

Exercise for the forest management level

Read the scenario below and work through the exercise, as guided by the trainers. The exercise has been split into two sessions. You will work in small groups and will be asked to share your findings with the rest of the class after each session.

The scenario

You are the FME chief of the Ocolul Silvic Privat Brasov (OSP Brasov - Brasov private forest enterprise).

OSP Brasov was established by Brasov City Hall to administrate the Brasov community forest owned by Brasov City Hall. OSP Brasov also offers forest administrative services for the Sacel community forest and Codlea community forest, which are owned by their respective City Halls.

OSP Brasov sells timber from its own forest (Brasov community forest) and from Sacel forest (Sacel community forest).

- **Brasov community forest** has two FMUs (Forest Management Units): FMU1 Brasov and FMU2 Brasov.
 - From FMU1 Brasov the timber is sold as Roundwood and logs. After harvesting the material is transported by OSP Brasov trucks to the Brasov log yard where the auctions take place. In FMU1 the buyers are traders and a big veneer factory.
 - From FMU2 Brasov the timber is sold as standing stock. In FMU2 Brasov the buyers are small local logging companies and some furniture factories.
 - OSP Brasov has its own logging teams for the harvesting activities in Brasov community forest.
- **Sacel community forest** has only one FMU, FMU1 Sacel, and the timber is sold as Roundwood from the forest landing site by OSP Brasov.
 - In Sacel forest the harvesting is done by contractors (private logging companies) offering logging services for OSP Brasov.

The wood from **Codlea** forest is sold by the Codlea City Hall.

- The forest is divided in FMU1 Codlea and FMU2 Codlea.
 - From FMU1 Codlea the wood is sold as standing stock sold. The buyers are small local logging companies and furniture factories.
 - From FMU2 Codlea the wood is sold as Roundwood. The buyers are traders and a big veneer factory.

OSP Brasov is involved in the administrative services. Codlea City Hall is using contractors for the main harvesting in FMU 2.

Session 1: Who is considered to be the operator under the EUTR? (and therefore, required to set up a Due Diligence System (DDS))

Estimated time: 30 minutes

- 15 minutes for preparation; and
 - 15 minutes for discussions.
1. Who is considered to be Operator for:
 - a. Brasov community forest FMU 1?
 - b. Brasov community forest FMU 2?
 - c. Sacel community forest FMU 1?
 - d. Codlea FMU 1?
 - e. Codlea FMU2?

Possible operators: OSP Brasov, Brasov City Hall, Sacel City Hall, Codlea City Hall, Traders, Veneer company, Local small logging companies, Furniture factories.

2. If OSP Brasov is preparing the DDS, which of the following FMUs should be covered: FMU1 Brasov, FMU2 Brasov, FMU1 Sacel, FMU1 Codlea, FMU2 Codlea?
3. Alexandru Orban, a small private forest owner with 5 ha forest, signs an Administrative contract with OSP Brasov for administrative services. The wood is harvested by Alexandru Orban and sold as firewood to local people. Is the EUTR applicable and, if so, whom shall set up the DDS?

Session 2: Risk assessment and mitigation at forest level

Estimated time: 60 minutes

- 40 minutes for preparation; and
- 20 minutes for group presentation, discussion and feedback.

Tools:

- DD-12 Due Diligence Procedure for Ocolul Silvic Privat Brasov (OSP Brasov), Sacel FMU1
- Sourcing Hub country page Romania – timber

As you (OSP Brasov) are an operator you will have to set up a due diligence system and establish procedures to ensure a systematic approach to doing due diligence and record keeping. You have chosen to use the due diligence procedures from the Sourcing Hub. So far you have identified the general risks identified for Romania in the Timber Legality Risk Assessment and you are in the process of evaluating whether there are any risks for the harvesting taking place in your forest specifically (Brasov community forest FMU1). By systematically working through the areas of legislation, you have (so far) identified several areas where you are unsure if the legal requirements are complied with (See annex 2 in the due diligence procedures). Only one area of law still needs to be assessed.

STEP 1: Risk Assessment

Discuss the risk given in the table below with your group, what could be happening in Sacel FMU1, based on your experience? Make up your own scenario and add the details to the table, where indicated. You might want to consider the following:

1. how will you evaluate if the national risks identified in the risk assessment are also a potential risk in your forest?
2. how would you verify if your forest operations are in fact in violation of the areas of applicable legislation which has also been identified as specified risk at national level (review documents?; visit the forest?; talk to forest workers?)?
3. What evidence would you collect to document and indicate legal compliance with timber harvesting regulations?

See the Due Diligence Procedure for Sacel FMU1 for example risk descriptions.

Criteria and sub criteria	Description of the criteria and sub criteria	Findings and identification of risks
3. Timber harvesting activities		
3.1 Timber harvesting regulations	Any legal requirements for harvesting techniques and technology including selective cutting, shelter wood regenerations, clear felling, transport of timber from felling site and seasonal limitations etc. This typically includes	<p><u>For Romania in general:</u></p> <p>Timber legality Risk Assessment for Romania on https://www.nepcon.org/sourcinghub = Specified risk.</p> <p>The risk identified is:</p> <ul style="list-style-type: none"> - Risk of violating harvesting requirements as a consequence of harvest certificates being issued without verification that harvesting contractors possess the prescribed

	<p>regulations on the size of felling areas, minimum age and/or diameter for felling activities and elements that shall be preserved during felling etc. Establishment of skidding or hauling trails, road construction, drainage systems and bridges etc. shall also be considered as well as planning and monitoring of harvesting activities. Any legally binding codes for harvesting practices shall be considered.</p>	<p>equipment, machinery and adequately trained staff</p> <p><u>For the Sacel FMU1 specifically:</u> As part of the risk assessment process a forest audit has been conducted. The audit revealed the following issues in the forest:</p> <p style="text-align: center;"><i>Write your risk descriptions here</i></p>
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STEP 2: Risk Mitigation

Review the risks that has been identified in Annex 2 of the due diligence procedure. Then, pick *three* risks and fill out the Risk Mitigation Action Plan tables below (these tables form Annex 3 of DD-12 Due Diligence Procedure Template for Forest Management Enterprises). Be ready to present and discuss in plenum.

Annex 3: Risk Mitigation Action Plan Template

See Annex 3 of the Due Diligence procedures for Sacel FMU1 for an example of a Risk mitigation action plan.

<p>Specific risk/non-conformance:</p>	
<p>Responsible:</p>	

Date of evaluation:	
Timeline for completion:	
Control Measures to be taken:	
Status of actions:	
Follow up:	
Date for next evaluation:	

Specific risk/non-conformance:	
Responsible:	
Date of evaluation:	
Timeline for completion:	
Control Measures to be taken:	
Status of actions:	
Follow up:	
Date for next evaluation:	

Specific risk/non-conformance:	
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