

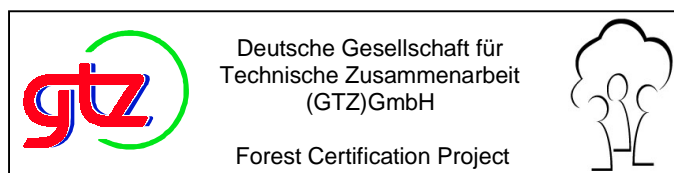
SOCIAL CRITERIA AND INDICATORS FOR SUSTAINABLE FOREST MANAGEMENT

A guide to ILO texts

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INTRODUCTION

Background

The United Nations Conference on Environment and Development (UNCED) in 1992 led to the general adoption of a concept of sustainable development based on an equilibrium between three components:

- economic development;
- conservation of the environment; and
- social justice.

Forests featured prominently at the Conference and have remained high on the international agenda ever since. In pursuance of the 'Forest Principles' and of chapter 11 of Agenda 21 adopted at UNCED, initiatives were launched around the world to define the notion of sustainable forest management in more specific and operational terms. Criteria and indicators were identified, in order to make the new and much more comprehensive concept of sustainable forest management amenable to planning, monitoring and assessment at the national level as well as for the individual forest management unit. The selection and use of suitable criteria and indicators are thus one of the keys to progress in the practice of sustainable forest management.

National criteria and indicators have been adopted by practically all governments in regional forest policy fora or 'processes' as well as by specialized organizations such as the International Tropical Timber Organization (ITTO). They are mainly intended for defining objectives and priorities for national forest policies and strategies and for monitoring progress during their implementation. At the forest management unit level, criteria and indicators are used to assess compliance with performance-based certification standards. Various certification and labelling schemes for forest management and/or forest products have been launched in recent years. After a slow start, the forest area certified has increased sharply since 1998.

From the beginning, the formulation of criteria and indicators has suffered from a bias towards environmental concerns and economic interests. Social aspects have been covered to a varying and often unsatisfactory extent. A second drawback for an adequate incorporation of the social dimension has been the lack of commonality between the various sets of criteria and indicators. This is due to differences in the choice and in the definition of parameters. There is broad consensus that comparability of criteria and indicators internationally and between certification standards is desirable. It has been suggested by various authors that ILO texts could provide a basis for shared criteria and indicators of social aspects of sustainable forest management (see for example ITTO, 1998 and CIFOR, 1998). It has also become clear, that the contents and nature of relevant ILO texts is poorly known and understood by the fora discussing criteria and indicators for forestry.

The purpose of this guide

The present guide to ILO texts has been prepared in an attempt to fill this gap. It presents a selection of ILO texts deemed particularly relevant for forestry and offers an explanation as to why and how they should be taken into account.

The intended users are:

- governments and other stakeholders defining SFM in national policy or legislation;
- participants in the regional forest policy processes;
- individuals and organizations involved in certification schemes and initiatives, whether through setting criteria and indicators, implementing a standard or monitoring compliance.

Structure of the guide

Part I clarifies the concepts and discusses social aspects and groups in relation to forest management and the way they are covered in existing sets of criteria and indicators.

Part II introduces relevant ILO texts and discusses their application to forestry.

Part III presents suggested criteria and indicators based on ILO texts and comments on ways in which they can be used to develop or complement standards at the national and forest management unit level.

The annexes make available verbatim extracts of the ILO documents referenced in the brochure and give an overview of the ratification of relevant ILO Conventions by member countries.

Part I: CLARIFYING CONCEPTS

1. What is 'social'?

In order to identify relevant social aspects of sustainable forest management, it is useful to broadly distinguish between two social dimensions: the way people affect forests and the way forests and their management affect people.

People affect forests both positively and negatively. Human input, including labour, is indispensable for the management and protection of intact forests, and even more so for the restoration and rehabilitation of degraded forests.

People are, however, also the most devastating agents of destruction and overuse of forests. Conversion of forest land to industrial or small-scale agriculture, grazing areas, infrastructure, mines, oilfields and other land uses and the degradation of forests through destructive logging practices or unsustainable levels of harvesting of forest products by far exceed the damage done to forests by natural causes such as fire, storms or pests.

It is widely accepted now that many of the underlying causes of forest destruction and degradation are of a social nature. Poverty, resulting from an extremely uneven distribution of wealth, from the lack of access to or control over resources, in particular to land, and from the lack of alternatives to a livelihood based on marginal agriculture, is probably the single most important driving force for the destruction of forests.

There is thus a functional as well as an ethical link to the social component of sustainable development: the equitable sharing of the proceeds of economic growth. Forests need to be socially beneficial in order to contribute to the objective of sustainable development. Benefits derived from the existence and management of forests and accruing to people living in and around them may also be a precondition for the conservation of the forest.

While the notion of social benefit is thus critical to the mission of sustainable forest management and indeed to the very survival of many forest areas, it is this aspect that is least well defined and least well covered in the criteria and indicators for sustainable forest management formulated in international forest policy fora and in certification schemes.

2. Who is concerned?

Social aspects are about people. To some extent it is the population at large that is concerned, but several groups can be identified that have a close and specific relationship with forests:

- forest dwellers,
- forest users,
- forest owners, and
- forest workers.

Local communities interact closely with forests. This is particularly true for forest-dependent communities and many indigenous and tribal peoples who derive their economic livelihood and often their cultural and spiritual identity from forests (see Arnold and Byron, 1997).

Forest owners account in many countries for a large share of the beneficiaries of forest management. In particular the owners of small, private forests often derive a significant share of their income from their forests. This income can be a major complement to farming or off-farm employment and help to keep rural economies viable. For information on the situation in Europe, where there are more than 15 million private owners, see *People, forests and sustainability* (ILO, 1997).

All forest workers, whether salaried workers, contractors, self-employed workers or forest farmers, are obvious stakeholders in forest management as contributors, potential beneficiaries and those whose existence hinges on the sustainability of forest management. While few reliable data exist, it is clear that this is a very large group of people. It has been estimated at some 17 million full-time jobs in forests worldwide; if forest-based jobs in industry are included, the figure is believed to be around 45 million (Poschen, 1997).

3. Three entry points for promoting positive linkages between people and forests

In spite of their pivotal role for sustainable forest management, its social aspects are inadequately understood and taken into account in forest policy and management.

Three entry points appear to provide opportunities to redress the imbalance between social considerations on the one hand and economic and environmental ones on the other:

- international forest policy fora,
- certification and labelling schemes,
- codes of conduct and codes of forest practices.

A variety of forest policy fora, including organizations such as the International Tropical Timber Organization (ITTO) and the regional forest policy fora referred to as 'Helsinki, Montreal, Tarapoto etc. processes', have made significant progress in recent years in defining, and in fact formulating, a common vision for sustainable forest management through criteria and indicators. Similarly, performance-based certification and labelling schemes for forest management and forest products assess the attainment of the objectives against a set of criteria and indicators.

In both cases the criteria and indicators are a blend of conditions considered vital to ensure the conservation and maintenance of the protective and productive functions of forests and of conditions deemed necessary in order for forests to contribute to sustainable development at large.

Codes of conduct or codes of forest practices vary greatly in scope and ambition. Like some certification and labelling schemes, they can be very useful instruments to ensure that practices are in line with sustainable management and development principles at forest management unit and operations level (for example, see 'Fiji/ILO/Finland/EU Logging Training Project - Ex-post Evaluation', ILO, 1997).

4. 'Criteria' and 'indicators'

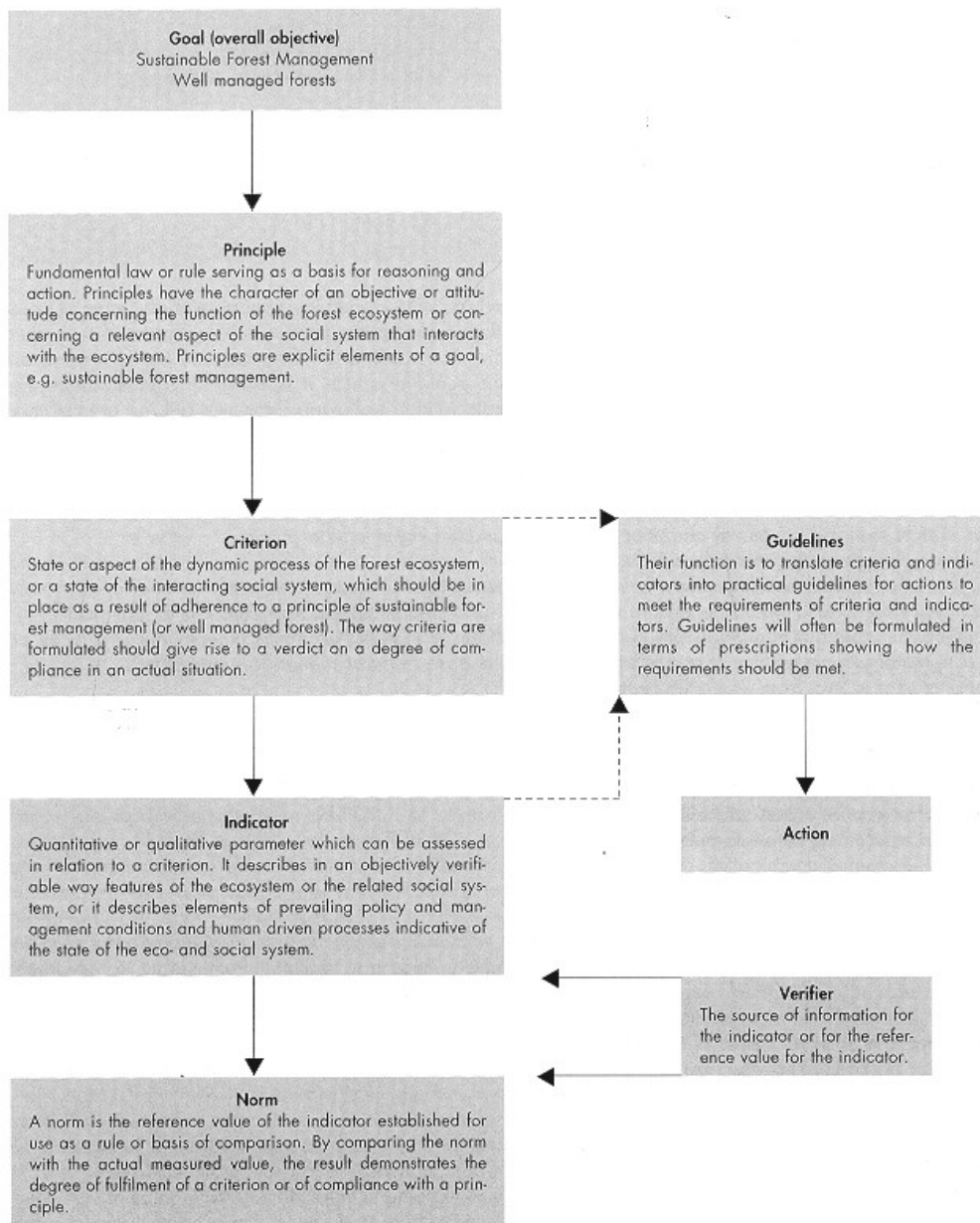
Standards for sustainable forest management typically consist of a number of principles which are the components of the overall goal or objective, and of criteria and indicators which are meant to enable an assessment as whether or not the objective and its components are being accomplished.

While most standards have this general structure, the concept has not been applied consistently. As has been pointed out by Tropenbos (Lammerts van Bueren and Blom, 1997) this inconsistency is one of the sources of misunderstanding and difficulties with interpreting, comparing and applying existing standards. This brochure follows the 'Hierarchical Framework' proposed by Tropenbos which is summarized in figure 1 below.

Accordingly, criteria should be formulated to describe a desired state or dynamics of the biological or social system and allow a verdict on the degree of achievement of an objective in a given situation. Where possible criteria should be formulated in terms of outcomes as they are the clearest expression that policies or management are having the desired impact. This is not always possible because outcomes may be too complex to describe or assess in practice. In these cases criteria have to be defined in terms of inputs or processes which need to have a clear cause-effect relationship with the objective.

Indicators allow to objectively verify whether the state called for by a criterion is actually being reached. They need to be unambiguous and measurable. Ideally they integrate a usually complex desired status into an easily observable fact. An example would be the presence of 'demanding' species of fish such as salmon in a river system. The presence of the species is an indicator of the status of the river in terms of flow and temperature regimes, oxygen content, pollutants and a host of other factors which would be difficult to monitor.

Figure 1: Principles, criteria and indicators: a summary of the hierarchical framework for the formulation of sustainable forest management standards



Source: Tropenbos (Lammerts van Bueren and Blom, 1997, p. 26).

5. Defining social and labour content of sustainable forest management

This section briefly summarizes the findings of reviews of the social and labour content of national/regional criteria and indicators of sustainable forest management as well as of certification schemes and of codes of conduct and codes of forest practices. It then proceeds to identify core social and labour elements that should be included as a minimum.

a) Social and labour content of national/regional standards

Table 1 attempts to provide an overview. It should be noted that the analysis of standards is not straightforward for a number of reasons. While certain social aspects are mentioned in several standards, for instance, some have no definition as to what level of compliance is aspired to and others establish diverging or ambiguous requirements. The standards are also in evolution. A good example are the ITTO guidelines which have been revised in 1998. The new set contains numerous social aspects not mentioned or not defined in the original guidelines published in 1992.

The Centre for International Forest Research concluded in a study on national/regional level criteria and indicators (CIFOR, 1998) that the social ones display the lowest level of commonality. The study suggests that the reason may be that they are also the most site-specific and thus the most difficult to formulate generically. While the authors felt that this may be hard to achieve, they conclude that there is a need for consistency in the coverage of social aspects.

The ITTO report on *Timber Certification: Progress and Issues* (ITTO, 1998) notes that even though social aspects are as important as economic and ecological ones, the former are much less developed. This study also concludes that harmonization with regard to social criteria and indicators is going to be the most difficult to achieve. Looking at possible ways forward, the authors point out that a number of relevant provisions have been established by the ILO.

Table 1: Schematic overview of coverage of social and labour aspects in forest policy initiatives

	Forest Policy						
	Intergovernmental initiatives				Re- search	Timber trade initiatives	
	Pan-European Process ¹ C&I (1994)	Montreal Process C&I (1995)	Amazon Treaty: Tarapoto C&I	UNEP/FAO Near East		CIFOR	ITTO
National level					F Mgt Unit		
Human input							
- Right to organise and collective bargaining (C87 & 98) ²			(+)	(+)			
- Elimination of child labour (C138 & 182)			(+)	(+)			
- Elimination of forced labour (C29 & 105)			(+)	(+)			
- Non-discrimination (C100 & 111)			(+)	(+)			
- Training programmes (C142)		+	+	(+)		(+)	
- Safety and health (ILO CPSHF) ³		+			+++	+++	+++
Sharing benefits							
- Remuneration (C131)	(+)	+	+	(+)	+++	+++	++
- Employment and training opportunities for local and forest-dependent people (C169)	+	+	+	+	+++	+	+
- Respect of traditional land use rights and cultural values (C169)	(+)	+++	++	(+)	+++	+++	+++
- Quality of life of local population ⁴	(+)	+	++			(+)	(+)
Participation and conflict resolution							
- Right to information and participation in decision making		+++	+++	+++	++	++	++
- Right to organise and defend interest collectively					++		
- Conflict resolution based on consultation and consensus		++	+		+++	+++	+++

(+) Aspect not explicitly mentioned, but included depending on interpretation

+ Aspect just mentioned

++ Aspect specified

+++ Aspect covered clearly and/or in detail

¹ Formerly known as Helsinki Process.

² C refers to ILO Convention

³ *ILO Code of Practice on Safety and Health in Forestry Work*, but this text is not a legal instrument.

⁴ Examples: provision of recreation, right to forest access for leisure, non-commercial mushroom picking etc.

b) Social and labour content of some current certification schemes

The general conclusions arrived at concerning national standards are also borne out by an analysis of current certification schemes for sustainable forest management. Table 2 includes an overview of the basic approaches to certification currently pursued in forestry.

Environmental management systems and declarations of origin are two approaches to certification which are not performance-based and thus by design do not have any social and labour content. Both may, however, have implicit social and labour content in countries, where legislation provides good coverage and is also sufficiently enforced.

Performance-based standards, such as the Principles and Criteria of the Forest Stewardship Council (FSC) or the Pan-European Forest Certification (PEFC) Framework, do have explicit social and labour content. The actual coverage and level of requirements may still vary considerably depending on how the framework or common principles are translated into national standards. Many 'hybrid' standards, which combine elements of the management system approach with specific performance requirements, such as 'Lembaga Ekolabel Indonesia' and the Canadian CSA, also include some social and labour aspects.

Some schemes, in particular those operating in several countries like the FSC, need to satisfy their clients that products of different origins carrying the same label meet broadly comparable minimum standards. In a not too distant future, all schemes may have to live up to that expectation as they may have to mutually recognize each other in order to avoid a confusing and ultimately counter-productive proliferation of schemes in the market. The 'UK Woodland Assurance Scheme' is an example of a national standard designed to meet the requirement of several international schemes, in this case of FSC and PEFC.

The forestry sector is not alone in having deficits and difficulties in adequately defining and integrating social and labour aspects of its operations. An ILO report entitled *Overview of global developments on Office activities concerning codes of conduct, social labelling and other private sector initiatives addressing labour issues* (ILO, 1998a) identified over 200 codes of conduct and 12 social labelling schemes worldwide.

The report shows that the late 1980s and 1990s have seen a rapid proliferation of codes and to a lesser extent social labelling schemes in practically all economic sectors. In spite of their growing number, codes were found to address social and **labour issues** selectively and to lack transparency and participation of supposed beneficiaries in their formulation and implementation. Measuring impact is often complicated by the use of variable criteria. On the whole, the content and the practices defined by codes appear to have been largely decided in ad hoc negotiations between interested parties with varying levels of access to information and bargaining power.

Table 2 Schematic overview of coverage of social and labour aspects in forest certification standards

	Forest certification					
	Forest Stewardship Council (FSC)	National initiatives				
		PEFC (based on Pan-European P, C&I) 1998	UKWAS	FFCS	CSA	LEI
Human input						
- Right to organise and collective bargaining (C87 & 98)	+++		+++	++		(+)
- Elimination of child labour (C138 & 182)	+ ¹		(+)	(+)		
- Elimination of forced labour (C29 & 105)	+		(+)	(+)		
- Non-discrimination (C100 & 111)	+		(+)	(+)		
- Training programmes (C142)	+++	+++	+++	+++		+++
- Safety and health (ILO CPSHF) ²	+++		+++	(+)		++
Sharing benefits						
- Remuneration (C131)	(+)	(+)		(+)		(+)
- Employment and training opportunities for local and forest-dependent people (C169)	+++	+++	+++		+++	+++
- Respect of traditional land use rights and cultural values (C169)	+++	+++	+++	+++	+++	+++
- Quality of life of local population ³		+++	+++	+++	+++	
Participation and conflict resolution						
- Right to information and participation in decision making	++	+++	++	++	++	++
- Right to organise and defend interest collectively	+		+			
- Conflict resolution based on consultation and consensus	+++	++	++			

UKWAS = United Kingdom Woodlands Assurance Scheme

FFCS = Finnish Forest Certification System

CSA = Canadian Standards Association

LEI = Lembaga Ekolabel Indonesia

(+) Aspect not explicitly mentioned, but included depending on interpretation

+ Aspect just mentioned

++ Aspect specified

+++ Aspect covered clearly and/or in detail

¹ FSC Principle 1.3: "In signatory countries, the provisions of all binding international agreements such as ILO Conventions [...] shall be respected".

² ILO Code of Practice on Safety and Health in Forestry Work, but this text is not a legal instrument.

³ Like provision of recreation, forest access right, ...

Part II: ILO TEXTS PROVIDING A BASIS FOR CRITERIA AND INDICATORS

1. Core elements of social and labour criteria and indicators

The following suggestions for a common basis for social and labour criteria and indicators distinguish three broad elements:

- human input (in particular labour),
- sharing of benefits,
- participation + conflict resolution.

It is important to make a distinction between human input and the sharing of benefits, because existing sets of criteria and indicators treat issues like worker training and accident prevention as a social benefit, when in fact they are part of the necessary investment in a production process. No other economic sector has attempted to portray efforts to reduce the number of workers killed or injured in its activity as a social benefit to the workers.

In advancing the suggestions below we also attempted to heed the findings of CIFOR (1998) concerning the attributes of useful criteria and indicators. They have been chosen because they:

- are relevant to sustainable forest management,
- are coherent,
- cover all essential social and labour aspects,
- have a comparable minimum standard,
- are sufficiently flexible,
- are short and simple.

The steps followed in defining social and labour content in a manner that avoids the ad hoc nature and ambiguity of existing sets of criteria and indicators are:

- the choice of practices, i.e. which aspects are to be addressed,
- the source of reference, i.e. how is the practice defined, and
- the actual content aspired to, i.e. what level of a given practice is required.

In forest policy and certification terminology the choice of practice and its definition correspond to a criterion, whereas the actual level of a given practice is reflected in indicators. The latter sets thresholds or reference values that may be universal or adaptable to national and even enterprise-specific situations.

2. The nature and legal status of ILO texts

The practices chosen in the following are those that have emerged as being essential in the policy debate and related research (for example Prabhu et al., 1999; Poschen, 1996). The sources used are relevant ILO texts. All of the latter reflect international consensus reached by representatives of governments, employers and workers of the more than 170 member countries of the International Labour Organization in formal decision-making processes. All texts referred to have been adopted and/or endorsed by the International Labour Conference or the Governing Body of the ILO.

From a legal point of view the texts fall into four categories:

- fundamental international labour Conventions;
- other international labour Conventions;
- international labour Recommendations; and
- the *ILO Code of Practice on Safety and Health in Forestry Work*.

ILO Conventions and Recommendations are formal legal instruments. The Conventions are open for ratification by member States and then become binding for ratifying States, which are obliged to bring national legislation and practice into line with their provisions. Annex I provides an overview of member countries that have ratified the ILO Conventions referenced in this brochure.

Fundamental international labour Conventions are those underlying the ILO Declaration on Fundamental Principles and Rights at Work and Its Follow-up adopted by the International Labour Conference on 18 June 1998, and endorsed by all ILO constituents. The Declaration states that 'all Members, even if they have not ratified the Conventions in question, have an obligation, arising from the very fact of membership in the Organization, to respect, to promote and to realize, in good faith with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions ...' (ILO, 1998b)

Recommendations are not intended for ratification. Rather, they provide guidance and suggestions for national legislation and supportive programmes and institutions.

Unlike Conventions and Recommendations, ILO Codes of Practice are not legal instruments, but may be regarded as 'soft law'. The *Code* referenced in the following has been reviewed and unanimously adopted by a meeting of experts nominated by governments and by employers' and workers' organizations, representing the forestry sector of 20 major forest producer countries. The experts considered the *Code* relevant and practicable in most countries and enterprises. The *Code* does therefore provide authoritative guidance on forest work.

Of the four categories of ILO texts mentioned, only the *Code of Practice* contains provisions explicitly applicable at the enterprise and worksite levels. The Conventions and Recommendations are primarily addressed to national governments, even though some of them contain provisions for action at the level of individual undertakings. It is recognized, however, that even their general provisions do provide guidance that is relevant and applicable in individual enterprises. Extensive use has been made of ILO Conventions and Recommendations, for example, in the ILO Tripartite Declaration on Multinational Enterprises and Social Policy (1977).

3. ILO texts relevant to social and labour criteria and indicators in forestry

The following section highlights and comments on relevant provisions of ILO texts and provides cross-references to the full text or verbatim extracts contained in annex II. The full texts of ILO Conventions and Recommendations are available as ILO publications (ILO, 1996) as well as through the ILO home page (<http://www.ilo.org>).

The *Code of Practice* is available as an ILO publication in English, Spanish and French (ILO, 1998). Translations have been prepared by national institutions into several other languages, including Russian, Portuguese, Czech, Slovenian, Latvian, Romanian and Chinese. The ILO Forestry and Wood Industries Specialist can provide information on how to obtain copies.

4. Issues to be addressed in social and labour criteria and indicators:

The following tables provide an overview of criteria for the three broad social and labour aspects identified above and the corresponding ILO texts, namely:

- human input (in particular labour) - see table 3
- sharing of benefits - see table 4

- participation + conflict resolution. - see table 5

4.1. Criteria and indicators: *Human input (labour)*

The *FAO Model Code of Forest Harvesting Practice* (FAO, 1996) identifies the ‘development of a competent and properly motivated workforce’ as one of four essential ingredients in forest harvesting operations if forests are to be managed on a sustainable basis. The statement also applies to forest operations other than harvesting. Table 3 provides an overview of the aspects to consider with respect to labour inputs into forestry.

Table 3: Criteria and indicators – human input (labour)

Human input:	ILO basis for minima:	Legal status of text:
✓ right to organize and bargain collectively	Conventions 87 and 98	Fundamental right (ILO Declaration)
✓ elimination of child labour	Convention 138	Fundamental right (ILO Declaration)
✓ elimination of forced labour	Conventions 29 and 105	Fundamental right (ILO Declaration)
✓ non-discrimination	Conventions 100 and 111	Fundamental right (ILO Declaration)
✓ qualified workforce ✓ safety and health ✓ workers, contractors, self-employed	ILO Code of Practice on Safety and Health in Forestry Work provisions enterprise and worksite level	Not legally binding

Criteria and indicators for forest work as a human input could be based partly on core labour standards, which have been universally recognized:

- the right to organize and to bargain collectively,
- the elimination of child labour,
- the elimination of forced labour,
- non-discrimination.

While compliance with some of these standards, such as the elimination of child labour and of forced labour, may seem to go without saying in most forest producer countries, it should be borne in mind that there are violations of them in a significant number of forest producer and exporting countries. They should therefore be part of any common minimum standard.

The above-mentioned fundamental principles are based on the following ILO Conventions:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
- Minimum Age Convention, 1973 (No. 138), and Worst Forms of Child Labour Convention, 1999 (No. 182);
- Forced Labour Convention, 1930 (No. 29), and Abolition of Forced Labour Convention, 1957 (No.105);
- Equal Remuneration Convention, 1951 (No.100), and Discrimination (Occupation and Employment) Convention, 1958 (No. 111).

All of these are core standards covered by the 1998 Declaration and ILO member States are thus obliged to promote and realize these principles, even if they have not yet ratified the Conventions.

These fundamental standards are applicable to all labour situations, but they do not cover all labour aspects that are relevant to forestry. Two elements that are of paramount importance to the protection of forests and of workers are:

- a qualified workforce;
- safety and health for all segments of the workforce, i.e. workers, contractors, and self-employed.

The importance of qualifications has already been underlined above. Safety and health are a major concern in forestry, as forestry work continues to be one of the most dangerous of all economic activities and is also beset by a large number of health hazards (ILO, 1998c; ILO, 1991). An ILO text providing authoritative guidance specifically for the forestry sector in both respects is the *ILO Code of Practice on Safety and Health in Forestry Work* (ILO 1998d).

The following sections highlight the most important provisions of the texts referred to above. The relevant Articles and Paragraphs of these texts are reproduced verbatim in annex II of this brochure.

a) The right to organize and to bargain collectively

The aim of Convention No. 87 is to guarantee the right, freely exercised, of workers and employers to organize for the furtherance and defence of their interests. The Convention provides inter alia for:

- the right of workers and employers to establish and join organizations of their own choosing with a view to furthering and defending their respective interests (Art. 2);
- such organizations to have the right to draw up their constitutions and rules, to elect their representatives in full freedom, and to organize their activities. Public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise of this right (Art. 3).

The latter provision would apply to employers and management at the level of individual enterprises.

Convention No. 98 protects workers who exercise the right to organize; provides for non-interference between workers' and employers' organizations; and promotes voluntary collective bargaining. Specifically, it stipulates that:

- workers shall enjoy adequate protection against acts of anti-union discrimination, in particular refusal to employ, dismissal or other prejudice by reason of union membership or participation in trade union activities (Art. 1);
- measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the development and utilization of voluntary collective bargaining to regulate terms and conditions of employment (Art. 4).

b) The elimination of child labour

Convention No. 138 aims to abolish child labour and to set the minimum age for admission to employment or work at no less than the age of completion of compulsory schooling, normally not less than 15 years. Under the Convention:

- child labour shall be effectively abolished and the minimum age for admission to employment or work set at a level consistent with the fullest physical and mental development of young persons (Art. 2);
- the minimum age shall be no less than the age of completion of compulsory schooling, and, in any case, not less than 15 years. Developing countries may initially specify a minimum age of 14 years (Art. 3);

- for any type of employment or work which is likely to jeopardize the health, safety or morals of young persons, the minimum age shall not be less than 18 years - or 16 under certain conditions (Art. 3); this provision is relevant for safety and health reasons to all forest harvesting operations and to many other forestry tasks carrying high physical workload and/or high accident risk;
- the age limit of 16/18 years does not apply to work done as part of formal training programmes, if the work is an integral part of training at an institution, an approved programme of training in an undertaking or a programme of guidance (Art. 6).

Convention No. 138 has been reinforced by the adoption in 1999 of Convention No. 182 concerning the prohibition and imminent action for the elimination of the worst forms of child labour. The Convention does not contain new elements specifically relevant in a forestry context, except in the relatively unlikely event that children were working in a situation of forced labour.

c) The elimination of forced labour

The Forced Labour Convention, 1930 (No. 29), aims at the suppression of forced labour. The text

- defines 'forced or compulsory labour' as all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily (Art. 2); and
- exempts five categories of work or compulsory service subject to certain conditions and guarantees. These five categories are: compulsory military service; certain civic obligations; prison labour; work exacted in cases of emergency; and minor communal services (Art. 2).

The Abolition of Forced Labour Convention, 1957 (No. 105), supplements the earlier one in prohibiting recourse to forced or compulsory labour in any form for certain purposes. These are:

- as a means of political coercion,
- as a method of mobilizing and using labour for purposes of economic development,
- as a means of labour discipline,
- as a punishment for having participated in strikes,
- as a means of racial, social, national or religious discrimination (Art. 1).

The two Conventions thus prohibit the use of forced labour by governments or employers. It should be noted that the concept of forced labour includes debt bondage, a practice known to exist in forestry in some countries. Debt bondage in forestry may not only occur in employment relationships but also in contracting arrangements where the commissioning party furnishes all capital and inputs and the contractor pays back through production, but rates are set so low that the contractor remains permanently indebted to the provider of the loan.

d) Equality of opportunity and treatment

The aim of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), is to promote equality of opportunity and treatment in respect of employment and occupation:

- discrimination is defined as any distinction, exclusion or preference based on race, colour, sex, religion, political opinion, national extraction or social origin (or any other motive determined by the State concerned) which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation (Art. 1);
- the terms 'employment' and 'occupation' include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment (Art. 1);

- special measures of protection provided for in other ILO Conventions and Recommendations shall not be deemed to be discrimination (Art. 5).

The Equal Remuneration Convention, 1951 (No. 100), focuses on an element of the wider non-discrimination question, namely on ensuring equal remuneration for men and women for work of equal value:

- 'remuneration' is defined broadly as the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment (Art. 1);
- 'equal remuneration for men and women workers for work of equal value' refers to rates of remuneration established without discrimination based on sex (Art. 1);
- objective appraisal of jobs is specified as one of the means of giving effect to the Convention (Art. 3).

e) Workforce qualification

Workforce qualification is - together with occupational safety and health (see section f below)- a vital aspect to forestry. It is covered generically in the ILO's Human Resources Development Convention, 1975 (No. 142).

Convention No. 142 aims at the development of policies and programmes of vocational guidance and vocational training:

- it requires training systems to meet the needs for vocational training in all sectors and branches of economic activity and at all levels of skill and responsibility (Art. 4).

Training is also one of the most effective measures for preventing accidents and health problems in forestry. The *ILO Code of Practice on Safety and Health in Forestry* therefore contains detailed provisions for training in forestry:

- managers and supervisors should be in possession of an appropriate qualification, preferably one that is nationally recognized, ensuring that they are able to plan and organize forestry operations and to deal with safety and health (para. 132);
- employers should ensure that all workers, as well as contractors and their workers and self-employed persons, are sufficiently educated and trained in the tasks they are assigned to and hold the relevant skills certificates (para. 47);
- no persons should perform forestry work if they do not have the required level of skill and knowledge (para. 133);
- the required level of skill and knowledge should be defined and objectively assessed through skills tests leading to certification by an authorized body (para. 136); skills testing and certification are preferably part of a national scheme, but they can also be operated by individual firms;
- prior to initial assignment to a specific task all workers should undergo appropriate training. This training should have clearly defined learning objectives, be structured and be conducted by a qualified instructor. Beyond safety and health it should include the methods and techniques to be used as well as the use and maintenance of the machines and tools to be used (para. 137);
- training outcomes should be tested to make sure that the workers can cope with the assigned task (para. 138).

f) Occupational safety and health

Occupational safety and health is covered generically in the ILO's Occupational Safety and Health Convention, 1981 (No.155). Convention No. 155 aims at a coherent national policy on

occupational safety and health as well as on the working environment, and on consultation and cooperation between authorities and employers and workers. It focuses on the prevention of accidents and injuries to health and on minimizing the cause of occupational hazards. For action at the level of the enterprise it stipulates that employers shall be required to:

- ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health (Art. 16);
- ensure that so far as is reasonably practicable, the chemical, physical and biological substances and agents under their control are without risk to health when appropriate measures of protection are taken (Art. 16);
- provide, where necessary, adequate protective clothing and protective equipment to prevent, so far as is reasonably practicable, risks of accidents or of adverse effects on health (Art. 16).

Detailed guidance on the above and a number of provisions specific to forestry work are contained in the *ILO Code of Practice on Safety and Health in Forestry Work*. Important features of the *Code* are that:

- it covers all types of forestry workers, including groups with above-average accident rates such as contractors, the self-employed and forest farmers.
- the *Code* takes the position that safety is not an afterthought and it cannot be retrofitted. It therefore emphasizes that safety starts at the top, including in individual enterprises.
- it outlines a safety management system for enterprises that integrates safety into overall enterprise management.
- it offers technical guidance on the most hazardous operations.

The most important responsibilities and duties of employers are spelled out in the following paragraphs of the *Code*:

- employers are primarily responsible for occupational safety and health in the enterprise. They must make every effort to reduce hazards at, or in the vicinity of, forestry worksites to as low a level as possible (para. 38);
- employers should ensure compliance with all relevant laws, regulations and codes of practice regarding safety and health. They should develop and implement adequate requirements of their own, where laws and regulations have not been enacted (para. 39);
- when possible, employers should establish committees with representatives of workers and management or make other suitable arrangements for the participation of workers in promoting safe working conditions (para. 41);
- employers should establish and maintain a safety and health policy and a corresponding management system at enterprise level in accordance with the provisions of Chapters 3 and 4 of this code (para. 42);
- employers should systematically identify the hazards and likely effects on safety and health which may be caused or arise from forestry activities, involving managers, supervisors and workers in this identification procedure, as appropriate (para. 43);
- employers and commissioning parties contracting out services should promote stability and low rates of turnover among their workers and contractors (para. 45);
- when using contractors, the commissioning party should ensure that:
 - the same safety and training requirements apply to the contractors and their workers as to the workers in the enterprise,
 - where required, only such contractors are used that have been duly registered or hold licences,

- contracts specify safety and health requirements as well as sanctions and penalties in case of non-compliance. Contracts should include the right for supervisors mandated by the commissioning party to stop work whenever a risk of serious injury is apparent and to suspend operations until the necessary remedies have been put in place,
- contractors who repeatedly violate their contractual obligations are excluded from future bidding (para. 46);
- in accordance with the provisions of Chapter 6, employers should:
 - ensure that all equipment, tools and machines which are required for safe working are available,
 - ensure that all equipment, tools and machines are maintained in safe and in serviceable condition,
 - ensure that a sufficient supply of tools, spare parts for machines and personal protective equipment is available at the worksite,
 - provide appropriate and safe means for transport of personnel, tools, equipment and material to and from the worksite,
 - ensure that camps and mobile shelters are adequate (para. 50);
- personal protective equipment and protective clothing as stipulated in Chapter 7 should be provided and maintained by the employer, without cost to the workers, whenever prescribed by laws and regulations (para. 51),
- employers should ensure that all forest operations in their enterprise are planned, organized and carried out in accordance with the provisions of Chapters 6 and 7 and Part IV of this code or in line with practices they can demonstrate provide at least the same level of protection (para. 55).

The *Code* also includes detailed provisions on:

- equipment and substances used in forestry (chapter 6, paras. 141-188);
- personal protective equipment, specifications for every task presented in a table (chapter 7, paras. 189-196);
- transport, camps, shelter and nutrition (chapter 10, paras. 224-231);
- planning, organization and execution of operations (chapters 12-15, paras. 243-732).

While a full reproduction of these passages of the *Code* would have exceeded the limits of this publication, the above-mentioned chapters are included in annex II. For planning, organization and execution of operations, only the general provisions of chapter 12 could be accommodated.

4.2. Criteria and indicators: *Sharing of benefits (social and labour)*

The second social element of sharing of benefits applies to both labour and to local communities, whether or not they are composed of indigenous and tribal peoples. In the case of labour, the sharing is primarily in the form of wages and salaries. Remuneration and the minimum wage are therefore relevant criteria. Likewise, one of the most desirable ways for local and forest-dependent people to share in the benefits of sustainable forest management is through opportunities for employment. Such opportunities may be a precondition for sustainable management where local populations would otherwise have no economic stake in the continued existence of the forest and few alternatives to destructive practices for their livelihood. Gainful employment in forestry is in turn contingent on opportunities to acquire the necessary skills.

In addition to or independently of benefits from forest management accruing from wage employment, indigenous and tribal peoples and local communities benefit from, and indeed often depend on, traditional or customary uses. The cultural values of many communities are intimately linked with forests. To be socially sustainable, forest management has to protect these rights and

values. Table 4 provides an overview of elements concerning the sharing of benefits and the relevant ILO texts.

Table 4: Criteria and indicators – sharing of benefits (social and labour)

Sharing of benefits:	ILO basis for minima:	Legal status of text:
✓ remuneration/minimum wage	Convention No. 131 and Recommendation No. 135	Convention for ratification
✓ employment and training opportunities for local and forest-dependent people	Convention No. 169 extended by analogy to local communities	Convention for ratification
✓ respect of traditional use rights and cultural values	Convention No. 169, Arts. 13, 14, 15, 20, 23	Convention for ratification

a) Remuneration

A basis for defining minimum levels of remuneration is provided in the Minimum Wage Fixing Convention, 1970 (No. 131) .

Convention No. 131 aims at protecting against excessively low wages by introducing a legal minimum wage for all groups of wage earners whose terms of employment are such that coverage would be appropriate (Art. 1). It does not set any international minimum wage itself, but rather spells out what elements should be considered:

- the elements to be taken into consideration in determining the level of minimum wages shall, as far as possible and where appropriate, include inter alia:
 - the needs of workers and their families,
 - the general level of wages in the country,
 - the cost of living and changes therein,
 - social security benefits,
 - the relative living standards of other groups, and
 - economic factors, including requirements of economic development and a high level of employment (Art. 3);
- the minimum wage is to be established and adjusted from time to time in consultation with relevant parties (Art. 4);
- failure to apply the minimum wage shall be liable to sanctions (Art. 2).

b) Employment and training opportunities for local and forest-dependent people

Provisions on employment and training opportunities are contained in the ILO's Indigenous and Tribal Peoples Convention, 1989 (No. 169), which is the only international instrument specifically devoted to the situation of these peoples:

- governments shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards admission to employment, including skilled employment, as well as measures for promotion and advancement (Art. 20.2);
- members of the peoples concerned shall enjoy opportunities at least equal to those of other citizens in respect of vocational training measures (Art. 21);

- measures shall be taken to promote the voluntary participation of members of the peoples concerned in vocational training programmes of general application (Art. 22.1);
- whenever existing programmes of vocational training of general application do not meet the special needs of the peoples concerned, governments shall, with the participation of these peoples, ensure the provision of special training programmes and facilities (Art. 22.3).

c) Traditional land use rights

Convention No. 169 also provides guidance concerning the respect of traditional land and resource use rights and cultural values:

- Part II. Land - respect the special importance for the cultures and spiritual values of the peoples concerned of their relationship with the lands or territories, or both as applicable, which they occupy or otherwise use (Art. 13.1);
- the rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognized. In addition, measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect (Art.14.1);
- handicrafts, rural and community-based industries, and subsistence economy and traditional activities of the peoples concerned, such as hunting, fishing, trapping and gathering, shall be recognized as important factors in the maintenance of their cultures and in their economic self-reliance and development. Governments shall, with the participation of these people and whenever appropriate, ensure that these activities are strengthened and promoted (Art. 23);
- the rights of peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management and conservation of these resources (Art. 15).

Strictly speaking, Convention No. 169 is applicable only to indigenous and tribal peoples. De facto, local communities that are not indigenous or tribal peoples are often in the same situation with respect to their dependence on forests. By analogy the relevant provisions of the Convention should therefore also be applied to local communities that are not composed of indigenous and tribal peoples.

4.3. Criteria and Indicators: *Participation and conflict resolution (social and labour)*

Forests are subject to numerous, often conflicting, demands from a variety of stakeholders. Participation of stakeholders can be an effective way to defuse conflict and to ensure that the cost and benefits of forest management and utilization are shared in a fair and equitable manner. Effective participation is also seen as a means to maximize the overall use and benefit of forests. Many opportunities to increase benefits are not currently being seized because forest planners and managers are not aware of actual and potential users and their demands.

Both the Declaration adopted at the Earth Summit in Rio de Janeiro in 1992 and the non-legally binding Forest Principles agreed at the same conference make reference to participation. The Declaration states in Principle 10 that 'Environmental issues are best handled with the participation of all concerned citizens at the relevant level.' It also provides for access to information at the national level, the opportunity to participate in decision-making processes, and effective access to judicial and administrative proceedings.

According to the Forest Principles (para. 2d), ‘Governments should promote and provide opportunities for the participation of interested parties, including local communities and indigenous people, industries, labour, non-governmental organizations and individuals, forest dwellers and women, in the development, implementation and planning of national forest policies’.

For those directly affected by forest management, effective participation and conflict resolution require the three elements presented in table 5:

Table 5: Criteria and indicators – participation and conflict resolution (social and labour)

Participation and conflict resolution:	ILO basis for minima:	Legal status of text:
✓ the right to information and participation in decision making	Convention 169	Convention for ratification
✓ the right to organize and defend interests collectively	local communities C. 141, workers C.87, 98 indigenous peoples C. 169	Convention for ratification
✓ conflict resolution based on consultation and consensus	Convention 169, Arts. 6, 7	Convention for ratification

a) Right to information and participation in decision making

As also noted in the Forest Principles, ‘the provision of timely, reliable and accurate information on forests and forest ecosystems is essential for public understanding and informed decision-making and should be encouraged’ (para.1c) .

Guidance that could be adapted *mutatis mutandis* is offered in Convention No. 169:

- in applying the provisions of this Convention, governments shall consult the peoples concerned through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly (Art. 6.1(a));
- the peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development, which may affect them directly (Art. 7.1);
- governments shall ensure that, whenever appropriate, studies are carried out, in co-operation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The result of these studies shall be considered as fundamental criteria for the implementation of these activities (Art.7.3);
- governments shall adopt measures appropriate to the traditions and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention (Art. 30.1);
- in cases in which the State retains the ownership of mineral or sub-surface resources or rights to other resources pertaining to lands, governments shall establish or maintain procedures through which they shall consult these peoples, with a view to ascertaining whether and to what degree their interests would be prejudiced, before undertaking or permitting any programmes for the exploration or exploitation of such resources (Art. 15.2).

b) The right to organize and defend interests collectively

Forest workers, self-employed workers, contractors, local communities and indigenous and tribal peoples are all stakeholders whose livelihoods depend directly on forests and the way these are managed. They are also dispersed and in a very poor bargaining position as individuals. If they are to stand a fair chance of making their point of view known and getting it taken into account, the right to organize and to defend their interests collectively is crucial. These rights are covered for all of the above-mentioned groups in a number of Conventions.

For workers these rights are enshrined in fundamental Conventions, namely the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 98), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). The most relevant provisions of these Conventions have been set out in section II.1 above. In the present context, they could be applied not merely to narrowly defined labour issues such as wages and working conditions, but also to forest management decisions that affect present and future employment and income opportunities.

Two other Conventions contain references to the organization of groups other than workers: the Rural Workers' Organizations Convention, 1975 (No. 141), and Convention No. 169 on Indigenous and Tribal Peoples which has already been described above. Convention No. 141 aims at guaranteeing freedom of association for rural workers, encouraging their organizations and enabling their participation in economic and social development. It has to be noted that the term 'rural worker' is defined widely and is not restricted to persons in wage employment:

- for the purposes of this Convention, the term 'rural workers' means any person engaged in agriculture, handicrafts or a related occupation in a rural area, whether as a wage earner or, subject to the provisions of paragraph 2 of this Article, as a self-employed person such as a tenant, sharecropper or small owner-occupier (Art. 2);
- all categories of rural workers, whether they are wage earners or self-employed, shall have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization (Art. 3.1);
- the principles of freedom of association shall be fully respected; rural workers' organizations shall be independent and voluntary in character and shall remain free from all interference, coercion or repression (Art. 3.2);
- it shall be the objective of national policy concerning rural development to facilitate the establishment and growth, on a voluntary basis, of strong and independent organizations of rural workers (Art. 4).

For indigenous and tribal peoples, Convention No. 169 stipulates with respect to representation that:

- the peoples concerned shall be safeguarded against the abuse of their rights and shall be able to take legal proceedings, either individually or through their representative bodies, for the effective protection of these rights (Art. 12);
- governments shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards the right of association and freedom for all lawful trade union activities, and the right to conclude collective agreements with employers or employers' organizations (Art. 20.2(d)).

c) Conflict resolution based on consultation and consensus

Consultation will be helpful, but is unlikely to remove all disagreements between the various stakeholders. Convention No. 169 also contains an important Article about the spirit in which consultations should be conducted and concluded, namely by agreement or consent:

- the consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent on the proposed measures (Art. 6.2)

The notion of participation in European and North American forestry has recently been explored by a Team of Specialists established by the FAO/ECE/ILO Joint Committee on Forest Management and Training. The report of the team contains many insights into the concept, the objectives and the forms in which participation can be practised and thus is a useful reference (ILO, forthcoming).

5. Migrant workers - a special case?

The discussion above has repeatedly highlighted the importance of covering all types of workers, whether they be employees, contractors or self-employed. A category that has not been explicitly mentioned earlier, but is very common in forestry in a number of countries, are migrant workers, i.e. nationals of another country who have migrated to their country of residence in search of employment. Migrant workers are often a disadvantaged group that has difficulties to obtain respect of its rights, particularly in isolated forestry workplaces. All of the above provisions should apply also to migrant workers, where they exist.

Two ILO Conventions provide a framework for the rights of migrant workers:

- The Migration for Employment (Revised) Convention, 1949 (No. 97), includes provisions ensuring equality of treatment for migrant workers in respect of certain matters if these are regulated by law or regulations, or are subject to the control of administrative authorities. These include among others: remuneration, minimum age for employment, apprenticeship and training, membership of trade unions and the enjoyment of the benefits of collective bargaining.
- The Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) aims at ensuring equality of opportunity and treatment and the elimination of abuses. Part II of the Convention, which is inspired by the provisions of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) discussed above, requires that the States for which the Convention is in force shall declare and pursue a policy designed to promote and to guarantee equality of treatment in respect of employment and occupation, social security, trade union and cultural rights and individual and collective freedoms.

While reserving for the States concerned the latitude to employ methods appropriate to national conditions and practice, the Convention defines a series of measures to be taken to this effect. States which ratify the Convention may exclude either one or the other of the two parts from its acceptance of the Convention.

See annex II for the full text of the relevant provisions of both Conventions.

Part III of this brochure uses the texts introduced and discussed in the foregoing to formulate a set of criteria and indicators that should be directly usable by those involved in developing standards.

Part III: MAKING USE OF ILO TEXTS

1. Suggested criteria and indicators

The proposed set

Tables 6, 7 and 8 below provide a suggestion for criteria, indicators and verifiers based on the discussion and the elaboration on the sources in Part II. To facilitate its use in the formulation of new sets of criteria and indicators or the incorporation into an existing set, the suggestion follows the Tropenbos 'Hierarchical Framework for the Formulation of Sustainable Forest Management Standards' (Lammerts van Bueren and Blom, 1997).

Like the Tropenbos framework, the suggested criteria and indicators assume that 'sustainable forest management', 'well-managed forest' or 'best forest practices' are the overall goal or objective of the standard.

The principles which the suggested criteria and indicators inform could be broad, such as: 'the socio-economic functions of the forest will be safeguarded, now and in the future' or more specific such as 'Encourage a wide range of social benefits' or 'Maintain and enhance the well-being of forest workers and local communities'.

How the suggested criteria and indicators can best be incorporated will depend on the structure of the standard. Some may relate to general conditions, in particular as concerns qualification and participation. Others may appear under socio-economic and or socio-cultural functions.

Table 6: Criteria, indicators and verifiers for human input (labour)

Criterion	Indicator(s)	Verifiers	Reference
C 1 Respect of fundamental social rights			
C 1.1 Right to organize and to bargain collectively	<p>I 1.11 All workers are able to form and join a trade union of their choice without fear of intimidation or reprisal.</p> <p>I 1.12 Collective bargaining with representative trade unions is carried out in good faith and with best efforts to come to an agreement.</p>	<ul style="list-style-type: none"> - Interviews with union representatives and workers - Collective agreements - Records of labour inspectorate 	<p>Convention No. 87 Convention No. 98 ILO Tripartite Declaration 1998 or equivalent national legislation</p>
C 1.2 Child labour	<p>I 1.21 Strict adherence to minimum age provisions of national labour laws and regulations, or where those are defective, of the international standards.</p> <p>I 1.22 No workers under the age of 18 in hazardous or heavy work except for purposes of training.</p>	<ul style="list-style-type: none"> - Interviews with union representatives and workers - Payroll (of enterprise and/or contractors) - Findings of employment surveys - Records of labour inspectorate 	<p>Convention No. 138 Convention No. 182 ILO Tripartite Declaration 1998 or equivalent national legislation</p>

Table 6 (continued):

Criterion	Indicator(s)	Verifiers	Reference
C 1.3 Prohibition of forced labour	I 1.31 No workers in debt bondage or other forms of forced labour engaged (incl. Employees, self-employed and contractors).	- Interviews with union representatives and workers - Records of labour inspectorate	Convention No. 29 Convention No. 105 ILO Tripartite Declaration 1998 or equivalent national legislation
C 1.4 Equality of opportunity and treatment	I 1.41 Policies and procedures make qualifications, skill and experience the basis for recruitment, placement, training and advancement of staff at all levels. I 1.42 Employees are not discriminated in hiring, advancement, dismissal, remuneration and employment related social security.	- Interviews with union representatives and workers - Payroll (of enterprise and/or contractors) - Findings of employment surveys - Records of labour inspectorate	Convention No. 111 Convention No. 100 ILO Tripartite Declaration 1998 or equivalent national legislation
C 2 Workforce qualification	I 2.11 Managers and supervisors are in possession of an appropriate qualification, preferably one that is nationally recognized, ensuring that they are able to plan and organize forest operations. I 2.12 All workers, as well as contractors and their workers and self-employed persons, are sufficiently educated and trained in the tasks they are assigned to and hold the relevant skill certificates.	- Skill certificates, records of training and skills testing (national or enterprise) - Field observation - Interviews with union representatives and workers	Convention No. 142 ILO Code of Practice on safety and health in forestry work (1998) or equivalent national legislation and regulation
C 3 Occupational safety and health	I 3.11 A safety and health policy and a management system are in place which systematically identify hazards and preventive measures and ensures these are taken in the operations. I 3.12 All necessary equipment, tools, machines and substances are available at the worksite and in safe and serviceable condition. I 3.13 Safety and health requirements are taken into account in the planning, organization and supervision of operations. I 3.14 Where workers stay in camps, conditions for accommodation and nutrition comply at least with ILO Code of Practice on Safety and Health in Forestry.	- Safety and health policy statement - Organigramme with safety and health management system - Documented requirements for planning and work organization - Job descriptions of supervisors - Field observations - Interviews with union representatives and workers - Records of labour inspectorate and/or accident insurers	Convention No. 155 ILO Code of Practice on safety and health in forestry work (1998) or equivalent national legislation and regulation

Table 7: Criteria, indicators and verifiers for sharing of benefits of forest management

Criterion	Indicator(s)	Verifiers	Reference
C 4 Sharing of benefits			
C 4.1 Fair remuneration	I 4.11 Wages or income of self-employed and contractors are at least as high as those in comparable occupations in the same region and in no case lower than the established minimum wage.	<ul style="list-style-type: none"> - Interviews with union representatives and workers - Payroll (of enterprise and/or contractors) - Findings of employment surveys - Records of labour inspectorate 	Convention No. 131 or relevant national legislation and collective agreements
C 4.2 Employment opportunities for local and forest dependent people	I 4.21 Local and forest-dependent people have equal access to employment and training opportunities.	<ul style="list-style-type: none"> - Interviews with representatives of local communities, of unions and workers - Payroll and training records (of enterprise and/or contractors) - Findings of employment surveys 	Convention No. 169 (applied analogously to local communities other than of indigenous or tribal peoples) or equivalent national legislation or agreements
C 4.3 Respect of traditional land use rights	<p>I 4.31 Cultural and traditional values are respected.</p> <p>I 4.32 Traditional access for subsistence uses and traditional activities is granted.</p> <p>I 4.33 Rights of local communities to natural resources pertaining to their land are respected and communities participate in the use, management and conservation of the resources.</p> <p>Note: for both I 4.32 and I 4.33 it is assumed that traditional uses are on a scale that does not threaten the integrity of the resource or the management objective.)</p>	<ul style="list-style-type: none"> - Interviews with representatives of local communities, of unions and workers 	Convention No. 169 (applied analogously to local communities other than of indigenous or tribal peoples) or equivalent national legislation or agreements

Table 8: Criteria, indicators and verifiers for participation and conflict resolution in forest management

Criterion	Indicator(s)	Verifiers	Reference
C 5 Participation and conflict resolution			
C 5.1 Right to information and participation in decision making	<p>I 5.11 All interested parties have access to relevant information.</p> <p>I 5.12 All interested parties have the opportunity to affect decision making.</p>	<ul style="list-style-type: none"> - Interviews with representatives of local communities, of unions and workers - Records of fora for participation (round-tables, committees, hearings etc.) 	<p>Convention No. 169</p> <p>or relevant national legislation and collective or other agreements</p>
C 5.2 Right to organize and defend interests collectively	<p>I 5.21 All interested individuals are able to form and join organizations of their choice without fear of intimidation or reprisal.</p> <p>I 5.22 Organizations of interested parties are accepted as participants in decision making.</p>	<ul style="list-style-type: none"> - Interviews with representatives of local communities, of unions and workers - Records of fora for participation (round-tables, committees, hearings etc.) 	<p>Conventions No. 169, No. 87 and 98, No. 141</p> <p>or relevant national legislation and collective or other agreements</p>
C 5.3 Conflict resolution	<p>I 5.31 Every reasonable effort is made to resolve conflicts through fair consultation aiming at achieving agreement or consent.</p>	<ul style="list-style-type: none"> - Interviews with representatives of local communities, of unions and workers - Records of fora for participation (round-tables, committees, hearings etc.) - Records of ombudsmen, courts or similar institutions 	<p>Convention No. 169</p> <p>or relevant national legislation and collective or other agreements</p>

2. Coverage and gaps

The criteria and indicators in the summary tables above have been chosen selectively in an attempt to ensure that minimum requirements for core labour and social concerns are included, rather than to provide comprehensive coverage. As has been stressed above, the criteria and indicators are intended to apply to all types of workers, including self-employed and contractors as well as migrant workers. They can be and, in a number of cases of existing standards have been, usefully supplemented by including aspects not covered in the proposed set or by imposing more stringent requirements.

The set is a good match with those retained by the CIFOR group as their ‘best bet’. It should be noted, however, that the weighting applied by the CIFOR team significantly dilutes the status of social and labour criteria and indicators as a measure of sustainable forest management.

The criteria and indicators proposed here do not address inter-generational aspects directly. The safeguarding of the rights of the present generation will often be a precondition for future generations, such as with indigenous and tribal peoples or local communities. The broader aspect of resource protection for the future is usually included in environmental criteria and indicators.

A notable absence from the social criteria found in most existing standards is that of employment. Many existing standards for national forest policy include the number of jobs in the forestry sector, particularly in rural areas. This parameter may be useful in policy making. Its omission from our proposed set is not to suggest that employment is not a significant social benefit in many cases. The reason for not including it is rather the difficulty with meaningfully defining a target and a threshold value for employment.

Due to rationalization, direct employment in forest management and operations has been falling in most countries for decades, both nationally and even more so in individual forest management units (see Poschen, 1997). This loss reflects a trade-off between economic aspects and social ones. It is largely imposed by international competition outside the control of an individual firm or country. Moreover, it may be a condition for continued employment in forest-based industries that would otherwise become uncompetitive against cheaper substitute materials. On the other hand, the losses in forestry jobs may be compensated by those in other sectors such as tourism.

Employment in forest-based industries in a given country often owes more to imports than to national production. These linkages are difficult to establish and to meaningfully address in criteria and indicators. Rather than focus on the volume of employment, the proposed set therefore emphasizes opportunities for local populations and, most of all, the quality of the jobs provided.

A social aspect on which the ILO texts provide no general guidance is that of tenure arrangements. The ILO texts only refer to the rights of indigenous and tribal peoples. Existing standards tend to call for clear tenure arrangements as a precondition for effective planning and management. The social justice of tenure arrangements is an issue that is not limited to forests as an asset. It is considered outside the scope of this paper.

3. Application of the suggested criteria and indicators

National and forest management unit level

It is the contention of the author that the proposed criteria and indicators apply with minor modifications at both the national and forest management unit level. They provide for a common base, yet leave sufficient room for adaptation to national conditions and local situations. The indicators have been chosen selectively, focusing on key aspects of the criteria and compliance with principle intended.

The indicators are qualitative, except for remuneration, but all are amenable to a clear yes/no judgement by a qualified professional. As has been mentioned for the case of employment, quantitative indicators may be difficult because no meaningful threshold can be defined. Another example of this is safety and health, which many existing standards propose to measure through accident frequencies (number of accidents/100 workers or number of accidents/1 million work hours) or accident severity. Over time these ratios indicate a trend, but it is not possible to define such a thing as an 'acceptable' number of fatalities. It is thus preferred to rely on process and input criteria with a well documented cause-effect relationship to occupational safety and health in forestry.

In the case of skill and qualifications of personnel, an outcome-based criterion would have to refer to the quality of the work done. Poor quality, however, could have a variety of causes such as poor planning because of inadequate organization, lack of suitable equipment, a reward system that favours 'quick and dirty', and so on. Referring to an important input avoids having to trace back failure in a complex outcome to one of the many possible causes.

Assessment of the proposed set can be based on information readily obtained through interviews and observation during visits or through surveys as indicated under verifiers. The ILO texts or the relevant national documents serve as reference for definition and thresholds.

The sources provided and the discussion of the issues should enable national or enterprise level working groups to adapt or extend the proposed set where necessary. Adaptation should avoid the fragmentation and lowering of the proposed standards. Since all of the proposed criteria and indicators are based on texts agreed internationally in tripartite ILO fora, adaptations should rather seek to incorporate more stringent or more specific requirements where these exist in national law and regulation, collective agreements or based on the consensus of those developing the standard. Where sources of standards do not exist, the ILO texts offer a substitute reference.

Likewise, it is important to maintain the coherence of the provisions and explicitly adhere to the international consensus and commitment enshrined in the ILO texts, even if not all aspects appear relevant in a given country. Otherwise, there is a risk that relevant provisions are not applied even where they would be very relevant, on the grounds that their application would constitute a dual standard compared to other countries or firms. This is precisely what the present suggestion attempts to avoid.

One of the best ways to ensure that social and labour aspects are adequately covered in the definition and practice of sustainable forest management is to seek the active participation of employers, workers, contractors, local communities and other relevant groups in the formulation, implementation and monitoring of standards.

4. Legal status

In those cases where governments have ratified the Convention in question, they have a legal obligation to comply. Some certification schemes include a general clause that national legislation and international agreements signed by the respective government will be respected by the firm/forest owner to be certified. Ratified Conventions and those covered under the ILO Declaration of 1998 would be in that category.

The provisions for training and safety and health have the weakest legal basis, as the *ILO Code of Practice* is not a legal instrument. At the same time these aspects are the ones most readily accepted. Both national policy and the voluntary certification schemes should find little difficulty with accepting the provisions of the *Code*.

The ILO can provide assistance with the interpretation of the texts. In the case of Conventions it has a procedure to supervise their implementation, or can cover complaints of different kinds.

IN CONCLUSION

The review of existing sets of standards for sustainable forest management, be they regional, national or for use in individual forest management units, reveals that they are almost always incomplete, usually imprecise and often inconsistent. Sustainable forest management is ultimately about people, not about trees. Standards that cover biological aspects such as biodiversity and nutrient cycles in great detail and neglect the functions of forests for society and the social conditions for the continued existence and best management of forests cannot meet their intended objective.

Social and labour aspects need to be brought into focus to balance the current bias towards ecological and sometimes economic functions. All avenues should be pursued to this effect: codes of forest practice, forest policy fora such as the regional 'processes', and voluntary initiatives such as certification. For the latter two consistency, harmonization and minimum standards are desirable. This brochure has shown that much of the ground can be covered by using ILO texts to define criteria and indicators, to serve as reference for threshold values and verifiers.

It is our hope that this brochure will help the ILO constituents, employers' and workers' organizations as well as government institutions involved in the forestry sector to take a more active part in the current discussions and to ensure a more balanced vision of the notion and practice of sustainable forest management.

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