposed for the next FSC General Assembly, now scheduled for October 2022 (see chapter 2 above).

### **3. Focus Forests as an initiative to formulate FSC's approach to forests with special environmental and social value**

In an effort to create a basis for further discussion in FSC about these concerns and dilemmas, FSC initiated in 2021 a partnership with a consortium of researchers to develop a science-based approach to forests with special environmental and social value: Focus Forests.

Focus Forests will deliver:

- A mapping to understand IFLs in a wider setting of forests with special value
- Landscape approaches, including:
  - Development and testing of methodologies for improved stakeholder dialogue (game theory) to ensure legitimacy of proposals or decisions made
  - Development and testing of ideas for how features in the wider landscape can be considered in decisions for how IFLs should be managed inside FSC certified FMUs

The research consortium of the Focus Forests partnership developed a [Green Paper](#), which was out for consultation in five languages (English, French, Russian, Spanish, Portuguese) for three months. Based on this work, the first multi-stakeholder dialogue was organized in April 2022 in Gabon, and we expect dialogues to follow in Brazil, Canada and possibly the Republic of Congo before the end of 2022. Evaluations and learnings from these dialogues will be presented at the FSC GA in October 2022. FSC members will discuss the results, and the longer-term perspective of using tools like the Focus Forests multi-stakeholder landscape dialogues to bring new solutions for forest landscapes with high importance for climate change, biodiversity, or other social and environmental values.