

## Comparison of EU Public Timber Procurement Policies 2007

	Belgium	Denmark	France	Germany	Netherlands	UK
<b>Type of product</b>	Wood products only. Paper products are covered in another policy.	Both wood and paper products.	Both wood and paper products.	Rough, semi-finished and finished products. For composite products, the policy applies only if virgin timber is the most significant component. The policy does not cover paper or paper products.	Both wood and paper products.	Both wood and paper products.
<b>Mandatory or voluntary</b>	Mandatory for federal government.  Green procurement guidelines are provided to local authorities.	Voluntary for both central government and local authorities.	Mandatory for national departments and agencies.  Local authorities are encouraged to refer to it.	Mandatory for the Federal Administration.	Mandatory for public institutions at national level.	Mandatory for central government departments in England and their executive agencies.  The Devolved Administrations of Scotland, Northern Ireland and Wales have adopted the policy.  Local authorities are encouraged to comply.
<b>Timeline</b>	The Belgian timber procurement policy was approved on 18 <sup>th</sup> November 2005 at ministerial level (as published in the Official Circular) and came in to	In 2003, guidelines on public purchases of tropical timber were issued. These were updated in February 2006 when the policy was extended to cover	The policy was adopted as part of the National Strategy for Sustainable Development, issued in June 2003. Initially relevant to tropical timber only, it was	In January 2007, the German Federal Government issued a <i>Joint instruction on the procurement of wood products</i> . The policy is valid for 4 years, and	The timber policy was announced 18 <sup>th</sup> June 2004. The target is for 100% sustainable by 2010.	The policy was announced in June 2000. Guidance notes were issued in 2003, 2004 and 2005. A policy change was announced in March 2007, to take

	<b>Belgium</b>	<b>Denmark</b>	<b>France</b>	<b>Germany</b>	<b>Netherlands</b>	<b>UK</b>
	effect 18 <sup>th</sup> March 2006. The Belgian Government have initiated a review of their policy and implementation, to be undertaken in autumn 2007.	timber from all origins. Temporary guidance on the purchase of 'legal' timber was issued in September 2006, and draft criteria for legal and sustainable timber went out for consultation mid-2007, and are pending finalisation.	expanded in 2005 to cover all timber. The objective is to reach a minimum of 50% of wood and derived products public procurement from legal and sustainable sources in 2007 and 100% in 2010.	which point it will be reviewed.		effect April 2009.
<b>Minimum requirements</b>	Timber must be from sustainable sources.	Timber from legal sources is the minimum recommended requirement, and sustainable timber should be preferred.	Timber must be from legal and sustainable sources. Paper and packaging should be recycled.	Timber must be from legal and sustainable sources and that recycled products should be preferred over virgin sources.	Timber from legal sources is the minimum requirement. All national government institutions are required to purchase from verifiably sustainable sources if possible.	Timber from legal sources is the minimum requirement, and sustainable timber should be preferred. Recycled timber should be preferred in all cases. As of April 2009, timber from sustainable sources or FLEGT licensed will be the minimum requirement.
<b>Policy implementation</b>	The tender document must specify that the wood has to meet the specifications set out in the Official Circular, defined as 'wood from sustainably managed forests'. This is further elaborated as 'wood	Under the Danish Environmental Protection Act, all public authorities have a general obligation to pursue the objectives of the Act through the establishment and management of public	There is a clear obligation on national government, ('public buyers must ensure that at the time of launching any new public work...the timber used to carry out the contract must originate from	The German Contract Procedures for Building Works, Part A (Vergabe- und Vertragsordnung für Bauleistungen (VOB/A)) and the German Code for Awarding Public Services Contracts, Part A	The public institutions at national level are advised to at least verify the legality of the product prior to buying. The Dutch Government is using the UK definition and criteria	The policy commitment is that central government departments and their executive agencies 'are required to seek to buy timber from legal and sustainable sources.'

	<b>Belgium</b>	<b>Denmark</b>	<b>France</b>	<b>Germany</b>	<b>Netherlands</b>	<b>UK</b>
	<p>from sustainable forest management as certified by an independent body based on internationally recognised criteria.’</p> <p>Tenders must refer qualify their offers with reference to either the accepted certification scheme or other certification that will be used. In the latter case, tenderers are required to provide relevant documents to demonstrate that the scheme meet the requirements. If no tender can offer sustainable timber which meets the requirements, re-tendering is required.</p>	<p>institutions as well as through procurement and consumption. Each central government institution is obliged to develop its own green procurement policy as well as an action plan for its implementation. The Federations of regional and local government in Denmark have entered an agreement with the Minister of Environment to develop green procurement policies in all counties and municipalities and to collaborate on the implementation of green procurement policies.</p>	<p>sources that guarantee sustainable forest management.’).</p> <p>The contract specification must be in terms of performance requirements, and should include reference to forest certification scheme criteria (for logs and roundwood), as well as the schemes themselves and ecolables as appropriate (for all other products including furniture, joinery, paper etc.)</p>	<p>(Verdingungsordnung für Leistungen, (VOL/A)), have been amended to reference the policy.</p>	<p>for legality.</p>	<p>Legality must be a condition of contract and therefore obligatory for all timber supplied. Guidance states that where no tender offers a fully compliant bid, then the Authority must decide whether to re-tender or move to a negotiated procedure.</p> <p>Sustainable is a variant specification and therefore optional. Guidance states that: ‘Where there is a difference in price between variant and non-variant bids the Authority must decide whether the premium is affordable and represents an efficient and effective use of resources. Where the variant bid does meet the affordability and effectiveness tests then the variant option should be preferred. It is then a matter of awarding the contract on the basis of the best</p>

	Belgium	Denmark	France	Germany	Netherlands	UK
						value for money within the option (either variant or non variant) chosen.'
<b>Evidence of compliance: Certification</b>	<p>The Belgian government developed 11 criteria as a definition of sustainable timber, against which FSC and PEFC national schemes were assessed. The results show that FSC meet all the criteria, while some PEFC national schemes do not fully meet all the criteria. The Expert Committee members could not reach consensus on the assessment findings of PEFC. This resulted in 2 Positive Lists for PEFC national schemes.</p> <p>In practice this means that when purchasing timber, the contracting authorities are 'free to choose any of the certification schemes on both lists. However, when the tenders are evaluated, preference</p>	<p>The Danish government uses certification schemes as a way to demonstrate compliance with the government requirements. A guide on public purchase of tropical timber was published in 2003 in which FSC and MTCC have been found to deliver sustainable and progressing to sustainable respectively.</p> <p>The Danish government is now working on the revision of criteria for legality and sustainability, and subsequently assessment of certification schemes. In the meantime the 2003 guide on purchasing tropical timber is still valid.</p>	<p>The French government relies on verification of legality and sustainability by an independent third party. This approach has been defined as including certification schemes. No assessment of evidence is undertaken by the Government.</p>	<p>FSC and PEFC certificates are accepted as proof of sustainable forest management.</p> <p>Though there has been no public evaluation of forest certification schemes, the policy allows that if deficiencies in the FSC and PEFC systems become known, an evaluation will be undertaken by the Federal Research Centre for Forestry and Forest Products (BFH) and the Federal Agency for Nature Conservation (BfN). If the shortcomings are confirmed, they will allow up to 12 month for improvement. If the shortcomings are not corrected within this time period, the respective scheme will be excluded.</p>	<p>The Dutch Government developed the National Assessment Guideline (or BRL) to assess forest certification schemes. A 'Board of Equivalence Assessment' was set up to carry out assessment of certification schemes, and preformed a test run on 6 certification systems to see if the BRL system works in practice. None of the tested certification schemes passes the BRL-test. Therefore, an improved set of criteria is being developed. The new criteria will be solely used for the purpose of timber procurement (BRL was originally set up as a forest certification scheme as well as a system for equivalence assessment).</p>	<p>Category A evidence (certification schemes)</p> <p>Initial assessment and re-assessment of certification schemes was carried out in 2004, 2005 and 2006. The current results show that MTCC provides assurance of legality, CSA, FSC, PEFC and SFI provide assurance of sustainability. The next review is planned for May 2008.</p>

	<b>Belgium</b>	<b>Denmark</b>	<b>France</b>	<b>Germany</b>	<b>Netherlands</b>	<b>UK</b>
	<p>should be given to the certification schemes on list 1.’</p> <p>The country lists will be updated every year, and the Expert Committee will evaluate both lists when new evidence is submitted. This circular is an interim policy in which an in-depth assessment of certification schemes and the circular will be carried out every two years.</p>				The CPET approved schemes are accepted as evidence of legality.	
<b>Evidence of compliance: Other evidence</b>	Other types of evidence will be accepted, as long as the tender can demonstrate that the wood come from a sustainable sources that meet all the 11 criteria.	Other types of evidence are also considered, similar to the UK Category B evidence.	A range of other types of evidence, including evidence such as a legality license, an independent verification of a supplier’s declaration, attestation of a forest management plan, or verification of compliance with a code of practice, and existing custom documents to qualify legal/ sustainable products when entering the EU market.	Other evidence will also be accepted (including certificates of other schemes); provided the bidder is able to demonstrate that forest management was consistent with the FSC or PEFC standards. Evaluation of other evidence will be undertaken at the expense of the bidder by the BFH and the BfN.	Other types of proof will also be considered for sustainability, though there are no requirements currently finalised.  For legality, other equivalent evidence, as outlined in UK’s Framework for evaluating Category B evidence.	Category B evidence (other types of evidence) is accepted as equivalent. A Framework for Assessing Category B evidence was published in June 2006, and included Checklists which suppliers must be able to complete (supply chain, legality and where applicable, sustainability).

	Belgium	Denmark	France	Germany	Netherlands	UK
<b>Evidence of compliance: FLEGT</b>	The Belgian policy has sustainable timber as the minimum requirement, and they have confirmed that FLEGT licensed products will not be accepted as a guarantee for products from sustainable managed forests.	As stated in the 2003 tropical timber purchasing guidelines <i>“Forest legislation varies from country to country and it is difficult to determine which set of regulations is relevant. The best solution would be if this could be worked out by agreement with each individual producing country. The European Commission has published a proposal for an action plan to combat illegal logging, in part with a view to establishing such agreements.”</i>  There isn't, at present, any formal announcement regarding future treatment of FLEGT licences as such.	A commitment was made to assess the implementation of the policy at the beginning of 2006, in order to allow for adaptation of mechanisms such as those identified in the FLEGT action plan.	The German policy has sustainable timber as the minimum requirement, and no guidance on the acceptability of FLEGT is currently available.	As the Netherlands are currently following the UK Government's definition of legality, FLEGT licenses will be accepted as evidence of legality.	FLEGT licenses will be accepted as equivalent to legality until April 2009, at which point they will be accepted as the only form of legality, until 2015 when they will no longer be accepted.