



CHATHAM HOUSE

Overall relationship between forest certification and public procurement

Key issues at WTO, EU, and national levels

Richard G. Tarasofsky

Head, Sustainable Development Programme

Public Procurement and Forest Certification: Assessing the implications for policy, law, and international trade

Berlin, 7-8 June 2005

Introduction and context

- Large increase in using national public procurement policy as an incentive for sustainable forest management
 - but no harmonisation at the European level
- Growth of forest certification initiatives - in absence of global policy consensus
 - non-governmental
 - governmental
- Increasing importance of illegal logging policy process
 - especially on international trade aspects
- Inclusion of public procurement in WTO
- Reform of EU law on public procurement

Key issues around the relationship between SFM and public procurement

- How should sustainable forest management be defined?
 - Numeric and qualitative elements
- Which criteria? Environmental, economic, **and** social?
- Legality **and** sustainability?
- Scope -- all forest products?
- At which point in the procurement process should sustainability criteria be considered?
 - Technical specification
 - variants
 - selection criteria
 - award criteria
 - contract performance

Key controversies about procurement and forest certification

- Which certification schemes? And for which criteria?
- Acceptable alternative documentation to certification
 - Types of documentation
 - Sufficiency of evidence
 - Verification
 - information to supplement gaps in certification

Role of WTO Law

- WTO Agreement on public procurement
- Inclusion of environmental requirements?
- Can labels be referred to?
- Importance of ISO standardization
- General exceptions

The role of EU law

- New directives clarify how environmental criteria can now be applied
- Directives refer to labels
 - Commission considers that forest certification can be accepted as proof of meeting requirements - but equivalent means of proof must also be accepted
- Key controversy: Can social criteria be included? Is this sufficiently connected to the performance and functional characteristics of the product?

More information

www.illegal-logging.info