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Keurhout

Keurhout Protocol

Netherlands Timber Trade Association

Version May 15th 2009

Keurhout Protocol

for validating

Legality Certificates and Systems, and Sustainable Forest Management Certificates and Systems

Netherlands Timber Trade Association

Version May 15th, 2009

Preface

Since 1996 Keurhout has developed a series of protocols to assess and validate certificates and certification systems for legal and sustainable forest management: KH-SFM, KH-LET and KH-SYS. In 2008 a review of these protocols took place, based on up to 12 years experience with their application. Through the underlying document the three protocols are merged into one Keurhout Protocol. This offers the advantages of optimum attunement of elements, avoidance of repetitions and increased transparency, among others. Main changes as compared with previous versions of the individual protocols are that the new version:

- covers the full range of forest certification related aspects in a concise way,
- describes the procedures to be followed for all possible assessments by the Keurhout Board of Experts,
- presents the requirements of its standards in the form of principles and criteria, guided by guidance information,
- establishes the period of admission of certification systems at 5 years.

It is envisaged that the present document be used for all future Keurhout assessments; it will be up-dated every 5 years or whenever a specific need is felt.

Acronyms

AB	Appeals Board
BoE	Board of Experts
CA-Form	Confirmation of Application Form
CAR	Corrective Action Request
CB	Certification Body
Certfor	National Forest Certification Scheme of Chile
CIFOR	Centre for International Forestry Research
CITES	Convention on International Trade in Endangered Species
CoC	Chain of Custody
CS	Certification System
CSA	Canadian Standards Association (Forest Certification Scheme Canada)
CSM	Certification System Management
CV	Curriculum Vitae
EIA	Environmental Impact Assessment
EU	European Union
FMU	Forest Management Unit
FSC	Forest Stewardship Council
GO	Governmental Organisation
IAF	International Accreditation Forum
ILO	International Labour Organisation
ISAFOR	Institution Support and Analysis Forests and Landuse (Dutch consultant)
ISO	International Standards Organisation
ITTO	International Timber Trade Organisation
IUCN	International Union for the Conservation of Nature
KH	Keurhout
KH-LET	Keurhout protocol for Legal origin Timber
KH-SFM	Keurhout protocol for Sustainable Forest Management
KH-SYS	Keurhout Protocol for Certification Systems
MA	Management Authority
MB	Management Body
MTCS	Malaysian Timber Certification System
NC	Non-Conformance
NGO	Non-Governmental Organisation
NTFP	Non-timber forest product(s)
NTTA	Netherlands Timber Trade Association
PEFC	Programme for the Endorsement of Certification Systems
RIL	Reduced Impact Logging
RvAB	Arbitration Council for Construction (Raad voor Arbitrage Bouwnijverheid)
SFM	Sustainable Forest Management
S-FOR-S	Sustainable Forest Services (Dutch consultant)
SIA	Social Impact Assessment
SOP	Standard Operation Procedures
UNCED	United Nations Conference on Environment and Development (Rio, 1992)
VLT	Verified Legal Timber

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Keurhout Protocol

General Introduction

Netherlands Timber Trade Association

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1 General Introduction

1.1 About Keurhout

Keurhout is a Dutch initiative to assess and validate certificates and certification systems with respect to timber (products) from legal origin and/or sustainable forest management (SFM). Keurhout is a Quality Mark system and as such plays a role as gatekeeper.

The validation covers the contents of the standards against which the certification/verification has been conducted and the quality and reliability of the certification/verification process. For the definition of terms, see **Annex 1**.

Keurhout (KH) was established in 1996¹ and originally only dealt with the assessment and validation of SFM certificates, issued by various certification systems worldwide, against the minimum requirements for SFM as formulated by the Dutch Government². This was followed by the validation of certificates for legality and validation of entire certification systems. The following validation protocols were established by the Netherlands Timber Trade Association (NTTA)³:

- KH-SFM, for Sustainable Forest Management (1996)
- KH-LET, for LEgal origin Timber (2004)
- KH-SYS, for Certification SYStems (2005).

The above Protocols were used in relevant combinations to cover aspects concerning legal and sustainable forest management, Chain-of-Custody (CoC), Certification Body (CB) and Certification Systems (CS). Herewith all forestry related certification aspects were covered.

Originally Keurhout focused on the Dutch timber market. Since early 2007, however Keurhout provides services to a wider European Union market.

The Keurhout tasks are:

- Validation of certificates for legal timber against the KH-LET criteria,
- Validation of SFM certificates against the KH-SFM criteria,
- Validation of CS for legal timber, against the KH-SYS-LET criteria
- Validation of CS for SFM, against the KH-SYS-SFM criteria
- Establishment and administration of a Quality Mark for timber of which at least the LEgal origin has been certified⁴, and which meets the relevant KH criteria.
- Establishment and administration of a Quality Mark for timber which has been certified for sustainable forest management, and which meets the relevant KH criteria.
- Admittance of the Quality Mark timber to the Keurhout Chain of Custody (CoC) tracing system⁵ for consumer countries and tracing the flow of timber to the consumer.

1.2 Organisation

The Keurhout organization consists of three pillars.

It is headed by a Management Authority (MA), which has the role of establishing protocols, facilitating the overall management of the Keurhout system and taking management decisions. Actually the General Director of NTTA functions as Director of the Keurhout MA (KH-MA).

¹ Keurhout was founded in 1996, in a combined effort of the Netherlands Timber Trade Association, the Dutch Government (Ministries of Foreign Affairs, Economic Affairs and Agriculture & Fisheries) and trade unions. It took the legal form of a foundation..

² Timber Certification and Sustainable Forest Management, 1997 (*Notitie Houtcertificering en Duurzaam Bosbeheer; Kamerstuk 25 273 Nr.1*), and based on: the ITTO definition of Sustainable Forest Management, the *Forest Principles* (UNCED, Rio de Janeiro 1992) and the Forest Stewardship Council (FSC) principles.

³ The KH-LET Protocol was developed along with a non-binding informative background document titled "*Introduction to the Legal Timber Issue and the Keurhout Protocol for the Validation of Claims of Legal Timber*" (ISAFOR, September 10, 2004), commissioned by NTTA. See Keurhout website

⁴ During a transition period from July 1st 2008 until December 31st 2009 also criteria are used for the validation of systems for verified legal timber (for details see **Annex 2**).

⁵ Control of this part of the CoC takes place annually by independent accredited CB's against a separate CoC protocol for Keurhout participants, which forms part of the Keurhout Participant Agreement and is a prerequisite for (re)activation of the Keurhout Participant status

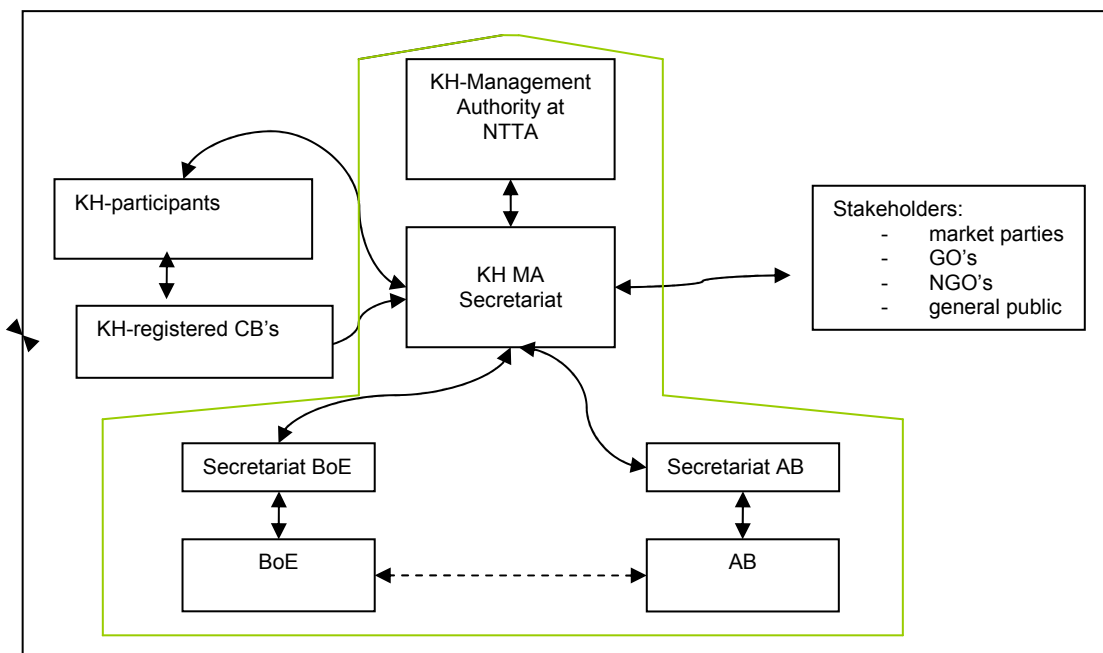
The KH-MA is assisted by a secretariat, which is responsible for the Keurhout Participant administration, registration of accredited CB's for certifying CoC's in consumer countries, monitoring Keurhout volumes marketed and contact with stakeholders, among others.

Assessments are implemented by an independent Board of Experts (BoE), which also takes validation decisions. The BoE consists of independent experts with different disciplinary backgrounds and from different relevant parts of society; they are appointed by the KH-MA and act on personal basis. Its secretariat is facilitated by an independent consultant (S-FOR-S).

An independent Appeals Board (AB) is installed by the KH-MA to handle possible appeals against decisions taken by the BoE. The AB consists of experts with a juridical and/or thematically related background. The AB has its own independent secretariat (at RvAB).

The system is financed through contributions of Keurhout participants and clients.

Figure 1. Organisation map.



1.3 Certification Systems and Certificates

Keurhout validates both *certificates* and *Certification Systems (CS)*. A CS is a complete system, which consists of a management organization with a constitution, a decision-making structure, rules and procedures for developing standards, certification procedures (accreditation, certification and logo use) and monitoring procedures to guarantee full implementation of the system requirements. A positive assessment of the quality and reliability of a CS implies that all certificates issued by the system are acceptable.

The reason why Keurhout validates certificates is that if a CS is not yet assessed or can not be validated entirely due to certain non-conformance's with respect to the requirements of the Keurhout Standard, individual certificate holders which do comply with those requirements can still be positively distinguished and thus rewarded for their proactive role. This may motivate other individual certificate holders to apply a similar good management and thereby contribute towards the overall goal of Sustainable Forest Management worldwide.

1.4 Validation standards

Certification Systems and Certificates for SFM and/or Legal Origin are being assessed on the basis of the Keurhout Protocol. The Protocol has been established by the NTTA and is publicly available (www.keurhout.nl).

The Keurhout Protocol consists of 5 Keurhout Standards and the assessment and validation procedures. Keurhout distinguishes:

- Normative document 1: *Standard for LEgal origin Timber (LET)*.
This Standard typically focuses on compliance with legality of permits, on respecting of protected zones and species, limitations of tree dimensions and limitations of volumes per hectare, customary cutting rights and payment of taxes ("timber is not stolen from nature, people and government").
- Normative document 2: *Standard for Sustainable Forest Management (SFM)*.
This Standard focuses on full legal compliance, the authority responsible for the forest management, a systematic management system, the relevant aspects and achievements of the forest management ("socially acceptable, economically viable and ecologically responsible").
- Normative document 3: *Standard for Chain-of-Custody (CoC)*.
This Standard focuses on the assurance that the timber from certified forests remains traceable from its origin to the last point of sale, guaranteeing that no mixing with non-certified timber occurs.
- Normative document 4: *Standard for Certification Bodies (CB)*.
This Standard focuses on the independence and competence of the certifying organisation.
- Normative document 5: *Standard for the validation of Certification Systems (CS)*.
This Standard focuses on the management authority of the CS, its working methods, standard development and approval, quality of the standard, complaints procedures, requirements for CB's and for group certification.

The assessment and validation procedure is being implemented with a varying combination of normative documents, dependent on the object of validation.

The following matrix presents an overview of the range of application of the Keurhout Protocol and specifies the combination of Standards applied for each of the four options.

Validation level \ type	LEgal origin Timber	Sustainable Forest Management
Certificate	Sub-protocol KH-LET Standards: LET, CoC, CB	Sub-protocol KH-SFM Standards: LET, SFM, CoC, CB
Certification System	Sub-protocol KH-SYS-LET Standards: LET, CoC, CB, CS	Sub-protocol KH-SYS-SFM Standards: LET, SFM, CoC, CB, CS

Standards comprise **principles**, which are evaluated on the basis of **criteria**. In turn the criteria are being assessed with the help of **guidance information**, which assists in assessing whether and to what extent a criterion is complied with.

Keurhout Protocol

Validation Procedure

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2 Validation procedure

2.1 Application

2.1.1 Certificates

1) A request for Keurhout validation of certificates is submitted. Exclusively (groups of) Keurhout participants are entitled to submit a request for Keurhout validation, with copy to the certificate holder.

2) The BoE submits a quotation for the specific validation.

3) The applicant completes and signs a Confirmation of Application Form (CA-Form) and approves the quotation concerned.

4) The BoE assesses the legality of origin and/or the sustainability of the forest management, the credibility of the CoC and competence of the CB through the study of documents. These are provided by the third party which has issued the certificate. The information required by the BoE will include at least the following:

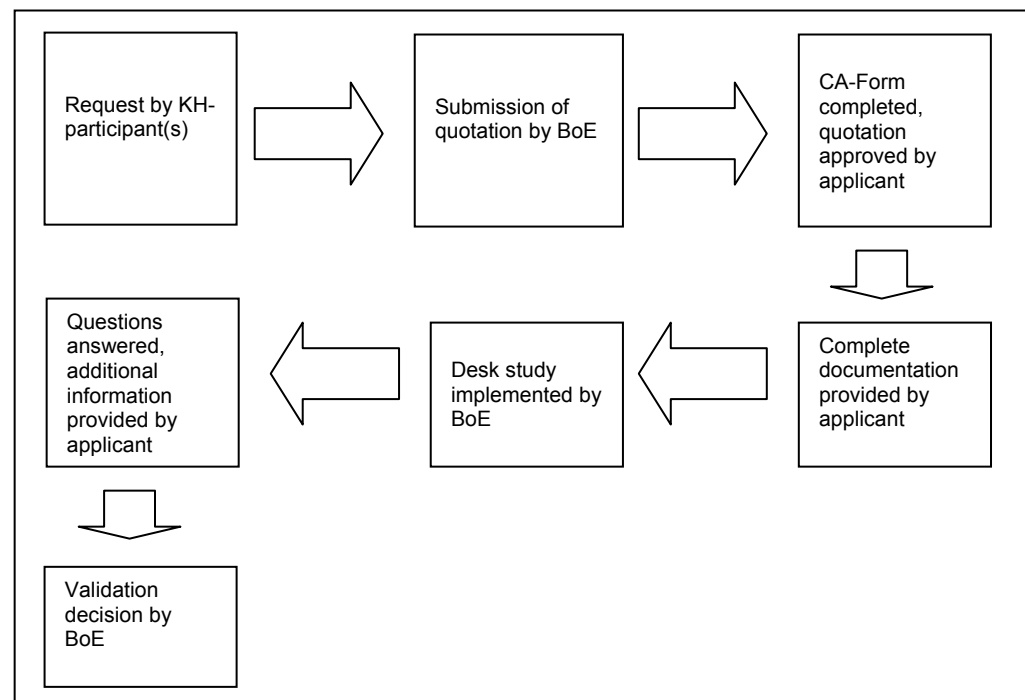
- a copy of the relevant certificates (Legal, SFM, CoC, ISO)
- a copy of the full audit report(s), including appendices
- a copy of the standard(s) applied for the verification of legality and/or sustainable forest management and for the CoC.
- information on the accreditation status of the CB and expertise of the audit team.

5) The BoE may ask for specific additional information concerning (certificates of) a particular CS, in order to improve specific insight and/or to enable cross-checking of information.

6) All non-publicly available information is kept **confidential**⁶.

7) Upon receipt of all relevant information/documents the BoE starts the assessment process.

Figure 2. Flow chart of the certificate validation process.



⁶ In case of appeal against a BoE decision, such information will have to be handed over to the complainant, but remains confidential. However, in case of substantial doubt about the legality of providing certain data, full access to the requested documents may be denied.

2.1.2 Certification Systems

1) Certification Systems for legal origin or sustainable forest management are also being validated upon request. Exclusively (groups of) Keurhout participants are entitled to submit a request for Keurhout validation, with copy to the CS.

2) The BoE submits a quotation for the specific validation.

3) The applicant completes and signs a Confirmation of Application Form (CA-Form) and approves the quotation concerned. The former must in any case include the formal name of the CS and the address of its Management Authority (MA).

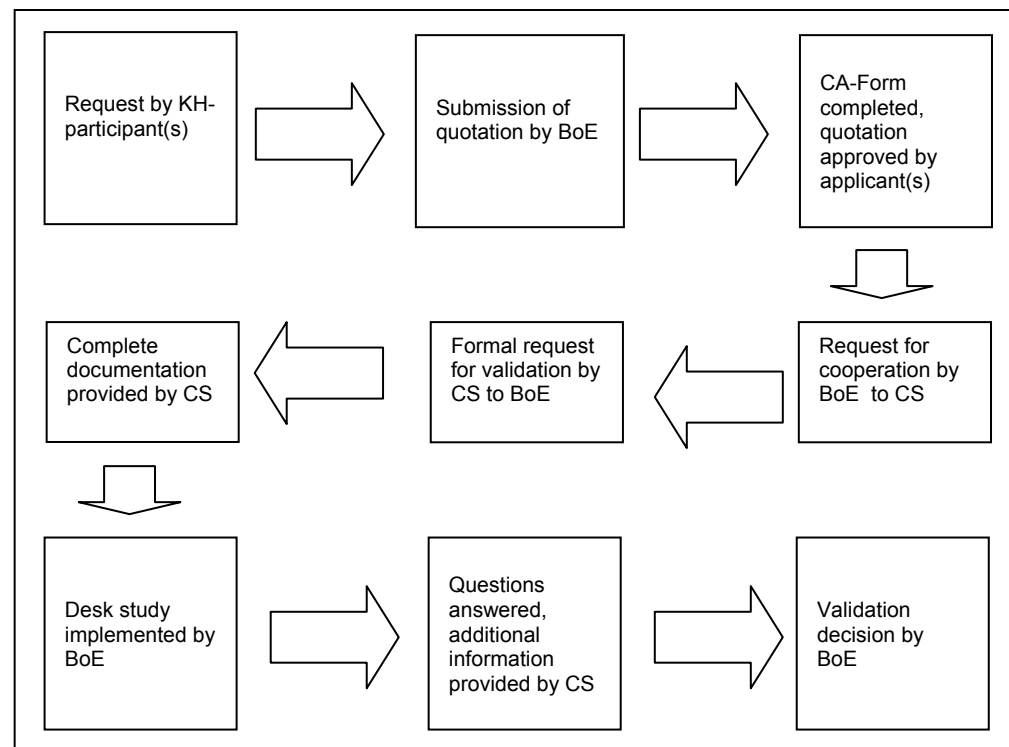
4) The BoE forwards this request together with the relevant Standards of the Keurhout Protocol to the MA of the CS and asks this body for specified information and for its cooperation in the validation process to the extent necessary. The formal information requested includes at least:

- Fully documented description of the CS (organisation, statutes, geographic coverage, assessment and decision rules and procedures, accreditation, internal monitoring procedures).
- Overview of valid certificates issued by the CS and CB's operating in the system.
- Information on the accreditation status and expertise of the CB's.
- Universal and national standards applied by the CS (for Legal Origin or Sustainable Forest Management and for the Chain of Custody, as applicable).
- List of parties which sell or will be selling timber certified by the system on the market.

5) The MA submits all such documentation. Dependent on the quality of the received information the BoE may request additional information. All non-publicly available information will be treated **confidentially**⁷.

6) Upon receipt of all relevant information and documents the BoE starts the assessment process.

Figure 3. Flow chart of the validation process for Certification Systems.



⁷ In case of appeal against a BoE decision, such information will have to be handed over to the complainant, but remains confidential. However, in case of substantial doubt about the legality of providing certain data, full access to the requested documents may be denied.

2.2 Assessment

2.2.1 Implementation

Assessments are carried out by the independently operating BoE. The BoE implements the assessment on the basis of a desk study of the documents underlying the certificate or the system for legality, SFM and/or CoC. Compliance with the elements of the standard(s) is assessed. Also information on the CB's and the results of the audit, and possibly system information, is taken into consideration, in line with the relevant Standards of the Keurhout Protocol. Whenever needed explanatory meetings may be scheduled with the BoE. Also field missions may be implemented to ensure the necessary insight in the functioning of a CS and/or forest management by a certificate holder.

The BoE may decide to commission the assessment - or part of it - to a third party. In such a case, the BoE notifies the applicant about that decision. Confidential treatment of provided information (see 2.1) is maintained as a condition for commissioning.

2.2.2 Duration

Once the eligibility of the application has been established and all the necessary information is provided, the assessment and validation process is finalised within a period of 12 weeks.

In case questions remain, the BoE may ask for additional information (e.g. management plans, standard operation procedures, audit reports, etc) and/or explanation, request a meeting or schedule a field visit. This may affect the normal duration of the validation process.

2.2.3 Possible consequences

After a positive assessment of a SFM certificate, the particular certificate is validated. In consequence the Forest Management Unit (FMU) is admitted to the Keurhout Quality Mark system for Sustainable Timber (in short: **KH Sustainable system**) and a Keurhout Sustainable Quality Mark is being granted for timber originating from the defined area with defined management authority for a defined period of time (normally as long as the validated certificate remains valid). After that a re-assessment has to take place.

Similarly, a positive assessment of a third party verified claim of Legal Origin of timber leads to validation of the particular certificate. As a result the FMU is admitted to the Keurhout Quality Mark system for Legal Origin timber (in short the **KH Legal system**) and the Keurhout Legal Quality Mark is granted to the timber originating from the area for a defined period of time.

In case of a positive assessment of a Certification System however, all certificates issued under the system are admitted either to the KH Legal or to the KH Sustainable system, provided these certificates remain valid. A Certification System is admitted to the KH Legal or KH Sustainable system for a period of 5 years; after that, a re-assessment has to take place.

2.2.4 Communication with involved parties

The BoE informs the applicant, the CB, the System Manager and/or the certificate holder about the actual start of the assessment, the provisional assessment conclusions and the validation decision regarding the certificate or CS.

2.3 Decision making

2.3.1 Rules for validation of certificates and Certification Systems

All criteria contained in the relevant Standards (see the matrix table on page 10 for an overview) are being considered. However, if any specific criterion is not applicable in the particular circumstances under review, it is disregarded and mentioned in the Validation Report.

Guidance information serves as practical help to assess compliance with the criteria.

The BoE may arrive at any of the following decisions in assessing a **certificate**, a **universal**⁸ (e.g. PEFC, FSC) or an autonomous **regional** (e.g. SFI) or an autonomous **national** (e.g. CSA, MTCS, Certfor) **Certification System**:

- the certificate or Certification System is validated
- the certificate or Certification System is not validated
- the certificate or Certification System is conditionally validated

Decisions are taken by a majority of votes from a quorum of at least four members of the BoE. In the event of a tie the chairman will have a decisive vote.

Validating the certificate or Certification System

The certificate or Certification System is validated if all applicable criteria contained in the relevant Standards of the Keurhout Protocol are met. In case the used Legality or SFM system does not contain a CoC scheme, (an) additional CoC certificate(s) is/are required. All independently operating participants in the timber chain need to be covered by a CoC certificate. The right to use the Keurhout logo ends with the participant without a valid KH-CoC.

Implication of the validation of a CS is that in principle all CoC's issued under the CS are being accepted (the BoE may perform random checks).

Implication of acceptance of a universal CS is that all National Systems and/or National Standards are being accepted (the BoE may perform random checks).

If not all Keurhout criteria are met, the BoE has various options to decide, depending among others on the nature and relevance of the criteria which are not (fully) met, the forestry and socio-economic context concerned, and the degree of divergence between the criteria used by the CS and the Keurhout criteria.

Not validating the certificate or Certification System

If a certificate or Certification System does not comply with important requirements contained in, at least one of, Standards 1, 3, 4 and/or 5 it will be rejected. In case important requirements in Standard 2 are not complied with, but the requirements of Standards 1, 3, 4 and 5 are complied with, the certificate or CS is accepted to the **KH Legal system**.

Validating the certificate or Certification System conditionally

This applies to cases which show a positive overall compliance, but have some aspects which need improvement which are not considered of such importance to justify rejection. Conditional acceptance implies the formulation of concrete milestones, which have to be reached within a defined timeframe.

If the certificate or Certification System falls short for a limited number of forest management requirements equivalent to criteria of Standard 2 and/or CoC requirements equivalent to criteria of Standard 3, the certificate or Certification System may be accepted **conditionally**.

In case of such a decision, the BoE must specify the shortcomings in the Validation Report.

⁸ In theory it is possible to assess a universal CS; in practice however the complexity and diversity, especially of umbrella systems, makes it rather difficult.

If a universal CS fails to comply with the specified KH Standards, the national SFM Standards may be assessed and validated, if requested. This means that acceptance can only apply at the national level.

If a national or regional CS fails to comply with the specified KH Standards, upon request the individual certificate holders may be assessed and validated.

In all cases the certificate holder or CS management is given the opportunity to provide **‘supplementary evidence’** that the missing forest management and/or CoC requirements have, in fact, been properly satisfied or do not apply. Alternatively a realistic timeframe may be defined by Keurhout, within which the specific requirements have to be met. The parties involved agree on achieving clear milestones: the so-called Keurhout trajectory. Although the timeframe described in the Keurhout trajectory depends on the management level of the company or the CS, it can not be longer than three years. Compliance with the milestones is established by a CB that meets the accreditation requirement for the CS concerned. The BoE assesses the CB's statement, evaluates the additional evidence, and decides on conditional acceptance.

Non-compliance of the certificate owner or CS management with the set KH-conditions at the end of the timeframe leads to withdrawal of the certificate or CS from the respective Keurhout system.

2.3.2 Keurhout Quality mark and logo use

After a positive decision by the BoE (conditional or unconditional acceptance to a KH system), a certificate holder is entitled to refer to the timber sourced from the KH-admitted forest as either “KH-Legal admitted” or “KH-Sustainable admitted”, depending on the assessment.

It is recommended that KH admitted timber and accompanied documents carry the respective Keurhout-logo. The Keurhout Quality Mark is a registered Mark. The correct use of the Keurhout logo's and use of correct references to the Keurhout systems in public communications, advertisements and on websites is governed by the Keurhout Logo Guide and controlled by accredited CB's. In case of abuse the Keurhout Management Authority is authorised to take appropriate actions to end the intentional or non-intentional abuse..

2.3.3 Validity period

For certificates the permission to refer to “KH-Sustainable” or “KH-Legal” is granted for a period from the date of the BoE's decision of acceptance until the expiry date of the admitted certificate. The owner of a validated certificate is obliged to provide the BoE annually with a full copy of the surveillance report(s) in order to keep the BoE informed on the developments. In case of a conditional admittance, the surveillance reports have to specify the progress on the KH-conditions. Failure to do so may result in suspension or withdrawal of the certificate from the Keurhout system.

The permission to refer to “Keurhout Legal” or “Keurhout Sustainable” for timber which carries a certificate of a Keurhout validated Certification System is granted for a period of **5 years** as of the date of the BoE's decision of acceptance. If there are well-founded indications that the CS is not properly operating, this period may be shortened. The management authority of a validated CS is obliged to provide the BoE with the relevant written information prior to any relevant change in the system.

2.4 Public information

In case of a positive assessment the Validation Report of the assessed certificate or CS is made public through the KH-website (www.keurhout.nl).

2.5 Monitoring, suspension and withdrawal

2.5.1 Monitoring

The BoE requires at least an annual surveillance audit by an independent CB. The CB is obliged to provide specific information upon request in order to enable the BoE to establish whether an admitted **certificate** still complies with the requirements. The BoE has the right to perform on-site inspections.

2.5.2 Suspension

In case a CS suspends a certificate issued by it previously, Keurhout follows this suspension.

The BoE may suspend a validation if:

1. there are well-founded indications that a certificate holder or CS is no longer in compliance with the requirements, and/or
2. the KH-predicate or logo is not being used properly, and/or
3. an annual (surveillance) audit report is not provided in time or does not satisfy quality requirements

Suspended parties may temporarily neither use the respective KH Logo nor make reference to the KH system, until the admission of the certificate or CS has been re-activated.

2.5.3 Withdrawal

The BoE may withdraw a validation if:

1. the BoE has been convinced by demonstrable factual evidence that the actual situation does not comply with the requirements of the certificate or CS, and/or
2. minor CAR's are extended over the accorded period without proper justification, and/or
3. KH-conditions for conditional validation are not complied with within the set time frame.

In case of withdrawal, the wood or wood products to which the shortcoming relates may no longer be marketed with the respective Keurhout logo or otherwise being referred to as either "Keurhout Legal" or "Keurhout Sustainable". Existing batches of wood eligible to the logo on the moment of the decision to withdraw, may in principle still be sold as such, but no new logos may be used from the day on which the decision is made.

If the BoE observes that the shortcomings have been in place for some time, it may decide that wood already bearing the logo may no longer be offered with the logo from a specific date onwards.

The owner of the certificate respectively the Management Authority of the CS and the holders of CoC certificates in the country of origin and in the EU are informed in writing about suspension or withdrawal of the validation along with the reasons for doing so.

2.6 Objections and Appeal

Keurhout participants or any other party with an established interest in the validation outcome of a specific certificate or system, may raise objections against a particular BoE decision. Such parties shall be able to demonstrate that they have a reasonable interest in the decision of the BoE. Objections shall be filed with the Secretariat of the BoE within 4 weeks of the date of publication of a decision and must be substantiated by verifiable factual information relevant to the specific case and be documented. The objecting party may ask for confidential access to all documents used in the specific decision of the BoE. In case of substantial doubt about the legality to provide the information, the BoE may decide to deny partial or full access to the requested documents.

A deposit of € 2,000 shall be made by the party raising the objection in order to cover the costs of the objection procedure. The BoE only discusses the objection after receipt of the deposit and comes to a judgement within 6 weeks. The BoE may reconsider its earlier judgement. In case the objection is considered justified, the deposit is refunded and the earlier BoE decision is annulled. In case the BoE declares the objection unfounded, the objecting party may start an Appeal Procedure with the independent Appeals Board (AB). The final decision of the Appeals Board is binding. Details on the procedure to follow are given in annex X: "KH Regulations for Appeals Board" of the "Keurhout Participants Agreement", available upon request at the Secretariat of the Keurhout Management Authority.

2.7 Establishing and changing the Validation Protocol

The Protocol has been established and approved by the NTTA and is surveyed periodically. Amendments to the Protocol have to be approved by the Keurhout Management Authority. It is anticipated that an adjusted edition is produced every few years, on the basis of further experiences gained with the implementation of the Protocol and any comments received. The system is open for any relevant comments.

Decisions taken by the Management Authority are subject to the normal Appeals Procedure with the independent Appeals Board. Keurhout participants or any other party with an established interest in the MA's decision, may raise objections against it. Such parties shall be able to demonstrate that they have a reasonable interest in the decision of the MA. Objections shall be filed with the Secretariat of the KH-MA, within 4 weeks of the date of publication of the particular decision. A deposit of € 2,000 shall be made by the party raising the objection in order to cover the costs of the objection procedure. The KH-MA only discusses the objection after receipt of the deposit and comes to a judgement within 6 weeks. The KH-MA may reconsider its earlier decision. In case the objection is considered justified, the deposit is refunded and the earlier KH-MA decision is annulled. In case the KH-MA declares the objection unfounded, the objecting party may start an Appeal Procedure with the independent Appeals Board. The final decision of the Appeals Board is binding. Details on the procedure to follow are given in annex X: "KH Regulations for Appeals Board" of the "Keurhout Participants Agreement", available upon request at the Secretariat of the Keurhout Management Authority.

2.8 Cases not covered by the Rules

Decisions on situations not covered by the Validation Protocol will be taken by the Keurhout Management Authority.

2.9 Admissions based on decisions by the Management Authority

Based on the general international recognition of FSC and PEFC for government procurement and the increasing number of KH-Sustainable admitted PEFC endorsed systems, in April 2009 the Keurhout Management Authority took the decision to admit all FSC and PEFC systems and certificates to the KH-Sustainable system. This brings about a new situation, whereby the gate-watching role with respect to FSC and PEFC certificates and systems is in fact transferred from the BoE to FSC and PEFC-International respectively.

At the same time the Keurhout Management Authority took a decision that other systems than those of FSC and PEFC, which might be approved by TPAC⁹ (Timber Procurement Assessment Committee), will be admitted to KH-Sustainable as well.

These decisions will become applicable one month after its date of publication (May 6th 2009).

⁹ Since 2008 TPAC assesses certification systems with respect to the procurement criteria of the Dutch Government.

Keurhout Protocol

LET Standard

normative document 1

Standard for the validation of LEgal origin Timber

Netherlands Timber Trade Association

Version May 15th 2009

3.1 Introduction to the L^Egal origin standard

Illegal logging and trade can cause indiscriminate depletion of forests, including fully protected areas; deprive governments and local communities from income and benefits; disturb timber markets; and discourage good forest management practices. In addition to on-going governmental efforts to curb illegal logging, there is a clear need for a Standard to validate claims of legal timber, in particular with regard to the aspect of legal origin.

Legal origin is considered to be an indispensable prerequisite for responsible forest management. **Annex 3** explains how the Keurhout validation of *L^Egal origin* relates to the concepts of *Legal Compliance* and of *Sustainable Forest Management*.

Verification of the legality of timber is not an isolated process; the processes of governance and legislation reform, as well as improvement of forest management towards internationally recognized quality levels (up to the level of well/responsibly managed forest certificates) are equally important. The results of the latter two processes should for that reason be integrated into the schemes of legality verification and, *vice versa*, the lessons learned from the legality verification process should be incorporated in these two processes.

This Keurhout Standard has been established as result of the great concern about the harvest of large volumes of trees which according to legislation were not supposed to be harvested. The Keurhout Standard for L^Egal origin Timber has been developed in order to be able to distinguish between timber with a demonstrable legal origin, and timber that does not satisfy that requirement and, in consequence, might come from illegal logging operations.

Normative document 1 is based on the earlier Keurhout Protocol for the Validation of L^Egal origin Timber (KH-LET). When drafting the KH-LET Protocol¹⁰ various organizations and persons from several backgrounds were consulted and provided input¹¹. The present Standard stresses the relation between the Legal and Sustainable processes, takes into consideration work experiences of three years with the KH-LET Protocol and entails some adjustments to embed it with the other Keurhout Standards into one Keurhout Protocol, providing optimum connection, increasing transparency and avoiding duplications.

An effective use of the Standard requires formal evidence for the assessment of L^Egal origin Timber. The Standard's philosophy is that timber with a legal origin shall meet the requirement that it has been harvested in compliance with relevant rules and legislation related to legality of permits, and that protected zones and species, tree dimensions, volumes per hectare and customary cutting rights are respected. Rules and legislation refers to laws, rules, sub-national legislation, and Governmental prescriptions in the country of origin, including laws and rules pertaining to international Treaties and Agreements ratified by the country or for which compliance is required under international law. Compliance with this Standard leads to recognition as "Keurhout-Legal – KH-Legal". Until the end of 2010 a temporary provision has been installed¹². Additional legal aspects, necessary for full legal compliance, have been integrated under Principle 1 of the KH-SFM Standard (normative document 2 of this Protocol).

The Standard for L^Egal origin Timber, shall be used in combination with other KH-standards. The combination of normative parts to be used for a specific assessment can be derived from the matrix table in chapter 1. In combination it serves as the basis for granting the **Keurhout Quality Mark for Legal Timber** and its logo to individual certificates (KH Protocol, Standards 1, 3 and 4) or Certification Systems (KH Protocol, Standards 1, 3, 4 and 5). Overall positively validated certificates or Certification Systems are admitted to the **Keurhout Legal system**.

¹⁰ The KH-LET Protocol forms the basis of the actual Standard. It was developed simultaneously with a non-binding informative background document titled "Introduction to the Legal Timber Issue and the Keurhout Protocol for the Validation of Claims of Legal Timber" (ISAFOR, September 10, 2004), see Keurhout website, www.keurhout.nl.

¹¹ They are acknowledged in the introductory document to the KH-LET Protocol. The same document contains also a selection of the numerous references, which have been helpful in the process of establishing the Protocol.

¹² A temporary provision has been installed until 31/12/10 to enable a pre-scan of Certification Systems against a set of in-take criteria as presented in **Annex 2**.

3.2 Requirements for L^Egal origin Timber (LET standard)

This Standard forms an integral part of the Keurhout Protocol, of which it shall not be used independently.

Keywords	Principle LET-1: <i>Harvested timber shall have a legal origin.</i>
permits	<p><u>Criterion LET-1.1:</u> The forest manager (e.g. company, owner, community) has valid and legally obtained rights to access and use the forest land.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The forest manager is registered according to national legislation and regulations, holds a legally authorised harvesting licence and permit for a specified area and meets the publicly available generic requirements (organisational structure, professionalism, financial position, etc...).</i> - <i>Licence has been issued by the proper competent administrative authority, and through a transparent public procedure.</i>
boundaries	<p><u>Criterion LET-1.2:</u> Boundaries of the licence area are clearly defined and do not conflict with land-use classifications in which timber harvesting is forbidden, such as protected areas.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The relevant forest area (licence area, ownership, customary rights area) is clearly indicated on a map with a scale of at least 1: 25.000 and GPS controlled.</i> - <i>The boundaries do not straddle areas where timber harvesting is prohibited, are marked in the forest at trails, skid roads and logging roads and are officially recognized, if the law so requires.</i>
EIA's/SIA's	<p><u>Criterion LET-1.3:</u> Legally required impact assessments are implemented.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Environmental and/or social impact assessments have been prepared and have been approved by the competent authority.</i>
taxes	<p><u>Criterion LET-1.4:</u> Area-based taxes, royalties and timber fees are paid.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Official central and local government documents show royalties, taxes and fees to be paid, including dues to local communities.</i> - <i>Paid royalties, fees and dues appear in the administration of the licence holder and the recipient; acknowledgement of receipt.</i>
customary cutting rights	<p><u>Criterion LET-1.5:</u> Customary cutting rights are identified and respected.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Agreements with the relevant community(-ies) have been established on volumes to be cut under customary rights. Timber harvested under these agreements is considered to be legal.</i>
harvesting regulations	<p><u>Criterion LET-1.6:</u> Harvested trees and areas have been selected in compliance with laws, regulations, international conventions and with approved harvesting plans and/or operational plans.</p>

	<p>Guidance:</p> <ul style="list-style-type: none"> - Protected species and species listed by CITES are marked during inventories. The former are not among the harvested trees; the latter are labelled as such and follow the CITES protocol in case of export. - Areas and trees which are not supposed to be harvested and covered by international agreements are not harvested. - The forest manager complies with the harvesting regulations. - 'No-go areas' are properly identified and respected, indicated on a map with a scale of at least 1:25,000 and marked in the forest, particularly where harvesting is planned or taking place in the vicinity. - Timber harvesting and/or operational plans meet legal requirements with respect to the inventory, identification of trees and areas to be harvested and have been approved by the competent forest authority. - Trees selected for harvesting are marked on maps or listed in a felling register and do not exceed allowable diameter range. - All harvested logs come from the legally agreed annual cutting area and relate to marked trees on the map and/or felling register. Trees beyond the allowed diameter range are not among harvested trees. - The volume for each tree species to be harvested and the actual volume harvested per annual cutting area are within the authorised volume as specified in the harvesting/operational plan. - Harvested logs are numbered/marked and registered in accordance with legal requirements and can reliably be traced back to the stump. - Adequate provisions are taken to prevent harvesting, by any party, of other trees than the legally authorised ones within the licence area.
other sources	<p>Criterion LET-1.8: All wood in the licence area has been legally acquired.</p> <p>Guidance:</p> <ul style="list-style-type: none"> - All timber harvested within the license area and that has been brought to the area from elsewhere for further transport or processing comply with the criteria in this standard.

Disclaimer: If any specific criterion is considered not applicable in the particular circumstances under review, it will be disregarded.

Keurhout Protocol

SFM Standard

normative document 2

Standard for the validation of requirements for
Sustainable Forest Management

Netherlands Timber Trade Association

Version May 15th, 2009

4.1 Introduction to the SFM standard

Normative document 2 of the Keurhout Protocol describes the requirements with respect to Sustainable Forest Management (SFM).

The Keurhout Standard applies to the validation of certificates or systems for SFM in- or excluding a Chain of Custody system. The Standard integrates the assessment of compliance with the Keurhout requirements for forest management systems and forest management performance. Its purpose is to provide an independent judgement on the quality of forest management organisation, planning and implementation that has led to issuance of certificates for SFM.

The SFM Standard is originally based on the so-called minimum requirements of the Dutch Government for certificates for sustainably produced timber, as included in the government communiqué *Houtcertificering en Duurzaam Bosbeheer* (Timber Certification and Sustainable Forest Management), 1997, and derived from: the ITTO definition of Sustainable Forest Management, the *Forest Principles* (UNCED, Rio de Janeiro 1992) and the FSC principles.

Keurhout pays explicit attention to all the relevant aspects in relation to SFM, as it is defined and accepted in the region concerned.

The Keurhout-SFM standard shall be used in combination with the KH-requirements for legal origin and other Keurhout standards. The combination of normative parts to be used for a specific assessment can be derived from the matrix table presented in chapter 1. In combination it serves as the basis for granting the Keurhout **Quality Mark for Sustainable Timber** and its logo to individual certificates (KH Protocol, Standards 1, 2, 3 and 4) or Certification Systems (KH Protocol, Standards 1, 2, 3, 4 and 5). Overall positively validated certificates or systems are admitted to the **Keurhout Sustainable system**.

4.2 Requirements for Sustainable Forest Management (SFM standard)

This Standard forms an integral part of the Keurhout Protocol, of which it shall not be used independently.

Keywords	Principle SFM-1: The organisation responsible for the management of the forest shall act according to the law.
laws and regulations	<p>Criterion SFM-1.1: All relevant local and national laws and regulations and ratified international treaties are complied with.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - Labourers are employed according to the relevant social and labour legislation and regulations, including those on health and safety. - The laws pertaining to fauna management and protected animals are respected and protected animals are not captured or hunted. - Regulations pertaining to environmental pollution, biological control and soil- and water conservation are adhered to. - Laws and regulations pertaining to forest management planning and operations (including forest practices codes) are adhered to. - Legislation allowing for other land use in the area is respected. - Implications stemming from ratified international treaties and conventions are translated into management actions.

legal awareness	<p>Criterion SFM-1.2: Legislative instruments and regulations are known.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>An up-to-date register of national and local legislation and relevant international agreements is maintained.</i> - <i>Staff and contractors are aware of all implications of legislation, regulations and relevant international agreements.</i> - <i>All relevant parties have knowledge of the relevant local legislation and regulations. An active policy ensures that the relevant local legislation and regulations are understood and put into practise.</i> - <i>There is a clear system for imposing sanctions if these rules are not complied with, which is applied transparently by an independent arbitration board.</i>
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Keywords	Principle SFM-2: Socio-cultural forest functions and utilisation by indigenous and other people living in and around the forest shall be respected. The participation of the local population shall be ensured.
customary rights NTFP's	<p>Criterion SFM-2.1: Customary hunting and collecting rights, such as traditional use of NTFP's are known and tolerated or recognized and respected.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The forest manager has identified the local communities whose livelihoods are likely to be effected by its activities and has established agreements with them providing details on access and use of the area by the communities and compensation for adverse effects of the management and/or harvesting activities.</i> - <i>Management plans, operational plans and harvesting operations show evidence of minimizing and where appropriate compensating adverse impacts on the ability to exercise customary rights by the communities.</i> - <i>The rights of the local inhabitants to gather NTFP's in the forest are respected and well regulated with the parties involved. The zones within which such activities may occur, are clearly indicated in the management plan.</i> - <i>The legal regulations concerning use and harvesting of NTFP's are known to the relevant parties. An active policy ensures that the local forest legislation is understood and put into practise, where relevant. Sanctions are imposed in a transparent manner by an independent arbitration board if these rules are not complied with.</i>
land-use rights	<p>Criterion SFM-2.2: Land-use rights are acknowledged and respected.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The (traditional) land-use rights of all the different stakeholders, including those related to forest management, are known and respected. These rights have been documented and included in the management plan, if relevant.</i> - <i>Ancestral domain claims of indigenous peoples are taken into account.</i> - <i>Maps indicating formal land use rights (e.g. mining) and actual other land uses (e.g. agriculture) are available with the forest manager. Formal land use rights are not disputed.</i>
cultural areas	<p>Criterion SFM-2.3: The religious or cultural areas of importance are known and respected.</p>

	<p>Guidance:</p> <ul style="list-style-type: none"> - Sites of religious or cultural importance are known and clearly indicated on maps, in the management plan, and in the field. If necessary, such sites are surrounded by a buffer zone for protection and are excluded from the regular forest management (no-go area for harvesting). - The forest management is applied in such a way that damage to the landscape and cultural values of the FMU is minimised.
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Keywords	Principle SFM-3: The social and economic well-being of the local population and employees shall be ensured
local employment	<p><u>Criterion SFM-3.1:</u> Job opportunities are provided to the local population.</p> <p>Guidance:</p> <ul style="list-style-type: none"> - The management ensures that job opportunities are filled by local people, as much as possible.
local economy	<p><u>Criterion SFM-3.2:</u> Opportunities exist for profit sharing and/or development of the local economy.</p> <p>Guidance:</p> <ul style="list-style-type: none"> - The management ensures that the activities of the various parties are incorporated in the management plan, where possible. - There is an active policy to develop the local processing capacity of both NTFP's and wood, using appropriate technologies. The forest management may support development of the local economy. - Other development activities are stimulated, which do not conflict with management objectives. Such activities could include privatisation and decentralisation of certain management activities or improvement of the market opportunities for locally manufactured products.
compensation	<p><u>Criterion SFM-3.3:</u> Compensation is given for damage caused.</p> <p>Guidance:</p> <ul style="list-style-type: none"> - If negative impacts of forest management occur there is a clear system for the compensation of damage caused (deprived income, damaged property, limitation of services or products provided). - If the local legislation is considered insufficient, additional regulations may be formulated.
working conditions	<p><u>Criterion SFM-3.4:</u> Working conditions are conform national laws and international guidelines.</p> <p>Guidance:</p> <ul style="list-style-type: none"> - The MB ensures that the personnel are provided with the appropriate insurance(s) and are registered with the competent authority. - Local medical care, of a sufficient standard, is available. - The MB provides the appropriate equipment for the given working conditions, unless otherwise agreed, and ensures that the personnel are able to perform their work without being exposed to high risks. - The MB ensures that the personnel have access to the appropriate safety equipment required to conduct their work in a safe manner in line with local and international (ILO) guidelines. The MB and its contractors have established safety and health protocols which cover all legal requirements, including proper registration of (near) accidents. Employees are aware of the health and safety rules and use the safety equipment appropriately. The MB stringently stipulates and monitors the use of protective clothing and safety techniques.

Keywords	Principle SFM-4: The organisation responsible for the management of the forest shall have a forest management system based on long-term vision and specification of objectives.
management responsibility	<p><u>Criterion SFM-4.1:</u> A management body is responsible for the management and considers it as an on-going cyclic process for all products and services of the FMU.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The MB is qualified to manage the forest and is responsible for the quality of forest management for a reasonable period.</i> - <i>The various functions of the FMU in the national or regional land-use planning context are known and recognised.</i> - <i>The MB considers the management as an on-going cyclic process.</i>
forest management system	<p><u>Criterion SFM-4.2:</u> The management body applies a systematic forest management approach.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The forest management system covers the relevant planning, operational control, monitoring and improvement aspects.</i> - <i>The MB operates according to ISO 9001 or ISO 14001 or a comparable systematic approach.</i> - <i>The organisation has a clear management structure with a clear definition of roles and responsibilities of its personnel with respect to forest management activities and ensures emergency preparedness.</i> - <i>The MB ensures that operational procedures are established and implemented.</i> - <i>The MB provides adequate internal communication processes, documents key parts of the forest management system and ensures that these documents are adequately controlled.</i> - <i>A monitoring system of sufficient quality¹³ is implemented. It includes compliance with applicable legislation and operational plans, effects on environmental functions (e.g. water quality), effects on ecosystems (e.g. wildlife populations, red list species), natural regeneration. The MB identifies non-conformities with measures and performance requirements and takes appropriate corrective and preventive actions.</i> - <i>Activities of third parties in the management area are documented.</i> - <i>The MB has developed an approach for reviewing its management system, of which the adequacy and efficiency can be evaluated. If necessary, the system is adapted.</i>
management plan	<p><u>Criterion SFM-4.3:</u> A management plan exists which demonstrates that attention has been paid to the integrity of ecological functions and the continuity of the socio-economic and socio-cultural functions of the forest.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>There is an up-to-date management plan and supporting documents which includes elements as:</i> <ul style="list-style-type: none"> • <i>A description of the forest resources, environmental limitations, socio-economic conditions and information on the surrounding lands.</i> • <i>Maps of the management area, indicating management area, zoning, protected areas, road network, planned activities and land ownership.</i> • <i>The national and regional functions of the management unit.</i> • <i>The management objectives and the means of achieving these objectives.</i>

¹³ Reference is made to ITTO & IUCN (Guidelines for the Conservation and Sustainable Use of Biodiversity in tropical timber production forests, 2008), CIFOR and indicators as suggested by Ghazoul and Hellier (International Forestry Review 2(4), 2000)

	<ul style="list-style-type: none"> • <i>References to (inter)national legislation and to any relevant treaties.</i> • <i>A description of the silvicultural approach to be applied, with its rationale, based on information gathered through inventories.</i> • <i>The annual rate of harvesting and a description and justification of the harvesting techniques applied.</i> • <i>Choice of species (in case of planted forest)</i> • <i>Provisions for monitoring forest growth and dynamics.</i> • <i>Plans for identification and protection of rare, endangered and threatened (red list) species.</i>
participation	<p><u>Criterion SFM-4.4:</u> Stakeholders are consulted and given the opportunity to participate on basis of prior and informed consent.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The stakeholders are consulted in the process of developing and implementing the management plan. They are given the possibility to effectively influence the management policy, goals and exploitation, depending on the land use and ownership of the land.</i> - <i>The various parties and their interests are into account in the process of development and implementation of the management plan.</i>
training	<p><u>Criterion SFM-4.5:</u> The management body ensures that trained personnel conduct the forest management and related operations.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>All employees have the appropriate qualifications and receive additional training, if necessary. External contractors meet the same requirements as the company personnel.</i> - <i>The personnel are trained in the use of machinery, chemicals and first aid, in order to ensure their optimal functioning and safety. When new machinery or techniques are introduced, the personnel are appropriately trained. Customised training is available and can be repeated, when necessary. The need for training is regularly evaluated by the management and personnel.</i> - <i>A sufficient number of workers have been trained in first aid techniques. This training is available to all relevant personnel.</i>
capacity group certification	<p><u>Criterion SFM-4.6¹⁴:</u> The co-ordinating organisation for group certification has the relevant organisational skills and capacity.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>There is an administrative body responsible for the management, appropriate documentation and administration.</i> - <i>A management system, operating according to ISO 9001 or ISO 14001 or based on a comparable systematic approach is used.</i> - <i>A management plan, formulated with participation by members, and related guidelines are available.</i> - <i>Regular monitoring and evaluation on compliance of group members is conducted in conjunction with the associated forest owners and results in a coherent adjustment of forest management when applicable.</i>
commitment forest owners group certification	<p><u>Criterion SFM-4.7:</u> The individual forest owners are committed to the forest management system and enable its implementation and control.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The forest owner is committed to the guidelines and management requirements that come from the management plan and objectives at the higher level.</i> - <i>The forest owner is committed to help with monitoring and evaluation.</i>

¹⁴ For small-scale forest owners and operators criteria 4.6 and 4.7 apply, instead of criteria 4.2-4.5.

Keywords	Principle SFM-5: The regulatory functions of the forest shall be preserved.
soil	<p><u>Criterion SFM-5.1:</u> Soil quality is maintained and erosion is avoided.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - Important soil characteristics are preserved. - The risk of soil pollution is kept to a minimum. - Waste products are disposed of in an environmentally sound manner. - In erosion-sensitive areas practices are applied to prevent erosion, e.g. particular harvesting practices, road construction practices or buffer zones, Buffer zones and steep slopes are marked as protected areas in the management plan, on management maps and in the field and are excluded from regular management. - Relevant guidelines on road and infrastructure construction are available and applied. Waterway crossings are kept to a minimum and the necessary infrastructure is of appropriate quality. - Harvesting is done during the season when the risk of erosion is lowest and/or takes into consideration weather conditions.
water	<p><u>Criterion SFM-5.2:</u> Quality and quantity of the ground and surface water regime is maintained.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - Storage of waste products occurs in specially designated containment areas where leakage into groundwater is not possible. - The impact of forest management practices and construction of infrastructure on quality and quantity of groundwater, waterways and water elements in and outside the management unit (i.e. in relation to the watershed area) is kept to a minimum. - Management plans and maps identify water retention areas - Buffer zones are placed in the vicinity of waterways and are managed appropriately. The buffer zones are wide enough to protect the water courses and based on Best Management Practices for the region in question. - EIA's are implemented in case infrastructures might cause disruption to the environment. E.g. infrastructural works in areas where the groundwater regime results in a site-specific ecosystem and such works could irreversibly alter the specific conditions of the ecosystem.

Keywords	Principle SFM-6: The biodiversity of the various ecosystems shall be preserved.
identification	<p><u>Criterion SFM-6.1:</u> The main ecosystem(s) and species found on site have been identified.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - The locations of special ecosystems¹⁵ within the management unit are indicated in the management plan. - Red list species¹⁶ and their habitats have been identified.
protection and management	<p><u>Criterion SFM-6.2:</u> Measures are taken for the conservation, protection, management and restoration of special ecosystems and red list species.</p>

¹⁵ Special ecosystems are defined as valuable/vulnerable/rare ecosystems to be protected by national and international legislation.

¹⁶ Red list species refer to national red list species and/or species on the global IUCN red list.

	<p>Guidance:</p> <ul style="list-style-type: none"> - Zoning is elaborated and implemented. - Conservation areas are identified. The size of these areas is a reasonable part (e.g. 5 %) of the total surface of the management unit, based on the presence of special ecosystems or species and the minimum area required to preserve these. - The management respects the national and international lists of protected areas and species (red lists, CITES). - Specific management practices are implemented for special ecosystems. No-go areas for harvesting are identified. - Tree species listed by CITES are marked as such during inventories and follow the CITES protocol in case of export. - Adequate provisions are taken (permanent control posts, awareness creation), to prevent poaching, hunting or trading protected animals in the licence area, by any party including Government Agencies.
wildlife	<p><u>Criterion SFM-6.3:</u> Viable populations of wildlife are maintained</p> <p>Guidance:</p> <ul style="list-style-type: none"> - Wildlife populations are maintained in balance with other forest functions. - The impact of hunting on wildlife populations is monitored. - Measures are taken to prevent poaching.

Keywords	Principle SFM-7: The timber production capacity of the forest shall be preserved.
management data	<p><u>Criterion SFM-7.1:</u> Growth and yield data are documented, including tree species composition.</p> <p>Guidance:</p> <ul style="list-style-type: none"> - Records of the mean annual increment and standing stock are maintained per planning unit and harvest planning is based on these growth and yield records. - Periodic inventories are made of tree species composition.
management targets	<p><u>Criterion SFM-7.2:</u> The harvesting system is aiming at maintaining existing forest ecosystem types.</p> <p>Guidance:</p> <ul style="list-style-type: none"> - In Old Growth forests harvesting systems aim at maintaining existing forest ecosystem types. - In predominantly man-made forests harvesting systems may aim at developing more diverse forest. - The natural regeneration capacity of the management area is promoted (e.g. an adequate number of mother trees is maintained).
RIL	<p><u>Criterion SFM-7.3:</u> The damage caused by harvesting is minimised.</p> <p>Guidance:</p> <ul style="list-style-type: none"> - The harvesting system is such that minimal damage is caused to the residual stand, by the application of Reduced Impact Logging (RIL). Special attention is given to avoid damage to protected trees. The harvesting is conducted in a way that is suitable to the site-specific conditions; areas that are sensitive to the harvesting techniques applied are not harvested or are harvested in a more suitable way. Operational activities have no negative impact on the terrain conditions that are of special importance for the management goals of the residual stand.

	<ul style="list-style-type: none"> - <i>The personnel or contractor conducting the harvest are trained in techniques that are aimed at minimising the damage to the forest.. Additional training and refresher courses are offered.</i> - <i>Harvesting is planned in such a way that it occurs in the most efficient manner, taking into consideration ecological and social restrictions.</i> - <i>The harvesting operations are continuously monitored and improved, where necessary.</i>
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Keywords	Principle SFM-8: The production capacity of non-timber forest products (NTFP's) shall be preserved.
NTFP harvest	<p><u>Criterion SFM-8.1:</u> The management of NTFPs is integrated in the forest management plan.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Harvest and management data on important NTFP's are registered.</i> - <i>The NTFP harvest level does not jeopardize its production capacity.</i> - <i>Hunting and fishing are regulated and controlled</i> - <i>Information about the species that can be hunted is made available to the personnel and the general public. Where relevant, training on the preservation and management of those species is given.</i>

Disclaimer: If any specific criterion is considered not applicable in the particular circumstances under review, it will be disregarded.

Keurhout Protocol

CoC Standard

normative document 3

Standard for the validation of Chain of Custody

Netherlands Timber Trade Association

Version May 15th, 2009

5.1 Introduction to the CoC standard

Normative document 3 of the Keurhout Protocol describes the requirements for the Chain of Custody (CoC) of certificates or systems.

The Keurhout Standard applies to the validation of certificates or systems which certify Legal Origin or Sustainable Forest Management, including a Chain of Custody system or that specifically refer to the CoC. Its purpose is to enable independent judgement of the quality of the CoC and timber tracking arrangements that have lead to the issuance of CoC certificates, which are supposed to guarantee that certified timber is properly managed according to specified control mechanisms.

The CoC Standard is originally based on the so-called minimum requirements of the Dutch Government for certificates for sustainably produced timber, as included in the government communiqué *Houtcertificering en Duurzaam Bosbeheer* (Timber Certification and Sustainable Forest Management), 1997, and derived from: the ITTO definition of Sustainable Forest Management, the *Forest Principles* (UNCED, Rio de Janeiro 1992) and the FSC principles.

The KH-Standard for CoC shall be used in combination with other KH-standards. The combination of normative parts to be used for a specific assessment can be derived from the matrix table presented in chapter 1. In combination it serves as the basis for granting the Keurhout Quality Mark for Legal and/or Sustainable Timber and its logo to individual certificates or certification systems. Overall positively validated certificates or systems are admitted to either the KH-Legal or the KH-Sustainable system, depending on the assessment.

5.2 KH-levels and implementation of the CoC

The KH-Legal and KH-Sustainable systems distinguish **two levels**:

- **KH-Legal:**
 - Level 1: 100 % KH-Legal timber or partly (less than 70 %) KH-Sustainable timber and the rest KH-Legal timber
 - Level 2 : at least 70 % KH-Legal timber and the rest KH-Sustainable and/or Verified Legal Timber (VLT). For assembled mixed products only.
- **KH-Sustainable:**
 - Level 1: 100 % KH-Sustainable timber
 - Level 2: at least 70 % KH-Sustainable timber and the rest KH-Legal and/or Verified Legal Timber

The percentages certified material are specified by the CoC company and verified by the CB. The KH-level must be indicated clearly on the Keurhout logo's and all relevant documents.

The CoC can be implemented in two ways:

- I. Through (physical) segregation of flows of certified and uncertified timber, either in time ("batch system") or in place ("separated production and sales lines"). In this way timber (products) can be admitted to a KH-Legal level 1 or a KH-Sustainable level 1.
- II. On the basis of a credit system. The minimum content **KH-Legal** admitted material out of a total volume processed or sold in a particular predetermined period may not be less than 70 %; the rest of the volume must be KH-sustainable and/or *Verified Legal Timber*. Similarly the minimum content of **KH-Sustainable** material is at least 70 %; the rest of the volume must be *KH-Legal* and/or *Verified Legal Timber*. This can result in:
 - KH-Legal level 1 (100 % KH-Legal or < 70 % KH-SFM and the rest KH-Legal),
 - KH-Legal level 2 (at least 70 % KH-Legal and KH-SFM; rest VLT),
 - KH-Sustainable level 1 (100 % KH-SFM),
 - KH-Sustainable level 2 (at least 70 % KH-SFM; rest KH-Legal and/or VLT)

Keurhout encourages the implementation of physical segregation, but is at the same time aware of the logistic problems that the system may create. Keurhout therefore also accepts the implementation of a procedure based on a credit system. The latter can be illustrated with the following example for KH-Sustainable:

X% certified log input in the sawmill or other processing point within the processing chain results in the right to have X% output of certified timber.

A sawmill processes 100.000 m³ round wood per year. It receives 80% (80.000 m³) of logs from certified forests. The conversion rate is 60%, which results in a total production of 60.000 m³ sawn timber. The sawmill now has the right to sell 80% of 60.000 m³ = 48.000 m³ of sawn timber as certified product. However only Keurhout level 2 may be awarded, due to the fact that not all input was from KH-Sustainable admitted origin.

A similar example can be made for a KH-Legal admitted assembled timber product.

5.3 Requirements for Chain of Custody (CoC standard)

This Standard forms an integral part of the Keurhout Protocol, of which it shall not be used independently.

Keywords	Principle CoC-1: The timber shall be traced and monitored from the felling location through all its possible stages of processing and transport to the country of its final destination.
registration	<p><u>Criterion CoC-1.1:</u> The parties in the CoC are registered according to national legislation and regulations and have a valid license to operate.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Legally authorised registration form and number showing that the parties legally exist and meet the legal requirements to operate.</i>
management system for tracking	<p><u>Criterion CoC-1.2:</u> The parties in the CoC have well documented operational procedures for timber product tracking.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Procedures for tracking of third party verified legal timber products are documented and are effectively implemented.</i> - <i>The certificate numbers of the suppliers and sources are indicated and allow for tracking to at least the last supplier.</i> - <i>There are well-documented procedures for tracing the timber in the forest and/or through processing.</i> - <i>There is clear segregation (identification and/or physical separation) between certified and non-certified timber products at any critical control point (transport, transformation or storage site) unless a credit system is applied that only allows for mixing with verified legal timber.</i> - <i>All timber products that leave the forest are identified and marked; the organisation applies a registration and control system which includes all commercially logged timber.</i> - <i>A Standard Operation Procedure (SOP), covering all relevant issues, is available and used.</i> - <i>The registration of production, processing, storage, transport and sales is transparent, allows for conclusive administration of incoming and out-going products and distinguishes between certified and non-certified timber products. The certified output is clearly identified and can be traced back to its origin.</i> - <i>There are procedures in place for determining the share of certified timber in mixed products or cargo's.</i> - <i>A manageable product labelling system is applied.</i>

	<ul style="list-style-type: none"> - <i>In case second party timber tracking is applied for certain parts of the CoC, implementation is verified by an accredited third party.</i>
mixed products	<p><u>Criterion CoC-1.3:</u> In case of mixed products, the percentage of certified output is established, while the certified timber is at least mixed with verified legal timber.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The average percentage of certified material is calculated and clearly identified in the sales documents; it is verified by the CB.</i> - <i>Mixed timber from non SFM-certified sources complies with the criteria for verified legal timber.</i>
credit systems	<p><u>Criterion CoC-1.4:</u> In case of a credit system, adequate procedures are applied to avoid uncontrolled mixing. The percentage of certified output is established, while the certified timber is at least mixed with verified legal timber.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The CoC-holder informs the CB in advance in case a credit system is applied.</i> - <i>The monitoring of supplies and the calculation of production is done on a monthly basis.</i> - <i>The credit system only is applied to the same type of timber, within the same size and quality group, in order to prevent mixing.</i> - <i>Credits are not used in advance.</i> - <i>Credits remain valid for a maximum of 2 years.</i>
percentages and levels	<p><u>Criterion CoC-1.5:</u> Percentages certified material and the related KH-level is clearly indicated.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The percentages KH-Sustainable, KH Legal and/or verified legal timber are registered and verified by the CB.</i> - <i>The KH-level is indicated clearly on the Keurhout logo's and all relevant documents.</i>
logo use	<p><u>Criterion CoC-1.6:</u> Logo use is according to the regulations.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The use of logos has been requested and rewarded</i> - <i>The use of logos is correct and according to the regulations of the CS</i> - <i>The use of logos is in line with the regulations of the KH-logo Guide</i>

Disclaimer: If any specific criterion is considered not applicable in the particular circumstances under review, it will be disregarded.

Keurhout Protocol

CB Standard

normative document 4

Standard for the validation of the requirements for Certification Bodies

Netherlands Timber Trade Association

Version May 15th, 2008

6.1 Introduction to the Certification Body standard

Normative document 4 of the Keurhout Protocol describes requirements for Certification Bodies.

The Keurhout Standard applies to the validation of CB's that issue certificates or verify systems for Legal Origin or Sustainable Forest Management in- or excluding a Chain of Custody system. Its purpose is to enable an independent judgement on the competence, independence and reliability of the organisation (CB) that has certified forest management and/or CoC to comply with relevant standards for Legal Origin and/or SFM.

The Standard is originally based on the so-called minimum requirements of the Dutch Government for certificates for sustainably produced timber, as included in the government communiqué *Houtcertificering en Duurzaam Bosbeheer* (Timber Certification and Sustainable Forest Management), 1997, and derived from: the ITTO definition of Sustainable Forest Management, the *Forest Principles* (UNCED, Rio de Janeiro 1992) and the FSC principles.

The KH-Standard for the Validation of Information on CB's shall be used in combination with other KH-standards. The combination of normative parts to be used for a specific assessment can be derived from the matrix table in chapter 1. In combination it serves as the basis for granting the Keurhout Quality Mark for Legal and/or Sustainable Timber and its logo to individual certificates or certification systems. Overall positively validated certificates or systems are admitted to either the KH-Legal or KH-Sustainable system.

6.2 Requirements for Certification Bodies (CB standard)

This Standard forms an integral part of the Keurhout Protocol, of which it shall not be used independently.

Keywords	Principle CB-1: The certification body (CB) shall be competent to assess forest management and/or the Chain of Custody.
independence	<p><u>Criterion CB-1.1:</u> The CB, and any subcontracted party, is independent.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The CB can demonstrate that the organisation and its personnel have no commercial, financial or other interests that could influence the assessment, in any way. Documentation on the organisational structure, indicating the responsibilities of the CB, can be supplied upon request. Additional information about the company, ownership and sources of income can also be provided, if required.</i>
organisation	<p><u>Criterion CB-1.2:</u> The CB, and any subcontracted party, complies with international standards and guidelines for bodies providing assessment and certification of (forest) management systems, including requirements for organisational structure and operating procedures.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The CB complies with (i.e. is accredited for) the requirements as specified in ISO/IEC 17021 and/or ISO/IEC Guide 65 (valid for CoC assessment only) and the additional guidelines specified by the IAF, for the application of these guides.</i> - <i>The CB is accredited by an accreditation body which demonstrably complies with the requirements of the ISO/IEC 17011 on basis of peer review preferably in the context of membership of the IAF.</i> - <i>Published overviews of CB's accredited by Accreditation Bodies confirm that the accreditation concerned is subject-specific.</i>

audit procedures	<p><u>Criterion CB-1.3:</u> The audit procedures applied comply with ISO/IEC Guide 17021 (for a forest management audit) and/or ISO/IEC Guide 65 (for a CoC audit).</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The assessment process is well documented and made available to interested parties, upon their request. Confidential information is handled in an appropriate manner.</i> - <i>The normative document, against which a CoC or forest management has been assessed, is available.</i> - <i>Handling of non-conformities (issuance, maintenance and closing-out of Major CAR's, minor CAR's and Observations) is documented.</i> - <i>Procedures for the conducting of peer reviews are documented.</i> - <i>Information on developments with regard to standards and legislation related to forest management is kept up to date and evaluated with regard to their applicability to the CB. Upon request, these evaluation reports are available. New standards and/or guidelines on certification procedures are carefully monitored. If necessary, the procedures are adapted to meet new requirements.</i>
legal context	<p><u>Criterion CB-1.4:</u> The procedure to identify relevant legislation and/or existing (customary) rights has been clearly documented.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Legislation applicable to ownership and management or use of a particular forest unit has been identified through consultation with Government agencies, the licence holder and local authorities and communities.</i>
expertise	<p><u>Criterion CB-1.5:</u> The CB employs audit teams with the necessary expertise in SFM and/or CoC.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The audit team is competent with respect to the certification of forest management activities. The areas of expertise shall include: auditing, management information and process systems, environmental issues, legislation concerning forest management, silvicultural and socio-economic knowledge, and relevant sampling techniques.</i> - <i>If applicable, the audit team has professional knowledge of CoC, in particular as far as timber and timber products are concerned, and is acquainted with national and local conditions related to forest management objectives.</i> - <i>The CV's of the team members provide evidence that they have sufficient professional knowledge and experience.</i>
reporting	<p><u>Criterion CB-1.6:</u> The assessment scheme contains requirements on the content of the audit report.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The audit report at least contains:</i> <ol style="list-style-type: none"> <i>1. the composition of the audit team and its competence</i> <i>2. (a reference to) the normative document</i> <i>3. a description of the actual assessment process</i> <i>4. a systematic overview of the findings regarding all criteria and/or more detailed key findings for any non-conforming issues</i> <i>5. the substantiation of the final conclusion of the audit.</i>
monitoring	<p><u>Criterion CB-1.7:</u> A CB assessment scheme includes surveillance audits to verify continuing compliance with the certification standard (SFM, Legal Origin and/or CoC).</p>

	<p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>A contract, certificate or other document between the third party or CB and the certificate holder shows the duration of validity of the claim of sustainable forest management and/or legal origin as well as the frequency (at least once a year, random or planned) and method of monitoring continuing compliance with the requirements.</i>
group certification	<p><u>Criterion CB-1.8:</u> CB's which perform Group Certification must have a separate additional certification scheme for this subject.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The CB's certification scheme shall at least contain procedures for:</i> <ol style="list-style-type: none"> 1. <i>assessing compliance with the requirements applicable to the group leader and the requirements for the group members.</i> 2. <i>executing the admission check and inspections, such as checking documents, extent of random testing, etc.</i> 3. <i>assessing shortcomings at group level and at individual group member level.</i> 4. <i>compiling the audit report, making a distinction between the assessment of elements relating to the group as a whole and elements relating to the individual group members.</i>

Disclaimer: If any specific criterion is considered not applicable in the particular circumstances under review, it will be disregarded.

Keurhout Protocol

CS Standard

Standard for the validation of Certification Systems

Netherlands Timber Trade Association

Version May 15th, 2009

7.1 Introduction to the Certification System standard

Normative document 5 of the Keurhout Protocol describes requirements for Certification Systems (CS's).

Certification Systems are systems consisting of requirements, procedures and policy rules for the execution of certification. A CS is a complete system which consists of the following components: a management organization with a constitution, a decision-making structure, rules and procedures for developing standards and certification procedures (accreditation, certification and logo use).

The Keurhout Standard applies to Certification Systems for the certification of Legal Origin or Sustainable Forest Management (SFM) in- or excluding a Chain of Custody (CoC) system. Its purpose is to enable an independent judgement on the quality of a CS and its implementation (management authority, its working methods, procedures for the development, adjustment and acceptance of standards and requirements for the accreditation of CB's among others). This judgement on CS level allows for the admission of all certificates issued by the system to Keurhout, without the need to validate each and every certificate separately.

The KH-Standard for CS's shall be used in combination with other KH-standards. The combination of normative parts to be used for a specific assessment can be derived from the matrix table presented in chapter 1. In combination it serves as the basis for granting the Keurhout Quality Mark for Legal and/or Sustainable Timber and its logo to certification systems. Overall positively validated CS's are admitted to either the KH-Legal or KH-Sustainable system.

7.2 Requirements for Certification Systems (CS standard)

This Standard forms an integral part of the Keurhout Protocol, of which it shall not be used independently.

Keywords	Principle CS-1: The Certification System Management (CSM) shall act independently.
independence	<p><u>Criterion CS-1.1:</u> The CS is managed by an organisation that is properly structured and contactable and independent of parties to be certified.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The organisation is a legal entity and/or is registered with the Chamber of Commerce, it has a constitution and an own mailing address, telephone and fax numbers and email address.</i> - <i>There is a publicly available list of duties, powers and responsibilities for the individual organisational units and the names and origin of board members are known.</i> - <i>The CSM operates independently of the parties to be certified</i>

Keywords	Principle CS-2: The CSM shall be responsible for the quality and monitoring of the Certification System.
establishment	<p><u>Criterion CS-2.1:</u> The establishment process of the system is transparent and the CS serves the interests of organizations to be certified and the other stakeholders in a balanced way.</p>

	<p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Written procedures exist for the functioning of the CS, particularly regarding decision-making on the establishment and amendment of the CS.</i> - <i>Organizations to be certified and other relevant stakeholders have been satisfactorily involved and/or provided with such opportunity, in the establishment process of the CS.</i>
system quality	<p><u>Criterion CS-2.2:</u> The CSM puts the procedures provided for under the CS in effect, and works to improve the system's quality.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Periodic consultations are held with the CB's about the content of the CS and the experience gained in using it. The content of the CS is adjusted periodically. The CSM maintains contact with the accreditation body to map out its experience in applying the CS.</i>
requirement setting	<p><u>Criterion CS-2.3:</u> The CSM sets the requirements to be satisfied by forest managers, CoC-partners and CB's.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Generic and national standards for forest managers and CoC partners are available.</i> - <i>Rules and/or standards with requirements for CBs, which are referred to or included in the contracts signed between these bodies and the CSM are applied.</i>
rules for use	<p><u>Criterion CS-2.4:</u> Rules are set for the use and prevention of misuse of the CS and associated logos by CB's.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>A contract setting the mutual rights and obligations is signed between the management authority of the CS and each CB wishing to apply the CS. The contract includes items such as:</i> <ol style="list-style-type: none"> 1. <i>The CS allows accredited CB's the right to grant the logo of the CS, and requires them to monitor the use of the logo.</i> 2. <i>CB's shall incorporate conditions (e.g. on logo use) into the contracts between CB's and the certificate holders.</i> 3. <i>CB's shall require all certificate holders to allow periodic inspections, including those ones commissioned by the management authority of the CS.</i> 4. <i>CB's shall require from the CoC-parties that the logo is affixed in such a manner as not to become detached during transport, in storage or when touched.</i> - <i>The CSM has procedures in place and follows them to prevent improper use of the CS and associated logo, and deals with any misuse.</i>
information	<p><u>Criterion CS-2.5:</u> Relevant information about structures, processes and types of contract provided for under the CS and their scope of application is public and easily accessible.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The requirements imposed on forest managers and CB's are posted on the Internet or otherwise obtainable.</i> - <i>A register of contracted CB's is available, identifying the Accreditation Bodies which granted accreditation.</i> - <i>A register of certificates issued by CB's is available.</i>

monitoring	<p>Criterion CS-2.6: The CSM establishes and implements procedures to monitor compliance with the requirements imposed under the CS.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>An internal system is in place to monitor compliance with the system management requirements (standard setting procedures, appeal procedures, composition of committees, voting rules, transparency etc).</i> - <i>An appraisal system is in place to assess the contracted CB's.</i>
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Keywords	Principle CS-3: The development process of the generic standard, regional and national standards and the standard for the Chain-of-Custody shall be fair and transparent.
transparency	<p>Criterion CS-3.1: The standard setting and decision making process is fair, transparent and public.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Standard setting and decision making are not dominated by the interests of one stakeholder category.</i> - <i>The decision-making and participation procedures are clearly documented.</i> - <i>Key documents (minutes, comments on final draft, response) are public, accessible and available in a timely fashion for all interested parties, including local communities.</i> - <i>Sufficient opportunities are provided to stakeholders (in terms of time and procedures) to comment on draft versions. The manner in which comments are taken on board is accounted for in writing.</i> - <i>Procedures are followed as agreed and insight is provided on whether there was assent or not.</i>
testing	<p>Criterion CS-3.2: Draft standards have been reviewed against a variety of typical business processes and field tested in a range of situations.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The draft standard has been tested in practice in different circumstances (types and sizes of forest and forest owners, types and scales of trading and processing companies).</i> - <i>Protocols for field tests are available and used.</i>
acceptance	<p>Criterion CS-3.3: The CSM has documented procedures in place for reviewing and accepting a standard and interpretation documents.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Official documents prepared by the CSM identify who is authorised to conduct the review and acceptance test. Testing and acceptance protocols are in place. Given the requisite consensus, only one standard per country/region is feasible.</i>
linkage of system levels	<p>Criterion CS-3.4: The universal CS stipulates that all elements from the universal standard must be included in a regional or national standard, unless it specifies the reasons why a particular element is not applicable.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The system does not allow significant leeway for policy-making in the interpretation of the national standard.</i>

Keywords	Principle CS-4: The standard shall be clearly structured, complete, usable and allow for objective assessment.
practical implementation	<p><u>Criterion CS-4.1:</u> The standard is suitable for application at the level of a forest management unit (operational level) and/or CoC unit.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The certification system can be put in practice.</i>
consistency	<p><u>Criterion CS-4.2:</u> The standard is consistent in terms of structure and unambiguous in terms of reasoning and definitions.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The standard is horizontally and vertically consistent. There is a proper connection between principles, criteria and indicators. Key terms and technical terms are properly defined, and preferably in line with internationally accepted standards. Ambiguous terms have been avoided (e.g. phrases such as 'if required', 'adequately', 'reasonably', 'suitable' and 'plausible').</i> - <i>The standard provides details of all requirements imposed under the universal system (if no national CS is in place).</i> - <i>The standard emphasises the need for reliable quantitative data, maps, land-use plans, forest management data, harvest data and production data.</i>
legal alignment	<p><u>Criterion CS-4.3:</u> The standard is in line with national laws and international treaty obligations. The standard may be limited to referring to national laws and international treaty obligations only if they are actually put in effect.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>Reference is made to relevant legislation that is compatible with the requirements in this document and put in effect. This refers in particular to terms and conditions of employment, decision-making procedures, rights of the local and indigenous population, safety measures, forestry and environmental protection laws. Exceptions are clearly justified.</i>

Keywords	Principle CS-5: The Certification System shall require CB's to comply with international accepted standards of professionalism and independency.
accreditation requirement	<p><u>Criterion CS-5.1:</u> The CSM has a contract with a CB which stipulates that the CB is only allowed to issue certificates if it is accredited by a body that meets the requirements of ISO/IEC 17011.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The CS specifies requirements for Accreditation Bodies that may accredit a CB and/or accreditation to be obtained by the CB.</i> - <i>The Accreditation Body allows compliance with these requirements to be assessed periodically by suitably qualified external persons or institutions, preferably in the framework of IAF (the International Accreditation Forum) procedures.</i>

Keywords	Principle CS-6: Group Certification shall be based on compliance with the performance standards for individual forest management units, respectively CoC participants, and in addition specific requirements regarding group organisation and management.
group organisation/ management	<p><u>Criterion CS-6.1:</u> The CS contains specific requirements for the group organisation and management.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>The Group Certification system specifies the tasks, responsibilities and the expertise requirements of the group leader. The standard imposes requirements for the management system of the group equivalent to those of ISO 9001 or ISO 14001. The group leader maintains a registration and documentation system, including names of members, maps of FMU's covered, related forest management information, member declarations of commitment with the standard, summaries on members production and sales, results of internal audits, among others).</i> - <i>The standard specifies that each group member is responsible for implementing the requirements for Legal and/or Sustainable Forest Management or CoC in his own production unit.</i>

Keywords	Principle CS-7: The system shall offer facilities for the filing of complaints and/or appeals.
appeals	<p><u>Criterion CS-7.1:</u> The CS has established adequate mechanisms for handling complaints and/or appeals against procedures and/or decisions taken, in line with international standards.</p> <p><i>Guidance:</i></p> <ul style="list-style-type: none"> - <i>A committee responsible for handling of complaints/appeals exists and the names and background of its members are publicly available. The set-up and selection of members of this committee guarantees an independent and professional treatment. Appeals are handled, that concern a complaint with the CB that was inadequately dealt with by the CB, according to the applicant.</i> - <i>Stakeholders with a reasonable interest in decisions of the CS have the possibility to file complaints and/or appeals. Received complaints/appeals are documented; a summary is publicly available.</i>

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Annex 1 Terms and definitions

These definitions have been formulated and are being used in the context of the Keurhout validation process according to the Keurhout Protocol¹⁷.

Accreditation:

A process according to which a competent authority (usually a national organisation) formally acknowledges that a Certification Body (CB) is competent to carry out specific certification activities, on the basis of internationally agreed instructions.

Admitted certificate:

Certificate for sustainable forest management (SFM) or legal origin (LET), which has been validated by the BoE and in consequence been admitted to respectively the KH-Sustainable system or to the KH-Legal system.

Appeals Board (AB):

Independent board which, on behalf of the KH Management Authority, deals with appeals against decisions taken by the BoE or the KH-MA. The final verdict of the AB is binding.

Assessment:

Evaluation for a distinct purpose according to a certain rule.

Audit:

Examination and verification by a certification body according to a formal set of Principles & Criteria to assess the state of a Forest Management Unit or CoC company for which a certificate is to be issued.

Audit report:

A report that presents the results of an audit.

Board of Experts (BoE):

Independent board of experts which, on behalf of Keurhout, evaluates applications for admission to the KH-Legal or KH-Sustainable systems on the basis of a combination of an assessment of documents and validation of a certificate or a certification system based on the requirements of the underlying Standards of the Keurhout Protocol.

Corrective Action Request (CAR):

The description of adjustments to be realised in order to remove identified non-conformances with established requirements.

Certificate:

A document which has been issued in accordance with the rules of a certification system which indicates with a certain degree of reliability that a product, process or service meets a specified standard.

Certification:

A procedure according to which an independent third party states in writing that a product, process or service satisfies certain conditions which are specified in a standard or other normative document.

¹⁷ The Keurhout Protocol has been established by the Netherlands Timber Trade Association (NTTA) and is publicly available.
The validations are carried out by the independent Board of Experts (BoE).

Certification Body (CB):

Authorised or accredited independent certification body which can execute a (field) audit regarding legal origin, sustainable forest management and/or CoC and, in the event of a positive result, can issue a certificate.

Certification Standard:

A document consisting of a set of principles and criteria (with or without indicators, verifiers and/or guidance information) which is used as a basis for certification.

Certification System (CS):

A system consisting of requirements, procedures and policy rules to issue certificates.

Chain-of-Custody (CoC):

The chain of companies along which products are transported, traded and processed, from the forest to the end user (also referred to as “the unbroken path from the forest to the end-user”).

Country of origin:

Country where the trees have been harvested from which the wood (product) has been derived.

Criterion:

Condition or aspect referring to a matching Principle, which must be fulfilled in order to meet the requirements of a specific principle.

Demonstrable:

Sufficient indications at criterion level are transparently provided.

Forest Management Unit (FMU):

Geographically demarcated more or less united forest area, managed as one entity, for which a particular management authority has a unequivocal responsibility for all its functions.

Forest Management system:

A management system based on planning and control of verifiable specified objectives (products and services), which is aiming at achieving the relevant suitable forest conditions, through operational measures.

Forest Manager:

Responsible person for the achievement of products and services in a designated forest area.

Gatekeeper function Keurhout:

Differentiating between those certificates and/or certification systems that comply and those that do not comply with certain standards, based on assessment against the particular standards of the Keurhout Protocol and in the former case the subsequent full admittance of certificates and/or certification systems to a particular Keurhout system.

Group certification:

Group Certification¹⁸ is a means by which several forest owners or managers can be certified together under a formally identifiable ‘Group’ – rather than as individual entities. The so-called group entity (the overall organisation or umbrella organisation) is certified and is responsible for compliance of all group members.

Identification of Keurhout admitted timber:

Keurhout admitted timber shall be clearly identifiable as Keurhout (-Legal or -Sustainable) throughout the CoC, preferably accompanied by on product use of the correct Keurhout logo, colour, lettering or number codes . Keurhout Logo use by non Keurhout participants is only allowed upon request and approval by the Secretariat of the Keurhout Management Authority.

¹⁸ This includes regions.

Independent party:

Party without ties to or interests in any producer or CoC participant to be certified.

Indicator:

A qualitative or quantitative parameter which indicates the condition of a criterion to be met.

Keurhout condition:

A requirement formulated by Keurhout which must be met within a specified period.

Keurhout-Legal:

Timber of traceable origin, which has been rightfully acquired and of which the matching certificate has been validated by the BoE. In countries of origin such timber may only be referred to as "Keurhout-Legal admitted timber"

Keurhout-Legal product:

A product manufactured by a CoC participant which consists of 100 % Keurhout-Legal timber (level 1) or at least 70 % Keurhout-Legal timber and the rest KH-SFM and or "Verified Legal Timber" (level 2).

Keurhout logo:

The official Keurhout logo (for Keurhout-Legal or for Keurhout-Sustainable), for legal or sustainable Keurhout products.

Keurhout Management Authority (KH-MA):

Authority of the Keurhout system responsible for establishing protocols, facilitating overall management and taking strategic management decisions.

Keurhout participant:

Registered supplier who supplies timber with certificates which have been admitted to the Keurhout system and who is annually controlled by an independent CB. These are specified on this Keurhout website.

Keurhout Quality Mark:

An official mark (logo) that guarantees admission to either the KH-Legal or KH-Sustainable system and which distinguishes the Keurhout from non-Keurhout

Keurhout trajectory:

A time path agreed between Keurhout, the CB and the producer with distinct milestones with the objective of achieving a desired SFM level.

Keurhout requirements:

Depending on the review (SFM, LET, SYS-SFM or SYS-LET) this relates to the primary requirements of the Keurhout Protocol., which are to be fulfilled.

Keurhout Statement:

Statement which is issued to accompany a Keurhout product, to the consumer by the last KH-participant in the chain.

Keurhout-Sustainable:

Timber originating from sustainably managed forests, the certificate of which is recognised by Keurhout. This timber may be marked with the Keurhout-Sustainable logo. In countries of origin this timber is referred to as "Keurhout-Sustainable admitted timber" or simply "Keurhout-Legal".

Keurhout-Sustainable product:

A product manufactured by a CoC participant or Keurhout admitted CoC company, which consists of 100 % of Keurhout-Sustainable timber (level 1) or at least of 70 % Keurhout-Sustainable timber and the rest Keurhout-Legal timber and/or "Verified Legal Timber" (level 2).

Legal:

In accordance with applicable legislation and regulations in the country of origin.

Legal compliance: (in the context of timber harvesting and forest management):

Forest management and timber harvesting are executed in full compliance with all relevant legislation pertaining to forest management, environment, labour conditions and customary rights..

Legal origin:

This refers to a traceable origin for which requirements of the applicable legislation and regulations in the country of origin have been met. In the context of this protocol: timber that is rightfully acquired from nature, local population, land owner and government and complies with the relevant KH standards.

LEgal origin Timber:

Timber from Legal origin.

Legislation and regulations:

Laws, rules and official regulations in the country of origin, including laws and rules resulting from international treaties which have been ratified by the country.

Management system:

A system that determines the policy, the aims and the way to achieve them. In the case of forest management this consists of policy, planning, management of operational activities, monitoring and evaluation and feedback for improvement.

Non-Conformance (NC):

An aspect in the (forest) management or organisation that significantly deviates from the norm as established by a standard.

Norm:

A level of compliance or a particular approach which has been established as indicator for the verification of compliance with a standard.

NTFP's (non-timber forest products):

All forest products other than timber, including derivative products, derived from trees, plants and animals that live in the forest.

Planning unit:

More or less homogenous part of a Forest Management Unit with specified management objectives.

Plantation:

Forest stand, resulting from reforestation or sowing, in which characteristic elements of natural ecosystems may be temporarily lacking.

Primary forest:

Forest in a more or less natural state.

Principle:

A settled rule of agreed conduct. Principles are elements of an aim, such as sustainable forest management.

Protocol:

Description of procedures to be followed and references to be used for a specific aim.

Protocol for the validation of legal origin (KH-LET):

Description of KH audit schedules and combination of standards (normative requirements) on the basis of which the validation of claims with regard to LEgal origin Timber is carried out.

Protocol for the validation of sustainable forest management (KH-SFM):

Description of KH audit schedules and combination of standards (normative requirements) on the basis of which the validation of claims with regard to Sustainable Forest Management is carried out.

Protocol for the validation of Certification Systems (KH-SYS):

Description of audit schedules and combination of standards (normative requirements) on the basis of which the validation of claims with regard to certification systems (either concerning LEgal origin Timber or Sustainable Forest Management) is carried out.

Silvicultural approach:

The way forest stand management deals with issues like regeneration, thinning, retention and wood harvest, thereby determining the forest stand physiognomy in various stages of management cycles.

Site conditions:

Interrelated conditions pertaining to soil, climate, topography, flora and fauna which are particular for a determined location and, through operational measures, can be affected in order to achieve management goals.

Standard for legal timber:

Set of principles and criteria which define legal origin or legal compliance

Standard for sustainable timber:

Set of principles and criteria which define sustainable forest management.

Suspension:

Temporary cessation of a KH-admittance in order to renew it in a later stage if requirements are met

Sustainable Forest Management (SFM):

Sustainable forest management, also referred to as responsible forest management, aims to preserve forests as a natural resource for current and future generations. Sustainable forest management is based on three basic principles: socially useful, ecologically responsible and economically feasible.

Temporary extension:

Temporary extension of an admission of a certificate (and thus of the right to use the Keurhout-label), e.g. in case of anticipated or on-going re-validation.

Term of validity:

Period that a certificate remains valid.

Validation of Claims:

Assessment of evidence that the third party endorsed claim of legal or SFM timber fulfils specified requirements as have been laid down in this protocol.

Verified Legal Timber (VLT):

Timber with a legality declaration or certificate which has been assessed by the Board of Experts on the basis of a pre-scan (preceding a validation study based on the criteria for Keurhout Legal) and of which compliance with the criteria of the VLT pre-scan checklist has been determined. This concerns a temporary provision, which has been installed until 31/12/2010. For details, please refer to the Keurhout Protocol, version May 15th 2009.

Withdrawal:

Cancellation of an earlier admittance.

Annex 2 Temporary acceptance of Verified Legal Timber

Introduction

In the context of the Keurhout Protocol the term **KH-Legal** is reserved for timber that has been admitted to the KH-Legal system, and thus at least complies with the Keurhout requirements for Legal Origin. In practice a lot of timber is acknowledged as legal by certain certification systems or sometimes Governmental organisations and/or Public procurement systems, but has not yet been assessed by Keurhout. Time is needed to enable a thorough assessment of these systems and certificates. A pre-scan checklist has been developed to verify whether certification systems at least comply with a set of minimum requirements for the intake.

Transition period

Until December 31st 2010 a transition period is applied, during which timber covered by valid certificates of legality verifying systems, which have not yet been validated by the BoE against the relevant parts of the Keurhout Protocol, but comply with the requirements of the pre-scan checklist, *temporarily* will be acknowledged as **Verified Legal Timber (VLT)**.

Procedure

The KH Management Authority established the requirements for recognition as *Verified Legal Timber*, as specified in the pre-scan checklist. The BoE validates compliance of a certification system with these criteria and takes a decision on recognition or not. Recognized systems are published on the Keurhout website. A complaints/appeals procedure will be applicable, equal to the one for decisions by the BoE with respect to admission to the KH-Legal and KH-Sustainable systems.

The BoE requires a certificate which guarantees that timber is sourced from a legal origin. The BoE temporarily accepts certificates that comply with the requirements as stated below.

Pre-scan checklist for Verified Legal Timber

Aspect	Criteria
Organisation	1. The certificate is issued by/on behalf of a CS, managed by an organisation that is properly structured and contactable.
	2. The system manager sets the requirements to be satisfied by forest managers, CoC partners and CB's.
	3. The system has a standard with clearly defined criteria against which verifications can be implemented.
	4. The standard addresses legality of harvesting.
	5. The system contains specific requirements for group certification, if applicable.
	6. Rules are set for use and prevention of misuse of the system and associated logos.
Transparency	7. The standard and system procedures are publicly available.
	8. The standard setting and decision making process is fair, transparent and public.
	9. Complaints/appeals procedures are available to stakeholders.
Implementation	10. Verifications against the standard are implemented by independent third parties which are accredited, in line with internationally accepted standards. In case of second party control of third party supplies, third party verification of this control is in place.

Annex 3. Keurhout approach towards the issue of legal timber

Status of timber 1)	Level of forest management performance 2)	Scope of legal concern 3)	Applicable legal requirements 4)
LEgal origin Timber	a) Responsible forest manager, i.e. license holder or community complies at least with the basic principle of harvesting only those trees that he is legally allowed to.	a) Timber is not stolen: Legal permit and timber extraction. <i>(and control of unauthorized extraction of timber)</i>	a) * legal registration and permits; payment timber fees and area taxes. * legislation and prescriptions as to protected areas, zones and species. * legislation and gov. prescriptions as to tree dimensions, allowed volumes.
Transition timber	b) a) plus, license holder participates in (third party verified) programme to progressively achieve SFM and move to certification.	b) a) plus, additional legal environmental and labour condition requirements and customary cutting rights.	b) a) plus an agreed program setting time targets to comply with * environmental operating rules and legislation * (inter)national labour condition legislation * other customary rights * other relevant laws
SFM timber	c) Well managed forests, certified by independent third party, i.e. environmentally sound, economically feasible and socially justified forest management.	c) all relevant legislation and forest management rules. (see a and b)	c) * all legislation and rules pertaining to forest management and forest operations and license holders and operators. (a and b)

This annex is adopted from the document "Introduction to the Legal Timber Issue and the Keurhout Protocol for the Validation of Claims of Legal Timber" (ISAFOR, 2004). The table shows the legal requirements, column 4, which should be fulfilled in relation to the three levels of forest management as named in column 1 and described in column 2. The row "transition timber" (the second level) represents only a theoretical stage; it is not distinguished by Keurhout in the market.
