FSC National Risk Assessment

For Germany

DEVELOPED ACCORDING TO PROCEDURE FSC-PRO-60-002 V3-0

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International contact	Name: Ulrich Malessa Email address: info@fsc-deutschland.de
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Risk designations in finalized risk assessments for Germany

Indicator	**Risk designation** (including functional scale when relevant)
Controlled wood category 1: Illegally harvested wood	
1.1	Low Risk
1.2	Not applicable in Germany
1.3	Low Risk
1.4	Not applicable in Germany
1.5	Not applicable in Germany
1.6	Low Risk
1.7	Low Risk
1.8	Low Risk
1.9	Low Risk
1.10	Low Risk
1.11	Low Risk
1.12	Low Risk
1.13	Low Risk
1.14	Low Risk
1.15	Not applicable in Germany
1.16	Not applicable in Germany
1.17	Low Risk
1.18	Low Risk
1.19	Low Risk
1.20	Low Risk
1.21	Low Risk
Controlled wood category 2: Wood harvested in violation of traditional and human rights	
2.1	Low Risk
2.2	Low Risk
2.3	Low Risk
Controlled wood category 3: Wood from forests where high conservation values are threatened by management activities	
3.0	Low Risk
3.1	Low Risk
3.2	Low Risk
3.3	Low Risk
3.4	Low Risk
3.5	Low Risk
3.6	Low Risk
Controlled wood category 4: Wood from forests being converted to plantations or non-forest use	
4.1	Low Risk
Controlled wood category 5: Wood from forests in which genetically modified trees are planted	
5.1	Low Risk

Background information

Background to the risk assessment

What do we mean by FSC Controlled Wood?
The FSC mix label makes it possible to trade on the market products that contain not only FSC-certified materials but also material sourced from non-certified forests. These non-certified materials must, however, fulfil certain minimum requirements and are referred to as FSC Controlled Wood. FSC Controlled Wood guarantees in a sense a minimum code of behaviour whereby 'bad' forestry practices are excluded from products bearing the FSC mix label. The five named inacceptable practices are:

- Illegally harvested wood
- Wood harvested in violation of traditional and human rights
- Wood from forests where high conservation values are threatened by management activities
- Wood from forests being converted to plantations or non-forest use
- Wood from forests in which genetically modified trees are planted

The objective of controlled wood is, therefore, to facilitate the production of FSC mix products while simultaneously securing a minimum code for non-certified product components. The labelling of products (e.g., by means of a separate symbol) is not possible!

Why is the risk assessment necessary?
Enterprises wishing to declare FSC Controlled Wood material for incorporation in FSC mix products must:

- Verify/prove the source of the wood
- Assess the risk of non-acceptable sources
- Where risk is identified, evaluate the supply chain and adopt measures to avoid risk

Up to now, enterprises using non-certified wood could advance an internal system for risk assessment (enterprise-based risk assessment). With the revision of the FSC Controlled System, however, this will no longer be possible. The FSC is working towards a state-based risk assessment to which enterprises can resort. This risk analysis process is implemented for Germany with this document. Specifically it concerns the assessment and evaluation of how to ensure that forest management does not violate, for example, high conservation values or human rights, and that these receive an appropriate degree of recognition in the risk assessment.
The execution of the risk analysis shall in each case involve the support of a working group comprising representatives of the economy, the environment and of society. The risk assessment covers an analysis of the individual risk levels for each category and indicator, and the corresponding implications:

- In the event of the finding of a 'low risk' for a particular region (state), no further verification is required for controlled wood from this region. Wood from the region can be added as controlled wood for use in the manufacture of FSC mix products.
- In the event of the finding of a 'specified risk,' the supply chain must be assessed with respect to this risk and control measures must be implemented.
- In the event of an 'unassessed' risk, the supply chain must be assessed and control measures must be implemented.

Is all that is happening in German forests identified as ‘low risk’ correct?
No. Low risk means that the named indicators of controlled wood are not threatened, either across the forest area or systematically, in a particular region as a consequence of forestry practices. Exemplary forest management practised by forest enterprises is documented by the FSC in the form of an FSC certification. A low risk of injury of the controlled wood requirements means simply that the FSC does not consider possible infringements to be widespread and that an incorporation of the corresponding material in FSC mix products may be accepted without a comprehensive auditing of forest enterprises.

Proceeding in a participatory process
In order to accelerate the process globally, the FSC has undertaken a centralised national risk assessment for certain ‘easier’ categories. This task was carried out by experts and was edited and finalized by FSC Deutschland. Expert results (provided centrally by FSC International) are available for category 1 on illegally harvested wood, category 2 on wood harvested from areas where violations of traditional and human rights occur and category 5 on wood from forests with genetically modified trees. These have been revised by FSC Deutschland. FSC Deutschland has developed the fundamentals for the assessment of category 3 (high conservation values) and category 4 (forest conversion). In this document the assessment is provided for each indicator.

- Comments and remarks on the results of the risk assessment may include the following:
- Editorial notes
- Comments on logic in the derivation of results
- Reasoned statements on the evaluation of results

Timeline for the approval of the German FSC risk assessment

Activity	Deadline	
Development of the risk assessment – 1st draft (version 1)	Nov 2016	
Revision by the working group	Nov-Dec 2016	
Development of the 2nd version of the 1st draft	Jan 2017	
Revision and acceptance by the working group	Feb 2017	
Review and acceptance by FSC International	Feb 2017	
Public consultation on the 1st draft (version 2)	Feb-April 2017	
Meeting of stakeholders (if necessary)	Feb 2017	
Analysis and incorporation of feedback from the consultation	May 2017	
Development of the 2nd draft (final version)	Sep-Nov 2017	
Review of the 2nd draft by FSC International	Jan 2018	
Incorporation of suggestions provided during the review by FSC International	Feb 2018	
Approval of the German risk assessment by FSC International	March 2018	

List of member of the German Working Group (Contact details to be deleted for public consultation):

Name	Membership chamber	Qualifications	Contact details
Hans Röhrs	Economic chamber	Representative of Der Holzring GmbH, one of the biggest timber trade cooperations in Germany. Active as technical supporter for certification issues around COC and CW within his organizational network, part of a FSC-CoC-expert group in Germany. Part of the national FSC-board since 2011.	Der Holzring GmbH Universitätsallee 5, 28359 Bremen fon: 04212231518 fax: 0421 - 22315 - 11 roehrs@holzring.de
Dr. Gerd Loskant		Forester and representative of FSC-certified forests of Boppard and part of the FSC-certified state forest of Rheinland-Pfalz. Part of the national FSC-board since 2013.	Stadt Boppard Forstverwaltung Humperdinckstraße 4a, 56154 Boppard fon: 06742 /80130 fax: 06742 / 81371 Gerd.Loskant@wald-rlp.de
Volker Diefenbach	Social chamber	Forester and mayor of a city of Germany (Heidenrod). Formerly actively working as forester of an FSC-certified communal forest in Hessen. Representative of IG BAU, which is the biggest union in Germany for forest workers.	IG BAU Hessen Forststraße 32, 65321 Heidenrod Fon: 06120 7915 volker.diefenbach@heidenrod.de
Elmar Stertenbrink		Independent forest entrepreneur in Germany. Representative of two big entrepreneur associations in Germany. Active member of the SDG in Germany for the social chamber since 2008. Part of the national FSC-board since 2010.	Interessensgemeinschaft Zugpferde e.V. Goeddinghoferweg 19, 40699 Erkrath fon: 0211 9007812 fax: 0211 245701 firma.stertenbrink@web.de
Nina Griesshammer	Environmental chamber	Forester and formerly employed at WWF Germany. Now representing all big environmental NGOs in the national FSC-board. Part of the FSC-board since 2004.	Zeuläckerstrasse 21 60389 Frankfurt fon: 069 43057419 mail@ninagriesshammer.de

The FSC Germany BoD is acting as the NRA Working Group. Results of the NRA Working Group and specific issues will be discussed also in meetings of each chamber. The voting system will be 1-1-1. The chairs vote is not considerate and it is clear to the chambers with two representatives that they have to act based on one vote.

Structure of the document

The document comprises five sections, one for each category of controlled wood. The contents for categories 1, 2 and 5 were adopted without alterations. FSC Deutschland formulated its own content for category 3 on high conservation values (HCV) and category 4 on forest conversion.

Evaluation and control measures

The system employed by the FSC requires that control measures be implemented for any category not designated ‘low risk.’ As in the following all categories were preliminarily deemed to be ‘low risk’ for Germany, no control measures have been formulated as yet and the corresponding details have been deleted from this document. In the event of deviating assessment results (‘specified risk’) for a certain category, a corresponding control measure must then be formulated.

Underlying policy

To allow for comparability of the state-based risk assessment in an international context, the FSC has developed guidelines for the preparation and implementation.

Title	Relevance for risk assessment in Germany	Reference and version
FSC PROCEDURE: The development and approval of FSC® national risk assessments	Requirements of and methods for a national risk assessment Normative and therefore binding	FSC-PRO-60-002 V3-0 EN
FSC national risk assessment framework	Contains the process steps for the risk assessment Normative and therefore binding for the working group	FSC-PRO-60-002ª V1-0 EN
FSC Standard: Requirements for sourcing FSC controlled wood	Describes the requirements of a system of due diligence for certified organisations in the FSC product chain so as to avoid the use of material from inacceptable sources and to declare material as FSC controlled wood Material from inacceptable sources may not be used for FSC mix products	FSC-STD-40-005 V3-0 DEU
Centralised national risk assessment for Germany – preliminary results	Results of the expert evaluation for Germany for categories 1, 2 and 5	This document
Centralised national risk assessment for category 3 of FSC controlled wood – risks to high conservation values in Finland	Risk analysis for high conservation values (category 3) in Finland, prepared by the High Conservation Value Network This centralised national risk assessment (CNRA) was based on the method for the evaluation of category 3 on HCV	CNRA Finland

List of abbreviations

Abbreviation	Term
BArtV	Bundesartenschutzverordnung German federal species protection regulation
BfN	Bundesamt für Naturschutz German Federal Agency for Nature Conservation
BMUB	Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit German Federal Ministry for Environment, Nature Conservation, Building and Nuclear Safety
BNatSChG	Bundesnaturschutzgesetz German federal nature conservation act
BWaldG	Bundeswaldgesetz German federal forest act
BWI	Bundeswaldinventur German national forest inventory
BZE	Bodenzustandserhebung German soil monitoring survey
CBD	Convention on Biological Diversity = Übereinkommen über biologische Vielfalt Convention on Biological Diversity
CNRA	Centralised National Risk Assessment = Zentralisierte Risikobewertung centralised national risk assessment
CWRA	Controlled Wood Risk Assessment = Risikobewertung für Controlled Wood controlled wood risk assessment
FFH-Richtlinie	Flora-Fauna-Habitatrichtlinie the European Commission's habitats directive
NABU	Naturschutzbund Deutschland German Nature and Biodiversity Conservation Union

HCV	High Conservation Value = besonderer Schutzwert
	high conservation value
HCVRN	High Conservation Value Research Network
	High Conservation Value Research Network
IFL	Intact Forest Landscapes
LRT	Lebensraumtypen definiert in der Flora-Fauna-Habitatrichtlinie
	habitat types defined in the habitats directive
LWaldG	Landeswaldgesetz
	state forest law
N/A	not applicable
SAC	Special Areas of Conservation= besondere Schutzgebiete im Zusammenhang mit der FFH-Richtlinie
SPA	Special Protection Areas = besondere Schutzgebiete im Zusammenhang mit der Vogelschutzrichtlinie
	special protection areas; protected areas designated under the European Commission's birds directive
WZE	Waldzustandserhebung
	German forest monitoring survey

Experts

The members of the working group are fulfilling the required qualifications for experts as mentioned in Annex A in FSC-PRO-60-002a. The following experts have contributed to the evaluation to the risk assessment:

CW Category	Name	Qualification	Contact details
1,2,3,4,5	Dirk Riestenpatt*	Forester and representative of FSC-certified forests of Berlin. Part of the board as economic chamber representative since 2008, since 2011 as chairman. Involved in the first German CW-risk-assessment and in the last national FM-standard revision process.	Berliner Forsten Dahlwitzer Landstr. 4, 12587 Berlin Dirk.Riestenpatt@SenStadtUm.Berlin.de
1,2,3,4,5	Volker Diefenbach*	Forester and mayor of a city of Germany (Heidenrod). Formerly actively working as forester of an FSC-certified communal forest in Hessen. Representative of IG BAU, which is the biggest union in Germany for forest workers.	IG BAU Hessen Forststraße 32, 65321 Heidenrod volker.diefenbach@heidenrod.de
1,2,3,4,5	Elmar Stertenbrink*	Independent forest entrepreneur in Germany. Representative of two big entrepreneur associations in Germany. Active member of the SDG in Germany for the social chamber since 2008. Part of the national FSC-board since 2010.	Interessensgemeinschaft Zugpferde e.V. Goeddinghoferweg 19, 40699 Erkrath firma.stertenbrink@web.de
1,2,3,4,5	Nina Griesshammer*	Forester and formerly employed at WWF Germany. Now representing all big environmental NGOs in the national FSC-board. Part of the FSC-board since 2004.	Zeuläckerstrasse 21 60389 Frankfurt mail@ninagriesshammer.de
1,2,3,4,5	Dr. Gerd Loskant*	Forester and representative of FSC-certified forests of Boppard and part of the FSC-certified state forest of Rheinland-Pfalz. Part of the national FSC-board since 2013.	Stadt Boppard Forstverwaltung Humperdinckstraße 4a, 56154 Boppard Gerd.Loskant@wald-rlp.de
2	Ulrich Dohle	Forester (University of Applied Sciences Rottenburg) and forestry chief officer, Chairman at the Association of German Foresters (BDF), member of the Social Chamber of FSC Germany,	ulrich.dohle@bundesimmobilien.de

CW Category	Name	Qualification	Contact details
3 und 4	Ulrich Malessa	Forest scientist (University of Freiburg), Forest Service Assessor, MBA in Sustainability Management (University of Lüneburg). He has more than 20 years of professional experience in forestry, timber trading and international forest issues (IUCN-TRAFFIC, WWF US) as well as more than 10 years of professional experience at FSC Germany. He was a member of several TWGs, including COC (2004 and 2005) and CW (2003 and 2004), as well as project certifications and auditor training.	Ulrich.malessa@fsc-deutschland.de T: +49 761 38653 63
3 und 4	Erika Müller	M.Sc. in Forest Ecology and Nature Conservation (Georg-August-University Gottingen). Since 2008 she has been working at FSC Germany in various management positions	Erika.mueller@fsc-deutschland.de T: +49 761 38653 55

*Member of the NRA working group.

National Risk Assessment maintenance

The responsible body (in accordance with section 2 of FSC-PRO-60-002 V3-0) is
FSC Germany – Verein für verantwortungsvolle Waldwirtschaft e.V.
Merzhauserstr. 183
79100 Freiburg
info@fsc-deutschland.de

The responsible body for maintenance of the NRA will be FSC Germany. Revisions and/or updates of the NRA will be implemented according to needs and at least once in five years. Each updated or revised version will be sent to FSC for approval (with relevant justifications). The revision process will be conducted in accordance with the requirements of FSC-PRO-60-002 V3-0 (or updated version of that document valid by the time of the review).

Complaints and disputes regarding the approved National Risk Assessment

In case of complaints stakeholders can contact the responsible body. The responsible body will handle the complaint in accordance with section 12 of FSC-PRO-60-002 V3-0 as follows:

- Acknowledgment of complaints within two (2) weeks of receipt of a complaint;
- The responsible body will investigate the complaint that meets the conditions (see below) after date of acknowledgement over a period of six (6) weeks;
- Conditions under which a complaint shall proceed according to FSC-PRO-01-008 Processing formal complaints in the FSC certification scheme:
    - contain the name and contact information of the complainant and be signed by the legal representative of the Complainant or by the individual in question if the complaint is not filed by an organization; FSC Germany will consider requests by Complainants who wish to remain anonymous to the Parties to the complaint and shall protect their privacy and identity to the maximum extent possible, while recognizing that the identity of the Complainant might be obvious depending on the circumstances;
    - be written in German or English, other languages will not be accepted;
    - list the issues that the complaint addresses in relation to this document, in specific a reference (page, section No. or other) should be stated, specify the events and specific details that lead to the complaint;
    - contain evidence to support each element or aspect of the complaint;
    - indicate whether and in what form the issues have been raised with the Defendant prior to lodging the complaint and what response was provided;
    - contain an agreement to share the complaint with the Defendant and other Parties to the Complaint;
    - contain an agreement to adhere to the terms and provisions of this procedure.
- The responsible body will manage a complaint registry, including recording and filing of all complaints received, actions taken and results of complaint evaluations;
- Latest after 10 days the complainant receives an initial response and acknowledgment of receipt;
- By latest 30 days after acknowledgement of the complaint the responsible body will inform the complainant about the status of the complaint and quick solution that might be possible;
- By latest 60 days the responsible body must provide a conclusion of all complaints and inform complainants about the actions taken or the rejection including justification.

- In the case of a revised NRA, a summary of the performance or any existing complaint mechanisms shall be included.

List of key stakeholders for consultation

During the planned public consultation, the following stakeholders will be contact through the indicated means:

Stakeholder Group	Communication means to members of FSC Germany	General communication such as Newsletter and website
Economic interests		
Forest owners and/or managers of large, medium and small forests; high-, medium- and low-intensity managed forests;	X	
Forest contractors (including loggers);	X	
Representatives of forest workers and forest industries;	X	
Certificate holders;	X	X
Social interests		
NGOs involved or with an interest in social aspects of forest management and other related operations;	X	
Forest workers;		X
International, national and local trade/labor unions;	X	
Representatives of local communities involved or with an interest in forest management, including those relevant for HCVs 5 and 6;		X
Representatives of indigenous peoples and/or traditional peoples (if present and/or holding rights), including those relevant for HCVs 5 and 6;	N/A	N/A
Representatives of recreation interests.		X
Environmental interests		

Stakeholder Group	Communication means to members of FSC Germany	General communication such as Newsletter and website
NGOs involved or with an interest in the environmental aspects of forest management. Consultation should target the following areas of interest and expertise: Biological diversity, Water and soil, Environmental-related High Conservation Values	X	
FSC-accredited certification bodies active in the country;	X	
National and state forest agencies;	X	
Experts with expertise in Controlled Wood categories;	X	X
Research institutions and universities;		X
FSC Regional Offices, FSC Network Partners, registered Standard Development Groups and NRA Working Groups in the region2.	Will be contacted through FSC internal mailing list.	

Risk assessments

Controlled wood category 1: Illegally harvested wood

Overview

In Germany there are 11.419.124 ha defined as forest. When the area that is legally registered as forest, does not contain trees, is subtracted from this amount, an area of 11.012.420 ha remains. Thereof 4.539.070 ha is deciduous forests (either monocultures or mixed stands with mostly deciduous trees); 6.257.533 ha is coniferous forests (either monocultures or mixed stands with mainly coniferous trees). 592.662 ha are strictly protected areas, where activities are prohibited by law that can result in deterioration, disturbance or destruction. On 450.000 ha, restrictions for timber use are in place for a variety of reasons (but mainly for protection and conservation reasons, but also due to terrain characteristics).

Three types of forest ownership are existent in Germany: Public forest; private forest; and the forests owned by churches or by cooperatives (however this type of tenure is relevant only on a local scale due to very small parcels). In addition, public forests are further classified as follows: Public forest owned by federal states (Staatswald); public forest owned by municipalities (Körperschaftswald); and public forest owned by the Federal Republic of Germany (Bundeswald). By definition, forest that is not owned by the public or by churches is private. An area the size of 3.309.537 ha is owned by federal states; 2.220.445 ha is owned by municipalities; and 5.485.679 ha is defined as private property. For private forests the size ranges from less than 20 ha (smallest private forest) up to more than 1000 ha (large private forest). The largest private forest is about 28.000 ha owned by the County of Thurn and Taxis. The forest owned by the Federal Republic (e.g. alongside motorways or waterways) only amounts to 403.464 ha that are highly fragmented across the country.

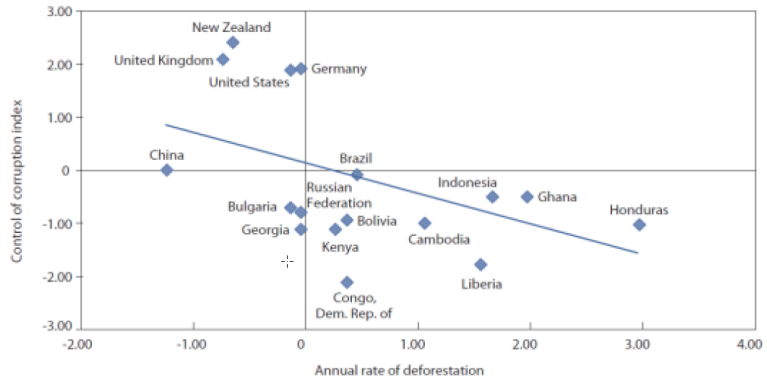
[All information and figures mentioned in the two paragraphs above are taken from the results of last National Forest Inventory (Bundeswaldinventur), which was completed in 2012.]

In Germany, the legal owner of a territory/tract has the right to manage this area (in compliance with the existing laws) or to exercise the associated rights. This principle is regulated in the German Constitution (Grundgesetz) and in the German Civil Code (Bürgerliches Gesetzbuch). If the owner is managing the forest himself, no additional harvesting permits are required. There are mandatory statutes that describe sustainability measures, maintenance of protected areas, protection of environmental values and best practice in harvesting. These acts, laws and decrees exist at a national level and, in addition, at the federal state level. The main acts are: Bundeswaldgesetze (National Forest Act), Bundesnaturschutzgesetz (Federal Nature Conservation Act) and corresponding forest and nature conservation acts at federal state level.

Due to the requirements of the National Forest Act and the forest acts of the federal states, public forest organizations are bound to execute management planning. A strategic planning is made every ten years. Based on this, a detailed plan for the organization is prepared every year. Therein, harvesting measures and volumes are calculated based on a sustainable use. The planning is checked and monitored by the relevant authority (which is different in the federal states due to varying administrative structures). Also private forests of a minimum size are required to undertake planning activities (the particular size is stipulated by each federal state, with the minimum size of about 30 ha). For small private forests, this type of planning is recommended but not mandatory.
Based on this planning, forest authorities have measures to control and monitor forest use. As described above, these authorities vary from federal state to federal state.

Germany ranks high on the worldwide governance indicator with 'rule of law' being 1.85 and control of corruption at 1.83 on a scale of -2.5 to +2.5. This is one of the highest scores in the world. Germany has a Corruption Perception Index 2014 of 79 (above the threshold of 50) and is ranked worldwide as 12th in CPI ranking.
Tax fraud investigation is carried out intensively in Germany (refer statistics mentioned in ‘Sources of information’).
An Interpol report from 2016 shows the correlation between deforestation and the control of corruption (based on the World Banks´s Worldwide Governance Indicators), indicating that a lower control of corruption may mean a higher annual rate of deforestation. Germany shows a high control of corruption and a low annual rate of deforestation.

Figure 1: Deforestation and corruption[8]



In the Transparency International´s Bribe Payers Index Report from 2011 the index shows that there is no country among the 28 major economies whose companies are perceived to be entirely flawless and that do not engage in bribery. Germany is on rank 4, with a score of 8,6 (score of 10 corresponds with the view that companies from that country *never* bribe abroad). Companies from these countries are seen as less likely to engage in bribery than the other listed countries, but there is still room for improvement.

We are not aware of relevant cases in Germany in which systematic illegal harvesting or bribery took place. There were no reports from international organizations such as FAO, Transparency International, The Royal Institute for International Affairs or others stating that logging without harvesting permits is a problem in Germany.

The implementation of the EUTR and HolzSIG refers to two origins, either to timber imported from third countries that is for the first time placed on the European market or to timber harvested in Germany that is placed on the European market. The first case is not relevant for this risk assessment. In the last case, no sources could be found that provide the assumption of a lack of implementation. The Thünen Centre of Competence on the Origin of Timber (Thünen-Kompetenzzentrum Holzherkünfte) has been established that should facilitate the doubtless determination and, if necessary, a possible prosecution.

Sources:

Interpol Report: Uncovering the risks of corruption in the forestry sector. Published December 2016, letzter Zugriff: 26. Januar 2017.
https://www.interpol.int/News-and-media/News/2016/N2016-166
Transparency International: Bribe Payers Index Report 2011
http://www.transparency.org/bpi2011/results; letzter Zugriff: 26. Januar 2017.
Press release Thünen-Institut, 4th of March 2013: Aktiv gegen den illegalen Holzeinschlag.
https://www.thuenen.de/en/info-desk/press-releases/press-archive/press-releases-2013/aktiv-gegen-den-illegalen-holzeinschlag/, letzter Zugriff: 09.05.2017.

Sources of legal timber in Germany

Forest classification type	Permit/license type	Main license requirements (forest management plan, harvest plan or similar?)	Clarification
Public forest	No harvesting permit required	Strategic planning every ten years, annual planning	Strategic planning = "Forsteinrichtung"
Private forest	No harvesting permit required	Strategic planning every ten years if the forest is of a minimum size (stipulated by each federal state, mostly at least 30 ha). Small assessments for private forests are held annually.	Strategic planning = „Forsteinrichtung" or „Forstbetriebsgutachten"

Risk assessment

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		Legal rights to harvest	
1.1 Land tenure and management rights	**Applicable laws and regulations** Tenure Rights and ownership: 1. Grundgesetz für die Bundesrepublik Deutschland vom 23. Mai 1949 (BGBl. I S. 2438) "German Constitution" - Article 14 http://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html#p0079 2. Bürgerliches Gesetzbuch (BGB) in der Fassung der Bekanntmachung vom 2. Januar 2002 (BGBl. I S. 42, 2909; 2003 I S. 738) "German Civil Code" - § 873 (1): Acquisition by agreement and registration http://www.gesetze-im-internet.de/englisch_bgb/englisch_bgb.html#p3614	• Federal Constitution Court, verdict 18,12,1968, Clause 94 (Ownership in German Constitution) (ger.): http://www.servat.unibe.ch/dfr/bv024367.html • Brief explanation of land ownership in Germany (ger.) https://www.bundestag.de/blob/414774/826f537e22a405a15f495700b37ab15b/wd-7-018-16-pdf-data.pd http://wirtschaftslexikon.gabler.de/Definition/grundbesitz.html • Family owned enterprises in Agriculture and Forestry (Familienbetriebe Land und Forst (ger.):	Tenure rights are determined through the German Constitution and the Bürgerliches Gesetzbuch (Civil Code). Ownership of estates is documented in the Land Charge Register (Grundbuch). The legal owner of an estate also owns the management rights of the estate, as long as no other laws are violated. Ownership of land is not legally valid, until the owner is registered in the Land Charge Register. Purchase of land requires a formal agreement by both parties. If there is no entry in the Land Charge Register or if the ownership of the land tenure is not yet registered in the Land Charge Register (e.g. in the event of new structuring and merging of plots), the organization has to prove with appropriate documentation, that it owns the forest and therefore has the right to manage it. To establish a more efficient management, some small private forest owners are incorporated in Forstbetriebsgemeinschaften ('forest enterprises associations'). Here, organizations keep the land ownership and the right to manage, but the management of several small forests is centralized. All

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	3. Grundbuchordnung in der Fassung der Bekanntmachung vom 26. Mai 1994 (BGBl. I S. 1114) GBO - "Landbook Rule“. http://www.gesetze-im-internet.de/gbo/BJNR001390897.html#BJNR001390897BJNG000101307 <u>Farm Leasing (Pacht): Leasing of estates with a contract</u> 4. Bürgerliches Gesetzbuch (BGB) in der Fassung der Bekanntmachung vom 2. Januar 2002 (BGBl. I S. 42, 2909; 2003 I S. 738) - § 585 (Declaration and Definition of Farm Leasing) http://www.gesetze-im-internet.de/englisch_bgb/englisch_bgb.html#p2403 5. Bürgerliches Gesetzbuch (BGB) in der Fassung der Bekanntmachung vom 2. Januar 2002 (BGBl. I S. 42, 2909; 2003 I S. 738) - § 581: Vertragstypische Pflichten beim Pachtvertrag ("contracts and duties concerning farm leasing“) http://www.gesetze-im-internet.de/englisch_bgb/englisch_bgb.html#p2379 <u>Taxes:</u> 6. Grundsteuergesetz (GrStG) vom 7. August 1973	http://familienbetriebeluf.de/themen/eigentum/ / https://www.bundestag.de/blob/414774/826f537e22a405a15f495700b37ab15b/wd-7-018-16-pdf-data.pdf • Principles of ownership (ger.): http://www.ordnungspolitisches-portal.com/03_03_Prinzipien.htm	owners have to agree to the management and harvesting plans of the association. A regulation of taxes paid – according to the type land ownership – is carried out through the Property Tax Code (Grundsteuergesetzbuch GrStG). Two kinds of property taxes do exist in Germany: Type A for agriculture and forestry enterprises and Type B for other enterprises. The tax value of assets and estates is regulated by the Valuation Tax Act (BewG). It contains special sections relating only to agriculture and forestry (Bewertungsgesetz BewG Part 2, Section B, I–III). Every legal company has to be registered in the Unternehmensregister (business register). Customary rights to forest products do not legally exist; but there are traditions that are respected. These, however, refer to a small scale and small amount of use (e.g. traditional collection of non-merchantable wood by local citizens). Risks can arise when ownership is shifted between generations and the Land Charge Register entry takes time due to lengthy administrative processes. A few problematic cases are known, involving heritage issues and difficulties with the identification of heirs. Threshold 1 is met. Identified laws are upheld. Cases, where law/regulations are violated, are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. Therefore we consider the risk as ‘low risk’

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	(BGBl. I S. 965) GrStG, § 6 (Land tenure taxes in agriculture and forestry) http://www.gesetze-im-internet.de/grstg_1973/__6.html 7. Bewertungsgesetz (BewG) in der Fassung der Bekanntmachung vom 1. Februar 1991 (BGBl. I S. 230) BewG, Part 2, Section B, I-III (Assessment of tax volume in agriculture and forestry) http://www.gesetze-im-internet.de/bewg/BJNR010350934.html#BJNR010350934BJNG000502301 8. Handelsgesetzbuch(HGB) 1897 (BGBl. I S. 1474) - “German Commercial Code” §8, 8a, 8b http://www.gesetze-im-internet.de/hgb/__8.html **Legal Authority** 1. German Constitution: Bundesverfassungsgericht (Federal Constitution Court) 2. Civil Act: Ministry of Justice; administration of justice and supervision of compliance of laws is responsibility of federal states 3. Grundbuchordnung: Administration of Grundbuch is responsibility of Local Courts for corresponding districts		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	4. Tax law: Ministry of Finance; Collection offices of corresponding districts. **Legally required documents or records** • Grundbucheintrag (entry in the Land Book) • Pachtverträge (“Contracts of farm leasing”) • Steuerbescheid (“tax assessment”)		
1.2 Concession licenses	**Applicable laws and regulations** N/A **Legal Authority** N/A **Legally required documents or records** N/A	N/A	N/A There is now comparable type of legal tool like a concession in the forest legislation or neighboring laws. Therefore, this indicator is not applicable.
1.3 Management and harvesting planning	**Applicable laws and regulations** • Bundeswaldgesetz (BWaldG) vom 2. Mai 1975 (BGBl. I S. 1037) - “National Forest Act” 1. § 41: Inventory Forest acts of the federal states (1): http://www.gesetze-im-internet.de/bwaldg/	• Close to nature silviculture in Bavaria: http://www.lwf.bayern.de/mam/cms04/service/dateien/w58-naturnaher-waldbau-bei-den-bayerischen-staatsforsten.pdf • Results of Bundeswaldinventur ("national inventory 2012"). “Stock rose again”: https://www.bundeswaldinventur.de/index.php?id=543&L=3	Official national forest inventories (Bundeswaldinventur) do exist in Germany, the last one was finished in 2012. The inventories are subject to binding regulations in the German Forest Act. Forest inventories form the basis of forest planning for each forest organization. The main goals of management planning are to plan and evaluate the sustainable use of forest resources, to control felling activities and to comply with sustainability. To take account of long-term developments in forestry, every ten to 20 years, public organizations establish a mid-term framework report (the so called Forsteinrichtung), for which responsibility occurs at sovereign level.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	• Baden-Württemberg: 1. Waldgesetz für Baden-Württemberg (Landeswaldgesetz - LWaldG) in der Fassung vom 31. August 1995 (GBl. 1995, 685) - §§ 12, 20 50, 51 (Inventory and management planning in public forest) http://www.landesrecht-bw.de/jportal/portal/t/6w3/page/bsbawueprod.psml?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&fromdoctodoc=yes&doc.id=jlr-WaldGBWpG5&doc.part=X&doc.price=0.0&doc.hl=0#focuspoint 2. Instruction guideline FED 2000 http://www.waldnaturschutz-forstbw.de/site/downloads/571_32_FED2000_NWW_120217.pdf 3. Richtlinie landesweiter Waldentwicklungstypen (“Guideline for Silviculture in Baden-Württemberg”) http://forstbw.de/fileadmin/forstbw_mediathek/forstbw_praxis/wet/ForstBW_Waldentwicklung_web.pdf 4. State forest: FSC certification • Bayern: 1. Waldgesetz für Bayern (BayWaldG) in der Fassung	• Laws cited	Furthermore, state forest organizations establish an annual forest plan including actual and predicted stock, harvesting measures, establishment measures, silvicultural and management measures, conservation, welfare etc. Public municipal forests of medium size (normally 50 or 100 ha or larger) are bound by law to execute annual planning. In addition to these statutes and requirements, some federal states have binding guidelines for silviculture, which define silvicultural best practices for public forests (also recommended for private forests). For private forests, different regulations do exist; which are described in the Federal Forest Acts, varying between the different federal states. Basically private forestry organizations of mid-size (normally 100 ha) and upwards have to produce an annual plan and a mid-term framework report every ten years. Small private organizations under 100 ha have to prepare an annual report, which is not included in the annual planning, to provide evidence for its management (so called Forstbetriebsgutachten). Below 30 ha, organizations are exempt from planning works, but are bound to the German Forest Act and to supervision by authorities. When planning occurs in relation to public or private forests, reports have to be sent to the corresponding forest authorities for evaluation and control. Private organizations that are not obliged to do planning are subjected to a control mechanism by the tax assessment. The preparation of mid-term framework reports is done by officials or freelancing consultants. The results of the National Forest Inventory (Bundeswaldinventur) 2012 have demonstrated that the average timber stocks in German forests rose compared

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	der Bekanntmachung vom 22. Juli 2005 (GVBl 2005, S. 313) - §§ 18, 19 http://www.gesetze-bayern.de/jportal/portal/page/bsbayprod.psml?showdoccase=1&doc.id=jlr-WaldGBY2005rahmen&doc.part=X&doc.origin=bs 2. Körperschaftswaldverordnung KWaldV (Enactment for Körperschaftswald) http://www.gesetze-bayern.de/jportal/?quelle=jlink&docid=jlr-K%C3%B6rpWaldVBY2007rahmen&psml=bsbayprod.psml&max=true&aiz=true 3. Richtlinie zur Forsteinrichtung ("Guideline for Forest Planning“) https://www.verkuendung-bayern.de/files/allmbl/2012/01/anhang/7905.0-L-213-A001.pdf 4. Waldbaurichtlinie ("Guidelines for Silviculture“) http://www.baysf.de/de/wald-verstehen/waldbau.html • Berlin: 1. Gesetz zur Erhaltung und Pflege des Waldes		to earlier inventories, which is an indicator of sustainable forestry and proper planning. The legal planning situation in Germany is highly diverse, varying from state to state. Risks can arise when small forest organizations – which are not bound to planning due to their size – manage their forest unsustainably OR – if they are bound only to ten-year planning – use the ten-year gap to harvest beyond the sustainability level. However, in any case, monitoring does exist: Municipal public forests in most federal states are managed and thus supervised by state authority foresters, so that control mechanisms exist. Private forest organizations, which are bound only to ten-year planning, are thus controlled every ten years and, if the forests are not sustainably managed, the organizations are sentenced. For small forests with no planning, statutory possibilities for punishment do exist, if laws are not adhered to. We are not aware of relevant cases in which sustainability was seriously compromised by small forest organizations. The legal background for monitoring and planning is clearly regulated and enforced. Due to the good governance and law enforcement indicators described in the introduction, it can be concluded that are no enforcement deficits. Management plans are publically available. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	(Landeswaldgesetz - LWaldG) vom 16. September 2004 (GVBl. 2004, 391) - §1 http://www.stadtentwicklung.berlin.de/service/gesetzestexte/de/download/forsten/lwaldg.pdf 2. Waldbaurichtlinie für die Berliner Forsten ("Guideline for Silviculture in Berlin http://www.stadtentwicklung.berlin.de/forsten/waldpflege/download/Waldbaurichtlinie2005.pdf n“) 3. State forest: FSC certification • Brandenburg: 1. Waldgesetz des Landes Brandenburg (LWaldG) vom 20. April 2004 (GVBl.I/04, [Nr. 06], S.137) - § 30 (periodic forest inventories and forest register) http://bravors.brandenburg.de/de/gesetze-212918#30 2. Betriebliche Anweisung zur Forsteinrichtung BAFE (Official Guideline for Forsteinrichtung in public forests of Brandenburg) http://forst.brandenburg.de/cms/media.php/lbm1.a.3310.de/bafe.pdf 3. Waldbaurichtlinie Brandenburg ("Guideline for Silviculture in Brandenburg“)		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	http://www.mlul.brandenburg.de/media_fast/4055/waldb_rl.15520821.pdf • Bremen: 1. Bremisches Waldgesetz (BremWaldG) in Kraft ab: 10.06.2010 - §5 (proper forestry) https://bremen.beck.de/?bcid=Y-100-G-brwaldg-name-inh • Hamburg: 1. Hamburger Landeswaldgesetz Vom 13. März 1978 (HmbGVBl. 1978, S. 74) - §6 (proper forestry) 2. Waldbauliche Rahmenrichtlinie ("Guideline for Silviculture“) 3. State forest: FSC certification http://www.landesrecht-hamburg.de/jportal/portal/page/bshaprod.psml?showdoccase=1&st=null&doc.id=jlr-WaldGHArahmen&doc.part=X&doc.origin=bs • Hessen: 1. Hessisches Waldgesetz (HWaldG) Vom 27. Juni 2013 (GVBl. 2013, 458) - § 5 http://www.rv.hessenrecht.hessen.de/jportal/portal/t/1eiz/page/bshesprod.psml;jsessionid=27D4523B110B46866DEDB7C3DD902EEA.jp15?doc.hl=1&doc.id=jlr-WaldGHErahmen&documentnumber=1&numberofresults=46&showdoccase=1&doc.part=X&paramfromHL=		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	true#jlr-WaldGHEpP5 2. Hessische Waldbaufibel ("Hessian Reader for Silviculture“) https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB4QFjAAahUKEwjL3qyj4u7HAhUM7xQKHTkIBsg&url=http%3A%2F%2Fwww.hessen-forst.de%2Fdownload.php%3Ffile%3Duploads%2Fservice%2Fdownload%2Fwaldbaufibel_hessen_forst.pdf&usg=AFQjCNHTr4eKTwPnZFHxhPzPRSMPLu876w&cad=rja 3. Hessische Waldbaurichtlinie ("Guideline for Silviculture“) http://www.hessen-forst.de/uploads/ueber-uns/riliribes.pdf 4. State forest: FSC certification • Mecklenburg-Vorpommern: 1. Waldgesetz für das Land Mecklenburg-Vorpommern (Landeswaldgesetz - LWaldG) In der Fassung der Bekanntmachung vom 27. Juli 2011 (GVOBl. M-V 2011, S. 870) - §§ 4,5 http://www.landesrecht-mv.de/jportal/portal/page/bsmvprod.psml?showdoccase=1&doc.id=jlr-		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	WaldGMV2011rahmen&doc.part=X&doc.origin=bs&st=lr 2. Anforderungen an Forsteinrichtungswerke für Privat- und Körperschaftswaldbesitz in Mecklenburg-Vorpommern (Requirements of Forsteinrichtung in private and municipial forests) http://www.wald-mv.de/lib/media.php?id=379 3. State forest: FSC certification • Niedersachsen: 1. Niedersächsisches Gesetz über den Wald und die Landschaftsordnung (NWaldLG) Vom 21.März 2002 (Nds.GVBl. Nr.11/2002 S.112) - §§ 6 http://www.recht-niedersachsen.de/79100/nwaldlg.htm#p6,7 2. LÖWE Programm (Programme for long-term forest development) https://www.landesforsten.de/LOEWE-Langfristige-OEkologische-Waldentwicklung.20.0.html • Nordrhein-Westfalen: 1. Landesforstgesetz für das Land Nordrhein-Westfalen (Landesforstgesetz - LFoG),		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Bekanntmachung der Neufassung Vom 24. April 1980 (GV. NW. 1980 S. 546) - §§ 33, 34 https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=10000000000000000274#det332959 2. Additional frameworks and documents for inventory, survey and measuring https://www.wald-und-holz.nrw.de/wald-und-holz-nrw/service/ausschreibungen-und-vergaben/unterlagen-zur-forsteinrichtung.html 3. Decree for forest utilization and forest restoration https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=1&gld_nr=7&ugl_nr=79031&bes_id=2897&val=2897&ver=7&sg=0&aufgehoben=N&menu=1 4. State forest: FSC certification • Rheinland-Pfalz: 1. Landeswaldgesetz (LWaldG) Vom 30. November 2000 (GVBl. 2000, 504) - § 7 (Orderliness of forestry) http://landesrecht.rlp.de/jportal/portal/t/z59/page/bsrlpprod.psml;jsessionid=B71BD79DA96E0D0BFF2268944A12576A.jp14?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=1&numberofresults=1&fromdoctodoc=yes&doc.id=jlr-WaldGRPrahmen&doc.part=X&doc.price=0.0#jlr-		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	WaldGRPpP7 2. Guidelines for silviculture in Rheinland-Pfalz http://www.wald-rlp.de/index.php?id=3188 3. State forest: FSC certification • Thüringen: 1. Gesetz zur Erhaltung, zum Schutz und zur Bewirtschaftung des Waldes und zur Förderung der Forstwirtschaft (Thüringer Waldgesetz - ThürWaldG -) Vom 6. August 1993 (GVBl. 2008, 327) - § 5, 20, 33 http://landesrecht.thueringen.de/jportal/portal/t/ypv/page/bsthueprod.psml?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&fromdoctodoc=yes&doc.id=jlr-WaldGTH2008pG3&doc.part=X&doc.price=0.0&doc.hl=0#focuspoint 2. 3rd and 6th Durchführungsverordnung DVO (“execution decree”) http://www.wbv-thueringen.de/download/2010-01-25-01.pdf http://landesrecht.thueringen.de/jportal/portal/page/bsthueprod.psml?pid=Dokumentanzeige&showdoccase=		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	1&js_peid=Trefferliste&fromdoctodoc=yes&doc.id=jlr-WaldGDVTH6rahmen&doc.part=X&doc.price=0.0 3. Principles for Silviculture http://www.waldbesitzerportal.de/de/waldbesitzerportal/themen/waldbau/waldbaugrundsaetze-der-thueringer-forstverwaltung/ • Sachsen: 1. Waldgesetz für den Freistaat Sachsen (SächsWaldG) Vom 10. April 1992 (SächsGVBl. S. 137) - § 22, Abs. 2 (orderliness in forest management), § 48, Abs. 2 (periodic plannings) http://www.lexsoft.de/cgi-bin/lexsoft/justizportal_nrw.cgi?t=1441886559220635 11&sessionID=1881078088371660105&templateID=document&source=document&chosenIndex=Dummy_nv_68&xid=171347,1&task=chose_fliesstext#gesetz_fliesstext_171347,23 2. Richtlinie für den Staatswald des Freistaates Sachsen, Bestandeszieltypen ("Guidelines for forest stands development ") https://www.smul.sachsen.de/sbs/download/Bestandeszieltypen.pdf		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	• Sachsen Anhalt: 1. Waldgesetz für das Land Sachsen-Anhalt (WaldG LSA) Vom 13. April 1994 (GVBl. LSA 1994, 520) - § 5 http://www.landesrecht.sachsen-anhalt.de/jportal/;jsessionid=3A3570D8278B89C20D7D86153A1BF736.jp25?quelle=jlink&query=WaldG+ST&psml=bssahprod.psml&max=true&aiz=true#jlr-WaldGSTV5P5-jlr-WaldGSTV1P5-jlr-WaldGSTV2P5-jlr-WaldGSTV3P5-jlr-WaldGSTV4P5 2. Forsteinrichtungsverfahren des Landesforstbetriebes LSA ("Procedure of Forsteinrichtung in State forests“) http://www.mlu.sachsen-anhalt.de/fileadmin/Bibliothek/Politik_und_Verwaltung/MLU/MLU/Master-Bibliothek/Landwirtschaft_und_Umwelt/F/Anlage_1_FE_Verf_LFB_Anl_1_27_06_07.pdf 3. Leitlinie zur Erhaltung und weiteren nachhaltigen Entwicklung des Waldes im Land Sachsen-Anhalt ("Guideline for Conservation and further sustainable Development of the forest in Sachsen-Anhalt“) http://www.mlu.sachsen-anhalt.de/fileadmin/Bibliothek/Politik_und_Verwaltung/MLU/MLU/Master-Bibliothek/Landwirtschaft_und_Umwelt/F/Forst/Leitlinie_Wald/LEITLINIE_WALD_2014.pdf		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	• Saarland: 1. Waldgesetz für das Saarland (Landeswaldgesetz - LWaldG) Vom 26. Oktober 1977 (Amtsblatt 1977, S. 1009) - §§ 13, 30 (periodic plannings) http://sl.juris.de/cgi-bin/landesrecht.py?d=http://sl.juris.de/sl/gesamt/WaldG_SL.htm#WaldG_SL_rahmen 2. Richtlinie für die Bewirtschaftung des Staatswaldes im Saarland ("Guideline for Managing the State forest in Saarland") http://www.saarland.de/dokumente/thema_naturnutzung/waldbaurichtlinien_saarland.pdf 3. State forest: FSC certification • Schleswig-Holstein: 1. Waldgesetz für das Land Schleswig-Holstein (Landeswaldgesetz - LWaldG) Vom 5. Dezember 2004 (GVOBl. 2004, 461) - §§ 5, 6 http://www.gesetze-rechtsprechung.sh.juris.de/jportal/;jsessionid=D1C60BD8B62F01EE5FC1CD430E24D7E0.jp22?quelle=jlink&query=WaldG+SH&psml=bsshoprod.psml&max=true&aiz=true#jlr-WaldGSH2004V5P5-jlr-WaldGSH2004V1P5-jlr-WaldGSH2004V2P5-jlr-WaldGSH2004V3P5-jlr-WaldGSH2004V4P5		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	2. State forest: FSC certification **Legal Authority** • Bundeswaldgesetz: Ministry of Food and Agriculture • Baden-Württemberg: Ministry of Rural Space; ForstBW (State forestry organization) • Bayern: Bavarian Ministry of Food, Agriculture and Forest; BaySF (Bavarian state forestry organization) • Berlin: Berlin Senat of City Development; Berlin Forsten (Berlin State forestry organization) • Brandenburg: Ministry of Rural Development, Environment and Agriculture; Landesbetrieb Forst Brandenburg (Brandenburg state forestry organization) • Bremen: Stadt Bremen, Senator für Umwelt, Bau, Verkehr und Europa • Hamburg: Freie und Hansestadt Hamburg, Behörde für Wirtschaft, Verkehr und Innovation • Hessen: Ministry of Environment, Climate, Agriculture and Consumer Protection; Hessen Forst (Hessen state forestry organization); FENA (Department of Forest planning) http://www.hessen-forst.de/ueber-uns-dienststellen-fena-fachbereich-forsteinrichtung-2051.html • Mecklenburg-Vorpommern: Ministry of Agriculture, Environment and Consumer Protection; Landesforst Mecklenburg-Vorpommern (Mecklenburg-Vorpommern state forerstry organization) • Niedersachsen: Ministry of Food, Agriculture and Consumer Protection; Niedersächsische Landesforsten (Niedersachsen state forestry organization)		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	• Nordrhein-Westfalen: Ministry of Climate Protection, Environment, Agriculture, Nature Conservation and Consumer Protection; Landesbetrieb Wald und Holz NRW (Nordrhein-Westfalen state forestry organization) • Rheinland-Pfalz: Ministry of Environment, Agriculture, Food, Wine and Forestry, Landesforsten Rheinland-Pfalz (RLP state forestry organization) • Thüringen: Ministry for Environment, Energy and Nature Conservation; Thüringen Forst (Thüringen state forestry organization) • Sachsen: Ministry of Environment and Agriculture; Sachsenforst (Sachsen state forestry organization) • Sachsen Anhalt: Ministry of Agriculture and Environment; Landesforstbetrieb Sachsen-Anhalt (Sachsen-Anhalt state forestry organization) • Saarland: Ministry of Environment and Consumer Protection; SaarForst (Saarland state forestry organization) • Schleswig-Holstein: Ministry for Energy Transition, Agriculture, Environment and Rural Spaces; Schleswig Holsteinische Landesforsten (Schleswig-Holstein state forestry organization) **Legally required documents or records** • Public organizations: Forsteinrichtungswerk (mid-term framework, updated every 10-20 years) • Annual planning of forest organizations • Annual business planning of organizations • In Private forests: Planning reports, tax returns,		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Forsteinrichtung • Notice of tax assessment		
1.4 Harvesting permits	**Applicable laws and regulations** N/A **Legal Authority** N/A **Legally required documents or records** N/A	Non-governmental: - Transparency international (Germany): https://www.transparency.de/Tabellarisches-Ranking.2574.0.html - Transparency international: https://www.transparency.org/country/#DEU - World Bank, Governance Indicators for Germany: http://info.worldbank.org/governance/wgi/index.aspx#reports	N/A This topic is covered by sections 1.1 and 1.3 on ownership laws and management planning. Harvesting permits do not exist in Germany. The legal owner of the forest is allowed to harvest or to sell harvesting rights, without additional permits. Related to activities in private to the purchase tenancy of claims the legislation shall not be violated (concerning taxes protection). Additionally, as shown in section 1.3 (Management and harvesting planning), planning and sustainable management is described in the statute books: Mid-term management planning (Forsteinrichtung) and annual planning (Forstbetriebsgutachten) are required in most cases. When plans are submitted to and approved by forest departments, harvesting measures are assumed, based on this planning. Therefore, the owner of the area or the harvesting rights does not need to ask for permission to carry out harvesting activities. Control mechanisms are described above. Harvest activities are not regulated by through harvesting permits in Germany, but through intensive forest management planning. This means: There is no special approval for each harvesting activity, but there are prescribed laws and regulations providing a framework in which a forest owner can execute his activities (see Section 1.1 and 1.3). As mentioned in the overview Germany ranks high on the Global Governance Indicator with rule of law as well as

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			on the Corruption Perception Index, which states the effectiveness of law enforcement. Forest legislation does not cover the payment of license and harvesting fees. Therefore it is indicated that 1.4 does not apply to the German situation.
Taxes and fees			
1.5 Payment of royalties and harvesting fees	**Applicable laws and regulations** N/A **Legal Authority** N/A **Legally required documents or records** N/A	N/A	N/A The forest legislation does not include the payment of royalties and harvesting fees, therefore this indicator is not applicable.
1.6 Value added taxes and other sales taxes	**Applicable laws and regulations** Umsatzsteuergesetz (UStG) in der Fassung der Bekanntmachung vom 21. Februar 2005 (BGBl. I S. 386) -"Value Added Tax Act": 1. §1 Taxable sales http://www.gesetze-im-internet.de/ustg_1980/__1.html 2. §10 Basis for assessment	• Taxes in Forestry (lecture, ger.): http://www.ecovis.com/fileadmin/standorte/landau/2013-02-06_Forstbesteuerung_Laimer_Ecovis.pdf • VAT in Forestry and Hunting (information paper, ger.): http://www.gutachterring.de/Umsatzsteuer_im_Forst-_und_Jagdbetrieb.pdf • Information Page for German Tax System (ger.):	Germany has value-added taxes (VAT), described in the Value Added Tax Act. All domestic deliveries and benefits for which a company is paid are affected by the VAT (§1 UStG). Companies can levy VAT with sales and have to discharge VAT when buying (§§ 13, 15 UStG). Companies have two kinds of tax-paying systems: • Imputed taxation: The VAT is calculated at a point in time, when it is not yet clear how much the recipient of the benefit has to pay in a defined period. This is calculated by forecast. VAT can be generated without a bill. The company has to determine the VAT and, if there are any differences, it must report any discrepancy to the

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	http://www.gesetze-im-internet.de/ustg_1980/__10.html 3. §13, 15 Calculation of VAT http://www.gesetze-im-internet.de/ustg_1980/__13.html, http://www.gesetze-im-internet.de/ustg_1980/__15.html 4. §17 Changes in basis for assessment http://www.gesetze-im-internet.de/ustg_1980/__17.html 5. §18 Procedures of Taxation http://www.gesetze-im-internet.de/ustg_1980/__18.html 6. §20 Taxation after remuneration http://www.gesetze-im-internet.de/ustg_1980/__20.html 7. §24 VAT in agriculture and forestry Abgabenordnung (AO) in der Fassung der	http://www.steuertipps.de/lexikon/v/vorsteuerabzug • Laws cited - Transparency international (Germany): https://www.transparency.de/Tabellarisches-Ranking.2574.0.html - Transparency international: https://www.transparency.org/country/#DEU - Statistics on Tax audits and tax fraud investigations 2014 (ger.): http://de.statista.com/infografik/1061/steuerpruefung-und-steuerhinterziehung-in-deutschland/ The statistics show numbers of tax fraud investigations: 352.781 trials (2003-2012), 18 billions of back pay, self-complaint 2012/2013 per federal state. - World Bank, Governance Indicators for Germany: http://info.worldbank.org/governance/wgi/index.aspx#reports	finance authority (§17 UStG). Companies can choose what periods they wish to use to forecast VAT, e.g. monthly, quarterly or annually (§ 18 UStG). • Actual taxation: This is the opposite of imputed taxation. Companies first have to pay VAT after being paid by the recipient of the benefit. This procedure is an exception and has to be approved by the finance authority and is valid only in the following cases (§20 UStG): The total revenue of the company was not higher than 500.000€ in the previous legal year; OR the company is freed from accounting by the finance authority due to § 148 AO; OR if the income was achieved through self-employment. Two kinds of rates of VAT exist: 19% regular and 7% reduced (e.g. for food or print products). Forest companies benefit by law for simplification reasons (§24 UStG). This simplification is valid for all kinds of forest organizations, irrespective of size, turnover quantity and form of organization. Forest organizations can announce average tax rates of 5.5% for forest products (excluding sawmill by-products, which are taxed at 10.7%); and can also announce a flat VAT volume. This can only be implemented when the forest organization has not resigned from the conventional procedure. The basis for assessment in all cases is the paid remuneration (§10 USTG): If a company has an income less than 17.500€ per legal year, an exemption of the VAT duty is possible for simplification reasons.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Bekanntmachung vom 1. October 2002 (BGBl. I S. 3866; 2003 I S. 61) - "The Fiscal Code of Germany“: http://www.gesetze-im-internet.de/ustg_1980/__24.html 8. §§ 140, 141: Obligations of Account keeping http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p1043 9. §148: Authorization of simplification http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p1115 10. §§379, 370: Tax crimes and tax evasion Handelsgesetzbuch (HGB) 1897 (BGBl. I S. 1474) - “German Commercial Code” http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p2175 11. §6,1: Obligations of Account keeping for incorporated enterprises http://www.gesetze-im-internet.de/hgb/__6.html		All of the above is controlled by finance authorities. Every company must state its financial turnover in a tax return and, in addition, must demonstrate certain accounting practices (§§140, 141 AO, respectively §6, 1 HGB for incorporated enterprises). All documents are sent to the finance authorities for verification – also irrespective of size, turnover quantity and form of organization. All cash flows have to be documented to verify and to avoid illegal and black market profits. Not mentioning income is seen as tax evasion which attracts severe fines (§§369, 370 AO). Tax evasion also occurs in Germany, but legal requirements for documentation and control measures by finance authorities are very strict. According to a rapid appraisal on the topic (three phone calls) there is no information about relevant tax evasion directly linked to the forest sector. The conclusion is that it is not a relevant issue. As mentioned above Germany ranks high on the Global Governance Indicator and control of corruption Germany has a Corruption Perceptions Index 2014 of 79 (above the threshold of 50) and is ranked worldwide as 12th in CPI ranking. Tax fraud investigation is carried out intensively in Germany (refer statistics mentioned in ‘Sources of information’). Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Legal Authority • Low and mid finance Authorities • Collection offices (controlling and encash) **Legally required documents or records** • Accounts, i.e. documenting all income and investments, in conformance to law cited above • Bills, trading documents • Documents for simplifications by law, if necessary		For this indicator the area under assessment is determined to be 'low risk'.
1.7 Income and profit taxes	**Applicable laws and regulations** Einkommensteuergesetz (EStG) in der Fassung der Bekanntmachung vom 8. October 2009 (BGBl. I S. 3366, 3862) ("Income Tax Act"): 1. §2 Volume of taxation, definitions http://www.gesetze-im-internet.de/estg/__2.html 2. §13 Income from agriculture and forestry Abgabenordnung (AO) in der Fassung der Bekanntmachung vom 1. October 2002 (BGBl. I S. 3866; 2003 I S. 61) - "The Fiscal Code of Germany": http://www.gesetze-im-internet.de/estg/__13.html 3. 140, 141: Obligations of Account keeping	Government sources Laws cited Non-Government sources - Taxes in Forestry (lecture, ger.): http://www.ecovis.com/fileadmin/standorte/landau/2013-02-06_Forstbesteuerung_Laimer_Ecovis.pdf - Transparency international (Germany): https://www.transparency.de/Tabellarisches-Ranking.2574.0.html - Transparency international: https://www.transparency.org/country/#DEU - World Bank, Governance Indicators for Germany:	The German Income Tax Act defines seven types of income (§2 Abs. 1 S.1 Nr. 1 bis 7 EStG). These are further defined in two groups: 'income of profit' and 'income of surplus' (§ 2 Abs. 2 EStG). In the context of income, every legal and natural person is assigned to one of these types, depending on income type. One of these seven types, in the 'income of profit' category, is "Income from agriculture and forestry" (refer § 13 EStG for a description of the legal basis and definition of income from agriculture and forestry). Income from forestry is defined as profit from business as follows: • Income from current agriculture or forestry enterprises through natural growth of plants • Income from hunting • Income from side-business in forestry This procedure is valid for all forest companies, irrespective of size, turnover quantity and form of organization. Some exemptions do exist in relation to size, but all are based on the cited regulations. Also some

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p1043 4. §§379, 370: Tax crimes and tax evasion Handelsgesetzbuch (HGB) 1897 (BGBl. I S. 1474) - “German Commercial Code” http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p2175 5. § 6,1: Obligations of Account keeping for incorporated enterprises http://www.gesetze-im-internet.de/hgb/__6.html **Legal Authority** • Low and mid finance Authorities • Collection offices (controlling and encash) **Legally required documents or records** • Accounts, i.e. documenting all income and investments, in conformance to law cited above • Bills, trading documents • Documents for simplifications by law, if necessary	http://info.worldbank.org/governance/wgi/index.aspx#reports - Statistics relating to Tax audits and tax fraud investigation 2014 (ger.): http://de.statista.com/infografik/1061/steuerpruefung-und-steuerhinterziehung-in-deutschland/ The statistics show numbers of tax fraud investigations: 352.781 trials (2003-2012), 18 billions of back pay, self-complaint 2012/2013 per federal state.	caveats are in place for a very small income from forestry (less than 900€/year). All of the above is controlled by finance authorities. Every company must state its financial turnover in a tax return and, in addition, must demonstrate certain accounting practices (§§140, 141 AO, respectively §6, 1 HGB for incorporated enterprises). All documents are sent to the finance authorities for verification – also irrespective of size, turnover quantity and form of organization. All cash flows have to be documented to verify and to avoid illegal and black market profits. Not mentioning income is seen as tax evasion which attracts severe fines (§§369, 370 AO). Tax evasion also occurs in Germany, but legal requirements for documentation and control measures by finance authorities are very strict. Germany ranks high on the Global Governance Indicator with 'rule of law' being 1.85 and control of corruption at 1.83 on a scale of -2.5 to +2.5. This is one of the highest scores in the world. Germany has a Corruption Perceptions Index 2014 of 79 (above the threshold of 50) and is ranked worldwide as 12th in CPI ranking. Tax fraud investigation is carried out intensively in Germany (refer statistics mentioned in ‘Sources of information’). Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
Timber harvesting activities			
1.8 Timber harvesting regulations	**Applicable laws and regulations** 1) Bundeswaldgesetz (BWaldG) vom 2. Mai 1975 (BGBl. I S. 1037) - “National Forest Act” 1. Article §8 “Protection of forest functions upon plannings and measures by public projects” http://www.gesetze-im-internet.de/bwaldg/__8.html 2. Article §9 “Preservation of the Forests” http://www.gesetze-im-internet.de/bwaldg/__9.html 3. Article §11 “Management of forest http://www.gesetze-im-internet.de/bwaldg/__11.html” 2) Bundesnaturschutzgesetz (BNatSchG) vom 29. Juli 2009 (BGBl. I S. 2542) - “Federal Nature Conservation Act” 1. Article §5 "Agriculture, forestry and fisheries“ Forest acts of the federal states (1): http://www.bmub.bund.de/fileadmin/Daten_BMU/Download_PDF/Naturschutz/bnatschg_en_bf.pdf 3) Baden-Württemberg: 1. Waldgesetz für Baden-Württemberg (Landeswaldgesetz - LWaldG) in der Fassung vom 31. August 1995 (GBl. 1995, 685) - §§5-28	<u>Government sources</u> • See Guidelines/Instructions/Directives for silviculture as mentioned in indicators 1.1, 1.3, 1.4 as well as the guidelines mentioned below for this indicator • See Laws and Acts above	Harvesting techniques, technologies and forest planning activities (minimum age, diameter etc.) are amongst the duties of forest managers employed at public or private forest organizations. In public forests, the decisions of forest managers are based on decennial forest inventories (so called Forsteinrichtung) and guidelines for silviculture drafted by each federal state which are obligatory for forest management in municipal forests and state forests. For private forests, the silvicultural guidelines are only recommendations, but of course private forests are also bound to national and federal law. Regulations of the silvicultural guidelines are based on the National Forest Act and the Federal Nature Conservation Act, which include the stipulations that forests have to be managed properly, advantageously and sustainably, retaining the function of the forest. This means in particular: • a site-adapted selection of species a persistent soil fertility for long-term usability must be ensured • the natural features of the managed site (soil, water, flora, fauna) must not be impaired beyond the extent required to achieve a sustainable yield • fertilizers and pesticides must only be used in accordance with the provisions of the agricultural and forest legislation. In accordance with the German legislation fertilization in a conventional sense is excluded to a major extent for forest management. • regarding the use of woodlands for forestry purposes, the aim must be to establish semi-natural forests and to manage these sustainably without clear-cuts; with an adequate proportion of native woodland plants retained

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	http://www.landesrecht-bw.de/jportal/portal/t/6w3/page/bsbawueprod.psml?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&fromdoctodoc=yes&doc.id=jlr-WaldGBWpG5&doc.part=X&doc.price=0.0&doc.hl=0#jlr-WaldGBWpG2 2. Richtlinie landesweiter Waldentwicklungstypen (“Guideline for Silviculture in Baden-Württemberg”) http://forstbw.de/fileadmin/forstbw_mediathek/forstbw_praxis/wet/ForstBW_Waldentwicklung_web.pdf 3. State forest: FSC certification 4) Bayern: 1. Waldgesetz für Bayern (BayWaldG) in der Fassung der Bekanntmachung vom 22. Juli 2005 (GVBl 2005, S. 313) - §§ 5-19 http://www.gesetze-bayern.de/jportal/portal/page/bsbayprod.psml?showdoccase=1&doc.id=jlr-WaldGBY2005rahmen&doc.part=X&doc.origin=bs 2. Richtlinie zur Forsteinrichtung ("Guideline for Forest Planning“) 3. Waldbaurichtlinie ("Guidelines for Silviculture“)		• clear-cutting is prohibited, unless afforestation is completed in a reasonable time • Conversion of forests into any other form of land use is only allowed with a permission of a Federal State authority (Forstbehörde), when appropriate compensation measures take place. This applies to all federal states in Germany. More precise details for timber harvesting activities, technologies and forest management rules are incorporated in the silviculture guidelines, including minimum age, diameter, felling activities, skidding trails etc. In addition to forest laws various other relevant laws do exist that (e.g.) regulate protection of soils, water bodies and other environmental values. They need to be considered when working in forests (e.g. Bodenschutzgesetz: Soil Protection Act). Every federal state has the authority to monitor the implementation of the law by the forest supervision (Forstaufsicht). Since state forest organizations are supervised by the federal forest department, forest activities are monitored in both private forest and public forest. The forest supervision (Forstaufsicht) is the implementing authority of the federal state, whereby the state secures legal implementation. Forest supervision is executed by officials of the corresponding low-level forest department and also by the police. Individuals can advise forest authorities about infringement of regulations related to timber harvesting. There are no statistics available how many legal cases there are or have been in Germany in relation to this criterion, but we are not aware of law infringements that have not be examined.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	http://www.baysf.de/de/wald-verstehen/waldbau.html 5) Berlin: 1. Gesetz zur Erhaltung und Pflege des Waldes (Landeswaldgesetz - LWaldG) vom 16. September 2004 (GVBl. 2004, 391) - §§ 4-12 http://www.stadtentwicklung.berlin.de/service/gesetzestexte/de/download/forsten/lwaldg.pdf 2. Waldbaurichtlinie für die Berliner Forsten ("Guideline for Silviculture in Berlin“) http://www.stadtentwicklung.berlin.de/forsten/waldpflege/download/Waldbaurichtlinie2005.pdf 3. State forest: FSC certification 6) Brandenburg: 1. Waldgesetz des Landes Brandenburg (LWaldG) vom 20. April 2004 (GVBl.I/04, [Nr. 06], S.137) - §§ 4-10 http://bravors.brandenburg.de/de/gesetze-212918#30 2. Waldbaurichtlinie Brandenburg ("Guideline for Silviculture in Brandenburg“)		Germany ranks high on the Global Governance Indicator with 'rule of law' being 1.85 and control of corruption at 1.83 on a scale of -2.5 to +2.5. This is one of the highest scores in the world. Germany has a Corruption Perceptions Index 2014 of 79 (above the threshold of 50) and is ranked worldwide as 12th in CPI ranking. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	http://www.mlul.brandenburg.de/media_fast/4055/waldb_rl.15520821.pdf 7) Bremen: 1. Bremisches Waldgesetz (BremWaldG) in Kraft ab: 10.06.2010 - §§4-8 https://bremen.beck.de/?bcid=Y-100-G-brwaldg-name-inh 8) Hamburg: 1. Hamburger Landeswaldgesetz Vom 13. März 1978 (HmbGVBl. 1978, S. 74) - §§3,6 http://www.landesrecht-hamburg.de/jportal/portal/page/bshaprod.psml?showdoccase=1&st=null&doc.id=jlr-WaldGHArahmen&doc.part=X&doc.origin=bs 2. Waldbauliche Rahmenrichtlinie ("Guideline for Silviculture“) 3. State forest: FSC certification 9) Hessen: 1. Hessisches Waldgesetz (HWaldG) Vom 27. Juni 2013 (GVBl. 2013, 458) - §§3-7 http://www.rv.hessenrecht.hessen.de/jportal/portal/t/13q0/page/bshesprod.psml/action/portlets.jw.MainActio		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	n?p1=1&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGHEpIVZ&doc.part=S&toc.poskey=#focuspoint 2. Hessische Waldbaufibel ("Hessian Reader for Silviculture“) https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB4QFjAAahUKEwjL3qyj4u7HAhUM7xQKHTkIBsg&url=http%3A%2F%2Fwww.hessen-forst.de%2Fdownload.php%3Ffile%3Duploads%2Fservice%2Fdownload%2Fwaldbaufibel_hessen_forst.pdf&usg=AFQjCNHTr4eKTwPnZFHxhPzPRSMPLu876w&cad=rja 3. Hessische Waldbaurichtlinie ("Guideline for Silviculture“) http://www.hessen-forst.de/uploads/ueber-uns/riliribes.pdf 4. State forest: FSC certification 10) Mecklenburg-Vorpommern: 1. Waldgesetz für das Land Mecklenburg-Vorpommern (Landeswaldgesetz - LWaldG) In der Fassung der Bekanntmachung vom 27. Juli 2011 (GVOBl. M-V 2011, S. 870) - §§ 5-15a		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	http://www.landesrecht-mv.de/jportal/portal/page/bsmvprod.psml?showdoccase=1&doc.id=jlr-WaldGMV2011rahmen&doc.part=X&doc.origin=bs&st=lr 2. State forest: FSC certification 11) Niedersachsen: 1. Niedersächsisches Gesetz über den Wald und die Landschaftsordnung (NWaldLG) Vom 21.März 2002 (Nds.GVBl. Nr.11/2002 S.112) - §§ 5,6,7,8,11,12,15 http://www.recht-niedersachsen.de/79100/nwaldlg.htm 2. LÖWE Programm (Programme for long-term forest development) https://www.landesforsten.de/LOEWE-Langfristige-OEkologische-Waldentwicklung.20.0.html 12) Nordrhein-Westfalen: 1. Landesforstgesetz für das Land Nordrhein-Westfalen (Landesforstgesetz - LFoG), Bekanntmachung der Neufassung Vom 24. April 1980 (GV. NW. 1980 S. 546) - §§1a, b, 6b, 7, 8, 9, 31, 32, 39		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=10000000000000000274 2. Decree for forest utilization and forest restoration https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=1&gld_nr=7&ugl_nr=79031&bes_id=2897&val=2897&ver=7&sg=0&aufgehoben=N&menu=1 3. State forest: FSC certification 13) Rheinland-Pfalz: 1. Landeswaldgesetz (LWaldG) Vom 30. November 2000 (GVBl. 2000, 504) -§§ 4-8,12-14 http://landesrecht.rlp.de/jportal/portal/t/y1b/page/bsrlpprod.psml/action/portlets.jw.MainAction;jsessionid=51ED59433FC9AE4252FEE4B1AEF35F8A.jp14?p1=1&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGRPpIVZ&doc.part=S&toc.poskey=#focuspoint 2. Guidelines for silviculture in Rheinland-Pfalz http://www.wald-rlp.de/index.php?id=3188 3. State forest: FSC certification 14) Thüringen:		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	1. Gesetz zur Erhaltung, zum Schutz und zur Bewirtschaftung des Waldes und zur Förderung der Forstwirtschaft (Thüringer Waldgesetz - ThürWaldG -) Vom 6. August 1993 (GVBl. 2008, 327) - §§ 5,7,8,18-25,31,33,35 http://landesrecht.thueringen.de/jportal/portal/t/y45/page/bsthueprod.psml/action/portlets.jw.MainAction;jsessionid=BE94CAA06024A777A412E56019D00C5A.jp14?p1=1&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGTH2008V2IVZ&doc.part=S&toc.poskey=#focuspoint 2. Principles for Silviculture http://www.waldbesitzerportal.de/de/waldbesitzerportal/themen/waldbau/waldbaugrundsaetze-der-thueringer-forstverwaltung/ 15) Sachsen: 1. Waldgesetz für den Freistaat Sachsen (SächsWaldG) Vom 10. April 1992 (SächsGVBl. S. 137) §§ 6-10,16-19,21-24 http://www.lexsoft.de/cgi-bin/lexsoft/justizportal_nrw.cgi?t=1441978465805231 84&sessionID=1881078088371660105&chosenIndex=Dummy_nv_68&templateID=document&source=context&source=context&highlighting=off&xid=171347,1		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	2. Richtlinie für den Staatswald des Freistaates Sachsen, Bestandeszieltypen ("Guidelines for forest stand development ") https://www.smul.sachsen.de/sbs/download/Bestandeszieltypen.pdf 16) Sachsen Anhalt: 1. Waldgesetz für das Land Sachsen-Anhalt (WaldG LSA) Vom 13. April 1994 (GVBl. LSA 1994, 520) - §§ 4-12, 22,23 http://www.landesrecht.sachsen-anhalt.de/jportal/portal/t/11w3/page/bssahprod.psml/action/portlets.jw.MainAction?p1=1&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGSTV9IVZ&doc.part=S&toc.poskey=#focuspoint 2. Forsteinrichtungsverfahren des Landesforstbetriebes LSA ("Procedure of Forsteinrichtung in Sachsen Anhalt“) 3. Leitlinie zur Erhaltung und weiteren nachhaltigen Entwicklung des Waldes im Land Sachsen-Anhalt ("Guideline for Conservation and further sustainable Development of the forest in Sachsen-Anhalt“) http://www.mlu.sachsen-anhalt.de/fileadmin/Bibliothek/Politik_und_Verwaltung/MLU/MLU/Master-Bibliothek/Landwirtschaft_und_Umwelt/F/Forst/Leitlini		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	e_Wald/LEITLINIE_WALD_2014.pdf 17) Saarland: 1. Waldgesetz für das Saarland (Landeswaldgesetz - LWaldG) Vom 26. Oktober 1977 (Amtsblatt 1977, S. 1009) - §§5-13 http://sl.juris.de/cgi-bin/landesrecht.py?d=http://sl.juris.de/sl/gesamt/WaldG_SL.htm#WaldG_SL_rahmen 2. Richtlinie für die Bewirtschaftung des Staatswaldes im Saarland ("Guideline for Managing the State forest in Saarland") http://www.saarland.de/dokumente/thema_naturnutzung/waldbaurichtlinien_saarland.pdf 3. State forest: FSC certification 18) Schleswig-Holstein: 1. Waldgesetz für das Land Schleswig-Holstein (Landeswaldgesetz - LWaldG) Vom 5. Dezember 2004 (GVOBl. 2004, 461) - §§ 5-10 http://www.gesetze-rechtsprechung.sh.juris.de/jportal/portal/t/10cb/page/bsshoprod.psml/action/portlets.jw.MainAction;jsessionid=4875A13BC93FB336273277CD26B8B9A6.jp22?p1=2&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	WaldGSH2004V5IVZ&doc.part=S&toc.poskey=#focus point 2. State forest: FSC certification http://www.fsc-deutschland.de/preview.fsc-waldstandard.a-53.pdf **Competent authorities:** 1. Bundesministerium für Ernährung und Landwirtschaft - "Federal Ministry of Food and Agriculture“ 2. Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit - “Federal Ministry for the Environment, Nature Conservation and Nuclear Safety“ 3. Baden-Württemberg: Ministry of Rural Space; ForstBW (State forestry organization) 4. Bayern: Bavarian Ministry of Food, Agriculture and Forest; BaySF (Bavarian state forestry organization) 5. Berlin: Berlin senate of City Development; Berlin Forsten (Berlin State forestry organization) 6. Brandenburg: Ministry of Rural Development, Environment and Agriculture; Landesbetrieb Forst Brandenburg (Brandenburg state forestry organization) 7. Bremen: Stadt Bremen, Senator für Umwelt, Bau, Verkehr und Europa 8. Hamburg: Freie und Hansestadt Hamburg, Behörde für Wirtschaft, Verkehr und Innovation 9. Hessen: Ministry of Environment, Climate,		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Agriculture and Consumer Protection; Hessen Forst (Hessen state forestry organization) 10. Mecklenburg-Vorpommern: Ministry of Agriculture, Environment and Consumer Protection; Landesforst Mecklenburg-Vorpommern (Mecklenburg-Vorpommern state forestry organization) 11. Niedersachsen: Ministry of Food, Agriculture and Consumer Protection; Niedersächsische Landesforsten (Niedersachsen state forestry organization) 12. Nordrhein-Westfalen: Ministry of Climate Protection, Environment, Agriculture, Nature Conservation and Consumer Protection; Landesbetrieb Wald und Holz NRW (Nordrhein-Westfalen state forestry organization) 13. Rheinland-Pfalz: Ministry of Environment, Agriculture, Food, Wine and Forestry, Landesforsten Rheinland-Pfalz (RLP state forestry organization) 14. Thüringen: Ministry for Environment, Energy and Nature Conservation; Thüringen Forst (Thüringen state forestry organization) 15. Sachsen: Ministry of Environment and Agriculture; Sachsenforst (Sachsen state forestry organization) 16. Sachsen Anhalt: Ministry of Agriculture and Environment; Landesforstbetrieb Sachsen-Anhalt (Sachsen-Anhalt state forestry organization) 17. Landeswaldgesetz Saarland: Ministry of Environment and Consumer Protection; SaarForst (Saarland state forestry organization) 18. Schleswig-Holstein: Ministry for Energy Transition, Agriculture, Environment and Rural Spaces; Schleswig Holsteinische Landesforsten (Schleswig-Holstein state forestry organization)		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Legally required documents or records • see Guidelines/Instructions/Directives for silviculture as mentioned in indicator 1.1, 1.3, 1.4 as well as the guidelines mentioned for this indicator • see laws and acts above		
1.9 Protected sites and species	**Applicable laws and regulations** 1) Bundeswaldgesetz (BWaldG) vom 2. Mai 1975 (BGBl. I S. 1037) - “National Forest Act” 1. Article 12 “Protection Forest” http://www.gesetze-im-internet.de/bwaldg/__12.html 2) Bundesnaturschutzgesetz (BNatSchG) vom 29. Juli 2009 (BGBl. I S. 2542) - “Federal Nature Conservation Act” 1. Article 6 "Monitoring of nature and landscape” 2. Article 7 (13) (14) – “specially protected species“ and "strictly protected species“ 3. Chapter 3 Article 13-19 “General protection of nature and landscape” 4. Chapter 4 Article 20-36 “Protection of certain parts of nature and landscape” 5. Chapter 5 Section 1-4 Article 37-51 “Protection of wild fauna and flora species, of their living sites and of their biotopes” http://www.bmub.bund.de/fileadmin/Daten_BMU/Download_PDF/Naturschutz/bnatschg_en_bf.pdf	Government sources: Information about implementing Habitats Directive: http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm Geographical map showing conservation areas in Germany: http://www.geodienste.bfn.de/schutzgebiete/#?centerX=3786876.500?centerY=5669060.000?scale=5000000?layers=524 Information on size and locations designated as conservation areas in Germany: https://www.bfn.de/0308_nsg+M52087573ab0.html Information about legal interventions in nature and landscape:	Various types of protected sites in Germany are legally defined at international, national and federal state level. Each category has regulations in terms of timber harvesting activities, access rights and management of endangered species and their habitats, partially statutory. The different types/categories are classified by the Federal Nature Conservation Act (BNatSchG) Articles 20–36 (including Natura 2000 or N2000) and vary by size, protection purpose and by the restrictions on land use. Protected sites that are covered by European Law are sites that are under the regime of the Habitats Directive and Birds Directive. For some strictly protected areas, harvesting, access and management are highly restricted (national parks, nature conservation areas, biosphere reserves). Whether managing and harvesting is allowed, is regulated by management plans based on the Federal Nature Conservation Act. Protected areas (partially including also legally protected biotopes and Natura 2000 sites) have special protection objectives; management is restricted to the purpose of achieving the protection objective or for special cases in public interest such as traffic safety. In Germany, harvesting is prohibited on an area of 337.550 ha. About 32.000 ha of this area are classified as

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	3) Bundesartenschutzverordnung (BArtSchV) vom 16. Februar 2005 (BGBl. I S. 258, 896) – "Federal Species Protection Ordinance“ http://www.gesetze-im-internet.de/bartschv_2005/index.html 4) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora - Article 2,6,12,17 http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043 5) Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009L0147 **Legal Authority** Authorities for Conservation Forest Departments	https://www.bfn.de/0306_eingriffsregelung-natur.html <u>Protected areas in Germany:</u> https://www.bfn.de/0308_gebietsschutz+M52087573ab0.html <u>Monitoring protected sites in Germany:</u> https://www.bfn.de/0315_monitoring+M52087573ab0.html • <u>Habitats Directive areas in Germany:</u> https://www.bfn.de/fileadmin/MDB/documents/themen/natura2000/gebiete/meldestand_ffh_03012014.pdf https://www.bfn.de/fileadmin/MDB/documents/themen/natura2000/gebiete/ffh2013.pdf • <u>Birds Directive areas in Germany:</u> https://www.bfn.de/fileadmin/MDB/documents/themen/natura2000/gebiete/meldestand_spa_31102013.pdf https://www.bfn.de/fileadmin/MDB/documents/themen/natura2000/gebiete/spa2013.pdf	protection forest according to National Forest Act Article 12 (e.g. for slope/landslide protection, water protection, soil protection). Protection forests are covered by additional protection designations that apply tighter restrictions to forest management activities. Forest management in protection forest is subject, in addition, to official approval. Sites subjected to the Habitats Directive, combined with Bird Protection Areas (EGV), form the Natura 2000 sites. They need to be managed either in compliance with the Habitats Directive or the Birds Directive, partially there are overlaps. According to Art. 6 para 1 of the Habitats Directive mandatory management plans need to be elaborated. Management plans have to maintain or restore a favorable conservation status. According to Art. 6 para 2 member states are in bond to avoid damaging activities that could significantly disturb these species or damage or deteriorate habitats or habitats of protected species. In addition, (as per para 6(3) and 6(4)), for any plan or project that might affect a Natura 2000 site, an appropriate assessment has to be made. The competent authorities can approve the plan or project only after having ascertained that it will not adversely affect the integrity of the particular site. In exceptional circumstances, a plan or project may still be implemented– despite a negative assessment – if it can be demonstrated that there are no alternative solutions and the plan or project is considered to be of overriding public interest. In such cases the member state is bond to take appropriate compensatory measures to ensure that the overall coherence of the Natura 2000 network is protected.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Legally required documents or records N/A	• Monitoring results for Habitats/Birds Directive: http://bfn.de/0316_nat-bericht_ergebnisse2013.html https://www.bfn.de/0316_nat-bericht_2013-komplett.html • German National Summary Report for Article 17 of Habitats Directive https://circabc.europa.eu/sd/a/dcb49f6a-543c-4f4d-b0af-5ec6597decfc/DE_20140528.pdf • Annexes I, II, IV and V of the Habitats Directive (for Germany) http://www.ffh-gebiete.de/natura2000/ffh-anhang-i/ http://www.ffh-gebiete.de/natura2000/ffh-anhang-iv/ http://www.ffh-gebiete.de/natura2000/ffh-anhang-ii/ • Annex I of Federal Species Protection Ordinance http://www.gesetze-im-internet.de/bartschv_2005/anlage_1.html	As mentioned in the overview Germany ranks high on the global Governance Indicator with “rule of law” as well as above the Corruption Perception Index, which states the effectiveness of law enforcement. According to the German Federal Agency for Nature Conservation (BfN) 1,8 Mio ha of the German forests have been designated as FFH-/Natura2000 sites in 2012. When considering the different ownership relationships, the types of ownership have been designated as Habitats sites by varying parts: • 5% state forest • 46% federal forest • 21% municipal, communal forest • 28% private forest (with different shares in the federal states) Compliance with restrictions and laws is done by the nature conservation authorities. Besides prosecution and regular controls several incentive mechanisms have been developed to especially address private forest owners such as contractual conservation management agreements as environmental, compensation payments or subsidy guidelines to ensure the designation of protected areas. This applies to e.g. the federal states of Brandenburg, Hesse, Saxony, Baden-Württemberg, Bavaria. Problems concerning the effectiveness of the Habitats Directive might be inter alia lacking management plans, variations in quality of the management plans. This is a problem observed by NGOs in cases where timber was not harvested to prevent damage to biodiversity or soil conditions in Natura 2000 areas. In these cases, however, the “concept of no deterioration” still applies, after Art. 6 (2) of Habitats Directive.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		• Commission Regulation (EU) No 1320/2014 of 1 December 2014 amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2014_361_R_0001 <u>Non-Government sources</u> Bund für Umwelt und Naturschutz Deutschland e.V. (BUND), „Waldreport 2016.“. https://www.bund.net/fileadmin/bundnet/publikationen/naturschutz/160129_bund_naturschutz_waldreport_2016.pdf (last accessed on 15 October 2016). Harvest infringement in Natura 2000 area due to non-existence of management plans https://www.nabu.de/news/2013/10/16262.html Overview of forest activities in Habitats Directive areas:	The status of protected sites is documented and monitored in the midterm planning (Forsteinrichtung) and is therefore respected when planning management measures. Controls are carried out by forest control (Forstaufsicht), employees of the Nature Conservation Federal Agency or by the police. NGOs like NABU Germany (Nature and Biodiversity Conservation Union) demand more controls in these areas and a legal duty to establish management plans for areas of Habitats Directive. There a few law cases, in which NGOs claim that forest management activities are violating the nature protection status of these areas (refer to sources of information). Even though it is known that there are implementation deficits for protected sites e.g. due to the lack of personnel, who can enforce limitations or obligations, there is no indication for systematic or large scale non-compliances. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘. Please also refer to the risk assessment for Category 3.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		http://www.waldwissen.net/waldwirtschaft/waldbau/planung/fva_waldnutzung_ffh_gebiet/index_DE Information on planning and monitoring in protected forest sites: http://www.waldwissen.net/wald/naturschutz/monitoring/fva_monitoring_schutzgebiete/index_DE World Bank, Governance Indicators for Germany: http://info.worldbank.org/governance/wgi/index.aspx#reports Work Report: FFH-Impact: Part 1: Implementation of the FFH-Directive in the Forest in the Federal States Lydia Rosary, Bernd Wippel & Björn Seintsch, Institute of Economics of the Forest and Timber Industry in cooperation with consulting company Becker, Borchers and Wippel http://literatur.thuenen.de/digbib_external/bitv/dn050974.pdf Winter et al. (2014): The impact of Natura 2000 on forest management: a socio-ecological analysis in the continental region of the European Union. Biodivers. Conserv (2014) 23:3451-3482 DOI 10.1007/s10531-014-0822-3	

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		Winter, S. & Seif, J. (2011): Assessment criteria for the conservation status of Natura 2000 beech forest habitat types. Comparison of different federal states and implementation in management plans. NuL 43 (4), 2011,101-110	
1.10 Environmental requirements	**Applicable laws and regulations** 1) Bundeswaldgesetz (BWaldG) vom 2. Mai 1975 (BGBl. I S. 1037) - "National Forest Act" 1. Article §8 ("Protection of forest functions upon plannings and measures by public projects") http://www.gesetze-im-internet.de/bwaldg/__8.html 2. Article §9 ("Preservation of the Forests") http://www.gesetze-im-internet.de/bwaldg/__9.html 3. Article §11("Management of forests") http://www.gesetze-im-internet.de/bwaldg/__11.html 4. Article §41a ("Forest Monitoring") 2) Bundesnaturschutzgesetz (BNatSchG) vom 29. Juli 2009 (BGBl. I S. 2542) - "Federal Nature	Government sources Information on Forest function mapping http://www.forsten.sachsen.de/wald/150.htm http://www.fva-bw.de/indexjs.html?http://www.fva-bw.de/forschung/wg/wfk/wfk_themen.php?thema=1 http://forstbw.de/wald-im-land/waldfunktionen.html German National Strategy on Biodiversity https://www.bfn.de/0304_biodivstrategie-nationale.html Results of Crown Condition Survey: http://www.bmel.de/SharedDocs/Downloads/Landwirtschaft/Wald-Jagd/ErgebnisseWaldzustandserhebung2014.pdf?__blob=publicationFile Results of the German inventory on forest conditions:	Environmental values in relation to timber harvesting activities are covered by Articles 8, 9 and 11 in the National Forest Act which contains effective regulations, but also the regulative framework for federal state laws. Further environmental requirements are also defined by each federal state in their guidelines for silviculture which are binding for municipal forests and state forests. The Federal Nature Conservation Act (Bundesnaturschutzgesetz) defines environmental requirements at a national level in Article 5 (Agriculture, forestry and fisheries). In addition to these Acts are various laws and regulations that define protection of environmental values (e.g. soils, water resources) and which have to be followed when working in forests. These are equally binding for all forest owners (e.g. Bundes-Bodenschutzgesetz (BBodSchG): Soil Protection Act; Düngemittelgesetz (DüV): Fertilizer legislation; Düngemittelverordnung (DüMV): Fertilizer ordinance; Wasserhaushaltsgesetz (WHG): Water Resources Act; Europäische – Wasserrahmenrichtlinie: European Water Framework Directive). Germany signed the Convention on Biological Diversity in 1992.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Conservation Act" 1. Article §5 ("Agriculture, forestry and fisheries") http://www.bmub.bund.de/fileadmin/Daten_BMU/Download_PDF/Naturschutz/bnatschg_en_bf.pdf 3) Bundes-Bodenschutzgesetz(BBodSchG) vom 17. März 1998 (BGBl. I S. 502) – "Soil Protection Act" 1. Article §17 ("Good agriculture practice") http://www.gesetze-im-internet.de/bbodschg/__17.html 4) Wasserhaushaltsgesetz(WHG) vom 31. Juli 2009 (BGBl. I S. 2585) - "Water Resources Act" http://www.gesetze-im-internet.de/whg_2009/ 5) Düngeverordnung (DüV) in der Fassung der Bekanntmachung vom 27. Februar 2007 (BGBl. I S. 221) – "Fertilizer legislation" http://www.gesetze-im-internet.de/d_v/ 6) Düngemittelverordnung (DüMV) vom 5. Dezember 2012 (BGBl. I S. 2482) - "Fertilizer ordinance" http://www.gesetze-im-internet.de/d_mv_2012/	http://www.bmel.de/SharedDocs/Downloads/Landwirtschaft/Wald-Jagd/ErgebnisseWaldzustandserhebung2014.pdf?__blob=publicationFile According to the Overview report of Soil Condition by Federal Environment Agency German soils are in good condition: https://www.umweltbundesamt.de/sites/default/files/medien/publikation/long/4291.pdf Non-Government sources - Convention on Biological Diversity https://www.cbd.int/information/parties.shtml https://www.cbd.int/doc/world/de/de-nbsap-01-en.doc - World Bank, Governance Indicators for Germany: http://info.worldbank.org/governance/wgi/index.aspx#reports Giessener Anzeiger, "Besenmoos" controversy: District of Giessen." Giessener Anzeiger, 2016. http://www.giessener-anzeiger.de/lokales/kreis-giessen/landkreis/besenmoos-	When planning harvesting measures or other forest management activities (e.g. road construction), attention to environmental values and protected sites is required. In mid-term management planning (Forsteinrichtung, see above) protected sites and protective functions of forest are addressed. To summarize: Germany has numerous laws, regulations, ordinances and directives designed to regulate environmental values and requirements. Federal state Forestry Departments are duty-bound to enforce and supervise regulations or obligations equally in all forest types. There are no statistics available relating to regular on-site visits by relevant authorities focusing on environmental requirements; however on-site visits are a known measure of control and planning. On sites visits by authorities for water protection and nature conservation are done on a regular basis. It is obligatory to notify/register water and soil damages, e.g. as mentioned in the Soil Protection Act, the Water Resources Act. In cases of violations penalties are in place and are implemented. The collaboration between stakeholders such as forest authorities, environmental authorities and environmental NGOs is much elaborated. Environmental NGOs function as watchdogs (see also CW Category 3) and bring up cases of non-compliances, which might lead to law cases and/or penalties respectively correction measures. However, those cases are based on individual circumstances and occur in limited numbers and are not taking place in a systematic way.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	7) C Chemikaliengesetz (ChemG) in der Fassung der Bekanntmachung vom 28. August 2013 (BGBl. I S. 3498, 3991)– "Chemicals Act" http://www.gesetze-im-internet.de/chemg/index.html 8) Pflanzenschutzgesetz (PflSchG) vom 6. Februar 2012 (BGBl. I S. 148, 1281) – "Plant Protection Act" http://www.gesetze-im-internet.de/pflschg_2012/ For further environmental requirements see federal state laws and guidelines for silviculture linked at indicator 1.8 and 1.9 as well as in Category 3 (HCVs). **Competent Authorities:** Forest Departments **Legally required documents or records** • Forest function mapping (mapping of forest functions like water, soil, air) • Order description for harvesting planning • "Forsteinrichtungswerke" (mid-term framework, updated every 10-20 years)	streit_16873476.htm (last accessed on: September 18, 2016). NABU Landesverband Hessen, "NABU reports forest because of environmental damage: Logging in the Laubach Forest destroys protected habitats." NABU Hesse-Press Release No. 21/16 http://www.nabu-limburg-weilburg.de/PM/NABU-Hessen-PM-2016-21-LaubacherWald.pdf	Germany ranks high on the worldwide governance indicator with rule of law and control of corruption, therefore it can be concluded that the existing legislation is effectively enforced. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be 'low risk'.
1.11 Health and safety	**Applicable laws and regulations**	Government sources Research and monitoring on health and safety at work:	Legal requirements for health and safety are regulated by the German Occupational Safety and Health Act

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	1) Arbeitsschutzgesetz (ArbSchG) vom 7. August 1996 (BGBl. I S. 1246) - Occupational Safety and Health Act http://www.gesetze-im-internet.de/englisch_arbschg/index.html 2) Gesetz über Betriebsärzte, Sicherheitsingenieure und andere Fachkräfte für Arbeitssicherheit (ASiG) vom 12. Dezember 1973 (BGBl. I S. 1885) – "Occupational Safety Act“ http://www.gesetze-im-internet.de/asig/ 3) Das Siebte Buch Sozialgesetzbuch (SGB VII) – Gesetzliche Unfallversicherung – (Artikel 1 des Gesetzes vom 7. August 1996, BGBl. I S. 1254) - “Seventh Social Code Book - statutory accident insurance” 1. Article §15 – Unfallverhütungsvorschriften - “Accident prevention regulations” http://www.gesetze-im-internet.de/sgb_7/__15.html 4) PSA-Benutzungsverordnung (PSA-BV) vom 4. Dezember 1996 (BGBl. I S. 1841) – Directive on personal equipment protection http://www.gesetze-im-internet.de/psa-bv/index.html	http://www.baua.de/en/Homepage.html Joint German Occupational Safety and Health Strategy: http://www.gda-portal.de/en/Homepage.html German Health System: https://osha.europa.eu/about-eu-osha/national-focal-points/germany http://www.bmas.de/EN/Our-Topics/Occupational-Safety-and-Health/european-and-international-occupational-safety-and-health.html http://www.bmas.de/EN/Our-Topics/Occupational-Safety-and-Health/internal-occupational-safety-and-health-systems.html http://www.bmas.de/EN/Our-Topics/Occupational-Safety-and-Health/joint-german-occupational-safety-and-health-initiative.html Guideline on occupational safety by the Baden-Württemberg forestry department: http://forstbw.de/fileadmin/forstbw_mediathek/forstbw_praxis/arbeitssicherheit_auf_den_punkt/Arbeitssicherheit_2013.pdf	(Arbeitsschutzgesetz, ArbSchG) and the Occupational Safety Act (Arbeitssicherheitsgesetz, ASiG). The so-called PSA-Benutzungsverordnung is a detailed regulation relating to safety and health protection through use of personal protective equipment at work, based on European Union directive 89/656/EWG. Binding health and safety regulations – particularly for people who work in forests and/or are employed by forest enterprises – is a matter for the Sozialversicherung für Landwirtschaft Forsten und Gartenbau (SVLFG, 'Social Insurance for Agriculture, Forestry and Horticulture program') or the German Statutory Accident Insurance scheme (Deutsche Gesetzliche Unfallversicherung, DGUV). Every employee signing an employment contract at a private or public forest company automatically agrees to the Unfallverhütungsvorschrift (Accident Prevention Regulations) available through the SVLFG or the so-called Regel Waldarbeiten (Rules on Forest Work) and Sichere Waldarbeiten (Safe Forest Working) distributed by the DGUV. There is no known instance of a private or municipal forest company that is not a member of the SVLFG. If this were the case, however, SVLFG would still pay in the event of an accident; however, the company would be required to pay SVLFG back afterwards. Unfallverhütungsvorschrift Accident Prevention Regulations) and Regel Waldarbeiten (Rules on Forest Work) are based on laws and describe duties in terms of safety, health and working appropriately in forests. Employees working in a private or municipal forest are insured by SVLFG, whereas employees in a state forest are insured through DGUV. Both are legally binding due

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	5) DGUV Regel 114-018 Juni 2009 "Regel Waldarbeiten“ - “Rules on Forest Work” http://www.arbeitssicherheit.de/media/pdfs/bgr_2114.pdf 6) DGUV-Information 214-046 Mai 2014 ”Sichere Waldarbeiten” - “Safe forest working” http://www.arbeitssicherheit.de/media/pdfs/CCC_3426.pdf 7) Unfallverhütungsvorschrift(VSG) – "Accident prevention regulations“ 1. VSG 1.1 Allgemeine Vorschriften für Sicherheit und Gesundheitsschutz – General Regulations on Security and Health protection https://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/01_vsg11.pdf 2. VSG 4.3 Forsten – Forsten - Forestry https://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/17_vsg43.pdf 3. VSG 4.5 Gefahrstoffe – Gefahrstoffe - Hazardous substances	Guidelines on occupational safety by the Bavarian Ministry of Food, Agriculture and Forest (Chapter 2): http://www.forstservice-bayern.de/fsb/service/downloads/holzeinschlag-und-holzverkauf.pdf Information on SVLFG and DGUV http://www.svlfg.de/index.html http://www.dguv.de/de/index.jsp Social security for agriculture, forestry and horticulturehttp://www.svlfg.de/ German statutory accident insurance www.dguv.de/de/index.jsp Non-Government sources - Information about “Unfallverhütungsvorschriften” (“Accident prevention regulations”) in Germany. SLVFG Unfallverhütungsvorschrift(UVV) – "Accident prevention regulations“ 1. https://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/01_vsg11.pdf 2. https://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/17_vsg43.pdf	to Act §15 in the Seventh Social Code Book - Statutory Accident Insurance (Siebtes Buch Sozialgesetzbuch, SGB VII – Gesetzliche Unfallversicherung). In addition to these, there are many guidelines for occupational safety published by public and private forest organizations. In some cases, these organizations demand additional commitments to safety conditions from their employees. This depends on what work has to be done (e.g. harvesting in steep areas). Foresters in Germany receive mandatory training in accordance with safety procedures and accident prevention. If work-related accidents occur (while employees are either working in stands or on forest roads) and the accident leads to three or more days of illness, this has to be disclosed and documented with the employer's insurance association. State forest enterprises document such accidents themselves. The Social Insurance for Agriculture, Forestry and Horticulture scheme produces statistics for public municipal forests as well as private forests. Statistic 1 shows the rate of accidents in state forests, with an average of 85 accidents/year/1000 forest workers. The timeline (Statistic 2) shows that, over time, the number of accidents in state forests has decreased. In municipal and private forests in 2013 there were 86,773 working accidents in agriculture, forestry and horticulture. Of these, 6.8% (i.e. 5900), occurred in forestry (Statistic 3). Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	http://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/19_vsg45.pdf **Legal Authority** Employer's liability insurance coverage ("Berufsgenossenschaft") **Legally required documents or records** • Employment contract/agreement • Social Security card	3. http://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/19_vsg45.pdf - Social security card: http://www.hessenfinder.de/portal/?SOURCE=PstListAZ&SEARCHLETTER=S&PSTID=8960026 - Statistic 1: Statistics of accidents in German state forests, showed per federal state and summed up (Arbeitsunfälle = accidents by working; Wegeunfälle = accidents on roads; tödliche Unfälle = fatal accidents): http://www.kwf-online.org/mensch-und-arbeit/unfallstatistik/2013.html - Statistic 2: Statistics of all accidents in German state forests on a timeline from 2000 to 2015 showed per federal state and summed up: http://www.kwf-online.org/mensch-und-arbeit/unfallstatistik/unfallzeitreihen.html - Statistic 3: Statistics of all accidents in agriculture, forestry and horticulture in 2013 (p. 41) in communes and private forests and percentage of accidents in forestry ("Wald- und Forstarbeiten") (p. 45):	For this indicator the area under assessment is determined to be ‘low risk‘.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		http://www.svlfg.de/30-praevention/prv04-informationsmaterial/praeventionsbericht_2013.pdf	
1.12 Legal employment	**Applicable laws and regulations** 1. Jugendarbeitsschutzgesetz (JArbSchG) vom 12. April 1976 (BGBl. I S. 965) – "Youth employment protection act“ http://www.gesetze-im-internet.de/jarbschg/ 2. Kinderarbeitsschutzverordnung (KindArbSchV) vom 23. Juni 1998 (BGBl. I S. 1508) – "Child Labor Protection Ordinance“ http://www.gesetze-im-internet.de/kindarbschv/ 3. Schwarzarbeitsbekämpfungsgesetz (SchwarzArbG) vom 23. Juli 2004 (BGBl. I S. 1842) - "Act against illegal employment“ http://www.gesetze-im-internet.de/schwarzarbg_2004/ 4. Arbeitsgenehmigungsverordnung (ArGV) vom 17. September 1998 (BGBl. I S. 2899) – “Regulation on Work Permits for Foreign Workers” http://www.gesetze-im-internet.de/argv/	Non-Government sources Convention 87 on Freedom of Association and Protection of the Right to Organize, 1948 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312232 Convention 98 on the Right to Organize and Collective Bargaining, 1949 http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::no::P12100_Ilo_Code:C098 Convention 29 on Forced Labor, 1930http://www.ilo.ch/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029 Convention 105 on Abolition of Forced Labor, 1957 http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C105 Convention 100 on Equal Remuneration, 1951 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_Ilo_Code:C100	As mentioned in the overview Germany ranks high on the worldwide governance indicator with rule of law as well as above the Corruption Perception Index, which states the effectiveness of law enforcement. Every person working in private or municipal forests is statutorily insured by SVLFG (Social Insurance for Agriculture, Forestry and Horticulture program); and employees working in a state forest are insured by the German Statutory Accident Insurance scheme (Deutsche Gesetzliche Unfallversicherung, DGUV). See also 1.11 Health and safety. There are no known conflicts relating to compulsory labor or child labor in Germany. Germany signed the eight Fundamental ILO (International Labor Organization) Conventions (29, 87, 98, 105, 100, 111, 138, 182) which represent principal rules on labor law. Further national laws covering minimum age, working hours and working conditions of children are based on two legal foundations, namely Kinderarbeitsschutzverordnung (KindArbSchV or Child Labor Protection Ordinance) and Jugendarbeitsschutzgesetz (JArbSchG) or Youth Employment Protection Act). Requirements for foreign people working in Germany are covered by the Verordnung über die Arbeitsgenehmigung für ausländische Arbeitnehmer (Regulation on Work Permits for Foreign Workers).

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	5. Das Fünfte Buch Sozialgesetzbuch (SGB V) – Gesetzliche Krankenversicherung – (Artikel 1 des Gesetzes vom 20. Dezember 1988, BGBl. I S. 2477, 2482) – "Social Code Book V - Statutory Health Insurance“ http://www.gesetze-im-internet.de/sgb_5/ 6. Das Sechste Buch Sozialgesetzbuch (SGB VI) – Gesetzliche Rentenversicherung – in der Fassung der Bekanntmachung vom 19. Februar 2002 (BGBl. I S. 754, 1404, 3384) – "Social Code Book VI – Statutory Annuity Insurance“ http://www.gesetze-im-internet.de/sgb_6/ 7. Das Siebte Buch Sozialgesetzbuch (SGB VII) – Gesetzliche Unfallversicherung – (Artikel 1 des Gesetzes vom 7. August 1996, BGBl. I S. 1254) - “Seventh Social Code Book - statutory accident insurance” http://www.gesetze-im-internet.de/sgb_7/ 8. Allgemeines Gleichbehandlungsgesetz (AGG) vom 14. August 2006 (BGBl. I S. 1897) – "General Equal Treatment Act“ http://www.gesetze-im-internet.de/agg/index.html	Convention 111 on Discrimination (Employment and Occupation), 1958 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C111 Convention 138 on Minimum Age for Admission to Employment, 1973 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138 Convention 182 on Worst Forms of Child Labor, 1999 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182 - Transparency international (Germany): https://www.transparency.de/Tabellarisches-Ranking.2574.0.html - Transparency international: https://www.transparency.org/country/#DEU - World Bank, Governance Indicators for Germany: http://info.worldbank.org/governance/wgi/index.aspx#reports Haupt, Daniel: „Forestry unobtrusive“ (“Forstwirtschaft unauffällig.”)	Regulations relating to illegal employment are described in Schwarzarbeitsbekämpfungsgesetz – SchwarzArbG Act Against Illegal Employment). In public forests, illegal work is not an issue due to the legal framework and requirements. Contractors working in public forests are required to include details of legal employment in their terms and conditions. In private forests, there are no known cases of illegally employed employers or contractors. Risk can arise in cases where workers (especially overseas workers) are hired as temporary assistant forest workers, e.g. after wind catastrophes. Since this is illegal, random inspections are carried out by the employers' liability insurance association. There are no known significant cases of illegal employment in Germany in the forestry sector. The existing associations for subcontractors in the forestry sector are very active to set up certifications for subcontractors to guarantee a standard for quality management including wages, e.g. DFSZ (http://www.alko-cert.de/zertifizierungen/dfsz/) or RAL Certificate GZ 244 (http://www.ral-ggwl.de/index.php/wir-zertifizieren-betriebe-fuer/7-guetezeichen-holzernte-ral-gz-244-1). Additionally, if the workers are employed illegally, there is no insurance in the event of a work accident and, in addition, the penalty is high. These realities act as deterrents. Since 2015 there exists a minimum wage, which is binding and is strictly controlled. No violations could have been detected for the forestry and timber sector so far, as workers are paid above the minimum wage. The bigger problem is disguised employment, which is harshly controlled. The Forest Worker Association (IG BAU) also

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	9. Arbeitszeitgesetz (ArbZG) vom 6. Juni 1994 (BGBl. I S. 1170, 1171) – "Working Time Act“ http://www.gesetze-im-internet.de/arbzg/index.html 10. Bundeselterngeld- und Elternzeitgesetz (BEEG) vom 5. Dezember 2006 (BGBl. I S. 2748) – "Federal Parental Benefit Act“ https://dejure.org/gesetze/BEEG 11. Bundesurlaubsgesetz (BUrlG) vom 20. April 2013 (BGBl. I S. 868) - Federal Holiday Act http://www.gesetze-im-internet.de/burlg/index.html 12. Kündigungsschutzgesetz (KSchG) in der Fassung der Bekanntmachung vom 25. August 1969 (BGBl. I S. 1317) – "Employment Protection Act“ http://www.gesetze-im-internet.de/kschg/index.html 13. Mutterschutzgesetz (MuSchG) in der Fassung der Bekanntmachung vom 20. Juni 2002 (BGBl. I S. 2318) – "Maternity Protection Act“ http://www.gesetze-im-internet.de/muschg/index.html	Published in forstpraxis.de, 25.09.2015. https://www.forstpraxis.de/forstwirtschaft-unauffaellig „Fair Work Now, Campaign for IG-BAU main topic 2014, published in Forstliche Mitteilungen 06/2014. https://www.igbau.de/Binaries/Binary27014/140526_fm1406_wwww.pdf „Many mini-jobbers are deprived of minimum wage“ (“Vielen Minijobber wird Mindestlohn vorenthalten.”) Published on the 31st of January 2017. http://www.spiegel.de/wirtschaft/soziales/mindestlohn-vielen-minijobbern-wird-mindestlohn-vorenthalten-a-1132258.html	discussed that topic at their labor union convention in 2014. A new study of the Hands-Böckler-Stiftung (2017) comes to the result that almost half of the so-called “Minijobbers” haven´t received the minimum wage in 2015, with no special reference to the forestry sector. Legislation and control mechanisms are in place and are constantly adapted. Cases of misuse are published and lead to discussions, fines etc. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Legal Authority Employer's liability insurance coverage ("Berufsgenossenschaft") Federal Customs Authority ("Bundeszollverwaltung") **Legally required documents or records** • Employment contract • Social Security card		
		Third parties' rights	
1.13 Customary rights	**Applicable laws and regulations** Deutsches Grundgesetz ("Basic Law for the Federal Republic of Germany") http://www.gesetze-im-internet.de/englisch_gg/ Bundesministerium für Ernährung und Landwirtschaft, "Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 413 der Verordnung vom 31. August 2015 (BGBl. I S. 1474) geändert worden ist". 2015. http://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf. **Legal Authority** Federal and local (forest) authorities	Government sources • Deutsches Grundgesetz ("Basic Law for the Federal Republic of Germany") http://www.gesetze-im-internet.de/englisch_gg/ Bundesministerium für Ernährung und Landwirtschaft, "Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 413 der Verordnung vom 31. August 2015 (BGBl. I S. 1474) geändert worden ist". 2015. http://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf. Non-Government sources • Definition of Customary Rights by the UN:	Customary rights in relation to indigenous and traditional people: Based on United Nations and ILO definitions, no indigenous people exist in Germany. Also, there is no Act in the German Constitution concerning indigenous people; and there are no legal customary rights for use of forest products. Customary rights in relation to citizens: There are respected traditions; these, however, refer to a very limited local scale (e.g. traditional collecting of non-merchantable wood by local citizens). Some are entitled in the land register, but others exist in form of oral or unwritten agreements. Conflicts might arise, but they can be solved through legal recourse and are locally limited and not relevant on a landscape or the country level. So-called customary rights that might affect forested areas on larger scales such as using and entering forests for recreational purposes have been taken up to the

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Legally required documents or records In some cases, customary rights are registered via entries in the land register.	http://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf • ILO Dossier on Indigenous People (pp. 5 ff.): http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_118120.pdf • District administration Bodenseekreis: Information about entry rights, road safety obligation in the forest: https://www.bodenseekreis.de/uploads/tx_organisationguidejw/betretensrecht_und_verkehrssicherungspflicht_im_wald.pdf • „Rules for mushroom picking“. (“Diese Regeln gelten furs Pilze sammeln.”) Published in the Frankfurter Rundschau on the 7th of September 2015. http://www.fr-online.de/recht/menge--verkauf-diese-regeln-gelten-fuers-pilze-sammeln,21157310,28502496.html • Definition of customary rights http://gewohnheitsrecht.net/	legislative level and are protected in the National and Federal Forest Act as well as in the Nature Conservation Act. Besides that, recreational areas are designated in the forest function mapping (see HCV4). Collecting mushrooms and berries is allowed, but there are limits for private use (up to 2kg per day and person), for commercial purposes a permission is necessary. Also the utilization of firewood is regulated; private users need to buy firewood from the forest owner. It is not allowed to hunt or fish without a license. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		• Landratsamt Bodenseekreis: Betretensrecht und Verkehrssicherungspflicht im Wald. Erläuterungen. https://www.bodenseekreis.de/uploads/tx_organisationguidejw/betretensrecht_und_verkehrssicherungspflicht_im_wald.pdf	
1.14 Free prior and informed consent	**Applicable laws and regulations** Law for Freedom of Information (Gesetz zur Regelung des Zugangs zu Informationen des Bundes (Informationsfreiheitsgesetz - IFG)) "Informationsfreiheitsgesetz vom 5. September 2005 (BGBl. I S. 2722), das durch Artikel 2 Absatz 6 des Gesetzes vom 7. August 2013 (BGBl. I S. 3154) geändert worden ist" http://www.gesetze-im-internet.de/ifg/index.html last accessed on 15.02.2017 Law for the Improvement of Public Participation and Standardization of Planning Procedures (Gesetz zur Verbesserung der Öffentlichkeitsbeteiligung und Vereinheitlichung von Planfeststellungsverfahren" (PlVereinhG)) http://www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2012/02/planfeststellung.html http://www.gesetze-im-internet.de/ifg/index.html, Press Release 29.02.2012. last accessed on 15.02.2017 https://www.bgbl.de/xaver/bgbl/start.xav?start=%2F%2F*%5B%40attr_id%3D%27bgbl113s1388.pdf%27%5	Governmental sources: Law for Freedom of Information (Gesetz zur Regelung des Zugangs zu Informationen des Bundes (Informationsfreiheitsgesetz - IFG)) "Informationsfreiheitsgesetz vom 5. September 2005 (BGBl. I S. 2722), das durch Artikel 2 Absatz 6 des Gesetzes vom 7. August 2013 (BGBl. I S. 3154) geändert worden ist" Law for the Improvement of Public Participation and Standardization of Planning Procedures (Gesetz zur Verbesserung der Öffentlichkeitsbeteiligung und Vereinheitlichung von Planfeststellungsverfahren" (PlVereinhG)) "Verwaltungsverfahrensgesetz in der Fassung der Bekanntmachung vom 23. Januar 2003 (BGBl. I S. 102), das	Based on United Nations and ILO definitions, no indigenous people exist in Germany. Also, there is no Act in the German Constitution concerning indigenous people. Germany has similar concepts to the FPIC approach in its legislation, which are described in the following three important Acts: In the Verwaltungsverfahrensgesetz (VwVfG) – the central Act that defines administrative procedures for federal authorities in Germany -, the 2016 approved new § 25 (3) is to introduce a general rule for an "early public participation" in large projects with a corresponding so-called "obligation to act" of the administration. The broad and early participation of the public comprises the • Early notification of the general objectives of the project, the means of implementation and the likely impact, • The opportunity to make public statements, • Discussion as well as • Communication of the results to the competent authority.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	D#__bgbl__%2F%2F*%5B%40attr_id%3D%27bgbl113s1388.pdf%27%5D__1487181917865 last accessed on 15.02.2017 "Verwaltungsverfahrensgesetz in der Fassung der Bekanntmachung vom 23. Januar 2003 (BGBl. I S. 102), das zuletzt durch Artikel 20 des Gesetzes vom 18. Juli 2016 (BGBl. I S. 1679) geändert worden ist". Last accessed on 15.02.2017. **Legal Authority** Federal Ministry of the Interior (Bundesministerium des Inneren (BMI)) **Legally required documents or records** N/A	zuletzt durch Artikel 20 des Gesetzes vom 18. Juli 2016 (BGBl. I S. 1679) geändert worden ist".	These acts allow citizen to receive information, participate in consultation and make statements. In 2013 the Federal Cabinet has adopted a draft Law for the Improvement of Public Participation and Standardization of Planning Procedures (PlVereinhG). With this Act, the Federal Government ensures that greater public participation is achieved in large projects. The law also serves to harmonize special regulations from different technical laws. Overall, plan approval procedures are in principle simplified and accelerated. The Law for Freedom of Information (IFG) provides a precondition for access to official information of federal authorities. The entitlement to information or access to the files in the authority: Everyone is entitled to claim (Jedermannsrecht); There is no need to be concerned about the matter, either legally or actually. The information claim can be restricted, in particular by public and private interests of §§ 3 to 6 IFG (exceptions possible). Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘.
1.15 Indigenous peoples rights	**Applicable laws and regulations** N/A	• Definition of UN: http://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf • ILO Dossier on Indigenous People (pp. 5 ff.): http://www.ilo.org/wcmsp5/groups/pu	N/A Based on United Nations and ILO definitions, no indigenous people exist in Germany. Also, there is no Act in the German Constitution concerning indigenous people. Therefore, this indicator is “N/A”.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Legal Authority N/A **Legally required documents or records** N/A	blic/---ed_norm/---normes/documents/publication/wcms_118120.pdf • German Constitution (engl.): http://www.gesetze-im-internet.de/englisch_gg/	
Trade and transport			
1.16 Classification of species, quantities, qualities	**Applicable laws and regulations** N/A **Legal Authority** N/A **Legally required documents or records** • Bills • Purchase agreements	Gesetz über gesetzliche Handelsklassen für Rohholz(Forst-HKS)“ - “Act on legal commercial categories for wood“ – disestablished in 2009 http://forstbw.de/fileadmin/forstbw_pdf/gesetze_verordnungen/hks.pdf Framework Agreement for Timber Trade ("Rahmenvereinbarung für den Rohholzhandel in Deutschland“) http://www.fva-bw.de/termine/veranstaltungen/14vorort_rvr.pdf Timber classification in Germany: http://www.wald-prinz.de/holz-sortierung-holzsortiment/211	N/A Germany has no Acts or laws relating to the classification of timber. However, there are conventions used as best practice to classify timber. While they are not specifically laws, the following conventions are used in German forestry: 1. Handelsklassensortierung HKS (commercial categories). HKS is a guideline that defines measurements for timber classification, including: • Sorting by quality grades (A [best, based on various indicators], B, C and D [worst, based on various indicators]) • Sorting by diameter L0 (< 10 cm) toL6 (60 cm and above) • Sorting by purpose (pulpwood, wood for railway sleepers, chipboard etc.) 2. In some federal states: Heilbronner Sortierung, which defines timber by dimension and diameter. HKS in particular is in many federal states further defined and complemented with regional conditions. In addition, HKS was officially abolished in 2008. Nevertheless, due to a lack of alternatives, HKS and the federal state additions are still applied.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			To solve the problem described above, a new convention was developed in 2009, called the German Framework Agreement for Timber Trade (Rahmenvereinbarung für den Rohholzhandel in Deutschland or RVR). RVR as passed in December 2014 and is at the moment in an implementation phase. All major federal forest organizations have already implemented RVR or are committed to doing so. The RVR is voluntary in nature; it is based on the HKS and the stakeholder process. HKS and RVR together form the classification system for the German grade qualification, so that mis-sorting to tax reductions can be avoided. Taking this fact into account, the indicator not applicable to the area under investigation.
1.17 Trade and transport	**Applicable laws and regulations** 1. Handelsgesetzbuch (HGB) 1897 (BGBl. I S. 1474) - "German Commercial Code" 1. Article 2 http://www.gesetze-im-internet.de/hgb/__2.html 2. Article 3 http://www.gesetze-im-internet.de/hgb/__3.html 3. Article 341 q,r,t,v,y	Non-Government sources: Occasional report about wood thefts and establishing "wood transport certificates" http://www.main-echo.de/regional/kreis-main-spessart/art11869,2468295, last accessed on 14.02.2017 Wood thefts in Brandenburg's forests declining; Potsdam – Wood thefts in the forests of Brandenburg have decreased. (Holzdiebstähle in Brandenburgs Wäldern rückläufig ; Potsdam - Die Holzdiebstähle in	Trading within Germany is regulated as described in the Handelsgesetzbuch or HGB (Commercial Code), which is also binding for forestry companies (HGB §§2, 3). Forestry companies must follow the trading laws described in the Commercial Code. A special case exists for companies that harvest timber in primary forests (HGB § 341), but this has no practical relevance in Germany. There are occasional reports on timber thefts. These are singular cases, there are no statistics on timber thefts in Germany (no google results and statistics). The interviewed experts stated that timber theft is not a problem. There are no other legal requirements relating to transport of wood within Germany.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	http://www.gesetze-im-internet.de/hgb/BJNR002190897.html#BJNR002190897BJNG038700307 **Legal Authority** • Federal Ministry of Finance **Legally required documents or records** • bills • purchase agreements	den Wäldern Brandenburgs sind zurückgegangen.)http://m.proplanta.de/Agrar-Nachrichten/Agrarwirtschaft/Holzdiebstaehle-in-Brandenburgs-Waeldern-ruecklaeufig_article1492525021.html last accessed on 08.05.2017	As mentioned in the overview Germany ranks high on the worldwide governance indicator with rule of law as well as above the Corruption Perception Index, which states the effectiveness of law enforcement. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be 'low risk'.
1.18 Offshore trading and transfer pricing	**Applicable laws and regulations** 1. Steuerhinterziehungsbekämpfungsgesetz (StHBG) Gesetz vom 29.07.2009 (BGBl. I S. 2302) – "Tax Evasion Act" http://www.buzer.de/gesetz/8930/index.htm 2. Abgabenordnung (AO) in der Fassung der Bekanntmachung vom 1. Oktober 2002 (BGBl. I S. 3866; 2003 I S. 61) - "The Fiscal Code of Germany": 1. Article 90 "Obligation of participants to cooperate" http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p0559	Government sources Transfer Pricing Country Profile by OECD (regulations regarding transfer pricing in Germany) http://www.oecd.org/ctp/transfer-pricing/Germany_TPCountryProfile_Nov2012.pdf Common Reporting Standard (CRS) in Germany: http://www.bundesfinanzministerium.de/Content/EN/Pressemitteilungen/2015/2015-07-15-fight-against-tax-evasion.html http://www.oecd.org/ctp/exchange-of-tax-information/automatic-exchange-	The Tax Evasion Act (Steuerhinterziehungsbekämpfungsgesetz or StHBG) was passed in Germany in 2009 to address the occurrence of offshore trading. This law allows the federal government to put nations on a black list and establish obligations or constraints in relation to these nations. Thus far Germany has not defined any official tax havens nor put any nations on the black list; and the Act is therefore considered by some to be ineffectual. On 15 July 2015, Germany and over 50 nations adopted the OECD's so-called Common Reporting Standard or CRS. This will enable Germany, from 2017 onwards, to automatically exchange tax-related financial accounting information with other EU member states and non-EU countries.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Legal Authority 1. Federal Ministry of Finance **Legally required documents or records** N/A	financial-account-information-common-reporting-standard.pdf Signatories of the CRS: http://www.oecd.org/tax/exchange-of-tax-information/mcaa-signatories.pdf Tax Information Exchange Agreements (TIEAs): Germany http://www.oecd.org/tax/transparency/taxinformationexchangeagreementstieasgermany.htm Germany's exchange Information relationships: http://www.eoi-tax.org/jurisdictions/DE#agreements <u>Non-Government sources</u> Global Transfer Pricing Review https://www.kpmg.com/Global/en/IssuesAndInsights/ArticlesPublications/global-transfer-pricing-review/Documents/germany.pdf No official known tax havens: http://www.handelsblatt.com/politik/deutschland/wirkungsloses-steinbrueck-gesetz-offiziell-kennt-deutschland-keine-steueroasen/8268080.html	The international tax standard, developed by the OECD and supported by the UN and the G20, provides for full exchange of information on request in relation to all tax matters – without regard to domestic tax interest requirements or bank secrecy for tax purposes. Currently all 30 OECD member countries, including Germany, have endorsed and agreed to implement the international tax standard. Furthermore, all offshore financial centres accept the standard. Germany has exchange of information relationships with 116 jurisdictions through 98 Double Taxation Conventions and 15 Tax Information Exchange Agreements including with some of the best-known tax havens. (See http://www.oecd.org/tax/transparency/taxinformationexchangeagreementstieasgermany.htm, http://www.eoi-tax.org/jurisdictions/DE#agreements.) Due to the above situation, measurements have been established to ensure that offshore trading is avoided. The corruption level in Germany is considered low; refer to the Transparency International Corruption Perceptions Index of 79 (higher than the threshold of 50). Germany ranks high on the worldwide governance indicator with 'rule of law' being 1.85 and control of corruption at 1.83 on a scale of -2.5 to +2.5. This is one of the highest scores in the world. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		http://www.steuerzahler.de/Steuerhinterziehungsbekaempfungsgesetz/20041c23429i1p789/index.html Transparency international (Germany): https://www.transparency.de/Tabellarisches-Ranking.2574.0.html Transparency international: https://www.transparency.org/country/#DEU World Bank, Governance Indicators for Germany: http://info.worldbank.org/governance/wgi/index.aspx#reports	
1.19 Custom regulations	**Applicable laws and regulations** Import 1. Commissions Implementing Regulation (EU) No 498/2012 of 12 June 2012 on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:152:0028:0037:EN:PDF) European Timber Regulation (EUTR) http://ec.europa.eu/environment/forests/timber_regulation.htm	Governmental sources: Information about Customs regulations on wood http://www.rhein-neckar.ihk24.de/international/export/zoll/Zoll_Kontrollen_bei_der_Einfuhr_von_Holz_und_Holzerzeugnissen/940846 German Customs Directorate: http://www.zoll.de/DE/Unternehmen/unternehmen_node.html; last visited on 02.02.2017.http://www.zoll.de/DE/Fachthemen/Aussenwirtschaft-	Custom regulations and specifications are in place and enforced. As the General Custom Authority states imports of goods from third countries to the EU are, in principle, permitted without restrictions. Deviating from this principle, there are restrictions on certain goods resulting from international regulations and agreements, provisions of the EU and national regulations. The customs directorate states on its website: "[…]Typical means of restricting foreign trade are authorizations and monitoring measures which require the submission of specific accompanying documents.[…] Imports of goods from a third country Customs should be paid. The level of the third country duty depends on which commodity code (TARIC code or code number) is associated with a product. […]

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	2. Forstvermehrungsgutgesetz vom 22. Mai 2002 (BGBl. I S. 1658), last change on 31 August 2015 (BGBl. I S. 1474) by Article 414 http://www.gesetze-im-internet.de/fovg/__15.html **Legal Authority** Federal Customs Authority ("Bundeszollverwaltung") http://www.zoll.de/DE/Fachthemen/Aussenwirtschaft-Bargeldverkehr/Wareneinfuhr/wareneinfuhr_node.html; http://www.zoll.de/DE/Unternehmen/Warenverkehr/Einfuhr-aus-einem-Nicht-EU-Staat/Zoll-und-Steuern/Normalfall-der-Verzollung/normalfall-der-verzollung_node.html last accessed on 30th of January 2017. **Legally required documents or records** • Customs declaration	Bargeldverkehr/Wareneinfuhr/wareneinfuhr_node.html; http://www.zoll.de/DE/Unternehmen/Warenverkehr/Einfuhr-aus-einem-Nicht-EU-Staat/Zoll-und-Steuern/Normalfall-der-Verzollung/normalfall-der-verzollung_node.html; last visited on 30.01.2017 Reply of the Federal Government to the interpellation from the representatives Steffi Lemke, Annalena Baerbock, Matthias Gastel, further representatives and the parliamentary group BÜNDNIS 90/DIE GRÜNEN – printed matter 18/9288 – „Controls and false declaration in timber trading.“ German Federal Parliament, 18. Election period, 11.08.2016 (Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Steffi Lemke, Annalena Baerbock, Matthias Gastel, weiterer Abgeordneter und der Fraktion BÜNDNIS 90/DIE GRÜNEN – Drucksache 18/9288 -: “Kontrollen und Falschdeklarationen im Holzhandel.”, Deutscher Bundestag, 18. Wahlperiode, 11.08.2016 http://dip21.bundestag.de/dip21/btd/18/092/1809288.pdf	Central foreign-trade documents for the import of goods are the certificate of origin and the import permit. For the application of trade policy measures, the import of a product may require the submission of a certificate of conformity, a waiver, an import declaration or a surveillance documents […] Detailed requirements for certain products, the country of origin are published. Traders need to follow the procedures; otherwise they have to face penalties in form of fines or even trials. For some goods embargos are in place. Timber and timber products that are placed on the European market for the first time need to comply with the EU Timber Regulation, which is enforced in Germany and other European Countries since 2013 (see also indicator 1.21. Custom authorities are situated at every airport and harbor. As mentioned in the overview Germany ranks high on the worldwide governance indicator with 'rule of law' being 1.85 and control of corruption at 1.83 on a scale of -2.5 to +2.5. Germany has a Corruption Perceptions Index 2014 of 79 (above the threshold of 50) and is ranked worldwide as 12th in CPI ranking. In Transparency International´s Bribe Payers Index Report from 2011. Germany is on rank 4, with a score of 8,6 (score of 10 corresponds with the view that companies from that country *never* bribe abroad). Companies from these countries are seen as less likely to engage in bribery than the other countries ranked, but there is still room for improvement.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			For the importation of species protected by the Washington Convention on Species Protection, an application for authorization must be submitted prior to import or export. There are no indications or records of any significant violations that would qualify for specific risk. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘.
1.20 CITES	**Applicable laws and regulations** 1. Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31997R0338 2. Bundesartenschutzverordnung (BArtSchV) vom 16. Februar 2005 (BGBl. I S. 258, 896) – "Federal Species Protection Ordinance“ http://www.gesetze-im-internet.de/bartschv_2005/index.htm	Checklist of CITES Species in Germany http://checklist.cites.org/#/en/search/country_ids%5B%5D=23&output_layout=alphabetical&level_of_listing=0&show_synonyms=1&show_author=0&show_english=1&show_spanish=1&show_french=1&scientific_name=plantae&page=1&per_page=20	Export No woody species produced in Germany are included on the CITES lists and the risk is therefore considered Low. Import Importing CITES species is only possible with permission (see also 1.19) and due to the good rank on the CPI the risk is Low. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be ‘low risk‘.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Legal Authority Federal Agency for Nature Conservation ("Bundesamt für Naturschutz") **Legally required documents or records** Import permit of wood from tree species in appendices A and B of the Council Regulation (EC) No 338/97 of 9 December 1996 Document showing a notification of import of wood from tree species in appendix C of the Council Regulation (EC) No 338/97 of 9 December 1996		
Diligence/due care procedures			
1.21 Legislation requiring due diligence/due care procedures	**Applicable laws and regulations** 1. Holzhandels-Sicherungs-Gesetz (HolzSiG) vom 11. Juli 2011 (BGBl. I S. 1345) - "Timbertrading security act" http://www.gesetze-im-internet.de/holzsig/ 2. Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market. Text with EEA relevance http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32010R0995	Government sources Overview of EUTR: http://ec.europa.eu/environment/forests/timber_regulation.htm Schematic representation of the Due Diligence System in Germany: http://www.ble.de/SharedDocs/Downloads/02_Kontrolle/06_HandelMitHolz/a_dds_and_its_main_components.pdf?__blob=publicationFile Trading legally harvested timber (in German): http://www.ble.de/DE/02_Kontrolle/06_HandelMitHolz/HandelMitHolz_node.html	The European Union directive No. 995/2010 (EUTR) was transposed into German Law through the Timber Trading Security Act (Holzhandels-Sicherungs-Gesetz or HolzSiG) in 2011, and was reviewed in 2013. The authority for enforcing the law is the Federal Office for Agriculture and Food (BLE). Annually about 120 inspections are undertaken by the authorized institution (BLE). 370 inspections have already taken place since the implementation of the EU TR in Germany. Reports about inspections can be found here: http://www.ble.de/DE/02_Kontrolle/06_HandelMitHolz/Pruefungsfeststellungen.html?nn=4717664 WWF Germany rates Germany as "a consistently high performer since 2007" in implementation of the EUTR. According to the updated Government Barometer by WWF Europe Germany ranks on the third place with

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	3. Commission Implementing Regulation (EU) No 607/2012 of 6 July 2012 on the detailed rules concerning the due diligence system and the frequency and nature of the checks on monitoring organizations as provided for in Regulation (EU) No 995/2010 of the European Parliament and of the Council laying down the obligations of operators who place timber and timber products on the market http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32012R0607 **Legal Authority** Federal Office for Agriculture and Food (Bundesanstalt für Landwirtschaft und Ernährung) **Legally required documents or records** Operators placing timber or timber products on the EU market Documents required to fulfil the obligation for operators to exercise a due diligence system according to article 4.2 and 6 of the Regulation (EU) No 995/2010 Documentation on information concerning the operator's supply, according to article 3, Commission Implementing Regulation (EU) No 607/2012	Information on EUTR implementation in Germany: http://www.ble.de/DE/02_Kontrolle/06_HandelMitHolz/EU_Holzhandelsverordnung/EU-Holzhandelsverordnung_node.html http://www.ble.de/DE/02_Kontrolle/06_HandelMitHolz/Pruefungsfeststellungen.html?nn=4717664 <u>Non-Government sources</u> Study on the implementation and enforcement of EUTR in Germany by WWF Germany http://barometer.wwf.org.uk/what_we_do/government_barometer/scores_by_country/country_scores.cfm?country=Germany EUWID: WWF publishes current Government Barometer. Press release 12.08.2014, http://www.euwid-holz.de/news/handel/einzelansicht/Artikel/wwf-veroeffentlicht-aktualisiertes-government-barometer.html Reply of the Federal Goverment to the interpellation from the representatives Steffi Lemke, Annalena Baerbock, Matthias Gastel, further representatives and the parliamentary group BÜNDNIS	respect to the national implementation of the EUTR, VPAs and FLEGT as well as other indicators (EUWID. (Euwid 2014). However, many experts believe that the complicated and challenging pre-conditions mean prosecution may never happen in practice. Furthermore, some NGOs (including WWF Germany) believe that the penalties are not enough to be an effective deterrent. The criticism focuses on forest products entering the German market, but not on forest products originating from Germany. Although there are a lot of efforts to implement the EUTR and DDS completely, there is still potential in Germany due to the implementation of the EUTR has not been fully completed yet and establishing measures to avoid and mitigate any infringement of the regulation has not been finished yet. More and more companies are getting certified. A certificate also requires a functioning DDS system. The control of the independent certification bodies further improves these systems. However, since low risk has been found in CW Categories 1.1-1.20, it is concluded that the potential lack of enforcement will be limited both in impact and in scale. As a consequence, the risk for this indicator for the area under assessment has been concluded to be 'low risk'. The Timber Trading Security Act (Holzhandels-Sicherungsgesetz) is sufficiently enforced to conclude. Threshold 1 is met. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Register of information concerning the operator's supply as provided for in Article 6.1 a) of Regulation (EU) No 995/2010 and documentation of application of risk mitigation procedures	90/DIE GRÜNEN – printed matter 18/9288 – „Controls and false declaration in timber trading." German Federal Parliament, 18. Election period, 11.08.2016 (Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Steffi Lemke, Annalena Baerbock, Matthias Gastel, weiterer Abgeordneter und der Fraktion BÜNDNIS 90/DIE GRÜNEN – Drucksache 18/9288 -: "Kontrollen und Falschdeklarationen im Holzhandel.", Deutscher Bundestag, 18. Wahlperiode, 11.08.2016) http://dip21.bundestag.de/dip21/btd/18/092/1809288.pdf	authorities and/or by the relevant entities. For this indicator the area under assessment is determined to be 'low risk'.

Control measures
N/A

Controlled wood category 2: Wood harvested in violation of traditional and human rights

Risk assessment

Indicator	Sources of Information	Functional scale	Risk designation and determination
2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.	See detailed analysis below.	Country	No information was found about Germany as being a source of conflict timber and the forest sector is not associated with any violent armed conflict. All 'low risk' thresholds are met (1, 2, 3, 4 and 5) and there is no other evidence of 'specified risk'. Therefore, the risk designation for this indicator is 'low risk'.
2.2. Labor rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.	See detailed analysis below.	Country	No information was found that proved that labour rights as well as the ILO Fundamental Principles and Rights at work are at risk. Applicable legislation for the area under assessment covers the key principles recognized in the ILO Fundamental Principles and Rights at work (which are recognized as: freedom of association and right to collective bargaining; elimination of forced and compulsory labor; eliminations of discrimination in respect of employment and occupation; and effective abolition of child labor), AND other available evidence does not challenge a 'low risk' designation. Thresholds 10 and 12 are met. Therefore, the risk designation for this indicator is 'low risk'.
2.3. The rights of Indigenous and Traditional Peoples are upheld.	See detailed analysis below.		There is no evidence leading to a conclusion of presence of indigenous and/or traditional peoples in the area under assessment. Thresholds 16 and 21 are met. Therefore, the risk designation for this indicator is 'low risk'.

Control measures

N/A

Detailed analysis

Sources of information	Evidence	Scale of risk assessment	Risk indication[1]
Context (the following are indicators that help to contextualize the information from other sources) • Searching for data on: level of corruption, governance, lawlessness, fragility of the State, freedom of journalism, freedom of speech, peace, human rights, armed or violent conflicts by or in the country, etc.			
World Bank: Worldwide Governance Indicators - the WGIs report aggregate and individual governance indicators for 215 countries (most recently for 1996–2012), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption http://info.worldbank.org/governance/wgi/index.aspx#home	http://info.worldbank.org/governance/wgi/index.aspx#reports (click on table view tab and select Country) In 2014 (latest available year) Germany scores between 93.3 and 96.1 on the percentile rank among all countries for five of the six dimensions and 79.1 on the dimension *Political Stability and Absence of Violence/Terrorism*. In comparison, these are very high scores. The scores range from 0 (lowest) to 100 (highest rank) with higher values corresponding to better outcomes.		
World Bank Harmonized List of Fragile Situations: http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/Fragile_Situations_List_FY11_%28Oct_19_2010%29.pdf	Germany does not feature in this list.		
Committee to Protect Journalists: Impunity Index CPJ's Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred between January 1, 2004, and December 31, 2013, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index. http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php	Germany does not feature in this list.		
Carleton University: Country Indicators for Foreign Policy: the Failed and Fragile States project of Carleton University examines state fragility using a combination of structural data and current event monitoring http://www4.carleton.ca/cifp/ffs.htm	http://www4.carleton.ca/cifp/app/serve.php/1419.pdf Germany scores Low on the State Fragility Map 2011.		

[1] A risk indication is provided for each source analyzed, except in the first part that addresses the general country context as that is not a risk indicator. A cumulative risk assessment for each risk indicator is provided in the row with the conclusion on each risk indicator, based on all the sources analyzed and evidence found.

Human Rights Watch: http://www.hrw.org	http://www.hrw.org/world-report/2015 A few minor negative or alarming cases found on Germany in the country chapter of the World Report 2015 (page 237). Most are related to migrants and/or asylum procedures. No issues related to forests or forestry.		
US AID: www.usaid.gov Search on website for [country] + 'human rights' 'conflicts' 'conflict timber'	This document contains no information that leads to a 'specified risk' designation after searching Germany + 'human rights' 'conflicts' 'timber conflicts'		
Global Witness: www.globalwitness.org Search on website for [country] +'human rights' 'conflicts' 'conflict timber' For Africa and Asia also use: http://pdf.usaid.gov/pdf_docs/pnact462.pdf	This documents contains no information that leads to a 'specified risk' designation after searching Germany + 'human rights' 'conflicts' 'timber conflicts'		
http://wwf.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/	Germany is not reported as a source for illegal timber. WWF report: Failing the Forests; Europe's illegal timber trade. http://d2ouvy59p0dg6k.cloudfront.net/downloads/failingforests.pdf While Germany is mentioned as a significant consumer of illegally harvested timber, it is not reported as a source for illegal timber.		
Transparency International Corruption Perceptions Index http://cpi.transparency.org/cpi2013/results/	Germany scores 78 points on the Corruption Perceptions Index 2013 on a scale from 0 (highly corrupt) to 100 (very clean). Germany ranks 12th out of 177 with rank nr.1 being the cleanest country.		
Chatham House Illegal Logging Indicators Country Report Card http://www.illegal-logging.info	Germany is not reported as a source for illegal timber.		
Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights	https://www.amnesty.org/en/documents/pol10/0001/2015/en/ A few minor negative issues are reported on Germany in the country chapter of the *State of the Human Rights* Report 2014/15 (pages 161, 162). Most are related to migrants and/or asylum procedures, violent activities of far right extremists and LGBT rights. No information relevant for this risk assessment found.		
Freedom House http://www.freedomhouse.org/	https://freedomhouse.org/report/freedom-world/freedom-world-2015#.VgwaoXrtlHw The status of Germany on the Freedom in the World index 2015 is 'free'. https://freedomhouse.org/report/freedom-press/freedom-press-2015#.VgwZ2HrtlHw The status of Germany on the Freedom of the Press in 2015 is 'free' https://freedomhouse.org/report/freedom-net/2014/germany The status of Germany on the Freedom on the Net in 2014 is 'free'.		
Reporters without Borders: World Press Freedom Index	https://index.rsf.org/#!/		

	2015 World Press Freedom Index In 2015 Germany ranked 12 out of 180 countries on World Press Freedom Index.		
Fund for Peace - Failed States Index of Highest Alert - the Fund for Peace is a US-based non-profit research and educational organization that works to prevent violent conflict and promote security. The Failed States Index is an annual ranking, first published in 2005, of 177 nations based on their levels of stability and capacity http://www.fundforpeace.org/global/?q=cr-10-99-fs In 2014 the FFP changed the name of the Failed State Index to the Fragile State Index: http://ffp.statesindex.org/rankings-2013-sortable	http://fsi.fundforpeace.org/ *Fragile States Index 2015* Germany is ranked 165 out of 178 countries on the Fragile States Index 2015. (nr 1 being the most fragile state). This ranks Germany in the category *Sustainable* with only Finland being in the highest category *Very Sustainable*.		
The Global Peace Index. Published by the Institute for Economics & Peace, This index is the world's leading measure of national peacefulness. It ranks 162 nations according to their absence of violence. It's made up of 23 indicators, ranging from a nation's level of military expenditure to its relations with neighboring countries and the level of respect for human rights. Source: The Guardian: http://economicsandpeace.org/research/iep-indices-data/global-peace-index	http://static.visionofhumanity.org/sites/default/files/Global%20Peace%20Index%20Report%202015_0.pdf *2015 Global Peace Index* Germany is ranked 16 out 162 countries which means that it is assessed as one of the 25 countries in highest category “very high” State of Peace.		
Additional sources of information (These sources were partly found by Googling the terms '[country]', 'timber', 'conflict', 'illegal logging')	**Evidence**	**Scale of risk assessment**	**Risk indication**
From FSC Controlled Wood Risk Assessment for Germany Assigned code: FSC-CWRA-007-DEU (V 3-1) (Approved: 03 June 2011): Info on illegal logging	“1.1. Illegally harvested wood Germany enjoys well established forest legislation across all of the federal states. The legislation is applied reliably with respect to the legality of forest wood harvesting measures. The legality of wood harvesting measures is provided for by the legislation, and is implemented at the administrative level (STD 40 005; Anh. 2B; 1.1 & 1.2). FSC Germany is not aware of any instances of illegal wood harvesting in Germany resulting in a threat to either the forest area or the population (STD 40 005; Anh. 2B; 1.3). Nor is FSC Germany aware of any cases of corruption in relation to the granting or assignation of felling licenses or in other areas of law enforcement in relation to wood harvesting in Germany or in the trade of German wood (STD 40 005; Anh. 2B; 1.4). → Therefore, FSC Germany considers a low risk for illegal wood harvesting in German forests.”	Country	Low risk
Conclusion on country context: Germany scores positive on all indicators reviewed in this context section. It is ranked relatively high on all relevant aspects such a stable country, with good governance, absence of conflicts of any magnitude and it is a free country for all its citizens with a good justice system. Human rights issues are around migrants and asylum seekers, mostly, and are, in global context, minor.		Country	
Indicator 2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.			

Guidance • Is the country covered by a UN security ban on exporting timber? • Is the country covered by any other international ban on timber export? • Are there individuals or entities involved in the forest sector that are facing UN sanctions?			
Compendium of United Nations Security Council Sanctions Lists http://www.un.org/sc/committees/list_compend.shtml US AID: www.usaid.gov Global Witness: www.globalwitness.org	There is no UN Security Council ban on timber exports from Germany. Germany is not covered by any other international ban on timber export. There are no individuals or entities involved in the forest sector in Germany that are facing UN sanctions.	Country	Low risk
From national CW RA: FSC Controlled Wood Risk Assessment for Germany Assigned code: FSC-CWRA-007-DEU (V 3-1) (Approved: 03 June 2011)	"There is no UN Security Council embargo on wood exports from Germany (STD40 005; Anh. 2B; 2.1)."	Country	Low risk
Guidance • Is the country a source of conflict timber? If so, is it at the country level or only an issue in specific regions? If so – which regions? • Is the conflict timber related to specific entities? If so, which entities or types of entities?			
www.usaid.gov Conflict Timber is defined by US AID as: - conflict financed or sustained through the harvest and sale of timber (Type 1), - conflict emerging as a result of competition over timber or other forest resources (Type 2) Also check overlap with indicator 2.3	No information on conflict timber in Germany found.	Country	Low risk
www.globalwitness.org/campaigns/environment/forests	No information on conflict timber in Germany found.	Country	Low risk
Human Rights Watch: http://www.hrw.org/	No information on conflict timber in Germany found. http://www.hrw.org/world-report/2015 No information found on conflict timber in Germany in the country chapter of the World Report 2015 (page 237).	Country	Low risk
World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf Now: PROFOR http://www.profor.info/node/1998	This work resulted in a publication: Assessing and Monitoring Forest Governance: A user's guide to a diagnostic tool (available on this page) published by PROFOR in June 2012. This tool has not yet been applied to Germany.	Country	Low risk

Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights http://www.amnesty.org	No information on conflict timber in Germany found.	Country	Low risk
World Bank: Worldwide Governance Indicators - the WGIs report aggregate and individual governance indicators for 213 economies (most recently for 1996–2012), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption http://info.worldbank.org/governance/wgi/index.aspx#home Use indicator 'Political stability and Absence of violence' specific for indicator 2.1	http://info.worldbank.org/governance/wgi/index.aspx#reports In 2014 (latest available year) Germany scores 79.1 on the dimension *Political Stability and Absence of Violence/Terrorism*. The scores range from 0 (lowest) to 100 (highest rank) with higher values corresponding to better outcomes.	Country	Low risk
Greenpeace: www.greenpeace.org Search for 'conflict timber [country]'	No information on conflict timber in Germany found.	Country	Low risk
CIFOR: http://www.cifor.org/; http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm	No information on conflict timber in Germany found.	Country	Low risk
Google the terms '[country]' and one of following terms or in combination 'conflict timber', 'illegal logging'	No information on conflict timber in Germany found.	Country	Low risk
From national CW RA: FSC Controlled Wood Risk Assessment for Germany Assigned code: FSC-CWRA-007-DEU (V 3-1) (Approved: 03 June 2011)	"As far as FSC Germany is aware, Germany is not deemed to be a source of conflict wood (STD40 005; Anh. 2B; 2.2)."	Country	Low risk
Conclusion on indicator 2.1: No information was found on Germany as a source of conflict timber and the forest sector is not associated with any violent armed conflict. **The following low risk thresholds apply:** (1) The area under assessment is not a source of conflict timber[2]; AND (2) The country is not covered by a UN security ban on exporting timber; AND (3) The country is not covered by any other international ban on timber export; AND		Germany	Low risk

[2] "Conflict timber" limited to include "timber that has been traded at some point in the chain of custody by armed groups, be they rebel factions or regular soldiers, or by a civilian administration involved in armed conflict or its representatives, either to perpetuate conflict or take advantage of conflict situations for personal gain - conflict timber is not necessarily illegal. Please refer to FSC-PRO-60-002a V1-0.

(4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND (5) Other available evidence does not challenge 'low risk' designation.			
Indicator 2.2. Labor rights are respected including rights as specified in ILO Fundamental Principles and Rights at work. **Guidance** • Are the social rights covered by the relevant legislation and enforced in the country or area concerned? (refer to category 1) • Are rights like freedom of association and collective bargaining upheld? • Is there evidence confirming absence of compulsory and/or forced labor? • Is there evidence confirming absence of discrimination in respect of employment and/or occupation, and/or gender? • Is there evidence confirming absence of child labor? • Is the country signatory to the relevant ILO Conventions? • Is there evidence that any groups (including women) feel adequately protected related to the rights mentioned above? • Are any violations of labor rights limited to specific sectors?			
general sources from FSC-PRO-60-002a V1-0 EN	**information found and specific sources**	**scale of risk assessment**	**risk indication**
Status of ratification of fundamental ILO conventions: http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO:: or use: ILO Core Conventions Database: http://www.ilo.org/ilolex/english/docs/declworld.htm C29 Forced Labor Convention, 1930 C87 Freedom of Association and Protection of the Right to Organize Convention, 1948 C98 Right to Organize and Collective Bargaining Convention, 1949 C100 Equal Remuneration Convention, 1951 C105 Abolition of Forced Labor Convention, 1957 C111 Discrimination (Employment and Occupation) Convention, 1958 C138 Minimum Age Convention, 1973 C182 Worst Forms of Child Labor Convention, 1999 Ette, A., Stedtfeld S., Sulak, H., Brückner G (2016): Erhebung des Anteils von Beschäftigen mit Migratonshintergrund in der Bundesverwaltung. Ergebnisbericht im Auftrag des Ressortarbeitskreises der Bundesregierung.Hrsg: Bundesinstitut für Bevölkerungsforschung.	As stated in Category 1 under Indicator 1.12 here are no known conflicts relating to compulsory labor or child labor in Germany. The risk designation for 1.12 is "low risk". http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102643 Germany has ratified all the 8 Fundamental ILO Conventions that represent principal rules on labor law. The status on the ILO website for all 8 Conventions is 'in force' Further national laws covering minimum age, working hours and working conditions of children are based on two legal foundations, namely Kinderarbeitsschutzverordnung (KindArbSchV or Child Labor Protection Ordinance) and Jugendarbeitsschutzgesetz (JArbSchG) or Youth Employment Protection Act). Requirements for foreign people working in Germany are covered by the Verordnung über die Arbeitsgenehmigung für ausländische Arbeitnehmer (Regulation on Work Permits for Foreign Workers). Regulations relating to illegal employment are described in Schwarzarbeitsbekämpfungsgesetz – SchwarzArbG Act Against Illegal Employment).	Country	Low risk

https://www.bundesregierung.de/Content/DE/_Anlagen/IB/2016-05-26-Ergebnisbericht-Beschaeftigte-Migrationshintergrund.pdf?__blob=publicationFile&v=1 Bundesministerium des Innern (BMI): Studie: Rund 15% Beschäftigte mit Migrationshintergrund in der Bundesverwaltung. Press Release from 26.05.2016. http://www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2016/05/studie-beschaeftigte-mit-migrationshintergrund-in-bundesverwaltung.html			
	http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3079959:NO *Observation (CEACR) - adopted 2012, published 102nd ILC session (2013)* *Forced Labor Convention, 1930 (No. 29) - Germany (Ratification: 1956)* "Work of prisoners for private enterprises. In comments made for a number of years, the Committee referred to the situation of prisoners in the country who, in law and practice, are obliged to work, without their consent, in workshops run by private enterprises within state prisons, in conditions not comparable to those found in the free labor market. The Committee recalled that work by prisoners for private enterprises can be held compatible with the Convention only where the necessary safeguards exist to ensure that the prisoners concerned offer themselves voluntarily, without being subjected to pressure or the menace of any penalty, by giving their formal, free and informed consent to work for private enterprises. In such a situation, work of prisoners for private parties would not come under the scope of the Convention, since no compulsion is involved. Moreover, the Committee has considered that, in the prison context, the most reliable indicator of the voluntariness of labor is that the work is performed under conditions which approximate a free labor relationship, including wages, social security and occupational safety and health. [..] The Committee notes, however, the Government's statement that it is unsure of the extent to which this particular aspect of the model legislation will be followed by legislators in the various countries. Countries The Committee further notes the Government's indication that as of 2010, 60.19 per cent of prisoners were employed and that 14.94 per cent of all prisoners were employed with private enterprises (ranging from below 1 per cent to 22.6 per cent in the respective countries). The Government states that the employment of prisoners contributes to their social rehabilitation and that prisoners are in need of the wages provided in order to meet maintenance payments, pay debts and purchase items for their personal use. Additionally, the Committee notes the Government's reiteration that there continues to be a job shortage in prisons and that prison authorities therefore welcome jobs made available by private enterprises.." No indication that this forced labor is being used in the forest sector, only "within the prison".	Country	Low risk

	http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3190325:NO *Observation (CEACR) - adopted 2014, published 104th ILC session (2015)* *Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) - Germany (Ratification: 1957)* This document contains no information that leads to a 'specified risk' designation in Germany regarding ILO Convention C87.	Country	Low Risk
	http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3187670:NO *Observation (CEACR) - adopted 2014, published 104th ILC session (2015)* *Right to Organize and Collective Bargaining Convention, 1949 (No. 98) - Germany (Ratification: 1956)* "The Committee takes note of the observations provided by the International Organization of Employers (IOE) and the Confederation of German Employers' Associations (BDA) in a communication received on 1 September 2014, according to which the Convention is fully implemented in law and in practice. The Committee notes that the Government's report has not been received. It must therefore repeat its previous comments. Article 4 of the Convention. Right to collective bargaining with respect to conditions of employment of public servants not engaged in the administration of the State, including teachers. The Committee noted that, in response to its previous comments, the Government stated that excluding civil servants (Beamte) from collective bargaining is in accordance with the Convention, since the position of public servants is explicitly excluded under Article 6 of the Convention. The Committee further noted that, according to the Government's report, employees in the public service (Arbeitnehmer des öffentlichen Dienstes), e.g. teachers employed under collective agreements in the education services of the Länder, do enjoy the right to bargain collectively, whereas civil servants (Beamte) do not have the right to bargain collectively because the legislative regulation of the civil service is a constitutionally endowed traditional principle of the civil service under article 33(5) of the Basic Law and because civil servants (Beamte) have the duty to exercise their functions lawfully, impartially and altruistically. The Government stressed that, even for particular groups of civil servants (Beamte), collective bargaining which is aimed at concluding collective agreements is incompatible with the principle of the legislative regulation of the civil service, and that this remains valid regardless of the outcome of wage negotiations by employees in the public service (Arbeitnehmer des öffentlichen Dienstes). The Committee also noted the Government's indication that to compensate for the inability to enter into collective negotiations, the umbrella organizations of the civil servants' unions take part in the initial preparation of the general regulations pertaining to civil servant law, pursuant to section 118 of the Federal Law on Civil Servants (Bundesbeamtengesetz (BBG)) and section 53 of the Law on the Status of Civil Servants (Beamtenstatusgesetz). The Government had	Country	Specified risk of exclusion of the right to collective bargaining for foresters who are civil servants (Beamte) (see additional information for low risk indication)

	considered that the current system of trade union involvement sufficiently protects the interests of civil servants (Beamte) so that no changes in this respect are necessary. The Committee understands that the position of the Government concerning the right to collective bargaining of civil servants (Beamte) is conditioned by the wording of the constitutional provisions. The Committee reiterates that negotiations need not necessarily lead to legally binding instruments so long as account is taken in good faith of the results of the negotiations in question. The Committee also observed that the Government indicates that, contrary to teachers with the status of civil servant (Beamte), teachers with the status of employee in the public sector (Arbeitnehmer des öffentlichen Dienstes) enjoy the right to collective bargaining (which the Committee understands is also available to private sector teachers). In this regard, the Committee wishes to underline that, pursuant to Article 6, the Convention "does not deal with the position of public servants engaged in the administration of the State", and therefore covers all public service workers other than those engaged in the administration of the State. The Committee thus considers that a distinction must be drawn between, on the one hand, public servants who by their functions are directly engaged in the administration of the State (that is, civil servants employed in government ministries and other comparable bodies) as well as officials acting as supporting elements in these activities and, on the other hand, persons employed by the government, by public undertakings or by autonomous public institutions; only the former category can be excluded from the scope of the Convention. *Recalling that, according to Article 6 of the Convention, public service workers who are not engaged in the administration of the State, including teachers, should enjoy the right to collective bargaining, the Committee once again requests the Government to indicate in its next report the measures taken or envisaged to explore, together with the trade union organizations concerned, ways in which the current system could be developed so as to give full effect to the principles enounced above.* *The Committee hopes that the Government will make every effort to take the necessary action in the near future."*		
	http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3145928:NO *Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014)* *Equal Remuneration Convention, 1951 (No. 100) - Germany (Ratification: 1956)* This document contains no information that leads to a 'specified risk' designation in Germany regarding ILO Convention C100. This document contains no information that leads to a 'specified risk' designation in Germany regarding ILO Convention C105.	Country	Low Risk
	http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3145500:NO *Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014)*	Country	Low Risk

	Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Germany (Ratification: 1961) "The Federal Anti-Discrimination Agency. The Committee notes from the expert reports commissioned under the Filling Gaps research project that among persons with a migrant background, those from Islamic communities reported the highest levels of discrimination. The Committee also notes from the expert reports that persons with disabilities continue to face significant challenges regarding access to the job market. The Government indicates that on the basis of these reports, the Federal Anti-Discrimination Agency (FADA) has established the Anti-Discrimination Networks support programme in order to provide advice to those affected by discrimination. The Government also indicates that as of April 2013, the FADA had received 9,300 queries related to the grounds of discrimination in the Equal Treatment Act. Of these requests for advice, 27 per cent concerned discrimination on the basis of disability, while discrimination on the grounds of ethnicity/race, gender and age, each comprised 23 per cent of the queries. *The Committee asks the Government to continue providing information on the FADA's activities, including statistical data on individual queries and cases. The Committee also requests information on steps taken to strengthen the FADA's operational capacity in all 16 Länder, and asks the Government to consider expanding the FADA's mandate to include the investigation and filing of complaints in court*. Equality of opportunity and treatment of men and women. The Government indicates that the Women on Board index collects data regarding the number of women on the supervisory boards of 160 public companies. The Committee notes that from 2010 to 2013, the percentage of women on supervisory boards rose from 13 to 21 per cent. The Government indicates that as part of the Women Shareholders Call for Equality project, members of the German Women Lawyers' Association visit shareholders' meetings of large public companies in order to obtain information about the advancement of women in the company. The Committee also notes the findings of the Fraunhofer Institute's study on women's career breaks, which showed that an overall shift in corporate culture is necessary to increase women's representation in leadership positions, and that efforts to change the corporate culture should target both women and men. While noting these efforts, the Committee recalls that the UN Human Rights Committee expressed concern at the low representation of women in decision making positions in the private sector (CCPR/C/DEU/CO/6, October 2012, paragraph 8). *The Committee requests the Government to continue providing information on measures taken to increase women's representation in leadership positions in the private sector. The Committee also requests information on steps taken to combat gender stereotypes regarding women's career aspirations and capabilities which contribute to their under-representation in leadership positions*." This document contains no information that leads to a 'specified risk' designation neither with relation to the forestry sector nor on any other specified risks in Germany regarding ILO Convention C111.		

	http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3082057:NO *Direct Request (CEACR) - adopted 2012, published 102nd ILC session (2013)* *Minimum Age Convention, 1973 (No. 138) - Germany (Ratification: 1976)* This document contains no information that leads to a 'specified risk' designation in Germany regarding ILO Convention C138.	Country	Low Risk
	http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3079464:NO *Direct Request (CEACR) - adopted 2012, published 102nd ILC session (2013)* *Worst Forms of Child Labor Convention, 1999 (No. 182) - Germany (Ratification: 2002)* Article 7(2). Effective and time-bound measures. Clause (b). Direct assistance for the removal of children from the worst forms of child labor and for their rehabilitation and social integration. Child commercial sexual exploitation. *"The Committee requests the Government to pursue its efforts to combat the trafficking of children under the age of 18 years for purposes of sexual exploitation. It requests the Government to provide information on the number of cases on trafficking of children that have been recorded by the BKA."* The report discusses child commercial sexual exploitations. This document contains no information that leads to a 'specified risk' designation with relation to the forestry sector nor on any other specified risks in Germany regarding ILO Convention C182 (worst forms of child labor).	Country	Low Risk

ILO Declaration on Fundamental Principles and Rights at Work. Country reports. http://www.ilo.org/declaration/lang--en/index.htm Source of several reports. Search for 'racial discrimination', 'child labor', 'forced labor', 'gender equality', 'freedom of association'	http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_090548.pdf *Working Paper, Forced labor and trafficking in Europe: how people are trapped in, live through and come out. By Beate Andrees. International Labor Office, Geneva. February 2008* "A further difficulty is to assess the cumulative use of coercive practices. Survey data as well as case studies suggest that victims of forced labor have been subjected to various forms of coercion at the same time. An analysis of qualitative case studies from Germany and Portugal has brought to light the following picture that is typical for sectors other than the sex industry: The chain of exploitation starts with deception about working and living conditions, followed by withholding of wages or other wage manipulations combined with threats of denunciation to the authorities (if the person was in an irregular situation). In cases, where migrant workers resisted and demanded fair treatment, violence occurred in the form of an organized or spontaneous beating. This repetitive experience has led some migrant workers to help themselves, up to a point where police had to rescue employers who were kidnapped and tortured by workers who demanded their back wages (Cyrus, 2005; Pereira/Vasconcelos, 2007)." [..] "According to the ILO research, the following sectors other than the sex industry are particularly vulnerable to forced labor and exploitative labor practices: construction, agriculture, textiles and garments, restaurants and catering services, domestic and care work." [..] "Employers in certain economic sectors operate within or at the margins of a large informal economy where labor rights, tax provisions, immigration and social security regulations are hardly enforced. At the time when this research was conducted, the risk of detection was low and sanctions did not act as an effective deterrent due to corruption or other enforcement problems. In countries with well-developed labor inspection systems, such as Germany or Portugal, employers tend to transfer risks to sub-contractors. These sub-contractors can be bogus or "letterbox" companies that claim to be based abroad. Some of them vanish as soon as they are targeted by law enforcement. Others are officially registered, but they operate with very narrow margins of profits that force them to resort to illegal practices. Setting up a subcontracting firm in one of the economic sectors cited above requires very little entry capital or knowledge. Very often, sub-contractors recruit workers and take care of all labor related issues. Workers and employers are not in direct contact anymore. These case studies indicate that while forced labor may occur within mainstream business it is more common within the sub-contracting chain in the countries that were covered by ILO research."	Country	Low risk
ILO Child Labor Country Dashboard: http://www.ilo.org/ipec/Regionsandcountries/lang--en/index.htm	Germany does not feature in the Child Labor Country Dashboard	Country	Low risk
Global March Against Child Labor: http://www.globalmarch.org/	No references to Germany regarding child labor or child trafficking.	Country	Low risk
Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child:	Germany has ratified the Convention on the Rights of the Child.	Country	Low risk for violation of

http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx	http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fDEU%2fCO%2f3-4&Lang=en Convention on the Rights of the Child; 25 February 2014. Committee on the Rights of the Child *Concluding observations on the combined third and fourth periodic reports of Germany* "Legal status of the Convention 9. The Committee notes with satisfaction that most Länder have explicitly recognized children's rights in their constitutions. However, the Committee remains concerned that children's rights have not yet been explicitly recognized in the constitutions of Hamburg and Hesse, or in the Federal Constitution (Basic Law). The Committee further notes that under article 59, paragraph 2, of the Basic Law, the Convention is placed at the level of an ordinary federal law. 10. In the light of its previous recommendations (CRC/C/15/Add.226, para. 10), the Committee urges the State party to take all the necessary measures to ensure that the Convention takes precedence over federal laws through its incorporation into the Basic Law or by any other procedure. Comprehensive policy and strategy 11. The Committee notes that the 2005–2010 National Action Plan initiated a broad discussion on children's rights. However, it regrets that the practical implementation of the Plan did not sufficiently involve civil society organizations and other actors at the local level. While noting that a new youth policy focusing on adolescents and young adults was launched in 2011, the Committee remains concerned that it does not seem to cover all issues related to children's rights. 12. The Committee recommends that the State party take measures to formulate a comprehensive policy on children's rights, provide the relevant bodies with the necessary human, technical and financial resources to guide the development of programmes and projects, and establish systems for their monitoring and evaluation with clear indications of the roles and responsibilities of the relevant bodies at the federal and Länder levels." "Children's rights and the business sector 22. The Committee notes that the State party uses a significant amount of coal to produce power and is concerned about the negative impact that coal emissions have on children's health. The Committee is also concerned about the lack of adequate measures taken by the State party against German companies that conduct business abroad and reportedly violate children's rights and other human rights. 23. In line with its general comment No. 16 on State obligations regarding the impact of the business sector on children' s rights (2013), the Committee recommends that the State party: (a) Establish a clear regulatory framework for the industries operating in the State party to ensure that their activities do not negatively affect human rights or endanger environmental and other standards, especially those relating to children's rights; (b) Take into consideration the best interests of the child when adopting budgetary measures such as the allocation of subsidies for businesses that affect children's rights;		children's rights

	(c) Examine and adapt its civil, criminal and administrative legislative framework to ensure that business enterprises and their subsidiaries operating in or managed from the State party's territory are legally accountable for any violations of children's rights and human rights; (d) Comply with international and domestic standards on business and human rights with a view to protecting local communities, particularly children, from any adverse effects resulting from business operations, in line with the Guiding Principles on Business and Human Rights: Implementing the United Nations ¨Protect, Respect and Remedy¨ Framework, adopted by the Human Rights Council in 2011. Non-discrimination 24. The Committee welcomes the anti-discrimination measures adopted by the State party, particularly those aimed at promoting a culture of understanding and tolerance. However, the Committee remains concerned that children with disabilities and children with a migration background continue to face discrimination in the State party, particularly regarding education and health-care services." No information found about the violation of nights of the child connected to work in the forestry sector		
ILO Helpdesk for Business on International Labor Standards: http://www.ilo.org/empent/areas/business-helpdesk/lang--en/index.htm	No reference to specific risks in Germany found.	Country	Low risk for violation of International Labor Standards
Committee on the Elimination of Discrimination against Women http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx (Use the link to 'Key documents' on the left hand side. Go to "observations' and search for country.) (Refer to CW Cat. 1) Or: Right top select country click on CEDAW treaty, click on latest reporting period and select concluding observations	http://uhri.ohchr.org/document/index/c66445d0-b850-4286-9b4d-51e02541e6d4?from=ru *Committee on the Elimination of Discrimination against Women*; Fiftieth session; 3 – 21 October 2011 *Response to the follow-up recommendations contained in the concluding observations of the Committee pursuant to the examination of the sixth periodic report of the State party on 2 February 2009; Germany* *The task at hand* [..] "6. The report submitted by a panel of experts in January of 2011, in preparation for the First Equality Report of the Federal Government, dated 15 June 2011, addresses the topic of pay inequality and develops recommendations for action which are currently being examined by the Federal Government. 7. The first part of this text assesses Germany's overall strategy to overcome the differences in earnings between women and men within the context of the Federal Government's strategy for sustainable development in Germany." [..] *Equal pay as an objective of the sustainability strategy*	Country	Specified risk for gender discrimination

	"10. The unadjusted gender pay gap, i.e. the difference determined between the average gross hourly wages of women and men when differences in qualifications, professions or employment biographies are not taken into account, is still 23 per cent in Germany. Among university graduates and executives, the difference is even greater. 11. The goal of the sustainability strategy is to illustrate the causes of the differences in payment between women and men and to develop ways of taking action to effectively reduce this pay gap in Germany. In this conjunction it must be made clear, which options the individual parties actively involved have and with whom cooperation can be forged. 12. In keeping with the approach of the EU Commission, the Federal Government has adopted a strategy tailored to the causes in order to overcome pay inequality. Various research projects have provided evidence of the fact that the gender pay gap can be attributed essentially to three causes: (a) Women are seldom found in certain professions, sectors and on the higher rungs of the career ladder: horizontal and vertical segregation continues to be a reality in the labor market; (b) Women interrupt and reduce their employment for family reasons more often and for longer periods than men; (c) Individual and collective pay negotiations have not been able to make a sustainable contribution toward ending the lower evaluation of "typical women's jobs". 13. Thus, (nearly) all facets of the problems encountered by women in working life come together in this pay gap – the relationship of the gross hourly wages between women and men. The limited spectrum of career chosen by women, the obstacles in their career paths, traditional role models in some social milieus, the objective and psychological difficulties involved in striking a balance between family and working life, and the accompanying hurdles encountered in re-entering the working world after a family-related interruption in employment contribute to the pay gap, along with the evaluation of typical women's occupations." [..] "16. The fact that gender-specific differences in income persist in Germany has provided the Federal Government with an impetus to redouble its efforts in this area." *Differences in earnings in Germany* "17. According to the most recent figures, the differences in pay between men and women in Germany averaged 23 per cent (gross hourly wage in 2010). In an EU comparison (using figures from 2009), Germany ranges near the end of the middle segment, in fifth-to-last place, just ahead of Austria (25.5 per cent) and the Netherlands (23.6 per cent). However, this alone is still relatively insignificant, since countries with a lower rate of female employment also often display a narrower gender pay gap." [..] "19. A differentiation must be made between this "simple" and unadjusted pay gap and the adjusted pay gap: the adjusted pay gap is calculated by comparing the gross hourly wages of women and men with the same individual characteristics, i.e., women and men with the same level of education, in the same professions and sectors, and with the same type of employment (full-time, part-time or marginal employment). Currently, the adjusted gender pay gap in Germany is roughly 8 per cent, although family-related interruptions in gainful employment have not been taken into account here. Since women and men often differ in terms of these		

	characteristics, these differences can explain part of the previously determined unadjusted pay gap and thus illustrate the extent to which pay differences can be reduced. The individual explanations are thus logical indications of where to begin combating the pay gap.”		
	http://faktenfinder.tagesschau.de/inland/genderpaygap-103.html Wage fairness: How high is the gender pay gap really? (Press release) Last update: 04.09.2017 2017 The Federal Statistical Office regularly assesses the gender pay gap, The unadjusted gender pay gap in 2014 was 21% on average, the adjusted 6%. The so-called gender pension gap is also linked to this. This describes the difference in retirement income between men and women. According to the government's response to a direct request from the Green Party it currently amounts to 53 percent. Compared to other European countries, Germany is thus on the top of the back seats. The Federal Government's goal of reducing the income gap to around 2010 to reduce to 15% could not be achieved. According to statements of the Federal Statistical Office, however, when taking into account people employed in the' Agriculture, hunting and fishing' economic sectors and' Public administration, defense; social security' as well as in micro-enterprises both in terms of the result for the unadjusted as well as for the adjusted gender pay gap.	Country	Specified risk for gender discriminati on
	https://www.oecd.org/gender/data/genderwagegap.htm According to OECD data from 2014 Germany is on rank 14 by international comparison, with a pay gap about 17%, while looking on fulltime employees.	Country	Low Risk
	https://www.bmfsfj.de/blob/81814/f9355f231eeb2f43da6dd5a7d1471e30/verdienstunterschiede-oeffentlicher-dienst-data.pdf *“The wage gap between women and men in the public and private sectors.”* *Results of the project "Differences in earnings between men and women" of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Statistical Office. Published 2009.* According to a publication of the Bundesministerium für Familie, Senioren, Frauen und Jugend (2009) the pay gap between men and women in the public sector amounts to 7.5%, compared to 19% in the private industry. Reasons are collective pay commitments for wages as well as the fact that women tend to work on more qualified positions in the public sector than in the private industry. Differences also exist with regard to the concrete working field. When looking at Eastern and Western Germany the differences in payments between men and women in the public sector, differ as well. In Eastern Germany the pay gap is almost not existing. About half of the German Forests are owned publicly. Also many public foresters support the private forest owners. In General the share of men and woman in fulltime and part-time employments is differing much. More women are still working in the low paid jobs and have to face a double burden by trying to	Country	Specified Risk

	combine family and a professional career. They are also disadvantaged in terms of payment losses in form of retirement pensions, height of income due the so-called „motherhood penalty".		
	http://www.handelsblatt.com/politik/deutschland/bezahlung-von-frauen-und-maennern-schwesig-legt-gesetzentwurf-fuer-mehr-lohngleichheit-vor/14754066.html *Salary of women and men. Schwesig presents bill for more equal pay* *Equal money for equal work - for a long time there was a dispute between CDU/CSU and SPD over the plans of Manuela Schwesig. Now the Minister of Family Affairs has a compromise in the form of legislation.* *Press release 28.10.2016* Currently the Federal Government is discussing a draft law for "more justice in payment between men and women", which should be endorsed by the 1st of July 2017. Among other things it shall include – depending on the company size -a right of information about the payment of co-workers doing a similar job. Besides that every federal state has adopted a gender equality law, which are implemented	Country	Low Risk
	http://www.genderkompetenz.info/genderkompetenz-2003-2010/gendermainstreaming/Implementierung/rollegba/gleichstellungsgesetze.html *Equality laws* *Overview of gender equality legislation in the Federal Government and the various federal states* Other activities to reduce the payment gap as well as the issue of gender inequality or discrimination gains recognition in special support programs for women, girls to get involved in technical, scientific jobs. A special representation of women´s interests in the forestry sector has been established in form of the association "Forstfrauen". http://forstfrauen.de/der-verein/	Country	Low Risk
Human Rights Watch: http://www.hrw.org/	This document contains no information that leads to a 'specified risk' designation labor rights in Germany.	Country	Low risk
Child Labor Index 2014 produced by Maplecroft. http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/	Germany scores 'low risk' on the Child Labor Index.	Country	Low risk
http://www.verite.org/Commodities/Timber (useful, specific on timber)	Germany is not mentioned on this site.	Country	Low risk for Child Labor
The ITUC Global Rights Index ranks 139 countries against 97 internationally recognized indicators to assess where workers' rights are best protected, in law and in practice. The Survey	Germany is classified in category 1: "Irregular Violation of Rights" which is the category with the least violations. "Collective labor rights are generally guaranteed. Workers can	Country	Low risk for violation of

provides information on violations of the rights to freedom of association, collective bargaining and strike as defined by ILO Conventions, in particular ILO Convention Nos. 87 and 98 as well as jurisprudence developed by the ILO supervisory mechanisms. http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en	freely associate and defend their rights collectively with the government and/or companies and can improve their working conditions through collective bargaining. Violations against workers are not absent but do not occur on a regular basis."		collective labor rights
Google the terms '[country]' and one of following terms 'violation of labor rights', 'child labor', 'forced labor', 'slave labor', 'discrimination', 'gender gap labor', 'violation of labor union rights' 'violation of freedom of association and collective bargaining'	**Gender pay gap** http://reports.weforum.org/global-gender-gap-report-2014/rankings/ *Global Gender Gap Index 2014.* The highest possible score is 1 (equality) and the lowest possible score is 0 (inequality) Germany scores nr. 12 out of 142 countries with a score of 0.778.	Country	Low risk
	http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=DEU but ranks nr. 80 on wage equality for similar work with a score of 0,63	Country	Specified risk for gender pay gap
	http://ec.europa.eu/justice/gender-equality/gender-pay-gap/situation-europe/index_en.htm **"How is the gender pay gap measured?** At EU level, the gender pay gap is defined as the relative difference in the average gross hourly earnings of women and men within the economy as a whole. In 2012, the EU average is estimated at 16.4 %. This indicator has been defined as unadjusted (e.g. not adjusted according to differences in individual characteristics or other observable characteristics that may explain part of the earnings difference) because it gives an overall picture of gender discrimination and the inequalities in the labor market that explain gender differences in pay. Key figures on equality between women and men at work in relation to the gender pay gap From the new Eurostat estimates (based on the Structure of Earnings survey), it appears that there are considerable differences between the Member States in this regard, with the gender pay gap ranging from less than 10% in Slovenia, Malta, Poland, Italy, Luxembourg and Romania, to more than 20% in Hungary, Slovakia, the Czech Republic, Germany and Austria, and reaching 30% in Estonia. However, the gender pay gap is not an indicator of the overall inequality between women and men since it only concerns salaried people. The gender pay gap must be looked at in conjunction with other indicators linked to the labor market, in particular those ones that reflect the different working patterns of women. In countries where the female employment rate is low (e.g. Italy), the pay gap is lower than average. This may be a reflection of the small proportion of	Country	Specified risk for gender pay gap

	low-skilled or unskilled women in the workforce. A high pay gap is usually characteristic of a labor market which is highly segregated, meaning that women are more concentrated in a restricted number of sectors and/or professions (e.g. Czech Republic, Estonia and Finland), or in which a significant proportion of women work part-time (e.g. Germany and Austria). Finally, institutional mechanisms and systems on wage setting can influence the pay gap." Germany's unadjusted gender pay gap in 2012 was 22.4%.		
	https://www.destatis.de/DE/ZahlenFakten/Indikatoren/QualitaetArbeit/Dimension1/1_5_GenderPayGap.html https://www.destatis.de/DE/Publikationen/Thematisch/UmweltoekonomischeGesamtrechnungen/Umweltindikatoren/IndikatorenPDF_0230001.pdf?__blob=publicationFile The Gender gap of 21.6% only result by on third (7%) through the pure gender difference. The other 2/3 can be attributed to other causes than the gender difference. The gender pay gap differs from sector to sector and Forestry / Agriculture is not mentioned under the group of highest gender pay gap. The public sector has a far lower pay gap and as nearly half of the German forest are under public management it can be assumed that the average pay gap is per average lower than the cross average. Most forest employees are public workers. http://www.oecd.org/gender/data/genderwagegap.htm	Country	Low risk
	Gender wage gap (in OECD countries) The gender wage gap in Germany in 2013 was 16.57%. The OECD average was 15.1%. (Full-time employees. The gender wage gap is unadjusted and defined as the difference between male and female wages divided by the male median wages.)	Country	Specified risk for gender pay gap
	http://doku.iab.de/forschungsbericht/2013/fb1413.pdf According to a study from IAB (2012) 33% of the people working in the forestry and agricultural sector are women. Generally 85% of the women in Germany are working in the tertiary sector, 15% in the productive sector as well as in the forestry and agricultural sector. Reasons for this are diverse.	Country	Specified risk for gender pay gap
	http://www.wiwo.de/erfolg/beruf/gehaltsvergleich-wo-frauen-aehnlich-verdienen-wie-maenner-und-wo-nicht/7213234.html?p=7&a=false&slp=false#image: According to the Federal Statistic Office in Germany the gender pay gap between men and women in the forestry and agricultural sector amounts to 13%, which is below the average of 21%, but still considerable.	Country	Low Risk
	http://www.hwwi.org/publikationen/research-paper/publikationen-einzelansicht/potential-effects-of-a-statutory-minimum-wage-on-the-gender-pay-gap-a-simulation-based-study-for-germany.html?no_cache=1 Selected results of the descriptive statistics in the study of Hamburgisches WeltWirtschaftsInstitut (2015) show that women often have employed in small enterprises, are more often employed in part-time or slightly employed. But are also more likely than men to have an academic degree. Women would be more affected from the introduction of minimal wages (17,5%) than men	Country	Low Risk For gender pay gap

	(7,2%). The simulation also predicts that a minimal wage would also reduce the pay gap between men and woman. Main factors for the manifested gender pay gap are the following: - Branch - Volume of employment - Employment history - Position - Size of enterprise - Occupational category Besides that there remains an undefined pay gap of about 5%.		
	Forced Labor http://www.antislavery.org/english/slavery_today/forced_labour/default.aspx "Forced labor is a global problem, although some regions have larger numbers of people affected than others. The regional distribution of forced labor is: • Asia and Pacific: 11.7 million (56%) • Africa: 3.7 million (18%) • Latin America and the Caribbean: 1.8 million (9%) • The Developed Economies (US, Canada, Australia, European Union, Japan, Australia, New Zealand, Japan): 1.5 million (7%) • Central, Southeast and Eastern Europe (non EU) and the Commonwealth of Independent States (CSEE): 1.6 million (7%) • Middle East: 600,000 (3%) The International Labor Organization (ILO) estimates that there are at least 20.9 million people in forced labor worldwide. The figure means that, at any given point in time, around three out of every 1,000 persons worldwide are suffering in forced labor." http://www.globalslaveryindex.org/country/germany/ According to the Global Slavery Index Germany ranks among the countries with a low slavery index (0,02% estimated percentage of the population). https://www.thuenen.de/media/publikationen/thuenen-workingpaper/ThuenenWorkingPaper_48.pdf Becher comes to the result that 67.993 have been working in the forestry sector in 2013. Half of the people working in the forestry sector are liable to insurance deductions, around 2000 are marginally occupied. These statistics lead to the conclusion that the majority of workers engaged in the forestry sector are covered by the legal requirements respectively labor inspection systems.	Country	Low risk for forced labor Low risk for forced labor Low risk for forced labor

	http://www.bmi.bund.de/cae/servlet/contentblob/132454/publicationFile/13166/Der_oeffentliche_Dienst_in_Deutschland_Id_21754_de.pdf http://www.bmi.bund.de/cae/servlet/contentblob/132454/publicationFile/13166/Der_oeffentliche_Dienst_in_Deutschland_Id_21754_de.pdf The forest sector is mainly under management of public authorities. A statistical analysis of the BMI (2004) states that around 25.000 people are working for public authorities in the agriculture and forestry sector. On the other hand the degree of mechanization related to logging activities is very high – in contrast to the agricultural sector. On the other hand the existing associations for subcontractors in the forestry sector are very active to set up certifications for subcontractors to guarantee a standard for health and safety issues as well as wages, e.g. DFSZ (http://www.alko-cert.de/zertifizierungen/dfsz/) or RAL Certificate GZ 244 (http://www.ral-ggwl.de/index.php/wir-zertifizieren-betriebe-fuer/7-guetezeichen-holzernte-ral-gz-244-1), tqforst-Certificate and the KFP-System (http://www.fv-niederbayern.de/). The FSC and PEFC forest certification schemes both require such certificates, which cover more 75% of the forest area in Germany (https://www.bfn.de/24262.html).		Low risk for forced labor
	Work discrimination: https://www.rt.com/news/germany-work-discrimination/ **Work discrimination – silence matter in Germany** Published time: 23 Feb, 2010 04:51 “Hundreds of thousands of people suffer from discrimination and harassment by colleagues and bosses in Germany every day. However, many do not speak out for fear of being unpopular at work or even losing their jobs. Happy days are here again at Sedika Weingaertner’s home. But for years this wife, mother of four and former executive says her home life and health were harmed due to discrimination. Sedika worked for Siemens in Nuremberg, Germany from 2001 until she was fired in 2009. She contends that she was mistreated because she is a woman and because she is not of German descent. [..] The ex-exec has launched a lawsuit against Siemens. The company declined to be interviewed, but issued a statement that insists an internal investigation found no basis for the allegations. “The company tolerates no discrimination. Suspected infringements are rigorously pursued,” the statement said. Sedika’s case could set a major precedent. It is estimated that 1.5 million workers a day in Germany are victims of on-the-job bullying. Many suffer in silence, afraid that speaking out could cause even more harm. Germany is watching the suit closely as it struggles with integration and discrimination.	Country	Specified risk for work discriminati on at workplace

	“First of all, we seriously do have a problem with discrimination,” said an expert on integration and migration, Gunilla Fincke. Fincke has worked to improve integration for 10 years, and points out that Germany has only had anti-discrimination legislation since 2006. [..]” http://www.stepstone.com/about-stepstone/press/article?aid=643 **Employees face discrimination at work** A StepStone survey reveals that almost 40% of employees witness discrimination against their colleagues “Brussels, March 2013. Discrimination persists in today’s workplace: 14% of European employees witness discrimination on a regular basis, while 25% have come across it at least once in their working lives. These are the findings from a recent survey conducted by StepStone that involved over 7,400 participants in Europe. When StepStone asked employees in Europe if they had ever witnessed any kind of discrimination at work, 40% responded positively, and 14% said they come across it quite frequently. Only half of European employees say they have never witnessed any kind of discrimination at work. The remaining 10% of our respondents couldn't remember whether they had or not. Belgium is where employees witness discrimination most often, with 46% of respondents from that country reporting discrimination in their workplace, and 22% saying they come across it regularly. Belgium is followed by Sweden and Austria with, respectively, 43% and 42% of employees reporting discriminatory behavior at work. In contrast, France is the country where people are least likely to face discrimination at work — 55% of employees stated that they have never witnessed discrimination in the workplace. Discrimination is also less prevalent in Germany, Denmark and the Netherlands, where between 52% and 53% of employees say they have never come across it.” https://www.berufsstrategie.de/bewerbung-karriere-soft-skills/mobbing-am-arbeitsplatz.php http://www.dgb.de/mobbing-am-arbeitsplatz-was-tun-bei-mobbing-durch-chef-oder-kollegen https://www.arbeitskammer.de/publikationen/info-faltblaetter/gesundheits-und-arbeitsschutz/mobbing-und-psychosoziale-belastungen-am-arbeitsplatz.html Mobbing is a problem that unfortunately exists in many working environments. Mobbing has been identified as a serious problem by the EU countries and is receiving a growing lobby in terms of protection measures for mobbing victims. A clear juridical definition of mobbing does not exist in Germany at the moment, there is also no legal control, but Art.1 and Art.2 of the German Constitution (Grundgesetz) as well the Arbeitsschutzgesetz and Art.3 of the AGG offers possibilities for action and protection. (Sexual) Assaults, false accusations, dismissals are matters of fact. Several law cases exist to deal with that issues:		Specified Risk for discriminati on at workplace Low Risk for work discriminati on

	• BAG, Urteil vom 25. Oktober 2007: Ansprüche gegen den Arbeitgeber wegen Mobbing.[11] • BAG, Urteil vom 16. Mai 2007: Ansprüche auf Schadenersatz, Schmerzensgeld gegen den Arbeitgeber wegen Mobbing; Berücksichtigung von zurückliegenden Mobbinghandlungen, die vor/außerhalb der − hier sechsmonatigen − Ausschlussfrist vorgetragen wurden, wenn diese mit den letzten Mobbinghandlungen im Zusammenhang stehen.[10] • LAG Baden-Württemberg, Urteil vom 12. Juni 2006.[12] • LAG Thüringen, Urteil vom 28. Juni 2005: Grundsatzurteil, Einhaltung der Menschenwürde am Arbeitsplatz.[13] • LAG Thüringen, Urteil vom 10. April 2001: Grundsatzurteil, Mobbing eines Sparkassenabteilungsleiters durch andauernde Schikanen und Herabwürdigungen, die in eine Degradierung um sechs Gehaltsstufen mündeten.[14] • LAG Thüringen, Urteil vom 15. Februar 2001: Grundsatzurteil, Mobbing als Grund für eine fristlose Kündigung.[15]		
	Sociocultural discrimination http://www.todayszaman.com/diplomacy_turkish-job-applicants-exposed-to-discrimination-in-germany_333355.html Today's Zaman **Turkish job applicants exposed to discrimination in Germany** "Turkish immigrants, the most common victims of discriminatory and racist treatment in Germany due to their large numbers in the country, are exposed to prejudice within the workplace or when looking for a job, according to German politicians and representatives of nongovernmental organizations. Discrimination and racism are problems that immigrant groups have faced in Germany for many years. Turkish migrants, who constitute Germany's largest migrant group at over 3 million people, can be victims of discrimination and racism not only in their daily lives, but also when looking for work and even in their existing jobs. The European Union Agency for Fundamental Rights (FRA) EU Minorities and Discrimination Survey, published in 2009, found that 28 percent of Turkish migrants in Germany faced discrimination while looking for work and 23 percent had experienced discrimination at work. Another survey, conducted by Liljeberg Research International and Info GmbH with the participation of 1,011 Turkish migrants in Germany, in October 2013, revealed that one out of four respondents say they have been exposed to verbal harassment or insults because of their appearance, while one out of ten participants say have been exposed to violence based on their ethnicity. The survey also revealed that of respondents who are graduates of primary and secondary schools, 10 percent say their job applications have been declined because they have	Country	Specified risk for sociocultural discrimination at workplace

	Turkish names. According to the survey, this proportion increases up to 30 percent for Turkish migrants who have graduated from higher education. Responding to these statistics, Turkish-German Culture and Integration Association (TANDEM) President Nail Alkan, speaking with Sunday's Zaman, admitted that higher numbers of educated immigrants work below their qualifications in Germany than in other European countries, adding that therefore some Turkish migrants prefer to move to other European countries or return to Turkey. “According to a report from Konstanz University, Turks say they have a lower chance of getting a job because they have Turkish names. The report says that job applicants with Turkish names have a 14 percent lower chance of getting a job compared with German applicants. We can define this as socio-cultural racism. Furthermore, the neo-Nazi murders and other attacks that targeted Turks in Germany showed that this socio-cultural racism can also have a brutal face.” [..] Turkey Research and Compliance Inspection Center (ZfTI)'s scientific director, Dr. Hacı Halil Uslucan, told Sunday's Zaman that almost all statistics show that people of Turkish origin are at a disadvantage when looking for a job or receiving vocational education in Germany. “Society has to fight against any kind of prejudice, not only against Turkish migrants but also other migrant groups in Germany. For example, employers who pay less to migrant workers in the workplace should be severely punished. The importance of cultural and religious pluralism should be made clear to society by the top figures of Germany.””		
	http://www.dw.com/en/day-to-day-business-of-racial-discrimination-in-germany/a-15629838 **Foreign names lead to discrimination** “"It's not uncommon for foreign-sounding applicants' documents to be put to one side," Nuran Yigit from the anti-discrimination network Berlin (ADNB) told Deutsche Welle. The Institute for the Study of Labor (IZA) corroborated Yigit's view. In order to research the phenomenon, the institute sent applications for internships to various organizations, only to discover that fictitious applicants with Turkish-sounding names were 14 percent less likely to be offered an internship than those with German-sounding names and the same qualifications.”	Country	Specified risk for sociocultural discrimination at workplace
	See this research at: http://ftp.iza.org/dp4741.pdf “This paper studies ethnic discrimination in Germany’s labor market with a correspondence test. To each of 528 advertisements for student internships we send two similar applications, one with a Turkish-sounding and one with a German-sounding name. A German name raises the average probability of a callback by about 14 percent. Differential treatment is particularly strong and significant at smaller firms at which the applicant with the German name receives 24 percent more callbacks. Discrimination disappears when we restrict our sample to applications including reference letters which contain favorable information about the candidate’s personality. We interpret this finding as evidence for statistical discrimination.”	Country	Specified risk for sociocultural discrimination at workplace
	http://en.trend.az/world/turkey/2256653.html **Ethnic-Turks 'face German job market discrimination' by Trend News agency**	Country	Specified risk for sociocultural

	“A youth with a Turkish name in Germany faces more hurdles than a candidate with a German one when it comes to finding a vocational training position, a recent study has revealed, Anadolu agency reported. "An applicant with a German name gets an appointment for a job interview in his or her fifth application on average," a recent study by the Expert Council of German Foundations on Integration and Migration (SVR) has concluded. "When an applicant with the same qualifications, but with a Turkish name, applies for the exactly same firms, he or she can get an appointment only in his or her seventh application," it said. As part of the study, experts at the SVR prepared fictitious CVs with the same qualifications and randomly assigned Turkish and German-sounding names to them for vocational training positions in private firms. Applications were sent to 1,800 firms in automotive and commercial fields. The responses showed that Turkish-named candidates were discriminated against, even though they had similar qualifications with candidates with German-sounding names. - Negative attitudes SVR's "Discrimination At the Vocational Training Market" study concluded that Turkish young immigrants had to submit 1.5 times more applications in order to get a positive reply for an interview. [..]” See link to the study and its summary in English: https://www.stiftung-mercator.de/media/downloads/3_Publikationen/SVR_Summary_Discrimination_on_the_training_market_engl_March_2014.pdf		discrimination at workplace
	http://www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2016/05/studie-beschaeftigte-mit-migrationshintergrund-in-bundesverwaltung.html https://www.bundesregierung.de/Content/DE/_Anlagen/IB/2016-05-26-Ergebnisbericht-Beschaeftigte-Migrationshintergrund.pdf?__blob=publicationFile&v=1 A recent study of the Federal Ministery of the Interior (2016) tried to estimate the share of people with a migration background working for federal authorities. The study shows that the share of employees with a migration background aggregates to 14,8% (average), compared to the private industry they are underrepresented (20,1%). Employees with a migration background are rather young women, belonging to the second generation of migrants. Employees with a migration background are less frequently tenured, less frequently have a permanent employment contract and are more often in the lower service class. Even though this imbalance exists, Germany tackles this issue via different instruments, e.g. the study has been undertaken in context with the National Integration Action plan and struggles for improvement and transparency. There is no special reference to people working in the forestry sector, describing a higher imbalance.	Country	Low Risk for sociocultural discrimination
	https://www.igbau.de/Binaries/Binary25280/FM2004-2014.pdf **http://qff-ev.de/wp-content/uploads/2014/04/forstwirt-zahlen-daten-fakten-.pdf** The proportion of foreigners in vocational trainings in the agricultural and forestry sector rose to more than five percent in 2012. Throughout the agricultural economy the proportion of foreigners on the comparison last ten years at less than one percent. Looking at the years from 2005 to	Country	Low Risk for sociocultural discrimination

	2012 the percentage is even slightly lower. In fiscal entire forest area in 2012 only three people had foreign roots (0.17 percent).		
	https://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/WorkingPapers/wp36-migranten-am-arbeitsmarkt-in-deutschland.pdf?__blob=publicationFile The integration report from the Bundesamt für Migration und Flüchtlinge (2011) shows that foreign workers are more frequently working in the primary sector (agriculture and forestry, manufacturing industry) than German workers.	Country	Low Risk for sociocultural discrimination
	http://www.berlin-institut.org/?id=746 - "…Only since 2005 have university graduates had the chance to find a job after their graduation with the establishment of a twelve month grace period by the German government. However, in addition to these graduates, approximately half a million immigrants live in Germany with a foreign education that is not recognized by the state. Their integration is therefore not furthered, but rather, hindered. In March 2011, the German government put forth draft legislation that would change this…" - "…A study by the OECD related to the offspring of migrants found that the second generation has worse prospects in the job market than those of non-migrants, even with the same level of education. In Belgium, Austria and Germany, it was observed that the children of Turkish immigrants especially have the highest employment deficit among migrants. Young people with a migration background are underrepresented in public administration in Germany. Only about three percent work in a public school as a teacher, are police officers or are employed in the registry office. In no other country were the proportions lower. Not only do the lower skills of migrants in comparison to people without a migration background mean that many migrants move back, but also the scarce opportunities for the second generation to advance. As the networks within migrant groups become more important, it is possible for the discrimination to affect the trust in German society. Ethnic enclaves, however, obstruct the acquisition of language competence and other skills that are important for social, cultural and economic participation…."	Country	Specified risk for sociocultural discrimination
	http://www.antidiskriminierungsstelle.de/SharedDocs/Aktuelles/DE/2016/20160809_AGG_Evaluation.html **http://www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/AGG/AGG_Evaluation.pdf?__blob=publicationFile&v=14** In 2006 Germany has implemented a "Law for Equal Treatment" (Allgemeines Gleichbehandlungsgesetz (AGG). Its object is to prevent or eliminate discrimination because of racial or ethnic origin, gender, religion or belief, disability, age or sexual identity. The focus is on protection against discrimination in employment or occupation, but the AGG also provides rules for the protection against discrimination in civil law. Since 2006 more than 15.000 people have asked for advice or support at the "Anti-Discrimination-Office". In 2016 the AGG was jurisprudentially evaluated, improvements and amendments have been proposed. The AGG also involves the collaboration with NGOs etc. that support all relevant people, provide information and elucidation.	Country	Low Risk for sociocultural discrimination

	Combined with the implementation of the AGG the Government has established an anti-discrimination office “Antidiskriminierungsstelle des Bundes (ADS)” that shall support the implementation of the law as well as support all relevant people. The ADS offers counselling, support, does awareness rising to prevent or mitigate discrimination. Besides that ADS does research. Every four years the ADS reports to the Bundestag about the status quo of discrimination.		
	Discrimination against handicapped people: **http://www.faz.net/aktuell/beruf-chance/recht-und-gehalt/arbeitsmarkt-warum-arbeitgeber-sich-von-der-behinderten-quote-freikaufen-12686091.html** **http://behinderung.org/gesetze/schwbg.htm** The rights of handicapped people are protected via the AGG as well as “Schwerbehindertengesetz” (SchwbG) in Germany. Companies with more than 20 employees have to give at least 5% of its workplaces to people with handicaps, otherwise they have to pay a fine. For Germany the quota is 4.6%, but deviations are especially existing in small companies. Also the public service has to employ handicapped people. For open job positions a handicapped person with the same qualifications has to be preferred. In reality the quota of 5% is not reached due to different reasons. Worker associations, employers association as well as interest representatives are aware of that fact and trying to solve the problem and provide information and solutions. We could not detect any statistics about the quota for handicapped people within the forest sector. **http://www.bug-ev.org/links/beratungsstellen.html** **http://www.aktiv-gegen-diskriminierung.de/linkliste/** A variety of helpdesks, as well as NGOs are working on federal, regional or local level to prevent discrimination and support all relevant people. **http://www.ada-bremen.de/ada/** ADA – Antidiskriminierung in der Arbeitswelt is a pilot, that project has been started in Bremen to tackle the issue of discrimination in the working environment offers support and counselling, offers seminars and presentations etc. ADA works in close cooperation with local partners, federal support programs as well as the major social associations in Germany.	Country	Low Risk Low Risk Low Risk
Additional general sources	**Additional specific sources**		
No additional sources found when searching for discrimination in specific sectors or specific information of discrimination in the German forest sector	**These questions where sent to FSC Germany on 22-10-2015:** “What kind of workers in the forestry sector are civil servants (Beamte)? I know that Förster can be civil servants, although not all are. But I am wondering whether other person working in the forestry for local or regional governments also can be/are civil servants? If that is the case, then the ILO is of the opinion that C98 is not fulfilled.” **Reply from Ulrich Malessa, FSC Germany, on 28-10-2015**:	Country	Low risk

	“Hier nur kurz die Rückmeldung von unserem IG BAU Kontakt, Volker Diefenbach (im Vorstand des FSC Deutschland) zu der Frage: "Hier gibt es 17 + x Varianten (16 Länder + der Bund + Kommunen + Verbände).Grundsätzlich können Beamte nur im öffentlichen Wald bzw. öffentlichen Organisationen (Landwirtschaftskammer, ...) beschäftigt sein. Der Beamtenstatus beschränkt sich auf "Förster" (Absolventen von Fachhoch- und Hochschulen). Wenn lokalen und regionalen öffentlichen Stellen zum Beispiel Landesforstverwaltungen, Kommunalforstämter o.ä. gemeint sind kann es hier auch Beamte geben, allerdings auch hier auf die o.g. Förster-Definition beschränkt. Arbeitnehmer im deutschen Sinne sind nie Beamte."”		
	Follow up request to FSC Germany: With the limited information at hand we have to conclude a specified risk of limited rights to collective bargaining for foresters who are civil servants (Beamte). Please do additional research within your network and further assess this issue. You could contact the Bund Deutscher Forstleute (BDF) (Federation of German Foresters), and ask these questions: - Is it correct that there are civil servants working as foresters (Förster) that execute task for which the so-called Beamtenstatus is not necessary because the task are not related to State Administration services, and who for that reason have lesser rights for collective bargaining than other civil servants (Angestellte im Öffentlichen Dienst)? - Do the representatives of these foresters, do you consider this situation as discrimination?		Low Risk
	Answer from BDF to FSC Germany 14-11-2016: The juxtaposition of the two status groups "tariff workers" and "officials" is a reality in Germany. Both status groups are also organized in the same trade unions. Even if the strike prohibition applies to civil servants, the development of their income is more or less linked to the wage agreements achieved for the tariff workers. The freedom of coalition is, therefore, not restricted in principle to the tariff workers or the officials. In the forest sector in Germany, the number of employees employed by collective bargaining and the number of employees who are employed have declined for more than 10 years. In the period under discussion, forestry and forestry tasks were largely separated organizationally. Examples: -Bayern: Bavarian Forestry Administration - Bayerische Staatsforsten (Anstalt) -Sachsen: company Sachsenforst (own enterprise) - sovereignty: relocation to the counties The different status groups "tariff workers" and "civil servants" are not considered by the BDF as a core problem with regard to the risk assessment of "controlled wood"!		Low Risk

	Answer from IGBAU (forest workers union) representative on the board of FSC Germany as of 16-11-2016: The issue is of low relevance for IG BAU.		Low Risk
From national CW RA: FSC Controlled Wood Risk Assessment for Germany Assigned code: FSC-CWRA-007-DEU (V 3-1) (Approved: 03 June 2011)	"FSC Germany is not aware of any instances of child labor or of any violations of fundamental principles and rights of the International Labor Organization (ILO) occurring at work places in the forestry sector in Germany (STD40 005; Anh. 2B; 2.3)."	Country	Low risk
Conclusion on Indicator 2.2: <u>'Low risk' thresholds are met:</u> Threshold (10): Applicable legislation for the area under assessment covers the key principles recognized in the ILO Fundamental Principles and Rights at work (which are recognized as: freedom of association and right to collective bargaining; elimination of forced and compulsory labor; eliminations of discrimination in respect of employment and occupation; and effective abolition of child labor), AND the risk assessment for relevant indicators of Category 1 confirms enforcement of applicable legislation ('low risk'). Threshold (12): Other available evidence does not challenge a 'low risk' designation. Risk designation: Thresholds 10 and 12 are met, therefore the risk designation for indicator 2.2 is 'low risk'. Summary of findings: • Social rights are covered by the relevant legislation. • Rights like freedom of association and collective bargaining are upheld, except for foresters who are civil servants (Beamte). Experts of the Federation of German Foresters don´t consider this to be a core problem, but as negligible risk. • There is evidence confirming absence of compulsory and/or forced labor. • There is evidence confirming absence of child labor. • The country is signatory to the relevant ILO Conventions and these Conventions are *in force*. • Gender pay gap: Numbers and studies give evidence to an existing gender pay gap in Germany. The unadjusted gender pay gap in Germany is between 16.5 and 22.5%. According to the *Global Gender Gap Index 2014,* Germany ranks nr. 12 out of 142 countries. On a global scale this is considered to be a *low risk*. According to the Federal Statistic Office in Germany the gender pay gap between men and women in the forestry and agricultural sector amounts to 13%, which is below the German average of 21%.Generally the forestry sector is still a male dominated business sector, only every forth employee is a woman. Reasons for that are not so easy to detect as they can be traced back to the historical role models of men and women, forestry being mainly a male field of expertise in the past, partly still persisting, personal interests, policy work for families (including day care opportunities) general decrease of employment possibilities in the forest sector etc. Also workers associations such as IG BAU tackle the issue of equal payment for women in the forestry sector. The gender pay gap is less prevalent for the forestry sector. Most workers in the forestry sector are bound to collective payment agreements ("Tarifverträge"), at least half of them in the public sector (gender pay gap on low levels) and a relevant share in East-Germany (gender pay gap on low levels). Gender pay inequalities have already been identified as a problem by many political and civil society actors. In recent years, numerous measures, laws and instruments have been developed to reduce the negative effects. Because of the		Country	Low risk

opportunities for women in Germany to express themselves freely for their rights and because of existing legislation to protect women's rights to close this gap and because of support programs for women in technical professions or management positions, the is no danger of serious discrimination. • Sociocultural discrimination There is evidence of structural socio-cultural discrimination at the workplace. Germany tackles this issue via different instruments, e.g. studies have been undertaken in context with the National Integration Action plan and there are measures to improve transparency. There is no special reference to people working in the forestry sector describing a higher imbalance. • Discrimination at workplace Germany is in the process of implementing European legislation and strengthening civil society measures to address these problems. The fact that the German government and non-governmental organizations are active in the field of combating discrimination, carry out surveys, offer access to advice and legal instruments and that these findings and legal cases are public, shows the existing / increasing sensitivity. With regard to this issue, freedom of expression, freedom of information and legal recognition, there is no clear evidence of high risk in the forestry sector or that this risk is comparatively high. There are indications that confirm for a low incidence of forms of discrimination in relation to employment and/or occupation and/or gender and indications of occurrence. Instances of reported discrimination in the workplace are not widespread and no specific cases have been found in forestry. This is also confirmed by an expert survey. While taking the precautionary approach into consideration, the evidence found does not challenge a ‘low risk‘ designation.		

Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.

Guidance:

- Are there Indigenous Peoples (IP), and/or Traditional Peoples (TP) present in the area under assessment?
- Are the regulations included in the ILO Convention 169 and is UNDRIP enforced in the area concerned? (refer to category 1)
- Is there evidence of violations of legal and customary rights of IP/TP?
- Are there any conflicts of substantial magnitude [footnote 6] pertaining to the rights of Indigenous and/or Traditional Peoples and/or local communities with traditional rights?
- Are there any recognized laws and/or regulations and/or processes in place to resolve conflicts of substantial magnitude pertaining to TP or IP rights and/or communities with traditional rights?
- What evidence can demonstrate the enforcement of the laws and regulations identified above? (refer to category 1)
- Is the conflict resolution broadly accepted by affected stakeholders as being fair and equitable?

General sources from FSC-PRO-60-002a V1-0 EN	Information found and specific sources	Scale of risk assessment	Risk indication
ILO Core Conventions Database http://www.ilo.org/ilolex/english/docs/declworld.htm - ILO Convention 169	http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102643 Germany did not ratify Convention 169. Therefore this source does not provide information on its implementation by Germany.	Country	Specified risk for ILO 169
Survival International: http://www.survivalinternational.org/		Country	Low risk

Human Rights Watch: http://www.hrw.org/ Amnesty International http://amnesty.org The Indigenous World http://www.iwgia.org/regions United Nations Special Rapporteur on the rights of indigenous peoples http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx UN Human Rights Council Universal Periodic Review http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx UN Human Rights Committee http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx search for country Also check: UN Committee on the Elimination of All Forms of Racial Discrimination http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx Intercontinental Cry http://intercontinentalcry.org/ http://www.scribd.com/doc/216154458/Indigenous-Struggles-2013 http://intercontinentalcry.org/wp-content/uploads/2013/01/Indigenous-Struggles-2012.pdf Forest Peoples Programme: www.forestpeoples.org FPP's focus is on Africa, Asia/Pacific and South and Central America. Society for Threatened Peoples: http://www.gfbv.de/index.php?change_lang=english Regional human rights courts and commissions: - Inter-American Court of Human Rights http://www.corteidh.or.cr/index.php/en - Inter-American Commission on Human Rights http://www.oas.org/en/iachr/ http://www.oas.org/en/iachr/indigenous/ - African Commission on Human and Peoples' Rights - African Court on Human and Peoples' Rights - European Court of Human Rights	No sources mention IP/TP presence in Germany, neither the sources that give overviews, such as The Indigenous World, nor could any report or website be found mentioning or claiming IP/TP presence or a discussion or debate about such a presence.		

Data provided by National Indigenous Peoples', Traditional Peoples organizations;			
Data provided by Governmental institutions in charge of Indigenous Peoples affairs;			
Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing);			
National land bureau tenure records, maps, titles and registration (Google)			
Relevant census data			
- Evidence of participation in decision making; (See info on implementing ILO 169 and protests against new laws) - Evidence of IPs refusing to participate (e.g. on the basis of an unfair process, etc.); (See info on implementing ILO 169 and protests against new laws)			
National/regional records of claims on lands, negotiations in progress or concluded etc.			
Cases of IP and TP conflicts (historic or ongoing).) Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes)			
Social Responsibility Contracts (*Cahier des Charges*) established according to FPIC (Free Prior Informed Consent) principles where available			
Google the terms '[country]' and one of following terms 'indigenous peoples organizations', 'traditional peoples organizations', 'land registration office', 'land office', 'indigenous peoples', 'traditional peoples', '[name of IPs]', 'indigenous peoples+conflict', 'indigenous peoples+land rights'			
Additional general sources for 2.3	**Additional specific sources**	**Scale of risk assessment**	**Risk indication**
Not applicable			
From national CW RA: FSC Controlled Wood Risk Assessment for Germany Assigned code: FSC-CWRA-007-DEU (V 3-1) (Approved: 03 June 2011)	"Recognized and fair processes regulating conflicts surrounding traditional rights, including land use, are anchored in the German legislation. Some such conflicts arose in the federal states formerly belonging to East Germany (German Democratic Republic) following German reunification in 1990. The German authorities systematically pursued and processed these cases according to due legal process (STD40 005; Anh. 2B; 2.4). There are no indigenous populations in the Federal Republic of Germany, as defined by the United Nations (see also German FSC Standard, Principle 3) (STD40 005; Anh. 2B; 2.5)."	Country	Low risk

Conclusion on Indicator 2.3: There are no indigenous peoples and no traditional peoples in Germany. **Therefore the following 'low risk' thresholds apply:** (16) There is no evidence leading to a conclusion of presence of indigenous and/or traditional peoples in the area under assessment; AND (21) Other available evidence do not challenge 'low risk' designation.	Country	Low risk

Controlled wood category 3: Wood from forests in which high conservation values are threatened by management activities

Overview

Assessment methods

The assessment method employed for the risk assessment is based on findings from the pilots and the initial experiences made by FSC International since the introduction of the policy FSC-PRO-60-002a V1-0.

The assessment scheme follows three fundamental questions:

- Is the conservation value as stipulated in the indicator and defined for Germany present?
- If yes, does forest management represent a threat?
- If yes, are protection mechanisms in place, are these sufficiently effective or, if impairments do exist, are compensation and correction measures, possible?

The assessment proceeds by means of a research of literature and 'grey' sources such as internet sources, expert statements and protocols, progressing from the general to an ever increasing level of detail, so that an information base is created. Employing the above sequence of questions, as soon as the finding 'low risk' can be arrived at, no further research pertaining to the subsequent questions need be pursued.

Essentially there are three situations to come to an assessment:

- Based on sufficient information the three questions can be answered with the 'low risk.' For this to occur, the information base must be such that there are no substantive suggestions that a 'specified risk' exists.
- Based on sufficient information the three questions can be answered with the conclusion 'specified risk'. It is necessary to countercheck whether there may in fact be indications for a classification.
- If there is evidence for either 'low risk' and 'specified risk', then according to paragraph 2.4.4 of FSC-PRO-60-002a the precautionary approach and the weighing of the rating tends to be 'specified risk' and consequently control measures need to be suggested, However, the precautionary principle is only applied, if the assessment is decided on the last question of the decision tree and 'low risk' is assumed here.

Figure 1 illustrates the approach and the application of the risk assessment by enterprises wishing to declare wood sourced in Germany as FSC controlled wood.

When assessing whether sufficient protection measures are in place, and whether these are effective, the three questions below are asked in sequence:

- Are protection measures in place?
- If yes, the following question applies: Are the specified protection measures sufficiently effective to control threats?
- If no, the following question applies: Do compensation or corrective measures apply, after violations of or non-compliance to protection measures took place?

If one these specific questions lead to negative results, the risk classified as 'specified risk'.

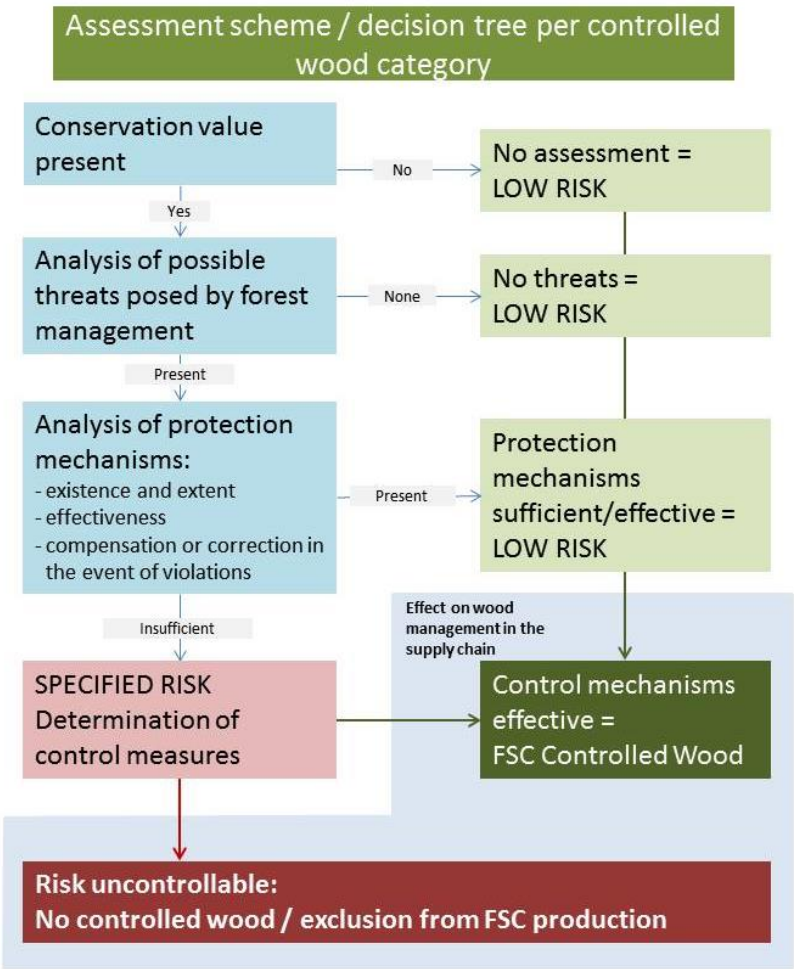


Figure 1: Method for the assessment of controlled wood category 3 ‘high conservation values’

Definition of the categories for high conservation values

High conservation values (HCVs) refer to biological, ecological, social or cultural values of exceptional or key significance. There are six HCV categories that are taken into consideration (Brown et al. 2014).The following definitions taken from the German FSC Forest Standard (version 3 adopted by the membership on 29 June 2016) are applied for the purposes of the risk assessment:
HCV 1 Species diversity. Concentration of biological *diversity* including endemic, *rare* and *endangered* species of significance on a global, regional or national level.
Definition for Germany: Occurrence of *strictly protected species*.

HCV 2 *Landscape ecosystems* and mosaics. Large *landscape ecosystems* and ecosystem mosaics of significance on a global, regional or national level and which contain viable populations of the large majority of the naturally occurring species in their natural composition with respect to distribution and frequency.

Definition for Germany: In Germany these are all forests subject to a protection status under German nature conservation law and that are of national significance. These are designated national parks, biosphere reserves, SACS areas (Special Areas of Conservation, meaning areas protected under the Habitat Directive and Birds Directive), SPAs (Special Protection Areas). (Note: excluded are *natural monuments*, *protected landscape components*, *landscape protection areas*)

HCV 3 *Ecosystems* and *habitats*. Rare, threatened or endangered *ecosystems*, *habitats* and *refuges*.

Definition for Germany: In Germany these are nature protection areas, mapped SAC habitat types (with the exception of the beech habitat types 9110 and 9130), biotopes protected under the German federal nature conservation act (BNatSchG, §30) and the state nature conservation laws, and the protection forests designated under the state forest laws insofar as they serve the *protection* or the promotion of certain species, forest associations or forest biotopes.

HCV 4 *Special ecosystem services*. Fundamental, *endangered ecosystem services* including the *protection* of water catchment areas and protection against the erosion of endangered soils and slopes.

Definition for Germany: In Germany these are forests bearing a legally binding protection status and which fulfil the following functions (in accordance with the federal forest act, §12): *protection* against damaging environmental influences sensu the German federal emissions protection act (Bundes-Immissionsschutzgesetz, BImSchG) of 15 March 1974 (Bundesgesetzblatt I, p. 721), erosion by water and wind, desiccation, damaging run-off of precipitation and avalanches.

HCV 5 *Needs of the resident communities*. Sites and resources satisfying the basic needs of *resident communities* and *indigenous populations* (for their basis of existence, health, nutrition, water, etc.); identified with the *participation* of the *local communities/indigenous population*.

Definition for Germany: Official recreation forest and forests with a level 1 *recreation function* according to the national map of forest function.

HCV 6 Cultural values. Sites, resources, *habitats* and *landscapes* of global or national cultural, archaeological or historical significance and/or or key cultural, ecological, economic or religious significance for the traditional cultures of the *resident communities* or *indigenous population*; identified with the *participation* of the *resident communities* and *indigenous population*.

Definition for Germany: In Germany these include woodland cemeteries, relicts of historical forms of land use worthy of conservation (coppice and coppice-with-standards forests, forest pasture) and monuments of built and archaeological heritage identified by regulatory agencies.

General Remarks

Nature conservation and species protection as well as biodiversity conservation are already incorporated in the German legislation both at federal and state level. The precautionary principle (risk prevention and resource provision) is the guideline of environmental policy and legislation in Germany (UBA website 2015). The precautionary principle and, if applicable, associated interventions and conversions in the landscape, also outside protected areas, are generally covered by the Intervention Compensation Scheme (Eingriffs- und Ausgleichs-Regelung) (§13, 15, 17 BNatschG) with the basic idea of a general prohibition of deterioration for the state of nature and landscape in Germany. The legislator demands that primarily avoidable impairments of nature and landscape should be avoided. Unavoidable adverse effects must be compensated by measures of nature conservation and landscape management (compensation and replacement measures) (Ausgleichs- und Ersatzmaßnahmen). If the impairments cannot be avoided or compensated for, the interests of nature conservation and landscape management must be weighed against other public concerns/interests and justifications must be provided (BfN 2002/2007). In particular, ecosystem functions should not be impaired and biodiversity should be preserved.

For example, the German Federal Nature Conservation Act (BNatSchG) regulates the general protection of nature and landscape, the protection of certain parts of nature and landscape as well as of wild animal and plant species. Species and area protection, recreational use, provision for fines and penalties are addressed as well (BfN 2009). But also an adapted forest management compatible and connected with nature conservation aspects is reflected. Each federal state has its own land conservation law, which is linked to the Federal Nature Conservation Act according to Art. 72 GG.

Forest management measures are subjected to the Federal Forest Act (BWaldG) (BMEL 2015) and the State Forest Acts (LWaldG), which fulfill the requirements of the BWaldG and require management and site planning. The occurrence of special conservation values is also considered, i.e. in forest management plans. §11 of the BWaldG requires on principle to consider the forest function “ecosystem” (BMEL 2015) in forest management activities.

Experts consulted

	Name	Organization	Area of expertise (category/sub-category)
1.	Anonymous	Relevant Environmental NGO in Germany	Forester
2.	Nina Griesshammer	Free Consultant	Forester and formerly employed at WWF Germany. Now representing all big environmental NGOs in the national FSC-board. Part of the FSC-board since 2004.
3.	Dr. Lutz Fähser		Formerly working as Chief Officer of Stadtwald Lübeck,
4.	Anonymous	Forestal Research Centre Baden-Württemberg	Department Forest Nature Conservation,

Risk assessment

Indicator	Sources of Information	HCV occurrence and threat assessment	Functional scale	Risk designation and determination
3.0	Bundesministerium für Ernährung und Landwirtschaft (BMEL), Referat 533 (2017): Waldbericht der Bundesregierung 2017. http://www.bmel.de/SharedDocs/Downloads/Broschueren/Waldbericht2017Langfassung.pdf?__blob=publicationFile	Approximately one third of the surface area of Germany is covered by forest. Under natural conditions, 75 % of this forest area would be covered by beech forest ecosystem; in reality, however, 50 % of the forest stands are spruce and pine forests (BMEL 2015). In biogeographic terms, the individual forest habitat types of Germany fall in either the Atlantic, continental or alpine region. The differences between the individual forest habitat types are not sufficient as a means to derive different regions for a risk assessment of the occurrence of or threats to HCVs. To date there is no official definition, interpretation or formal anchoring of the HCVRN's six categories of high conservation value forests (Brown et al. 2014) for Germany. An expert group developed a definition during the process		The risk designation for the area under assessment is 'low risk' as thresholds 1 and 2 are met.

		revising the German FSC Forest Standard taking into consideration the political, legal, social and ecological framework conditions in Germany. This permits an approximate assessment of the individual HCV categories. This definition is also the foundation for the assessment of the HCV category and so corresponds to the definitions in the German FSC Standard. The standard was adopted by the membership of FSC Deutschland on 29 June 2016 and is currently undergoing FSC International's accreditation (recognition) process. The working group considers the existing data to be sufficient for identifying the occurrence and distribution of HCVs in Germany as well as assessing possible threats.		
Analysis of Threshold 1: Data available are sufficient for determining HCV presence within the area under assessment. Context: Are sufficient data available to determine the occurrence and the distribution of HCVs within the area	Bayerische Staatsforsten, Forstbetrieb Rothenbuch (2013): Naturschutzkonzept für den Forstbetrieb Rothenbuch. http://www.baysf.de/fileadmin/user_upload/01-ueber_uns/05-standorte/FB_Rothenbuch/Naturschutzkonzept_FB_Rothenbuch.pdf Bayerische Staatsforsten (2017): Klasse-1-Wälder in Bayern. Naturschutzkonzepte. http://www.baysf.de/de/wald-schuetzen/klasse-1-waelder.html Brown E., N. Dudley, A. Lindhe, D.R. Muhtaman, C. Stewart & T. Synnott (eds), „Common Guidance for the identification of high conservation values.: A good practice guide for identifying HCVs across different ecosystems and production systems.". https://www.hcvnetwork.org/resources/common-guidance-for-m-m-2015. Bundesamt für Naturschutz (BfN), „Management der Natura 2000-Gebiete.". https://www.bfn.de/0316_management_natura2000.html (last accessed on: 16. September 2016).	At federal state level, particularly high quality biotope structures located in forest areas are mapped. Profound data is collected within the scope of forest biotope mapping to enable an integral balancing of aspects of biotope and species protection as well as the diverse planning goals in the field of forestry and out of this range and for the management planning of Natura 2000 sites on the other hand (FVA Baden-Württemberg 2005). The data is digitally accessible and allows determining which areas and area percentages are subject to certain laws or regulations, without additional on-site surveys. Forest management measures and tending strategies are recorded in national park plans and elsewhere (Nationalparkverwaltung Bayerischer Wald 2010). There is an ongoing monitoring of HCVs and mapping of new species and areas, as well as the identification of new HCVs. It is intended to implement conservation measures as well as measures for further improvement of the biological diversity of forests in Germany with the help of the National Biodiversity Strategy and the Forest Strategy 2020, i.e. to	N/A	The data basis in relation to HCVs in German forests is sufficient to assess the presence of HCVs. Legal framework conditions in Germany generally require that – in conjunction with the identification of the relevant HCV – managemen

under assessment, in accordance with the requirements of this document?	Bundesamt für Naturschutz, Gesetz über Naturschutz und Landschaftspflege: (Bundesnaturschutzgesetz − BNatSchG). 2009. https://www.bfn.de/fileadmin/MDB/documents/themen/monitoring/BNatSchG.PDF. Bundesministerium für Ernährung und Landwirtschaft (BMEL), „Bundeswaldinventur: Unser Wald - nutzen und bewahren.“. https://www.bundeswaldinventur.de/. Der Spiegel, „Deutschland hat zu wenig Naturschutzgebiete: Beschwerde der EU-Kommission.“ Spiegel Online, 25. März 2015. http://www.spiegel.de/wissenschaft/natur/naturschutzgebiete-in-deutschland-eu-sieht-versaeumnisse-a-1025401.html. Deutsche Bundesstiftung Umwelt (DBU), „Auswahl und Meldung der Natura 2000 Gebiete: Online-Informationssystem Naturschutzrecht.“. http://www.naturschutzrecht-online.de/naturschutzrecht/natura-2000/4-meldeverfahren-und-notwendige-unterschutzstellung/4-2-auswahl-und-meldung-der-gebiete/ (last accessed on: 24. Oktober 2016). Giessener Anzeiger, "Besenmoos"-Streit: Landkreis Gießen.“ Giessener Anzeiger, 2016. http://www.giessener-anzeiger.de/lokales/kreis-giessen/landkreis/besenmoos-streit_16873476.htm (last accessed on: 18. September 2016). https://www.greenpeace.de/sites/www.greenpeace.de/files/20120515-Greenpeace-Spessartfoerster-Offener-Brief.pdf Mittelbayerische Zeitung: Greenpeace unterliegt Staatsforsten. Pressemitteilung 11.10.2013. http://www.mittelbayerische.de/bayern-nachrichten/greenpeace-unterliegt-staatsforsten-21705-art971360.html NABU Landesverband Hessen, „NABU zeigt Forst wegen Umweltschaden an: Holzeinschlag im Laubacher Wald zerstört	set aside up to 5% of the German forest area (BMEL 2017), what has not yet been reached. Numerous measures of closeness to nature, dead wood quantities, nature conservation values, timber volume, etc., are also recorded in the German National Forest Inventory (BWI). The data are published in a publicly accessible database and in various reports (BMEL 2015). The recently published Federal Forest Report 2017 (BMEL) provides further data on the condition of forests, planned measures and potential uses. Moreover Germany is signatory to numerous international and European agreements and regulations on the protection of biodiversity, such as the Habitats Directive, the Convention on Biological Diversity and CITES. The implementation of these agreements requires, among other things, the identification and management of conservation values. The sites to be registered are forwarded to the Federal Ministry of the Environment by the superior nature conservation authority (DBU homepage, 2016). Germany ratified the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (UNECE, 2016). The number of terrestrial sites in Germany designated and recorded in accordance with the requirements of the habitats directive is 4,557 (Der Spiegel, March 25, 2015; DBU website 2016). The German federal states provide the German Federal Agency for Nature Conservation with data pertaining to the protection categories national parks, biosphere reserves, nature parks and landscape protection areas. Data pertaining to Natura 2000 sites of the European Commission’s habitats and birds directives are also provided to the Federal Agency for Nature Conservation by		t concepts for the preservation of these HCVs are set down. In some cases implementation involves a duty to report, often in a publicly accessible manner, which makes possible an assessment. Many institutions such as the forestry faculties of the universities, forest research centres and other research institutes produce studies on various aspects of forestry and nature

	geschützte Lebensräume.“ NABU Hessen- Pressemitteilung Nr 21/16. http://www.nabu-limburg-weilburg.de/PM/NABU-Hessen-PM-2016-21-LaubacherWald.pdf. „Nationalparkplan - Walderhaltungs- und Waldpflegemaßnahmen.“. http://www.nationalpark-bayerischer-wald.de/doc/service/downloads/nationalparkplan/walderhaltungs_waldpflegemassnahmen.pdf (last accessed on: 24. Oktober 2016). Sebald, Chr., „Greenpeace verklagt die Staatsforsten: Streit um Buchenwälder im Spessart.“ Die Süddeutsche, 2012. http://www.sueddeutsche.de/bayern/streit-um-buchenwaelder-im-spessart-greenpeace-verklagt-die-staatsforsten-1.1343089 (last accessed on: 13. September 2016). UNECE, „Aarhus Convention”: http://www.unece.org/env/pp/introduction.html (last accessed on: 18. September 2016). Sources for b) inserted here: Bundesamt für Naturschutz (BfN), „Grundsätzlicher Ablauf der Eingriffs-Ausgleichsregelung nach § 13 und § 15 Bundesnaturschutzgesetz.“. https://www.bfn.de/fileadmin/MDB/documents/themen/eingriffsregelung/Grundsaetzlicher_Ablauf_der_Eingriffs_Text.pdf (Zugriff: 10. September 2016). Bundesministerium für Ernährung und Landwirtschaft, „Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 413 der Verordnung vom 31. August 2015 (BGBl. I S. 1474) geändert worden ist". 2015. http://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf.	the federal states and supplemented through their own data collection processes. From these data national datasets are collated for each of the above categories of protected area. The data are published online (DBU Internetseite 2016; BfN Internetseite 2016). Data relevant for nature conservation management are normally accessible on federal state level as well (BaySF 2013, 2017). Germany also possesses a diverse landscape of organizations and associations engaged in matters of interest to civil society able to participate freely in public and topical debates (cf. CW Category Legality). Important large environmental organizations include WWF Deutschland, NABU, BUND, Greenpeace and Robin Wood. Some of these are also engaged in local networks and focus on various nature conservation issues. The German federal nature conservation act addresses the participation of such organizations. The constitutional state system in place in Germany renders it possible to bring to court cases in which nature conservation and forest-related laws have been contravened, thereby effecting disciplinary action and correction (Giessener Anzeiger, 2016; NABU Landesverband Hessen, 2016; Mittelbayerische Zeitung 2013). (Sebald, 2012; Greenpeace e.V., 2012).		conservation . Threshold 1 is met; an assessment of the presence of HCVs is possible with the available data.

	Deutsche Bundesstiftung Umwelt (DBU), „Auswahl und Meldung der Natura 2000 Gebiete: Online-Informationssystem Naturschutzrecht.“ http://www.naturschutzrecht-online.de/naturschutzrecht/natura-2000/4-meldeverfahren-und-notwendige-unterschutzstellung/4-2-auswahl-und-meldung-der-gebiete/ (letzter Zugriff: 24. Oktober 2016). Forstliche Versuchs- und Forschungsanstalt Baden-Württemberg (FVA), „Waldbiotopkartierung.“. http://www.fva-bw.de/forschung/wns/wbk/wbk_einf.html (letzter Zugriff: 24. Oktober 2016). Umweltbundesamt (UBA), „Vorsorgeprinzip.“. http://www.umweltbundesamt.de/themen/nachhaltigkeit-strategien-internationales/umweltrecht/umweltverfassungsrecht/vorsorgeprinzip (letzter Zugriff: 24. Oktober 2016). WWF Deutschland, 2017: Blackbox deutscher Wald. WWF fordert regelmäßiges Monitoring der Artenvielfalt in deutschen Wäldern. Pressemitteilung, 20.09.2017, Berlin. http://www.wwf.de/2017/september/blackbox-deutscher-wald/ (letzter Zugriff; 20.September 2017).			
Analysis of Threshold 2: Data available are sufficient for assessing threats to HCVs caused by forest management activities.	http://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf	Environmental associations see deficits in the existing data basis in order to adequately protect HCVs. From their point of view, there would be no nationwide, regular biodiversity monitoring in Germany; moreover, normative framework, mapping, data collection and scientific monitoring would also be lacking. So far, it has only been possible to derive very limited conclusions about the state and development of forest ecosystems in Germany, as forest ecology and biodiversity indicators would not be sufficiently collected in terms of methodology. The environmental associations are demanding that forest biodiversity monitoring must take a consistent approach to nature conservation in order to be	N/A	The data basis in relation to HCVs in German forests is sufficient to assess the level of threat. Legal framework conditions in Germany

Context: Are sufficient data available to determine the occurrence and the distribution of HCVs within the area under assessment, in accordance with the requirements of this document?		able to assess the effects of forest management on special conservation values (HCV 1-6). Some of the above-mentioned criticisms are mainly in the administrative area. To a certain extent, these deficits could be compensated for by ecologically exemplary forest management. The implementation status and effectiveness of the Natura 2000/FFH Directive are the main points of criticism. The working group assesses the data situation, when compared on an international level, as sufficient to conduct an assessment of threats posed by forest management activities, but it also evaluates the existence of protective measures for HCVs as sufficient. It is not a question of assessing whether an effective protection of HCVs by responsible forest management is possible in its entirety. As mentioned in Indicator 1.16, Germany is high on the global governance indicator with a "rule of law" of 1.85 and a fight against corruption of 1.83 on the fixed scale of -2.5 to +2.5, so that a consistent implementation of laws can be assumed. The working group does not consider it possible to implement the environmental associations' demand that a forest owner or wood buyer should fill the gaps in the legal requirements on his own initiative, but also sees a need for rectification. The Controlled Wood Risk Assessment refers to the avoidance/reduction of threats, not to a compensation and exemplary forest management (FSC forest certification). Therefore, the consideration of the overall picture results in an assessment with ‘low risk’.		generally require that – in conjunction with the identification of the relevant HCV – managemen t concepts for the preservation of these HCVs are set down. In some cases, implementati on involves a duty to report, often in a publicly accessible manner, which allows conducting an assessment. Many institutions such as the forestry faculties of universities, forest research centres and

				other research institutes produce studies on various aspects of forestry and nature conservation . Threshold 2 is met; an assessment of the threats for occurring HCVs is possible.
Analysis of Threshold 3: Data available are not sufficient for determining HCV presence within the area under assessment; AND/OR				Threshold 3 for specified risk has not been assessed, as threshold 2 is met.
Analysis of Threshold 4: Data available are not sufficient for assessment of the threats to HCVs caused by forest management activities.				Threshold 4 for specified risk has not been assessed, as threshold 2 is met.
3.1 HCV 1	Bundesamt für Naturschutz (2016): Monitoring gemäß FFH-Richtlinie. https://www.bfn.de/0315_ffh_richtlinie.html	There exist contrasting opinions amongst experts regarding the methods to adopt in implementing protection approaches and concepts for the benefit of species		The risk designation for Indicator

	Bundesministerium für Ernährung und Landwirtschaft (BMEL) (2016), „Bundeswaldinventur: Unser Wald − nutzen und bewahren.“. https://www.bundeswaldinventur.de/. Gödeke, I., Sukopp, U., 2014, „Indikatorenbericht 2014 zur Nationalen Strategie zur biologischen Vielfalt.“ http://www.bmub.bund.de/fileadmin/Daten_BMU/Pools/Broschueren/indikatorenbericht_biologische_vielfalt_2014_bf.pdf (last accessed on 24. Oktober 2016).	diversity, the threats posed by forest management, the objectives pursued by nature conservation interests, and the choice of which species are deemed worthy of conservation. These contrasting opinions can be summed up roughly in two strategies, namely the integration of nature conservation in sustainable management versus the segregation of management based on the objectives and the creation of protected areas. The conservation and the creation of important microhabitats and structures for the benefit of, for example, strictly protected species would appear to be necessary from a nature conservation perspective. In addition to multifunctional silvicultural concepts, an approach currently under discussion is the reinforcement of existing instruments such as the implementation of the Habitats Directive and the National Biodiversity Strategy. Studies and monitoring results reveal the range of activities that are underway in Germany in relation to habitat conservation, and highlight their effects and the measures still required to prompt necessary adaptations, which are in turn being pursued by experts. Environmental organizations actively and closely monitor the situation with respect to species conservation and bring violations to public attention. Threats posed to strictly protected species by forestry appear – with the exception of isolated local cases – to be identified, controlled and are, therefore, negligible. Although an overall assessment of the endangerment status of strictly protected species is often difficult considering the different assessment criteria and indicators that apply (see Indicator Report Biological Diversity , FFH-Report) especially as the implementation of the Habitats Directive in particular is still only in its infancy, wide ranging expert discussions are taking place and legal regulations are being implemented, each		3.1 for the area under assessment is ‘low risk’ as threshold 7 is met. The occurring HCV1s are identified and effectively protected against threats from forest managemen t activities.

		reflecting upon the entire territory under forest management. Environmental associations defend the viewpoint with factual arguments that biodiversity monitoring is inadequate in terms of area coverage and regularity as well as in terms of subject matter. The BfN implements various instruments such as monitoring in accordance with the Habitats Directive (BfN 2016) or the indicator report on the implementation of the national biodiversity strategy (Gödeke & Sukopp 2014). At the federal state level, the nature conservation and forest administrations make further partial contributions. Although the Federal Forest Inventory (Bundeswaldinventur) is conducting surveys on nature conservation issues, environmental associations note that the figures and data from the Federal Forest Inventory, which is published every ten years, have so far provided only very limited information on the state and development of forest ecosystems in Germany. On the basis of the method and data, the Federal Forest Inventory comes to results with regard to nature conservation issues such as the proportion of old and dead wood, the diversity of forest communities (age structure, tree species composition) and the transformation of coniferous forests into deciduous and mixed forests (BMEL 2016). The working group assesses the data situation compared to other countries and explicitly only in relation to the national risk assessment presented here and for the purpose of sourcing Controlled Wood, as just sufficient to carry out a risk assessment. The protection value (strictly protected species) occurs in the territory of Germany. Forestry is a threat to the conservation of strictly protected species.		

		In view of the fact that legal requirements exist, whose effectiveness is not guaranteed comprehensively, but as there are a wide range of corrective measures (dialogue nature conservation-administration-associations-landowners, government dealings and legal recourse) in place and enforced, the consideration of the overall picture results in an assessment with 'low risk'. The risk in relation to invasive species is low as it is regional and limited in its intensity. The introduction of species is legally regulated. The direct connection between current forestry activities and the spread of invasive species can also be classed as low for Germany. The development up to more semi natural forest communities is a positive "countermovement" with regard to invasive species.		
Analysis of threshold 5: There is no HCV1 identified in the area under assessment and its occurrence is unlikely. Context: • Are there instruments to identify HCVs of category 1 taking into account the precautiona	„Artenschutz-Report 2015: Tiere und Pflanzen in Deutschland." https://www.bfn.de/fileadmin/BfN/presse/2015/Dokumente/Artenschutzreport_Download.pdf. „Gebietsfremde Arten" https://www.bfn.de/0302_neobiota.html#c33553 (last accessed on 19. September 2016). Bundesamt für Naturschutz, Gesetz über Naturschutz und Landschaftspflege: (Bundesnaturschutzgesetz − BNatSchG). 2009. https://www.bfn.de/fileadmin/MDB/documents/themen/monitoring/BNatSchG.PDF. Bundesamt für Naturschutz, Gesetz über Naturschutz und Landschaftspflege: (Bundesnaturschutzgesetz − BNatSchG). 2009. https://www.bfn.de/fileadmin/MDB/documents/themen/monitoring/BNatSchG.PDF.	Conservation values within this category exist in Germany and have been identified. The definition of the terms especially and strictly protected species is set out for Germany in §7, paragraph 2, no.s 13 and 14 of the federal forest act. For the first time ever, the BfN (2015) published a species protection report as a comprehensive analysis of the hazard situation of animal and plant species in Germany, as well as their possible causes and countermeasures. One third of all species found in Germany is on the Red List and are thus endangered in their populations.	N/A	Strictly protected species are present and identified in the area under assessment, threshold 5 is not met. A further risk assessment is required.

ry principle where there is uncertainty over possible occurrence? • Are there significant habitats such as sites for roosting, breeding or overwintering in the area under assessment, or might these habitats potentially exist (applying the precautionary principle)?				
Analysis of Threshold 6: There is low/negligible threat to HCV1 caused by management	Bayona, M., „Defizite beim Artenschutz: Neuer Artenschutzbericht des Bundesamtes für Naturschutz.“. https://www.greenpeace.de/themen/artenvielfalt/defizite-beim-artenschutz (last accessed on: 14. September 2016). Bund für Umwelt und Naturschutz Deutschland e.V. (BUND), „Artenschutz in Europa in Gefahr. BUND fordert Sofortprogramm für Artenvielfalt.“.	*Habitat loss and habitat fragmentation* According to BfN (2015), the general causes of species decline resulting from the particular form of forest management employed may be summarized as follows: • increasing pressures of resource use in the form of wood harvesting, including the use of wood residues	N/A	Threats through forest management for HCV1 are described. Threats

activities in the area under assessment. <u>Context:</u> The following threats shall be considered: • habitat removal • habitat fragmentation • introduction of alien/invasive species	http://www.bund.net/nc/presse/pressemitteilungen/detail/artikel/artenschutz-in-europa-in-gefahr-bund-fordert-sofortprogramm-fuer-artenvielfalt/ (last accessed on:14. September 2016). Bundesamt für Naturschutz, Gesetz über Naturschutz und Landschaftspflege: (Bundesnaturschutzgesetz - BNatSchG). 2009. https://www.bfn.de/fileadmin/MDB/documents/themen/monitoring/BNatSchG.PDF. ——, „Artenschutz-Report 2015: Tiere und Pflanzen in Deutschland.“. https://www.bfn.de/fileadmin/BfN/presse/2015/Dokumente/Artenschutzreport_Download.pdf. —— „Gebietsfremde Arten“. https://www.bfn.de/0302_neobiota.html#c33553 (last accessed on19. September 2016). Bundesamt für Naturschutz (BfN), „Neobiota.de: Gebietsfremde und invasive Arten in Deutschland.“. https://neobiota.bfn.de/definition_neobiota.html (last accessed on13.September 2016). Bundesministerium für Ernährung und Landwirtschaft (BMEL), „Bundeswaldinventur: Unser Wald - nutzen und bewahren.“. https://www.bundeswaldinventur.de/. Gödeke, I., Sukopp, U., 2014, „Indikatorenbericht 2014 zur Nationalen Strategie zur biologischen Vielfalt.“. http://www.bmub.bund.de/fileadmin/Daten_BMU/Pools/Broschueren/indikatorenbericht_biologische_vielfalt_2014_bf.pdf (last accessed on: 24. Oktober 2016). Kownatzki, D. et al., 2011: Zum Douglasienanbau in Deutschland. Ökologische, waldbauliche, genetische und holzbiologische Gesichtspunkte des Douglasienanbaus in Deutschland und den angrenzenden Staaten aus naturwissenschaftlicher und gesellschaftspolitischer Sicht. Sonderheft 344.vTI Agriculture and Forestry Research.	• intensive wood harvesting has led to a paucity of dead wood and old trees, and of certain forest development stadia, all of which are important for numerous species; for example, bats, beetles and birds • installation of wind turbines in forests and the corresponding forestry interventions, such as the opening up of forests for roads and turbine sites, and the resultant fragmentation and loss of habitats This might have an effect on species categorized as HCV1 as well. In Germany, as in many other countries, the loss of habitats and species is also a result of historical land use changes or development over several decades (e. g. large-scale use of pesticides in agriculture, reforestation with coniferous trees after the war). However, forest management can also have an influence on habitats and the population size of strictly protected species. According to a forest report (BMEL 2017) the Red List of endangered biotope types in Germany shows that the development of many forest biotopes has stabilized. However, Germany's Red Lists for forests still indicates species of animals, plant and fungi as endangered and threatened with extinction. This includes many species that depend on old forest stands, undisturbed forest development and old and dead wood components. It is therefore necessary to continue the existing measures and to strengthen them through additional activities. Environmental associations note that too little is known about the impact chains, e. g. the influence of year-round impacts (in protected areas), propagation possibilities, demands and primary habitat requirements of many species.		cause loss of habitats and fragmentation of habitats. The risk in relation to invasive species is low as it is regional and limited in its intensity. The introduction of species is legally regulated. The direct connection between current forestry activities and the spread of invasive species can also be classed as low for Germany. The developmen t up to more

	http://literatur.thuenen.de/digbib_extern/dn048209.pdf Küchler-Krischun J. Dr., Walter A.M., „Nationale Strategie zur biologischen Vielfalt.“. http://www.bfn.de/fileadmin/MDB/documents/themen/landwirtschaft/nationale_strategie.pdf (last accessed on: 24. Oktober 2016). Naturschutzbund Deutschland (NABU) e.V., „Natura 2000 im Privatwald: Umsetzungmöglichkeiten durch die EU-Naturschutzfinanzierung.“. https://www.nabu.de/downloads/Natura-2000-im-Privatwald.pdf. ——, „NABU zum Artenschutzreport: Alarmierender Zustand unserer Tier- und Pflanzenarten. Tschimpke: Aktuelle Lage der Natur muss Weckruf für Politik sein.“. https://www.nabu.de/presse/pressemitteilungen/http/index.php?popup=true&show=14242&db=presseservice (last accessed on: 14. September 2016).	The BfN and environmental associations call for more forest areas to be taken out of silvicultural use, for habitats to be more closely interlinked, and for protected areas to be better managed, among other things by increasing the proportion of dead wood (BUND 2015; NABU 2015, Adler 2015). The agreed target of the national biodiversity strategy (Küchler-Krischun & Walter 2007) is to increase the area of unused forests from 1.9 percent at present to 5 percent by 2020. Greenpeace even demands that at least 10 percent of public forests be legally bindingly left to natural forest development (Bayona 2015). The Indicator Report on the National Strategy for Biological Diversity assesses forest environmental measures already taking place in Germany as having a positive effect on biodiversity, even if specified target values have not yet been achieved. An evaluation of forest relevant species listed in FFH Annex II and the Wild Birds Directive highlighted the importance of sufficient biotope and dead wood and other forest structures. A continuation of close-to nature silviculture and the integration of nature conservation aspects in forest management are demanded (Gödeke & Sukopp 2014). *Invasive species/introduced species* The introduction to the open landscape of exotic species in Germany is subject to approval by the federal state authorities (BNatschG), provided this is not a measure implemented as part of agriculture, forestry, hunting, fisheries or biological pest management activities (BfN, 2009). Half of all neophyte introductions in Germany occurred deliberately; approximately 20 % of these are plants cultivated as agricultural and forestry crops. According to the Federal Agency for Nature Conservation, most of the wild non-native vascular plants in Germany pose no problem from a nature conservation perspective and the		semi natural forest communities is a positive “countermovement” with regard to invasive species. Threats by invasive species are below the risk threshold 6. Threshold 6 is not met for habitat loss and fragmentation, respectively it is necessary to assess if protection measures are efficient, and therefore threshold 7 is assessed as well.

		control and management of these species is subject to general species protection considerations. Certain species, however, can pose a significant threat to biological diversity when situated outside of their natural distribution and so are termed ‘invasive’ (see also §7, paragraph 2, no. 9, federal nature conservation act) (BfN, 2009; BfN homepage, 2016). Selected introduced herb species that may potentially be invasive are highlighted in the German national forest inventory (BWI). Only the small balsam (Impatiens parviflora) was identified as occupying an area of note. It can be found exhibiting coverage of at least 10 % on 3 % of the forest area, with regional variations. The small balsam flourishes on sites conditions where species are not competitive. There are no other invasive vascular plants occupying areas of significance in German forests. Black cherry (Prunus serotina) must be considered an invasive timber species. It can interfere with the regeneration of native tree species locally, but its vigor of plant growth is otherwise inferior to that of native tree species (BMEL, 2015). The introduction of Douglas fir as a foreign tree species is often discussed. Proponents appreciate this tree species because of its wood characteristics, its rapid growth and the hope for climate resistance under changing climatic conditions. Opponents are concerned about a possible invasiveness of the Douglas fir, at least at local level, as they are sometimes extensively planted/inserted. There is currently no clear scientific position on the question of invasiveness. According to a literature evaluation by the Thünen-Institute, an estimated 1.9 % of forests are covered Douglas in 2011, which is equivalent to an area of approximately 241,000 ha of the total net stand area. The Federal Government's forest report (2017) shows an area share of 2 % and a 35,000 ha increase in Douglas fir		

		between 2002 and 2012, while environmental associations and the FSC call for an upper limit for planting of Douglas firs to the existing forest stock. The working group understands the concerns of the environmental associations and is in favor of further discussions about the Douglas fir. Given the current state of knowledge and background, the Douglas fir is not introduced on a large part of the forest area. The BfN and the German Association of Forest Research Institutes (Deutscher Verband Forstlicher Forschungsanstalten) come to the conclusion that special sites that form habitats for specialized indigenous species are excluded from planting activities of Douglas fir (Forest Report 2017). Therefore, the working group still considers the threat of HCV1 by invasive species (especially Douglas fir) to be 'low risk'.		
Analysis of Threshold 7: HCV 1 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected against threats management activities.	Bundesamt für Naturschutz (BfN) (Unbekanntes Datum a): Arten nationaler Verantwortlichkeit Deutschlands. Edited by BfN, Referat Presse- und Öffentlichkeitsarbeit. Verfügbar unter: https://www.bfn.de/0302_verantwortungsarten.html, (Last accessed on: 14. September 2016) Bundesamt für Naturschutz (BfN) (Unbekanntes Datum b): Hotspots der biologischen Vielfalt in Deutschland. Verfügbar unter: https://biologischevielfalt.bfn.de/hotspots.html, (Last accessed on: 14. September 2016) Bundesamt für Naturschutz (BfN) (2009): Gesetz über Naturschutz und Landschaftspflege. (Bundesnaturschutzgesetz − BNatSchG), revised Bundesgesetzblatt Jahrgang 2009 Teil I Nr. 51, ausgegeben zu Bonn am 8/6/2009. Online verfügbar unter: https://www.bfn.de/fileadmin/MDB/documents/themen/monitoring/BNatSchG.PDF. (Last accessed on : 14. September 2016)	*Existence and extent* In addition to the legal anchoring of species protection in the BNatschG, the Federal Environmental Ministry and the BfN as a subordinate authority initiate various subsidy programmes. One funding priority are "Species with special responsibility in Germany", for which Germany has a special international responsibility because they only occur on German territory (endemic) or a high proportion of the world population occurs there. Support programs for these species are aimed on the one hand at the conservation and restoration of their natural habitats in order to ensure their long-term survival (BfN Website 2016). In addition to monitoring individual species, habitats in Germany are also protected through Natura 2000 management plans. Natura 2000 intends to conserve biodiversity and combine it with the sustainable development of land and natural resources. Therefore	N/A	Germany is a signatory to conventions such as the Convention on Biological Diversity, with a correspondi ng translation into national strategy and law. HCVs of category 1 have been identified.

	Bundesamt für Naturschutz (BfN) (2015): Artenschutz-Report 2015. Tiere und Pflanzen in Deutschland. Bonn. Online verfügbar unter: https://www.bfn.de/fileadmin/BfN/presse/2015/Dokumente/Artenschutzreport_Download.pdf. (Last accessed on : 14. September 2016) Bundesamt für Naturschutz (BfN) (2016): Gebietsfremde Arten. Referat Presse- und Öffentlichkeitsarbeit. Online verfügbar unter: https://www.bfn.de/0302_neobiota.html#c33553, (Last accessed on : 19. September 2016) Bundesministerium für Ernährung und Landwirtschaft (BMEL) (2015): Bundeswaldinventur. Unser Wald − nutzen und bewahren. BMEL. Berlin. Online verfügbar unter https://www.bundeswaldinventur.de/. Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit (BMUB) (2005): Bundesartenschutzverordnung vom 16. Februar 2005 (BGBl. I S. 258, 896), die zuletzt durch Artikel 10 des Gesetzes vom 21. Januar 2013 (BGBl. I S. 95) geändert worden ist. Zuletzt geändert durch Art. 10 G v. 1/21/2013 I 95. Online verfügbar unter https://www.gesetze-im-internet.de/bundesrecht/bartschv_2005/gesamt.pdf. Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit (BMUB) (2014): Nationaler Artenschutz. Instrumente zur Reduzierung von Gefährdungen. BMUB, Presse-und Informationsstab. Berlin. http://www.bmub.bund.de/themen/natur-arten-tourismussport/artenschutz/nationaler-artenschutz/instrumente/, zuletzt geändert am 9/12/2014, (Last accessed on: 14. September 2016) Gödeke, I., Sukopp, U. (2014): Indikatorenbericht 2014 zur Nationalen Strategie zur biologischen Vielfalt. Berlin.	forest management activities are not fundamentally excluded, but are only possible as long as they do not contradict with the conservation objectives for species and habitats within and outside the network. The implementation of the Habitats Directive and the establishment of the Natura 2000 network can be regarded as one of the most comprehensive approaches for the protection of species and habitats throughout Europe and also in Germany, which should lead to a comprehensive designation of areas, but also to changes in legislation, etc. Almost 25% of the total forest area in the EU are part of the Natura 2000/FFH network (Sotirov 2017). About 1.8 million hectares of the total forest area of 11 million hectares in Germany are part of Habitats Directive areas, which corresponds to 19% of the total forest area (in Germany). Forest areas account for 15% up to 24% of the FFH area in the federal states. (Rosenkranz et al. 2012). Building upon the habitat types of the European habitats directive found across Germany and data pertaining to the occurrence of various species groups, the Federal Agency for Nature Conservation defined thirty 'hotspots of biological diversity' within Germany (BfN homepage, 2016). These hotspots occupy approximately 11 % of the territory of Germany. A concept is to be developed for each hotspot and exemplary measures are to be implemented to preserve and/or to improve the diversity of landscapes, habitats and species populations, especially of strictly protected species. *Effectiveness* In particular, the implementation of FFH/Natura 2000 in forests raises many questions and poses challenges for the actors involved. The impacts on biodiversity, forest		There exists a network of protected areas of different categories, which seek in particular to protect habitats for the preservation of species diversity. Threats posed by managemen t activities within these areas are effectively managed, threshold 7 is met. Therefore the risk designation for the area under assessment is 'low risk'.

	http://www.bmub.bund.de/fileadmin/Daten_BMU/Pools/Broschueren/indikatorenbericht_biologische_vielfalt_2014_bf.pdf, (Last accessed on : 24. Oktober 2016) Hennenberg, K., Winter, S., Reise, J., Winger, Chr. (2015): Analyse und Diskussion naturschutzfachlich bedeutsamer Ergebnisse der Bundeswaldinventur. Herausgeber: Steinke, I., Böttcher, H., Wiegmann, K. Bonn (BfN-Skripten). http://www.hnee.de/_obj/E1F49164-C2AE-429F-BADF-F1857F61EAFE/inline/Skript_427_Hoeltermann_BWI_Text_END_30112015_MitTitel.pdf, (Last accessed on : 17. Oktober 2016) Land Baden-Württemberg: Waldgesetz für Baden-Württemberg (Landeswaldgesetz − LWaldG) in der Fassung vom 31.08.1995. Online verfügbar unter: http://www.landesrecht-bw.de/jportal/?quelle=jlink&query=WaldG+BW&psml=bsbawueprod.psml&max=true&aiz=true, (Last accessed on : 14. September 2016) Landesbetrieb ForstBW (2015): Alt- und Totholzkonzept Baden-Württemberg. Stuttgart. http://www.fva-bw.de/publikationen/sonstiges/aut_konzept.pdf, (Last accessed on : 24. Oktober 2016) LUBW Landesanstalt für Umwelt, Messungen und Naturschutz Baden-Württemberg (2016): Besonders und streng geschützte Arten. http://www4.lubw.baden-wuerttemberg.de/servlet/is/36339/, (Last accessed on : 20. October 2016) MELFF Mecklenburg-Vorpommern, 2005. „Wald-Behandlungsgrundsätze in Natura-2000-Gebieten: Erhebliche Beeinträchtigungen sowie Entwicklungsmaßnahmen in Wald-Lebensraumtypen in Mecklenburg-Vorpommern.“ http://www.wald-mv.de/static/Wald-	management and other land uses are fragmented across the EU (Sotirov 2017). Environmental associations see deficits in the existing data on the protection status of strictly protected species as well as long-term trends towards changes in the conservation status of habitats and populations. The adequacy of protected areas or of the various systems of protected areas is not sufficiently well documented in relation to the protection of strictly protected species. In addition, the protected area ordinances would in some cases not be consistently oriented towards species and habitat protection, and proper forest use is generally often permitted. Finally, the proper use of forests in relation to the demands of environmental associations is not sufficiently defined. The protection of Natura 2000 sites in Germany is inadequate: only a few areas are effectively protected by law. The implementation status as well as related conflicts and challenges are part of many studies and discussions. An interdisciplinary scientific study, consisting of a team of 20 scientists from 11 research institutes in 11 countries, has investigated these issues in forests (Sortirov 2017). Based on the identified core conflict between nature conservation and various land uses (e. g. agriculture, forestry etc.) identified in the study, a number of challenges in the implementation of Natura 2000 were identified in the study: • Questions around the legitimacy of the implementation process. • Low capacity of public authorities at various levels. • Scientific weaknesses • A lack of the right participatory approaches • A lack of clear political objectives • a lack of cross-sectoral coordination and involvement of local actors		

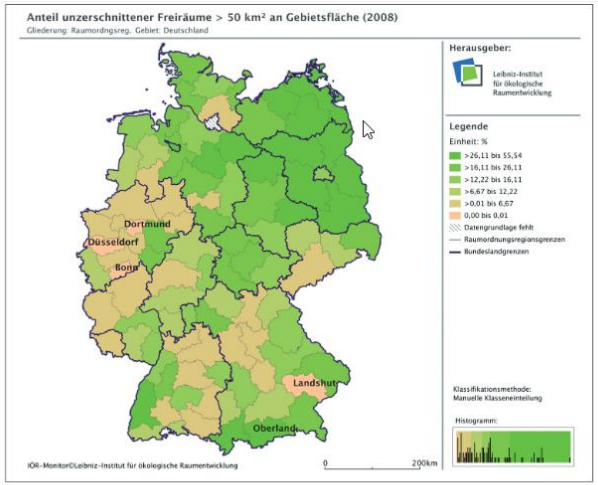
	mv/Dateien/GruenerOrdner/G3_Behandlungsgrunds%C3%A4tze_Natura2000_2015.pdf (Last accessed on: 24. Oktober 2016). Naturschutzbund Deutschland (NABU) e.V., 2008, „Waldwirtschaft 2020.: Perspektiven und Anforderungen aus Sicht des Naturschutzes, Berlin – Strategiepapier.“ https://www.nabu.de/imperia/md/content/nabude/wald/4.pdf (Last accessed on: 24. Oktober 2016). Niedersächsische Landesforsten, 2011, „Das LÖWE-Programm: 20 Jahre langfristige ökologische Waldentwicklung.“ https://www.landesforsten.de/fileadmin/doku/Infomaterial/loewe20j_download.pdf (Last accessed on: 23. October 2016). Paillet, Y. et al.: Differences between Managed and Unmanaged Forests: Meta Analysis of Species Richness in Europe., Vol. 24, No. 1, pp. 101–112. Rosenkranz, L., B. Wippel und B. Seintsch, „FFH-Impact: Teil 1: Umsetzung der FFH-Richtlinie im Wald in den Bundesländern.“. Arbeitsbericht des Instituts für Ökonomie der Forst- und Holzwirtschaft 2012/04. http://literatur.thuenen.de/digbib_extern/bitv/dn050974.pdf (Last accessed on: 24. Oktober 2016). Schulze E-D, Ammer C. (2015): Konflikte um eine nachhaltige Entwicklung der Biodiversität. Spannungsfeld Forstwirtschaft und Naturschutz. In Biologie in unserer Zeit. (Volume 45, Issue 5), pp. 304–314. http://onlinelibrary.wiley.com/doi/10.1002/biuz.201510574/suppinfo. Sotirov, M. (editor) (2017): Natura 2000 and Forests – Assessing the State of Implementation and Effectiveness. What Science Can Tell us 7 2017. European Forest Institute.	• The need for adequate funding for compensation or awareness-raising • The need for flexible local planning and a space for consultation during implementation The study also concludes that the efficacy of Natura 2000 in forest ecosystems is difficult to assess from an ecological perspective. Succession in forests takes place over time scales, which make it difficult to assess the effectiveness of the relatively recent policy measures. The unequal state of research (various assessment systems, criteria and indicators, data, etc.) on the effects in the different biogeographical regions of the Member States, in habitats and taxonomic groups contribute to difficulty and should, in the opinion of the experts, be harmonized. Many environmental associations in Germany share this opinion. Among other things, they see a need for discussion on threshold values/guideline values with regard to equipping with deadwood and biotope trees, stockpiling and the development phases of forests. In order to preserve biodiversity in forests, they call for more specific structures and the targeted conservation of late stages of forest development. In addition, there are discussions about the proportion of forest land that is to be completely removed from forestry use. In 2014, a comprehensive inventory of Habitats and Birds Protection Areas was carried out to determine the conservation status of species and habitats. Overall, the favorable conservation status demanded by the EU has been achieved for 25 percent of the species, 29 percent show a poor conservation status and 31 percent an inadequate conservation status. The Indicator Report on the National Strategy for Biological Diversity, on the other hand, assesses forest		

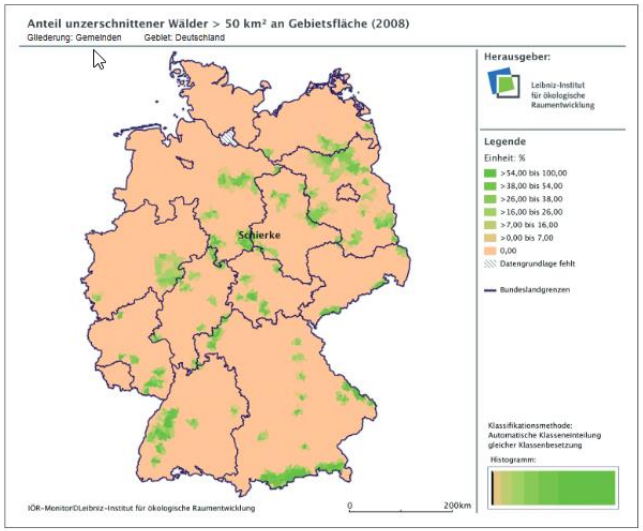
	http://www.efi.int/files/attachments/publications/wsctu7_2017.pdf https://www.bfn.de/fileadmin/MDB/documents/themen/monitoring/BNatSchG.PDF https://www.bfn.de/fileadmin/BfN/presse/2015/Dokumente/Artenschutzreport_Download.pdf https://www.bundeswaldinventur.de/ https://www.gesetze-im-internet.de/bundesrecht/bartschv_2005/gesamt.pdf http://www.bmub.bund.de/fileadmin/Daten_BMU/Pools/Broschueren/indikatorenbericht_biologische_vielfalt_2014_bf.pdf http://www.hnee.de/_obj/E1F49164-C2AE-429F-BADF-F1857F61EAFE/inline/Skript_427_Hoeltermann_BWI_Text_END_30112015_MitTitel.pdf http://www.landesrecht-bw.de/jportal/?quelle=jlink&query=WaldG+BW&psml=bsbawueprod.psml&max=true&aiz=true http://www.fva-bw.de/publikationen/sonstiges/aut_konzept.pdf	environmental measures already taking place in Germany as having a positive effect on biodiversity, even if specified target values have not yet been achieved. A continuation of near-natural silviculture and the integration of nature conservation aspects in forest management are called for (Gödeke & Sukopp 2014). The working group is aware of the fact that for individualized and locally adapted management planning of species protection, a deeper data basis on population sizes, habitats and trends may be necessary - as required by environmental associations. The working group supports further efforts on legislative, administrative, scientific level and on stakeholder mobilization to improve the level of implementation and effectiveness of the Directive. The working group considers that, on the basis of the current status of the implementation of the Natura2000/FFH Directive, the legal requirements and existing surveys and ongoing measures and corrections regarding the protection of species in Germany, it is possible to carry out a low-risk risk assessment in Germany. The multifunctional approach to forest management tries to take biodiversity protection into account, among other things by *Forest conversion of coniferous and deciduous wood* The BWI (2016) shows that in the period from 2002 to 2012, the area of spruce decreased by 242,000 hectares (8%) and the area of beech increased by 102,000 hectares (6%). *Preservation and increase of old and dead wood* The forest report of the BMEL (2017) shows that forest management requires an appropriate proportion of dead wood to protect biodiversity. According to the report, there is currently an average of 20.6 m³ deadwood per hectare		

		in German forests, totaling 224 million m³. This means that the stock of deadwood - flanked by deadwood programs for targeted biotope and habitat management - increased by 18 percent nationwide compared to the 2002 Federal Forest Inventory and reached 6 percent of the living timber stock (BMEL 2017). The working group considers this trend towards the creation of more habitats and habitats in forests to be positive, even if the target values for deadwood and biotope wood required by nature conservation have not yet been reached. The BWI speaks of a trend of timber growth especially for trees bigger than 50 cm chest height diameter. If this trend persists, it is to be expected that the age structure of forests will see a disproportionately large increase in the next few years - with positive effects for species linked to these habitats (BMEL 2015). A nature conservation assessment of the BWI by the BfN also identifies the increasing proportion of dead wood in forests, but this is still considered insufficient in higher diameter classes. In addition, it is recommended from a nature conservation perspective to increase the proportion of protected biotopes and close-to-nature forest habitats and to exclude them from silvicultural activities in accordance with the National Strategy on Biological Diversity (Hennenberg et al. 2015). <u>*Conservative wood harvesting procedures*</u> The following publications show that operational principles and guidelines for securing habitats on a wide area also have a conceptual basis in forest management: • Forest treatment principles in Natura 2000 sites (MELFF Mecklenburg-Western Pomerania, 2005) • Old and dead wood concept Baden-Württemberg (ForstBW, 2015) • LÖWE programme (Lower Saxony State Forests, 2011)		

		• Forestry 2020 (NABU, 2008) In the opinion of the working group, nature conservation requirements are widely applied within forestry concepts and forestry planning, e. g. in the form of mapping of the occurrences of strictly protected species, old and dead wood concepts for habitat conservation, selection of ecological forest management concepts and environmentally friendly harvesting methods, identification of FFH areas and habitat types in the forest as well as development of monitoring concepts by the state governments (ForstBW 2015). Therefore, the consideration of the overall picture results in an assessment with 'low risk'.		
<u>Analysis of Threshold 8 for specified risk:</u> HCV 1 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.				Threshold 8 for specified risk has not been addressed, as threshold 7 is already met.
3.2 HCV 2		Whereas the status reports, and the nature conservation assessment of the SAC status reports, paint a largely positive picture of the conservation status of forest habitat types in Germany, a mix of silvicultural concepts on the ground would appear to be of fundamental importance to the maintenance of conservation values in SACs and to counter fragmentation (cf. HCV 1). Apart from the issue of the primary conservation objective of these areas, the difficulties experienced in the implementation of these areas, and so their effectiveness, would appear to reside chiefly on an administrative level. The greatest adjustment and/or challenge in connection with the conservation of species and habitats would appear to concern stipulations of the habitats directive with respect to the designation		There is low/negligible threat to HCV 2 caused by management activities in the area under assessment; The risk designation for Indicator

		and management of SACs in private forest. Private forest accounts for a smaller proportion of the SACs, however, and so the impacts are limited to only a limited proportion of the overall area. Potential threats to SACs in private forest ownership can be specified, and may be minimized by means of investment, advisory services and efforts at promotion at national and European level. Fragmentation as a consequence of clear fell is legally regulated. Reports such as the forest report published by BUND reveal local shortcomings. At the same time, however, positive examples of good cooperation between nature conservation interests and forestry enterprises are also described. Important large-scale landscape ecosystems have been identified and placed under protection in the form, for example, of national parks. Management for forestry purposes is either prohibited or partially regulated. Although representatives of nature conservation interests may wish to see specific improvements in relation to the management of HCVs, essentially the risk based on the foreseeable threat of further fragmentation of the overall area of the landscape ecosystem and mosaics, especially the SACs, is considered low.		3.2 for the area under assessment is low risk as threshold 10 is met.
Analysis of Threshold 9: There is no HCV 2 identified and its occurrence is unlikely in the area under assessment.	Bundesamt für Naturschutz (BfN), „Nationalparke.“. https://www.bfn.de/0308_nlp.html (last accessed on: 24. Oktober 2016). FSC (Forest Stewardship Council) International, Advice Note on the development of indicators for the protection of IFLs/ICLs in Brazil, Canada, Congo Basin and Russia (13 October 2016 Draft 1); ADVICE 20-007-018. https://ic.fsc.org/preview.draft-advice-note-on-the-development-of-indicators-for-the-protection-of-ifls-icls-in-brazil-canada-congo-basin-and-russia.a-6355.pdf (last accessed on:24.Oktober 2016).	This HCV category considers large landscape ecosystems and mosaics and especially intact forest landscapes, and threats to them. Based on a definition provided by Global Forest Watch (2006-2014), FSC International issued an advice note on the identification of intact forest landscapes (FSC International, 13 October 2016, draft 1). According to this, an intact forest landscape is defined as an area within the current global forest area that contains forest and other ecosystems, which has been influenced only minimally by human management activities, covering an expanse of at least 500 km² (50 000 ha) and with a minimum width of 10 km.	N/A	HCV 2 in form of landscape ecosystems and mosaics are identified. Threshold 9 is not met, further assessment is needed.

Context: • Do HCVs of category 2 exist in the area under assessment? • Are there HCVs of category 2 that cross regional and/or national boundaries? • If yes, is a FSC risk designation available for those areas located outside of national boundaries? All intact forest landscapes, as defined per the map at http://intactforests.org,	„Gülzower Fachgespräche: Waldbewirtschaftung in FFH-Gebieten.“. Gülzower Fachgespräche; 22.-23.10.12. https://mediathek.fnr.de/broschuren/sammlungen/schriftenreihe-gulzower-fachgesprache/waldbewirtschaftung-in-ffh-gebieten.html. Meinel, G., Schumacher (Hrsg.) (2011): Flächennutzungsmonitoring III. Erhebung – Analyse – Bewertung. IÖR Schriften Band 58, Leibniz – Institut für ökologische Raumentwicklung. http://www.ioer-monitor.de/fileadmin/Dokumente/Auswahl_Artikel/Beitrag_Walz_et_al_IOER_Schriften_58_2011.pdf; (last accessed on: 26. Januar 2017). Rosenkranz, L., B. Wippel und B. Seintsch, „FFH-Impact: Teil 1: Umsetzung der FFH-Richtlinie im Wald in den Bundesländern.“. Arbeitsbericht des Instituts für Ökonomie der Forst- und Holzwirtschaft 2012/04. http://literatur.thuenen.de/digbib_extern/bitv/dn050974.pdf (last accessed on: 24. Oktober 2016). Sippel, A., 2007, „Forstliche Nutzung in FFH-Gebieten: Situationsanalyse und Perspektiven.“. The IFL Mapping Team, „World´s Intact Forest Landscapes Map, 2000 - 2013. http://intactforests.org/world.webmap.html (last accessed on: 8. September 2016).	There are no intact forest landscapes in Germany (The IFL Mapping Team, 2014) in the narrow sense of the definition provided above. A report from the Leibniz Institute for Ecological Spatial Development (Leibniz-Institut für ökologische Raumentwicklung) (Meinel 2011) states that currently only 140 closed forests with a size bigger than 50km² do exist in Germany anymore. Unfragmentated forest landscape ecosystems mainly exist in the low mountain range, in North Eastern Germany as well in the alpine region, whereas in the densely populated area of North Western Germany no larger unfragmented landscapes prevailed.  *Abb. 2: Anteil unzerschnittener Freiräume > 50 km² an Gebietsfläche nach Raumordnungsregionen 2008 (Quelle: www.ioer-monitor.de)*		

must be considered HCVs belonging to category 2. Additional HCVs of category 2 may be identified provided there is agreement amongst all members of the national risk assessment working group.		 *Abb. 4: Anteil unzerschnittener Wälder > 50 km² auf Gemeindeebene 2008 (Quelle: www.ioer-monitor.de)* (Source: http://www.ioer-monitor.de/fileadmin/Dokumente/Auswahl_Artikel/Beitrag_Walz_et_al_IOER_Schriften_58_2011.pdf) According to the national definition, however, this HCV category includes all forests in Germany with a designated protection status under nature conservation law and that are of national significance. These are national parks, biosphere reserves, SACs and SPAs. According to the Federal Agency for Nature Conservation, these areas – distinguished by protected area category – are: • 16 national parks (terrestrial area: 214,588 ha) • 16 biosphere reserves (1,914,446 ha) • 104 nature parks (9.8 million ha) Please have a look at the interactive map to check its distribution:		

		http://www.geodienste.bfn.de/schutzgebiete/http://www.geodienste.bfn.de/schutzgebiete/ The protection of forests as habitat types, landscape ecosystems and mosaics plays an important role. Twelve of the 16 German national parks feature forests as the primary habitats under protection (BfN, 2016). Of the approximately 11 million ha forest in Germany, circa 1.8 million ha have been designated as SACs (Rosenkranz et al., 2012). Around 817,000 ha, corresponding to 46 % of the surface area of forest have been designated as forest habitat types. The remaining 54 % serve as buffer zones. The five managed beech forest habitat types cover around 586,000 ha, or 72 % of the area designated forest habitat type (Aldinger, cited in FNR, 2012). The most significant are the Luzulo-Fagetum beech forests and the Galio odorati-Fagetum beech forests. These account for about 568,000 ha, or 70 % of the forest habitat types. Oak forests are also significant, occupying some 100,000 ha, or 12 % of the forest habitat types. According to Sippel (2007), of the area of forest SACs, about 5 % is situated within the federal forest area and 46 % in state-owned forests. The proportion in municipal forests is 21 %, with 28 % in privately-owned forests (Rosenkranz et al., 2012).		
Analysis of Threshold 10: There is low/negligible threat to HCV 2caused by management activities in the area	BMUB (2014): Das Bundesprogramm Wiedervernetzung. http://www.bmub.bund.de/themen/natur-biologische-vielfalt-arten/naturschutz-biologische-vielfalt/natur-naturschutz-biologische-vielfalt-download/artikel/das-bundesprogramm-wiedervernetzung/ http://www.bmub.bund.de/fileadmin/Daten_BMU/Download_PDF/Naturschutz/bundesprogramm_wiedervernetzung_bf.pdf; last accessed on 1st of February 2017. Bundesamt für Naturschutz, „Nationaler Bericht 2013 gemäß FFH-Richtlinie: Ergebnisvergleich 2007 - 2013“ https://www.bfn.de/0316_nat-bericht_vergleich13-07.html.	Given that there are by definition no intact forest landscapes in Germany, only threats in form of fragmentation posed to landscape ecosystems and mosaics by timber production are assessed. According to a study by the vTI (2012), the main causes of fragmentation are land use change due to transport infrastructure, housing construction, construction of industrial plants. At present, the daily conversion of uncultivated land into agricultural land in Germany amounts to about 80 hectares per day.	N/A	Thanks to several studies as well as existing forest data the extent of fragmentation in Germany is well known, forest

under assessment. <u>Context:</u> Is there a threat to HCVs of category 2 as a consequence of forest management activities? The following shall be considered threats: • fragmentation logging production (applies only to intact forest landscapes)	Bundesamt für Naturschutz (BfN), „Nationalparke.“. https://www.bfn.de/0308_nlp.html (last accessed on: 24. Oktober 2016). BMUB - Bundesministerium für Ernährung und Landwirtschaft (BMEL), Referat 533 (2017): Waldbericht der Bundesregierung 2017. http://www.bmel.de/SharedDocs/Downloads/Broschueren/Waldbericht2017Langfassung.pdf?__blob=publicationFile „Gülzower Fachgespräche: Waldbewirtschaftung in FFH-Gebieten.“. Gülzower Fachgespräche; 22.-23.10.12. https://mediathek.fnr.de/broschuren/sammlungen/schriftenreihe-gulzower-fachgesprache/waldbewirtschaftung-in-ffh-gebieten.html. Hänel, K. Dr. (2015): - GI und Biodiversität – Lebensraumverbund auf Bundesebene – Lebensraumkorridore als Grüne Infrastruktur. Presentation at the Erfurter Arbeitstage at the Faculty of Applied Sciences in Erfurt, 21st of October 2015. http://www.fh-erfurt.de/lgf/fileadmin/LA/Aktuelles/8_Kersten_Haenel_homepage.pdf; last accessed on 1st of February 2017. Landesbetrieb ForstBW, 2015. „Alt- und Totholzkonzept Baden-Württemberg.“. http://www.fva-bw.de/publikationen/sonstiges/aut_konzept.pdf (last accessed on: 24. Oktober 2016). Landesanstalt für Umweltschutz Baden-Württemberg: Naturschutz-Praxis, Natura 2000: Beeinträchtigen, Erhaltungs- und Entwicklungsmaßnahmen von Lebensraumtypen und Lebensstätten von Arten zur Umsetzung der Fauna-Flora-Habitat-Richtlinie in Baden-Württemberg – 1. Auflage 2002).	Possible threats related to fragmentation in forest habitats by forest management could be: • clear-felling that need permission because of their extent • construction of roads, forest roads • conversion • large-scale planting of foreign species • deer overpopulation In the consequence this might lead to a loss of species and habitat diversity, resilience of forests etc. However, depending on the forest habitat type, other factors such as high game populations and other influencing factors outside of forestry, including nitrogen deposition, disturbances to the hydrological cycle or drainage appear to be more significant (BfN, 2013). According to the vTI (2012) land use change due to transport infrastructure, housing development, construction of industrial facilities. <u>*Clear-felling & conversion*</u> The size of clear-cutting is regulated by law in Germany. Clear cuttings, which could lead to fragmentation on the size of landscape ecosystems, are in any case subject to approval and may require compensation and compensation. The licensing requirement also applies to the conversion of forest areas (cf. Cat. 4). The law restricts the threat of fragmentation as a result of major clear-felling. Lawsuits against forest administrations and forest enterprises by nature conservation organizations have been reported in which violations of the prohibition of causing site degradation and land use transformation have been reported. In its 2016 forest report, for example, the BUND criticized violations of nature conservation and forest laws as well as the prohibition of deterioration, citing concrete examples (BUND, 2016). In most cases, legal		management activities are not seen as the root cause, but plays a minor role and if so only on small scale. Of huge relevance is increasing infrastructure in form of roads, settlements as well as agricultural activities. Moreover forest authorities and nature conservation are working closely together to diminish effects of fragmentation, e.g. through the implementation of the Natura 2000

	http://www4.lubw.baden-wuerttemberg.de/servlet/is/13940/beeintraechtigung_ffh_gebieten.pdf?command=downloadContent&filename=beeintraechtigung_ffh_gebieten.pdf; last accessed on 26th of January 2017. Köhler, R., Eggers, B. (2012): Waldfragmentierung und Artenschutz. Analyse der Auswirkungen der Fragmentierung von Waldökosystemen auf Indikatorarten unter Berücksichtigung von Landschaftsstrukturindizes. Sonderheft 363. Johann Heinrich von Thünen-Institut (vTI), Bundesforschungsinstitut für Ländliche Räume, Wald und Fischerei, Institut für Weltforstwirtschaft. https://www.thuenen.de/media/publikationen/landbauforschung-sonderhefte/lbf_sh363.pdf; last accessed on 06.02.17. Kraus D. Krumm F. (Hrsg.) 2013. Integrative Ansätze als Chance für die Erhaltung der Artenvielfalt in Wäldern. European Forest Institute. 300 S. http://www.bmel.de/SharedDocs/Downloads/Wald-Fischerei/BroschuereArtenvielfaltWald.pdf?__blob=publicationFile; last accessed on 1st of February 2017. Meinel, G., Schumacher (Hrsg.) (2011): Flächennutzungsmonitoring III. Erhebung – Analyse – Bewertung. IÖR Schriften Band 58, Leibniz – Institut für ökologische Raumentwicklung. http://www.ioer-monitor.de/fileadmin/Dokumente/Auswahl_Artikel/Beitrag_Walz_et_al_IOER_Schriften_58_2011.pdf; last accessed on 26th of January 2017. Nationalparkverwaltung Bayerischer Wald, 2010, "Nationalparkplan - Walderhaltungs- und Waldpflegemaßnahmen.“. http://www.nationalpark-bayerischer-wald.de/doc/service/downloads/nationalparkplan/walderhaltun	consequences were demanded. From the perspective of the representatives of nature conservation, the lack of a definition of good forestry practice for forest management and the corresponding rules lead to such infringements. <u>*Construction of roads and infrastructure*</u> As already mentioned above, the conservation values to be evaluated in Germany as HCV2 are not untouched landscapes, due to the historical and current land use and the resulting degree of fragmentation of the landscape and also forest areas. In the majority of these areas, forestry is or has been used in the recent past. For example, many of these areas are traversed by road networks with different degrees of fine-tuning; back roads are usually 20-40 m apart. The protection status is intended to contribute to the development of these areas into areas that are closer to nature (e. g. in national parks or biosphere reserves). In some federal states and areas, forest enterprises are striving to reduce the percentage of development per hectare, among other things by means of demolition measures. Certain silvicultural strategies or increased use of wood resources can lead to the further development of forest road networks in local areas. According to the working group's assessment, a locally limited situation that is not relevant for Germany as a whole or poses a threat to areas of this kind. In view of the fact that HCV2s are protection values at landscape level, the working group also notes that the fine-tuning by backways does not lead to fragmentation due to their small structure. In the indicator, forest road construction with earth moving ("roading") is defined as a reason for fragmentation on the landscape level. Fine development is not regarded as a forest road construction in the narrower sense. Other forestry activities that can lead		approach and others. While considering the risk assessment of 1.3, 1.8, 1.9, 1.10 as well as CW Category 4 large-scale fragmentations through unplanned logging activities or conversion are do not take place in Germany. Threshold 10 is met. The risk designation for the area under assessment is ‘low risk’.

	gs_waldpflegemassnahmen.pdf (last accessed on: 24. Oktober 2016). Naturschutzbund Deutschland (NABU) e.V., 2008, „Waldwirtschaft 2020.: Perspektiven und Anforderungen aus Sicht des Naturschutzes, Berlin – Strategiepapier.“. https://www.nabu.de/imperia/md/content/nabude/wald/4.pdf (last accessed on: 24. Oktober 2016). ——2014, „Natura 2000 im Privatwald: Umsetzungmöglichkeiten durch die EU-Naturschutzfinanzierung.“. https://www.nabu.de/downloads/Natura-2000-im-Privatwald.pdf Oehmichen, K., Köhl, M. (2006): Weiterentwicklung von Indikatoren zur Erfassung der Fragmentierung von Wäldern unter Berücksichtigung der Datenverfügbarkeit. Arbeitsbericht des Instituts für Weltforstwirtschaft 2006/2. Bundesforschungsanstalt für Forst- und Holzwirtschaft und Zentrum Holzwirtschaft der Universität Hamburg. http://literatur.thuenen.de/digbib_extern/dk038949.pdf; last accessed on 1st of February 2017. Paschke, M., Riedinger, D. „FFH-Impact: Teil 3: Eigentumsrechtliche Bewertungen der Auswirkungen der FFH-Richtlinie (92/43/EWG) auf private Forstbetriebe: Arbeitsbericht des Instituts für Ökonomie der Forst- und Holzwirtschaft 2012/06.“. Arbeitsbericht des Instituts für Ökonomie der Forst- und Holzwirtschaft 2012/06. http://literatur.thuenen.de/digbib_extern/bitv/dn050976.pdf (last accessed on: 24. Oktober 2016). Umweltbundesamt (2013): Bebauung und Versiegelung. https://www.umweltbundesamt.de/themen/boden-landwirtschaft/bodenbelastungen/bebauung-versiegelung; last accessed on 06.02.2017	to fragmentation at the landscape level, such as plantation areas, do not take place in Germany as a whole (cf. also CW Category 4). Even though environmental associations criticize the sometimes high degree of forest development per hectare and the associated fragmentation effects, the working group does not assess these effects as fragmentation at landscape level. Only a small proportion of the roads in forests are actually paved and asphalted, the majority of running meters are skidding trails. As a rule, these do not lead to the thinning of the canopy and are only used selectively and for a short period of time during thinning and harvesting phases and not permanently. In addition, forest track construction measures are aimed at taking nature conservation concerns into account, e. g. an environmental impact assessment of road construction activities in FFH and Natura 2000 areas is carried out if necessary (Thuringia Ministry of Agriculture, Nature Conservation and Environment 2003). *Planting of foreign species* In Germany, according to the Federal Nature Conservation Act (BNatSchG), the introduction of alien species in the open countryside must be approved by the federal states, unless this is carried out within the framework of agriculture, forestry, hunting, fishing or biological plant protection (BfN 2009) (cf. Cat. 3.1). *High wildlife population* Monitoring of wildlife is often carried out in forest enterprises. The Federal Forest Inventory 2012 has also included game biting of trees with a height of 20 cm to 130 cm. According to this study, 33 percent of the small deciduous trees and 10 percent of the small conifers (20 - 130 cm) are damaged. Oak trees are particularly affected with 43 percent.		

	Wippel, B. et al., 2012, „Project FFH-Impact: Executive Summary. “ Arbeitsbericht des Instituts für Ökonomie der Forst- und Holzwirtschaft 2012/03. http://literatur.thuenen.de/digbib_extern/bitv/dn050973.pdf (last accessed on: 24. Oktober 2016). BMUB (2014): Das Bundesprogramm Wiedernetzung. http://www.bmub.bund.de/themen/natur-biologische-vielfalt-arten/naturschutz-biologische-vielfalt/natur-naturschutz-biologische-vielfalt-download/artikel/das-bundesprogramm-wiedervernetzung/ http://www.bmub.bund.de/fileadmin/Daten_BMU/Download_PDF/Naturschutz/bundesprogramm_wiedervernetzung_bf.pdf; last accessed on 1st of February 2017.	According to BMEL (2017), this shows a considerable selection pressure at the expense of deciduous and coniferous trees, which can make a close-to-nature development of forests more difficult. The extent to which damage arises as a result of biting or the rejuvenation of the forest is endangered as a whole can only be assessed on a case-by-case basis, taking into account site and forestry objectives. Stricter hunting and, if necessary, other measures such as fencing should help to remedy this situation. To protect landscape ecosystems and mosaics from fragmentation, different approaches are pursued in Germany. <u>*Close-to-nature forest management as predominant principle:*</u> • Close-to-nature forest management, afforestation, small-scale clear-felling are generally not seen as threats by forest experts, in case sensitive species are taken into consideration. As already described in CW Category 1 as well as for HCV1 the German Forest and Nature Conservation Legislation requires defined forest management planning and mapping besides that close to nature forestry is the predominant silvicultural approach in Germany. The risk that fragmentation caused by forest activities takes place on large scale and in an uncontrolled way can be designated as low. The extent of clear-fells is regulated in the state forest laws. In Niedersachsen (NWaldG, §12) and Baden-Württemberg (LWaldG, §15), for example, clear-fells larger than 1 ha require prior authorization.) <u>*Reduced forest management activities*</u> Besides the legislative requirements that are prescribed in the National and Federal Forest Act as well as in the Nature		

		Protection Act that have to be considered by forest management despite a specific protection status of their forest management unit, particularly the prominent large protected areas such as national parks and biosphere reserves have their own management plans. A system of zoning is employed to exclude or minimize the impacts of forestry in particularly valuable areas. No forest management occurs in the majority of core zones; instead these areas are set aside to facilitate natural development towards wilderness areas (BfN, 2016; Nationalparkverwaltung Bayerischer Wald, 2010). *Intensive scientific research* The extent of soil sealing and connected habitat fragmentation is monitored via aerial photographs, topographical maps, cadaster data and other geographical information. The federal committee for soil protection has established a working group to monitor the extent and changes. Scientific research related to forestry also tries to calculate the degree of forest fragmentation via different indicators as well as via habitat modelling to estimate the impacts on different species populations (Oehmichen & Köhl 2006, Köhler & Eggers 2012; Kraus & Krumm 2013). Even though the indicators might need some more adaptation to specific context, they allow to conclude that further get an overview about the degree of forest fragmentation due to forest management activities is of negligible concern. The vTI recommends to develop a target species monitoring to better manage specific species populations. *Creation of habitat connectivity* The Federal Nature Conservation Act entitles the Federal States to create habitat connectivity that should cover at least 10 % of the area of each federal state. Forest habitats are included.		

		As mentioned in the introduction to this HCV category the most important representative forest habitats and landscape ecosystems with forests are under protection and often set aside from forest management activities or managed with low intensity forest management. The European habitats directive was transposed in national law in 1998 (Sipped, 2007) and is anchored in §§32 to 38 of the federal nature conservation act. Germany's SACs can be searched via an online database. In addition to the Natura 2000 and Habitats Directive approach, there are several programmers and initiatives to promote habitat connectivity. The Federal Cabinet has launched the federal programmer "Re-networking" in order to improve cooperation between local interest groups at the federal state level, for example, or to enable projects on major roads in Germany. In connection with the designation of FFH areas, environmental associations refer to a contract infringement procedure that Germany is facing from the EU Commission. In a parliamentary question by members of BÜNDNIS 90/die GRÜNE of 26 October 2016, the Federal Government states that the Commission considers that Germany has failed to fulfil its obligations to legally safeguard and establish conservation measures in Habitats Directive areas because, for many areas, these requirements have not been met within the six-year period following the listing of the areas. It is now planned to complete legal protection by 2018 and the definition of conservation measures by 2020 (see also HCV1). Even if not all FFH areas are currently listed or management plans exist for them, the working group considers the protection of HCV2 against landscape fragmentation to be sufficiently given due to existing legislation and the precautionary principle. However, it sees a need for action to implement the FFH/ the Natura2000 Directive in a more mandatory way in Germany.		

		On the level of habitats, the skid road development in forests can undoubtedly lead to the fragmentation habitats, etc. Fragmentation as a result of forest management can occur on a small scale for HCVs 2.) Development of skid roads is not classified as fragmentation at landscape level. Fragmentation on landscape level is often historically determined, occurs due to other forms of land use (e. g. renewable energies), but is not caused by forest management activities. The risk designation is low risk'.		
<u>Analysis of Threshold 11:</u> HCV 2 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.				Threshold 11 has not been assessed as threshold 10 is met.
<u>Analysis of Threshold 12 for specified risk:</u> HCV 2 is identified and/or its occurrence is likely in the area under assessment, and it is threatened by management activities.				Threshold 12 for specified risk has not been assessed as threshold 10 is met.
3.3 HCV 3	MULEWF Rheinland-Pfalz, 2013. „Zusammenstellung der Vorgaben zur Bewirtschaftungsplanung von Natura 2000-Gebieten in Rheinland-Pfalz.“. http://www.natura2000.rlp.de/pdf/bwp_natura2000_handbuch_20130417.pdf (last accessed on: 14. October 2016).	The legal framework for the protection and designation of nature protection areas, special biotopes but also protection forests is fixed on the national and on the federal state level, and is being implemented. The corresponding authorities, such as the nature conservation agencies, set down necessary measures for individual areas and the monitoring process in management plans, with respect to the conservation status of the natural habitat types and species in conjunction with municipal planners and with the participation of stakeholders (MULEWF Rheinland-Pfalz, 2013).		The risk designation for Indicator 3.3 for the area under assessment is 'low risk' as threshold 15 is met. The occurring HCV 3 are identified

		Forest management plans are designed accordingly. Isolated instances of violations are known. The described implementation status of the Habitats Directive highlights corresponding ambiguities in managing SACs and monitoring violations. At the same time, there are intensive discussions at the expert level concerning the assistance to the implementation of the requirements. It must be assumed that the current efforts to observe the prohibition on deterioration and to implement management plans have a positive effect. A slightly different risk with regard to private forest arises from existing deficits with respect to knowledge and information concerning natural, economic and legal impacts stemming from the designation of SACs. It may be assumed that this is slightly higher than in federally-owned forests, where the regulations are binding. The approach to address private forests owners includes other instruments such as contract nature protection. Many, many small forest private owners are supervised by the public forest authorities. The share of SACs in public forests is predominant, so regulations are binding on the bigger share of SACs. According to Sippel (2007) Rosenkranz et al. (2012) 46% of FFH areas in forest habitats are represented on 5%. So the necessity for a functional assessment of Federal forest (Bundeswald) private and on 46% of Federal State situated in public forests (Landeswald). The share of corporate forests amounts to 21%, 28% of the FFH forest area is located in private forests (Rosenkranz et al. 2012). Differences. The differences in implementation the Habitat Directive in public and private forests do not lead to a divergent risk determination for the different types of ownership. The risk designation for this HCV Category is 'low risk' ".		and effectively protected against threats from forest managemen t activities.
Analysis of Threshold 13:	Adler, S. „Natura 2000 im Wald." Vortrag, 2014. Bundesamt für Naturschutz, „Artenschutz-Report 2015: Tiere und Pflanzen in Deutschland.".	The conservation value HCV3 is present in the form of Natura 2000/habitat types of the Habitats directive (with exception of beech forest habitat types 9110 and 9130) and		HCV 3 do exist in Germany,

There is no HCV3 identified and its occurrence is unlikely in the area under assessment. <u>Context:</u> • Which ecosystems classified at national/regional level might be considered HCVs of category 3? Do national/regional systems for protection exist that can be utilized to assess the occurrence of and the threat to the HCVs? (e.g.: Natura 2000 protected areas at European level)	https://www.bfn.de/fileadmin/BfN/presse/2015/Dokumente/Artenschutzreport_Download.pdf. ——, „Besonders geschützte Biotoptypen nach § 30 BNatschG.“. https://www.bfn.de/0308_geschuetzte-biotoptypen-bes.html (last accessed on: 12. Oktober 2016). Bund für Umwelt und Naturschutz Deutschland e.V. (BUND), „Waldreport 2016.“. https://www.bund.net/fileadmin/bundnet/publikationen/naturschutz/160129_bund_naturschutz_waldreport_2016.pdf (last accessed on: 14. Oktober 2016). Bundesamt für Naturschutz (BfN), „Nationalparke.“. https://www.bfn.de/0308_nlp.html (letzter Zugriff: 24. Oktober 2016). Bundesministerium für Ernährung und Landwirtschaft (BMEL), „Bundeswaldinventur: Unser Wald - nutzen und bewahren.“. https://www.bundeswaldinventur.de/. „Gülzower Fachgespräche: Waldbewirtschaftung in FFH-Gebieten.“. Gülzower Fachgespräche; 22.-23.10.12. https://mediathek.fnr.de/broschuren/sammlungen/schriftenreihe-gulzower-fachgesprache/waldbewirtschaftung-in-ffh-gebieten.html. Rosenkranz, L., B. Wippel und B. Seintsch, „FFH-Impact: Teil 1: Umsetzung der FFH-Richtlinie im Wald in den Bundesländern.“. Arbeitsbericht des Instituts für Ökonomie der Forst- und Holzwirtschaft 2012/04. http://literatur.thuenen.de/digbib_extern/bitv/dn050974.pdf http://literatur.thuenen.de/digbib_extern/bitv/dn050974.pdf (last accessed on: 24. Oktober 2016). Ssymank, A., „Biodiversität und Naturschutz in Eichen-Lebensraumtypen.“ AFZ/Der Wald 71. Jahrgang, Nr. 20 (2016): 10–13	in the form of sites protected under the Federal Nature Conservation Act as landscape-level ecosystems and small habitats. Germany possesses 8,676 nature protection areas (BfN, 2016; Adler, 2014). The combined area of nature protection areas in Germany is 1,378,410 ha. This corresponds to 3.9 % of the national territory. Reports and maps detailing the designated areas do exist on federal state level according to the various protection categories. In addition, the Federal Nature Conservation Act (§30), the Federal State Nature Conservation Laws (e.g., LNatSchG BaWü, §24a) and the State Forest Laws specify special biotopes. Relevant forest biotopes in this context are fen woods, swamp forest, riparian forest, ravine forest, forest on stone runs, talus forest and subalpine larch and larch-Swiss pine forests (BfN, 2016). According to the national forest inventory (BWI) (BMEL, 2015), especially protected biotopes occupy ca. 593,000 ha, or 5 % of the forest area. In most cases (77 %) these are fen woods, swamp forest or riparian forests and other wet biotopes. According to Rosenkranz et al. (2012) 46% of FFH habitats are situated in public forests, 28% in private forests. According to Aldinger (cited in FNR, 2012), forest habitat types can be roughly divided between managed beech forest habitat types – accounting for approximately 80 % of the habitats of the Habitats Directive in Germany – and Habitats Directive biotopes. Forests in Habitats Directive biotopes are situated predominantly on unique sites. Other habitat types are, for example, oak habitat types, hardwood riparian forests, etc. Apart from beech forest habitat types (not considered under this protection category), other sites significant in terms of area include oak habitat types, which account for approximately 9.3 % of the area of SACs listed in Germany. They play an important role particularly for t fauna associated with old trees and dead wood (Ssymank, 2016). The small share of rare forest habitat types are a		threshold 13 is not met, further assessment is needed.

	(Last accessed on: 24. October 2016).	result, among other things, of history such as reforestation of forest sites after World War II with conifers as well as past drainage and land use conversion schemes (cf. a. HCV 1 and HCV 3) (BMEL, 2015, BfN, 2015).		
Analysis of Threshold 14: There is low/negligible threat to HCV3 caused by management activities in the area under assessment. Context: Does forest management pose a threat to HCVs of category 3?	Sources as for HCV1 and HCV2	Potential threats posed by forest management activities correspond to those described previously for HCV 1 and HCV 2. Silvicultural use is permitted in Natura 2000 sites provided the silvicultural measures employed do not contribute to a deterioration of the conservation status of FFH -habitat types or of habitats home to species protected under the Habitats and Birds Directives. This gives a special significance to safeguarding a long term and permanent availability of forest stands (historical continuity) and also to the continuity of habitat structures such as old trees and dead wood as well as various structures of biotope trees for the conservation of numerous characteristic species. Measures of forest restructuring and to increase the share of deciduous forests are taking place on the whole German forest area since several years. According to the BWI III (2014) the orientation by nature of the tree species composition in the main tailoring has changed slightly compared to the last inventory. The proportion of more close-nature- forests has slightly increased 15% of the forests show a very close to nature and further 21% a natural tree species composition. The proportion of these two orientations by nature levels is particularly high in beech forests (84%) and fir forests (68%). With only 15% it is particularly low in pine forests. Federal state forests (43%) as well as corporate forests (41%) show a high percentage of a tree species composition close to nature and very close to nature. Forest restructuring is most advanced in these types of ownership.		The threats posed by forest managemen t have been described and are relevant across large areas. Threshold 14 is not met, further assessment is needed.
Analysis of Threshold 15:	Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Peter Meiwald, Annalena Baerbock, Bärbel Höhn, weiterer Abgeordneter und der Fraktion BÜNDNIS 90/DIE GRÜNEN – Drucksache 18/9884 - , 26.10.2016.	Representative areas of natural forest habitats and valuable ecosystems are identified and some of these have been given a protection status. Many of the SACs intersect with national protected areas and so are subject to multiple		Precautions for HCVs in form of statutory

HCV 3 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from the threats caused by management activities. Context: Threats to be taken into consideration: • A lack of effective protection measures for HCVs of category 3 • Is there progress towards the achievement of the Aichi targets apparent in the area under	http://dipbt.bundestag.de/doc/btd/18/101/1810151.pdf Bundesamt für Naturschutz, „Naturschutzgebiete." https://www.bfn.de/0308_nsg.html (last accessed on: 19. September 2016). „Strategischer Plan 2011−2020 für den Erhalt der Biodiversität." https://www.bfn.de/0304_2010ziel.html (last accessed on: 14. Oktober 2016). „Gülzower Fachgespräche: Waldbewirtschaftung in FFH-Gebieten." Gülzower Fachgespräche; 22.−23.10.12. https://mediathek.fnr.de/broschuren/sammlungen/schriftenreihe-gulzower-fachgesprache/waldbewirtschaftung-in-ffh-gebieten.html. Landeswaldgesetz: (LWaldG). 2000. http://www.lexsoft.de/cgi-bin/lexsoft/justizportal_nrw.cgi?t=147627962538439433&sessionID=6154111711774293430&chosenIndex=Dummy_nv_68&templateID=document&source=context&source=context&highlighting=off&xid=187469,1 (last accessed: 12. Oktober 2016). „Natura 2000 und Wälder: Teil I−III." http://ec.europa.eu/environment/nature/natura2000/management/docs/Final%20Guide%20N2000%20%20Forests%20Part%20I-II-Annexes_de.pdf. ".	protection mechanisms. Biotopes outlined in the Habitats Directive are protected under the Federal Nature Conservation Act and the state laws (Forest and Nature Conservation Laws) (Aldinger, cited in FNR, 2012). The expansive maps of biotope types, covering the various forms of forest ownership, provide up-to-date material for many of federal states, which allows planning and implementing necessary conservation and development measures. An economic and silvicultural use of forests that serve the protection of such biotopes is permissible, but may be restricted in certain situations (BfN, 2014). The Federal Forest Act (§12) and the state forest laws regulate the designation of protection forests. According to §16, LWaldG Rheinland-Pfalz (Landtag Rheinland-Pfalz of 30 November 2000) these include: • soil protection forest (§17, LWaldG Rheinland-Pfalz) • forest protecting against damaging environmental emissions (§17, LWaldG Rheinland-Pfalz) • biotope protection forest (§18, LWaldG Rheinland-Pfalz) In each case the protection function takes precedence over other forest functions. Germany ranks on place 6 of the so-called Environmental Performance Indicators (EPI) for the aspect of biodiversity / habitats in 1st place as compared to international standards. Important in considering HCV 3 is, that it is primarily about providing space for nature conservation inter alia in the form of protected areas and not about specific species protection. A fundamental threat to forest habitat types cannot be assumed likewise for all forest habitat types. Close-to-nature forest management is principally possible in beech		provisions, but also in form of handouts to implement the requirements do exist. category 3 have been identified through inventory and monitoring activities and are effectively protected against threats posed by forest management activities. Threshold 15 is met; the risk designation for the area under assessment is 'low risk'.

assessment?		forest habitat types, which provide the largest share of the forest habitat types, without jeopardizing the achievement of FFH protection goals. Prerequisite is that the intensity, etc., is adapted to the requirements of the forests. On the contrary other forest habitat types such as oak forest habitats require a targeted forest management in order to maintain a good conservation status. Specific measures to achieve the protection goals are not formulated in the Habitats Directive, but they are at the discretion of the member states. Therefore, according to Schmack et al. (2013), the creation of management plans in FFH areas is not obligatory, but is recommended from a nature conservation point of view and is executed in Germany. Even though the creation of management plans is not completed so far, Germany is driving the process forward, partly due to. legal requirements. State forest enterprises form an exception, they are bound to develop management plans. As already mentioned most of the FFH areas in Germany are situated in public forests. In the context of the designation of FFH sites environmental associations refer to infringement proceedings from the EU Commission against Germany. Members of parliament and the parliamentary group of Bündnis 90 /DIE GRÜNEN posed a parliamentary question to the Bundestag (26.10.2016). In their answer the Federal Government expresses that the European Commission considers that Germany has violated its obligations of legal assurance of and determination of conservation measures in FFH areas, because Germany has not fulfilled its obligations to list these areas within the required six-year period. Plans foresee to legally safeguard them until 2018 and to define conservation measures until 2020 completely. The infringement procedure in reference to the Habitats Directive may be considered as a corrective action.		

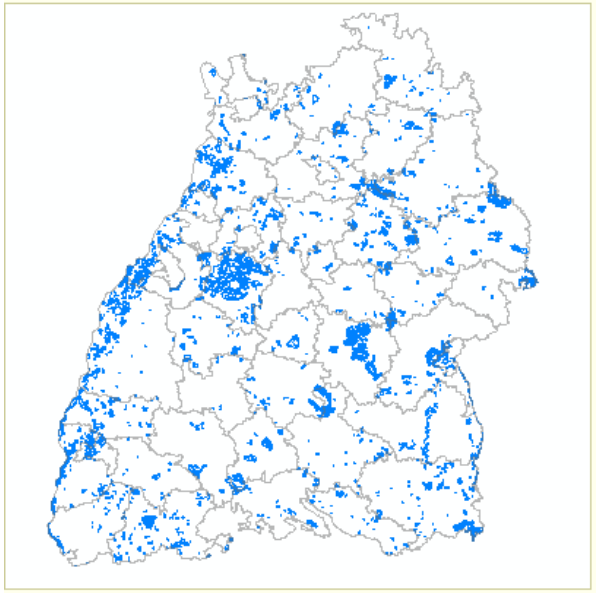
		Depending on the result a re-evaluation of risks/threats can follow. Three case studies from Germany are cited in the EU guidelines for forest management in Natura 2000 sites. They demonstrate the adopted management approach in Germany and give examples how the analysis of conservation values and impacts of forest management are handled. They can be seen as a proxy for expert consideration/discussions in Germany (European Commission, 2016). To prompt forest management that is compatible with conservation values such as special habitat structures, species occurrence or dead wood structures, and that possibly exceeds good practice; the Federal Agency for Nature Conservation publishes forest management guidelines for Natura 2000 sites on its website. Therein the agency relates to local studies and a set of guidelines published by the European Commission (European Commission, 2016). Private forest owners can apply for financial support for the management of Natura 2000 sites. The federal states can provide grants for this purpose using funding drawn from the European Structural Fund and from contractual nature conservation in forests. Unavoidable interventions and removal of high conservation value forests or habitats require a prior environmental impact assessment or a separate authorization from superior forest authorities. The share of FFH habitat types located in private forests accounts for about 1/3, although the liability of management plans in this area does not apply, numerous instruments and initiatives exist that provide advice and financial support for private forest owners in order to protect FFH habitats accordingly. Contractual conservation management agreements and eco-accounts are applied instruments as well. Depending on the federal state		

		different approaches apply. The current implementation status needs further improvement. The weak points are, however, clearly revealed and echo in political dialogues and the practical implementation already. Regulations for nature reserves can imply i.e. exemptions for forest management activities. However, the exemption is subject in some cases to certain conditions regarding nature and extent of timber harvesting. The partial content overlap of nature conservation and forest management legislation regulates forest management activities. The working group is aware that improvements in the implementation of the Habitats Directive are necessary (See also HCV 1 and 2). The working group comes to the consideration that forest management can represent a threat for HCV3, legal regulations are present, however, an effective protection can be achieved via corrective actions (such as infringement proceedings related to the Habitats Directive, dialogue between conservation administration-environmental organizations-forest owners, implementation of the national biodiversity strategy, forest restructuring). Within the context of the Controlled Wood Risk Assessment for the purpose of Controlled Wood declaration it may be presumed by comparing the implementation of the Habitats Directive on an international level that the risk is comparably low, when corrective actions for the production of Controlled Wood are undertaken consistently.		
Analysis of threshold 16: There is documented progress in achieving Aichi biodiversity	Secretariat of the Convention on Biological Diversity (SCBD), „Parties to the Nagoya Protocol. “ https://www.cbd.int/abs/nagoyaprotocol/ Signa Tories/default.shtml (Letzter Zugriff: 14. Oktober 2016).	Germany is a signatory to the Convention on Biological Diversity and also the Nagoya Protocol (homepage of the CBD Secretariat, 2016). The latter contains five strategic goals, as specified by the Aichi biodiversity targets. Germany is contributing to the development of a corresponding system of indicators (BfN, 2016).		Germany has developed a national Biodiversity Strategy that integrates the Aichi

targets21 relevant for the area under assessment confirming that these targets will be met OR Aichi targets are met. <u>Context:</u> Is there progress in achieving Aichi targets in the area under assessment?				targets and which have been integrated i.e. in the BNatschG and progress is documented. Threshold 16 is met, the risk designation is 'low risk'.
<u>Analysis of threshold 17 for specified risk:</u> HCV 3 is identified and/or its occurrence is likely in the area under assessment and it is threatened by forest management activities.				Threshold 17 for specified risk has not been assessed because threshold 16 is met. A risk assessment with 'low risk' was possible.
<u>Analysis of threshold 18 for specified risk:</u> There is no progress in achieving Aichi biodiversity targets.				Threshold 18 for specified risk has not been assessed

				because threshold 16 is met. A risk assessment with 'low risk' was possible.
3.4 HCV 4		Threats to protection forests are particularly described for the montane forests, at the same time they are generally well regulated thanks to good protection mechanisms and activities. Generally, forest legislation thrives to improve the protection functions of forests within the multifunctional management approach, rather than to diminish them. Management activities are adapted accordingly. Consequently, the risk can be evaluated as "low". Non-compliances in single cases can be identified and corrected; they do not occur across the whole area or frequently. Certificates of exemption that give priority to timber production over other ecosystem services are issued only after an official impact assessment in individual cases. The threat assessment is, therefore, classified as 'low risk.'		The risk designation for Indicator 3.4 for the area under assessment is 'low risk' as threshold 21 is met. There is low/negligible threat to HCV 4.
<u>Analysis of Threshold 19:</u> There is no HCV4 identified and its occurrence is unlikely in the area under assessment. <u>Context:</u>	Bach, M., 2008, „Erstellung eines Schutzwaldverzeichnisses mit freier GIS-Software: Diplomarbeit.". http://www.forst.tu-muenchen.de/EXT/PUBL/quednau/dipl_bach.pdf (last accessed on: 20. September 2016). Bayerische Staatskanzlei (): Waldgesetz für Bayern (BayWaldG) in der Fassung der Bekanntmachung vom 22.Juli 2005 (GVBl S. 313) BayRS 7902-1-L, in Kraft ab 30.08.2014., http://www.gesetze-bayern.de/Content/Document/BayWaldG-10?AspxAutoDetectCookieSupport=1; last accessed on 06th of February 2017. Bundesministerium für Ernährung und Landwirtschaft, "Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), that has been lastly adapted by arcticle 413 of the legal ordinance from	Forestry in Germany adheres to the concept of the multifunctionality of forests, as is reflected among other things in the legal intent of the Federal Forest Act. This means that the forest area shall be preserved, increased and sustainably managed not only for its economic utility but also for its environmental values (e.g., the hydrological cycle, climate, landscape aesthetics, recreation) (BMEL, 2015). Forests referring to HCV 4 in Germany are designated with a legal protection status and fulfil the following functions (sensu Federal Law Gazette, §12): protection against damaging environmental impacts in the sense of the Federal Emissions Protection Act of 15 March 1974 (Federal Law Gazette I, p. 721), erosion by water and wind,		HCVs of category 4 are present in the area under assessment in form of flood protection and protection of drinking water. Threshold 19 is not

• Do HCVs of category 4 exist in the area under assessment? • Are there areas of forest present in the area under investigation that play a critical role in the ameliorati on of the effects of flooding, in the regulation of the water level or of water quality?	31st of August 2015 (BGBl. I S. 1474) ". 2015. http://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf	desiccation, damaging run-off of precipitation and avalanches. Protection forests are spread all over Germany, their occurrence is identified within the forest function mapping, which exists on federal state and community level in Germany. Data and maps are publicly available. Example: Overview forest function mapping in Bavaria http://www.stmelf.bayern.de/wald/waldfunktionen/waldfunktionsplanung/054599/index.php		met, therefore further assessment is needed.

		 Sonstiger Wasserschutzwald in Baden-Württemberg (Quelle: InFogis; Stand: 21.12.2009) Example: Forests for water protection in Baden-Württemberg. Source: http://www.fva-bw.de/indexjs.html?http://www.fva-bw.de/forschung/wg/wfk/wfk_themen.php?thema=3; last accessed on 6th of January 2017.		

Waldfunktionen nach Waldfunktionenkartierung	Fläche	
	(ha)	(%)
gesetzlicher Erholungswald	10156	0,73
Erholungswälder der Stufen 1 und 2	382120	27,44
Sichtschutzwälder	4045	0,29
Klimaschutzwälder	177200	12,72
Immissionsschutzwälder	113816	8,17
Bodenschutzwälder	248767	17,86
Wasserschutzwälder mit wasserrechtlicher Zweckbindung	459067	32,96
sonstige Wasserschutzwälder	109119	7,84
sonstige Schutzwälder	461	0,03

Tabelle: Beanspruchung des Waldes durch Schutz- und Erholungsfunktionen. Die Prozentangaben beziehen sich auf die Gesamtwaldfläche Baden-Württembergs von 1,39 Mio. Hektar (Quelle: Forstliche Versuchs- und Forschungsanstalt Baden-Württemberg, Stand April 2013).

Example: Share of protection and recreational forests in Baden-Württemberg. Source: http://www.denkmalpflege-bw.de/uploads/tx_ttproducts/datasheet/Broschuere_Archaeologie-Landwirtschaft-Forstwirtschaft.pdf; last accessed on 6th of January 2017.

Of particular importance in respect to HCV4, albeit limited in their extent, are montane forests. According to Bach (2008), Bavaria is the only German federal state possessing a share of the upper montane alpine forest, comprising 307,600 ha. Around 157,000 ha montane forests are designated protection forest under the Bavarian forest law (§10, BayWaldG). This corresponds to a proportion of about 50% of the montane forest area (Wehrli et al. 2007). These forests functions as protection against from erosion, mudflow, avalanches and floodings. The other 40% of the montane forests do are regularly managed with the multifunctional management approach that is the common approach of forest management in Germany.

Analysis of Threshold 20: There is low/negligible threat to HCV4 caused by management activities in the area under assessment. Context: • Are there effective management tools and/or regulations capable of ensuring that these forest areas can continue to perform their functions? • Are HCVs of category 4 threatened by forest	Bayerisches Landesamt für Umwelt (LfU), Forstwegebau und Holzernte im Wasserschutzgebiet (Augsburg, 2014); Merkblatt Nr. 1.2/10. https://www.lfu.bayern.de/wasser/merkblattsammlung/teil1_grundwasserwirtschaft/doc/nr_1210.pdf. Bayerische Landesanstalt für Wald und Forstwirtschaft (LWF) (2004): Vorbeugender Hochwasserschutz durch Wald und Forstwirtschaft in Bayern. LWF Wissen 44. http://www.lwf.bayern.de/service/publikationen/lwf_wissen/035020/index.php; last accessed on 6th of February 2017. Bayerisches Staatsministerium für Ernährung, Landwirtschaft und Forsten (StMELF Bayern), Bayerische Forstverwaltung, „Schutzfunktion des Waldes: Wald schützt.“. http://www.stmelf.bayern.de/wald/waldfunktionen/schutzwald/ (last accessed on: 20. September 2016). Bayerisches Staatsministerium für Ernährung, Landwirtschaft und Forsten (StMELF Bayern): Erfolgskontrolle bei Schutzwald- und Schutzwaldsanierungsprojekten in Bayern. Antrag der Abgeordneten Rinderspacher et al. (Drs. 16/15166). Sitzung des Ausschusses für Ernährung, Landwirtschaft und Forsten am 27.02.2013. http://www.stmelf.bayern.de/mam/cms01/wald/waldfunktionen/dateien/erfolgskontrolle_schutzwald_anlage.pdf; last accessed on 06th of February 2017. Bayerische Staatsregierung (2012): 17. Raumordnungsbericht. Bayern 2008-2012. https://www.landesentwicklung-bayern.de/fileadmin/user_upload/landesentwicklung/Dokumente_und_Cover/Raumbeobachtung/17_ROB/17_ROB_gesamt_Internet.pdf; last accessed on 06th of February 2017 BUND Naturschutz in Bayern e.V., „Zahlen und Fakten: Bergwald.“. https://www.bund-	*Protection forests* There is no fundamental separation between protection forests and commercial forests in Germany, but one integrated forest management is applied (BMEL 2017). Among other functions, the German map of forest functions serves to register and highlight forest areas with a particular significance in terms of protection and recreation. The individual forest functions are identified by experts and delimited on maps. From this it is possible to derive recommendations in line with the application of the precautionary principle (UBA, 2015) during forest management activities. Indicators include water protection, soil protection, noise protection, recreation and nature and landscape conservation. Expert groups focus on continuously improving the design and implementation of the process of mapping forest functions (Volk & Schirmer, 2013). In this context the legal basis has a more binding character. According to the federal forest act, “forest may be declared protection forest where it is necessary to implement or prohibit certain forestry operations in order to defend against or prevent dangers, significant negative impacts or significant annoyances for the general public.” The declaration of forest as protection forest is of particular relevance in the context of protecting against damaging environmental impacts in the sense of the federal emissions act (Bundesgesetzblatt I, p. 721), erosion by water and wind, desiccation, damaging run-off of precipitation and avalanches (StMELF, 2016). After a few big floodings in Germany (e.g. Elbehochwasser 2002, 2006 etc.) along riparian areas, but also in mountainous regions efforts have been made to develop an integrated protection strategy against floodings (vgl. Uecker 2005). *Mountain forests*		Threats posed by forest management are limited in their spatial extent. Such have been identified and addressed effectively. Threshold 20 is not met, therefore threshold 21 is assessed.

management activities? The following threats shall be considered: • reduction of water quality and quantity negative impacts on human health (e.g., water contamination)	naturschutz.de/fileadmin/download/alpen/Zahlen_Fakten_Bergwald_Alpen.pdf (last accessed on: 19. September 2016). Dorren, L.; Berger, F.; Maier, B. (2005): Der Schutzwald als Steinschlagnetz. LWF aktuell 50, S. 25-27. http://www.waldwissen.net/technik/naturgefahren/steine/lwf_steinschlagnetz/index_DE; last accessed on 6th January 2017. Uecker, Chr. (2005): Hochwasserschutz an der Nahe. Der HOchwasserschutz Aktionsplan Nahe – Absicht, Leistungen, Grenzen, Handlungsempfehlungen. Diplomarbeit, Fachhochschule Trier. Volk, H., Schirmer, Chr., Leitfaden zur Kartierung der Schutz- und Erholungsfunktion des Waldes.: Entwicklung länderspezifischer Verfahren. Frankfurt am Main: Sauerländer Verlag, 2013 (last accessed on: 20. September 2013). Wasserhaushaltsgesetz vom 31. Juli 2009 (BGBl. I S. 2585), das durch Artikel 1 des Gesetzes vom 4. August 2016 (BGBl. I S. 1972) geändert worden ist. 2009. Wehrli, A. et al. (2007): Schutzwaldmanagement in den Alpen – eine Übersicht. In: Schweiz Z Forstwes 158 (2007) 6: 142-156. http://ecorisq.org/docs/WehrliEtAl_SchutzwaldAlpen_SZF.pdf; last accessed on 6th of February 2017.	• Main threats by current forest management to montane forest, are the following (BN Bayern, 2004):a massive increase in timber harvesting in federal forests • a lack of forest regeneration especially of admixed species (too much spruce, danger of wind throw) • significant browsing and a corresponding reduction of the protection function • forest pasture However this list of threats was published 2004 and since then the management of montane forests has changed, as described below.		
<u>Analysis of Threshold 21:</u> HCV 4 is identified and/or its occurrence is likely in the area under assessment,	BMUB & BfN (2014): Die Lage der Natur in Deutschland. Ergebnisse von EU-Vogelschutz und FFH-Bericht. https://www.bfn.de/fileadmin/MDB/documents/presse/2014/Die_Lage_der_Natur_in_Deutschland_neu.pdf BUND Naturschutz in Bayern e.V.; BN-Studie Bergwald 2013. https://www.bund-naturschutz.de/fileadmin/_migrated/content_uploads/BN_Bergwald_Studie.pdf	*<u>Protection measures</u>* Forest management should help to improve the protective functions and not to diminish them. The federal state of Bavaria e.g. developed an integrated flood protection strategy (LWB Bayern 2004), in which inter alia the protective function of mountain forests and forests is investigated and parameters such as surface runoff are evaluated. Silvicultural measures derived from these mapping and field trials include, e.g., restoration and		There are effective management tools such as forest function mapping and legal regulations, as well as

but it is effectively protected from threats caused by management activities. <u>Context:</u> Are there effective management tools and/or regulations capable of ensuring that these forest areas can continue to perform their functions?		afforestation of forests along riparian forests, changes in species composition or stocking density per hectare, etc. Forestry interventions in water protection areas etc. or on sensitive soils are regulated and controlled by the Water Protection Act (BMJV 2009), BNatschG, Federal Soil Protection Act, BWaldG and corresponding ordinances. Possible threats to drinking water from forestry can result from the release of water-polluting substances (fuel, operating and lubricants) in the forest. Threats may also arise from harmful changes in the protective soil during road construction or harvesting operations. Violations may occur in individual cases, but we have not been able to find any reports suggesting a major or systematic breach of these values. Forestry workers are trained and further educated. Accidents involving water pollutants must also be notified to the authorities (Bavarian LfU 2014). <u>*Protection meaures for mountain forests*</u> The sensitivity and relevance of mountain forests is recognised and monitored - e. g. slope stability, rejuvenation, index of protected forests. Because of legal requirements, the protection forests have been mapped so that the occurrence of these protection values is known. Forest management measures aimed at reducing negative impacts are applied and have achieved a high standard (Wehrli et al. 2007). In order to preserve and implement the protection of mountain forests, the Bavarian Forestry Administration has created a concept for integrated protection forest management. In addition to forest protection measures, the restoration of protection forests, strict hunting and grazing clarifications have been implemented. The restoration of		dedicated programs to improve the protective functions of forests. Threats from forest managemen t are spatially limited and effectively counteracte d. Threshold 21 is met. The risk assessment is "low risk".

		protected forests is regarded as a government task by all forest owners. The Bavarian Federal Ministry for Nutrition, Agriculture and Forestry (Bayerisches Staatsministerium für Ernährung, Landwirtschaft und Forsten (StMELF)) states on its website: “In 2008 the federal forest authorities in Bavaria have developed a special program “Bergwaldoffensive” to foster viable mountain and protective forests both in private and corporate forests. It aims to involve all relevant stakeholders such as forest owners, conservationists, hunters, alpine farmers, tourism associations and municipalities to develop solutions concerning forest management, road construction, hunting management, biotope cultivation and separation of forests and pasture land. Besides that a program for the restoration of protection forests was established, that includes • mapping of protection forests that are significant in their protection affect • detection of potential sites for protection forests that are not covered with trees, from which threats arise for settlements and traffic routes • collocation of measures according to the level of urgency • Planning and implementation of measures to restore protection Already 14.000 ha have been restored.” Crossboundary projects (e.g. INTERREG III) or the CIPRA network are working together to improve protection measures. Generally forest management activities aim at strengthening various forest functions of mountain forests (BayLWG, BWaldG). In a joint report by BMUB and BfN on the		

		"Situation of Nature in Germany" (2014) the forest-LRT in the Alps were evaluated with a favourable conservation status. Violations might occur in single cases, but we could not find any reports that give evidence for large scale or systematic violations of these values. A study published in 2013 by BUND Naturschutz in Bayern e.V. criticizes interventions into mountain forest stands that are made possible by a change in the forest legislation and led to the reallocation of approximately 7,000 hectares of sparse mountain forest to alpine pastures. The nature conservation association sees the protection and nature conservation functions at risk and restricted. Furthermore the insufficient data basis for the inventory of protective forests and reallocated sites as well as a lack of transparency in decision-making is criticized. Further developments into this direction are to be observed. However, the working group does not consider this case to be a fundamentally relevant threat to the HCV4s that occur in Germany, as this conversion is limited to a small part of the mountain forest area (approx. 2 %). The threat examined by BN Bayern does not originate primarily from forest management, but from other land uses (agriculture – alpine pastures). This is promoted by changes in land use planning and other structurally supportive instruments. Conservation of mountain and protection forests and appropriate restoration, sufficient game management and a cooperation of hunting, nature conservation and forest management is evaluated as essential by the working group in order to maintain protective functions. The assessment of threats by forest management is therefore “low risk”.		

Analysis of Threshold 22 for specified risk: HCV 4 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.				Threshold 22 for specified risk has not been assessed because threshold 21 is met. A risk assessment with 'low risk' was possible.
3.5 HCV 5		Access to forests is generally permitted by law and is respected. According to the Federal Forest Act a forest can be declared as recreation forest in the event that the public interest necessitates the protection, tending or design of forests for the purposes of recreation. Local restrictions are permitted under law in individual cases. Conflicts arise in isolated cases, but do not serve to limit the recreational function of forests on the whole. There are no indigenous peoples in Germany. Forest enterprises bear the brunt of an increasing significance of the recreational use of forests so that, with only isolated exceptions, this function is taken into consideration within legal frameworks and specific planning instruments, etc. Possible restrictions on the right to access the forests are temporary and serve to ensure the safety of visitors; e.g., during harvesting operations. Conflicts arise between nature conservation interests and recreation seekers in particular, and between different types of recreation use.		The risk designation for indicator 3.5 for the area under assessment is "low risk" as threshold 24 is met, as there is low/negligible threat to HCV 5 caused by forest management activities, more specifically effective management activities are in place.

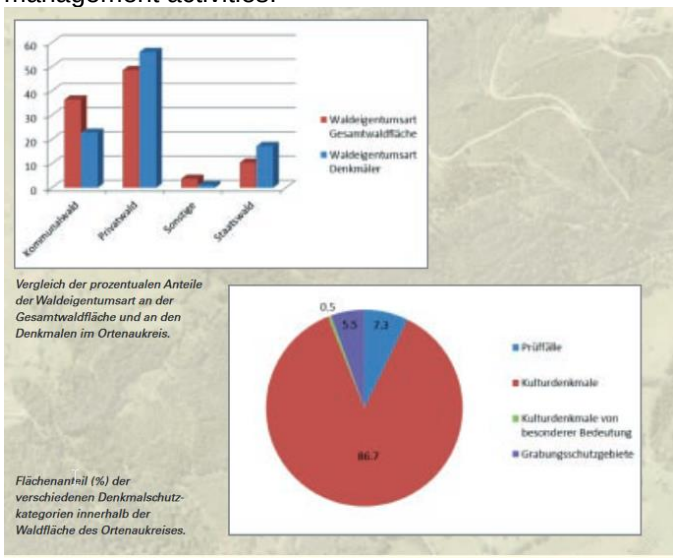
Analysis of Threshold 23: There is no HCV 5 identified and its occurrence is unlikely in the area under assessment. Context: Do HCVs of category 5 exist in the area under assessment?	Landesbetrieb ForstBW, Date unknown. „Arbeitspapier: Betretensrecht - Nutzungskonflikte und Steuerungsbedarf.: Internet Info ForstBW“. http://www.forstbw.de/fileadmin/forstbw_pdf/Arbeitspapier_Betretensrecht.pdf (last accessed on: 20. September 2016).	There are no indigenous peoples in Germany corresponding to the international definition of ‘indigenous groups’ employed by the UN and the ILO (cf. criterion 1.15). Customary rights do not exist at the statutory level but traditions are respected. Such uses generally occur locally, across limited areas and at low intensities (cf. controlled wood category 1: legality). Requirements of this HCV category in need of consideration in Germany concern official recreation forests and forests with a level 1 recreational function according to the national map of forest functions. Timber production, environmental protection and recreation occur simultaneously in these forests. Free access to forests and the landscapes is possible in principle throughout Germany. Visitors must adhere to certain rules in order to preserve other conservation values (ForstBW, undated). Recreational use frequently occurs in sensitive areas as these locations often possess an especially high nature experience value. Often these are large protected areas such as biosphere reserves, national parks and forests in metropolitan catchment areas. The latter is not a category of protection forests but represents a conglomerate of nature and landscape protection areas (e.g., SACs) and forest sites subject to normal forest use. The recreational use by local recreation seekers is of huge significance in densely populated areas. A fifth of the German forest area is situated in the catchment areas of metropolitan areas (Zundel & Völksen, 2002). Each year approximately 290 million people visit the large protected areas in Germany (BUND, 2004; Neidlein & Walser, 2005).		There are no indigenous peoples in Germany as per the applicable international definition. The recreational function of forests, which plays an important role in Germany, may be deemed a HCV within this category. Threshold 23 is not met, further assessment is required
Analysis of Threshold 24: There is low/negligibl	Freistaat Sachsen, Staatsbetrieb Sachsenforst. 2012, „Mountainbiking im Wald: Tipps und Hinweise.“. https://www.smul.sachsen.de/sbs/download/Tipps-Hinweise_Biken-im-Wald.pdf (last accessed on: 20. September 2016).	According to one of the experts, recreational forests of level 1 forests with a high visitor frequency, are preferably near metropolitan areas and frequently		The legal framework conditions were assessed

e threat to HCV5 caused by management activities in the area under assessment. <u>Context:</u> • Is there a threat posed to HCVs of category 5 by forest management activities? The following threat shall be considered: • The compromising (influencing) of the fundamental needs of indigenous peoples and local communities by manageme	Landesbetrieb ForstBW, Date unknown, „Arbeitspapier: Betretensrecht - Nutzungskonflikte und Steuerungsbedarf.: Internet Info ForstBW.“. http://www.forstbw.de/fileadmin/forstbw_pdf/Arbeitspapier_Betretensrecht.pdf (last accessed on: 20. September 2016).	owned by the municipalities. Forest management of these forests is often perceived as a disturbance by the population. Most public forest owners take this into account. Conflicts that arise are often linked to the contrasting expectations of the use of the forests held by timber producers, nature conservationists and recreation seekers, especially in metropolitan areas. Direct threats or impairments to the recreational use of forests posed by forest management activities may stem from, among other things, machine traffic and timber harvesting. These activities involve the installation of extraction trails, the use of heavy machinery and corresponding effects on the aesthetics of trails in the forest and on the appearance of the forest as a whole. The right to access may be restricted temporarily and locally for the purposes of harvesting and other operations. The negative impact on recreational use is usually low (ForstBW, undated). There may also be exclusion criteria or exclusion areas applying under forest law to certain types of recreational use (Freistaat Sachsen, 2012): • forest areas with legally safeguarded or special soil protection functions in accordance with the national map of forest function • forest areas with a special recreation function of intensity level I in accordance with the national map of forest function • forest sites in nature protection areas such as national parks, biosphere reserves, natural heritage areas • especially protected biotopes • Natura 2000 areas (SACs and SPAs) • exemplary biotopes		previously as part of the legality assessment of the centralized national risk assessment and were classified as ‘low risk.’ There is no compromising of fundamental needs by forest management activities in Germany. Access to forests is legally regulated and the provision of recreation forest is a part of the multifunctional approach to forest management. Local restrictions may arise in isolated

nt activities. When assessing potential threats, please refer also to the legality assessment in order to assess whether community rights are legally recognized and enforced.		Often dedicated signage is posted and trails are marked for the benefit of visitors seeking recreation (Freistaat Sachsen, 2012).		cases, for example, during harvesting operations, but these are provided for legally. Threshold 24 is met as there is low/negligible risk to HCV5 caused by forest management activities, the risk designation for the area under assessment is 'low risk'
<u>Analysis of Threshold 25:</u> HCV 5 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.				Threshold 25 has not been assessed because threshold 24 is met. A risk assessment with 'low risk' was possible.
<u>Analysis of Threshold 26 for specified risk:</u> HCV 5 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.				Threshold 26 for

				specified risk has not been assessed because threshold 24 is met. A risk assessment with 'low risk' was possible.
3.6 HCV 6		Most forest management plans take the occurrence of natural heritage monuments, remnants of historical forms of land use, etc. into consideration. In the event of individual violations, the regulations for compensation and replacement measures apply where these conservation values are impaired by forest management activities. Woodland cemeteries may only be established subject to authorization and are taken into consideration during forest management. The risk posed by forest management activities is considered to be low.		The risk designation for Indicator 3.6 for the area under assessment is 'low risk' as Threshold 28 is met. There is low/negligible threat to HCV 6 caused by forest management activities, more precisely effective management activities are in place.
Analysis of Threshold 27:	Aeternitas Service GmbH: Overview over places, where green burial is possible in Germany: http://www.naturbestattungen-online.de/inhalt/orte ; last accessed on 26th of January 2017.	As was mentioned previously under HCV 5, there are no indigenous peoples in Germany whose rights or conservation values could be infringed upon.		HCVs of category 6 exist to a

There is no HCV 6 identified and its occurrence is unlikely in the area under assessment. Context: • Do exceptional natural landscapes that have evolved as a result of social, economic, administrative, and/or religious factors exist? • Have sufficient buffer areas been put in place for cultural values?	Breloer, H. (2009): Versicherungspflicht des Waldeigentümers in Bestattungswäldern. From: AFZ-Der Wald. 16/2009. http://www.baeumeundrecht.de/vsp/pdf/bestattung.pdf; last accessed on 26th of January 2017. Bundesministerium für Ernährung und Landwirtschaft (BMEL). 2015, „Bundeswaldinventur: Unser Wald - nutzen und bewahren.“. https://bwi.info// Güthler, W. et al.(2005): Vertragsnaturschutz im Wald. Bundesweite Bestandsaufnahme und Auswertung. BfN-Skripten 146. Forschungs- und Entwicklungsvorhaben Abschlussbericht Juni 2003 https://www.bfn.de/fileadmin/MDB/documents/skript146.pdf (last accessed on: 24.01.2017). Landratsamt Ravensburg: Antrag der Gemeinde Wolfegg auf Anlegung eines Friedhofes in Form eines Bestattungswaldes vom 23.07.2015 gemäß §5 Bestattungsgesetz (BestattG) http://www.wolfegg.de/fileadmin/Dateien/Dateien/Genehmigung_zur_Anlage_des_Bestattungswaldes.pdf; last accessed on 26th of January 2017. Landwirtschaftskammer Niedersachsen: Landwirtschaftskammer Niedersachsen setzt Waldbestattung mit RuheForst erfolgreich um. Status: 20.04.2015 http://www.lwk-niedersachsen.de/index.cfm/portal/4/nav/0/article/19198.html; last accessed on 26th of January 2017. Landesamt für Denkmalpflege Baden-Württemberg (2013): Archäologie – Landwirtschaft- Forstwirtschaft: Wege zur integrativen Nutzung von Bodendenkmalen in der Kulturlandschaft. http://www.denkmalpflege-bw.de/uploads/tx_ttproducts/datasheet/Broschuere_Archaeolo	Considered are the last remnants of historical land use and forest management threatened by the background of today's forms of forestry. They result in a majority of close-to-nature forest ecosystems with smaller units of natural forests. Historical forms of land use and forest management in the wider landscape have long been reduced to remnants. Today’s forests have largely been shaped by destruction, reparation payments and wood use for reconstruction after World War II (BMEL, 2015). Forests hosting cultural or archaeological sites, or cultural, historical or religious objects, in private and in state ownership, are managed according to different regulations and laws such as the Federal Forest Act, Federal Nature Conservation Act and are also recognized in the FFH-Directive, as they inherit a species diversity. Their occurrence is generally limited to discrete areas within forests. E.g. coppice forests amount only to 1% of the forest area dhttps://www.bfn.de/fileadmin/MDB/documents/skript146.pd Mapping of forest functions for the individual forest areas, presents an overview and valuation basis concerning utility, protection and recreation functions. In addition to forest areas with particular importance for individual forest functions, the forest function map also includes topography and protected areas such as natural forest reserves, water protection areas, soil monuments or nature reserves. E.g. the Federal Forest Authority of Baden-Württemberg has extended the forest function mapping, soil and culture heritages need to be mapped as well. Forest management activities have to be adapted to avoid damages to those sites. Designated cultural monuments in the forest are considered in the midterm planning (Forsteinrichtung) and		limited extent. Threshold 27 is not met, therefore further assessment is necessary.

	gie-Landwirtschaft-Forstwirtschaft.pdf; last accessed on 6th of January 2017.	respected accordingly during the execution of forest management activities.  Example: Share of different heritage categories and share of ownership types. Source: http://www.denkmalpflege-bw.de/uploads/tx_ttproducts/datasheet/Broschuere_Archaeologie-Landwirtschaft-Forstwirtschaft.pdf; last accessed on 6th of January 2017. Where new conservation values worthy of a heritage designation are discovered, the necessity for protection is assessed by the responsible authorities. Woodland cemeteries are a relatively new form of forest use and are only found at a small number of selected locations at present, currently around 400 woodland cemeteries do exist in Germany (Aeternitas 2017).		
Analysis of Threshold 28:	Aeternitas Service GmbH: Overview over places, where green burial is possible in Germany: http://www.naturbestattungen-online.de/inhalt/orte ; last accessed on 26th of January 2017.	The federal nature conservation act regulates the conferral of protection status on monuments of natural heritage and natural monuments. National natural monuments may include significant natural manifestations of national		Forests that host cultural or archaeologic

There is low/negligible threat to HCV 6 caused by management activities in the area under assessment. <u>Context:</u> • Are HCVs of category 6 threatened by forest management activities? The following threat shall be considered: • Destruction and/or disturbance of rights/values influencing the occurrence of	Bundesamt für Naturschutz, Gesetz über Naturschutz und Landschaftspflege: (Bundesnaturschutzgesetz - BNatSchG). 2009. https://www.bfn.de/fileadmin/MDB/documents/themen/monitoring/BNatSchG.PDF. Friedwald GmbH, „FriedWald - Die Bestattung in der Natur.“. https://www.friedwald.de (last accessed on: 10. September 2016). Böhmer, F., Hacker, H.H. (?): Die Nieder- und Mittelwaldbewirtschaftung der Eierberge bei Bad Staffelstein, historische Waldbewirtschaftungsform, Kulturrelikt und HotSpot der Artendiversität. http://www.kis-badstaffelstein.net/mediapool/43/432564/data/Kunst_Kultur_in_Bad_Staffelstein_I_Mittelwald_Kulturrelikt_47-74.pdf; last accessed on 6th of January 2017. Breloer, H.(2009): Versicherungspflicht des Waldeigentümers in Bestattungswäldern. From: AFZ-Der Wald. 16/2009. http://www.baeumeundrecht.de/vsp/pdf/bestattung.pdf; last accessed on 26th of January 2017. Deutscher Forstwirtschaftsrat e.V. – DFWR (2016): Die Waldfunktionen. http://www.forstwirtschaft-in-deutschland.de/waelder-entdecken/waldfunktionen/; last accessed on 6th of February 2017. Landratsamt Ravensburg: Antrag der Gemeinde Wolfegg auf Anlegung eines Friedhofes in Form eines Bestattungswaldes vom 23.07.2015 gemäß §5 Bestattungsgesetz (BestattG) http://www.wolfegg.de/fileadmin/Dateien/Dateien/Genehmigung_zur_Anlage_des_Bestattungswaldes.pdf; last accessed on 26th of January 2017. Landwirtschaftskammer Niedersachsen: Landwirtschaftskammer Niedersachsen setzt Waldbestattung mit RuheForst erfolgreich um. Status: 20.04.2015	significance, exceptional geological-geomorphological features or features that combine special natural and cultural values. Forests shaped by cultural uses, such as the rare forest pastures, are often subject to nature conservation, are identified as part of specific projects and their protection is safeguarded (BfN, 2009). According to a consulted expert is it shall be noted during the assessment of risks to HCVs caused by forest management that the defined categories of HCVs in Germany are concurrently almost exclusively areas covered by official protection designation, e.g. protected or protected areas (national parks, biosphere reserves and FFH and Bird sanctuaries, nature reserves, protective forests defined by Federal forest laws, officially appointed construction and ground monuments and natural monuments in the forest, officially designated protection forests). I.e. these areas protected area regulations do exist with a precise demarcation of the territory, a catalog of rules and prohibitions concerning their conservation and defined development goals. This is monitored by competent federal, provincial or local authorities. Equated are protected biotopes covered by the Federal Nature Conservation Act (§30) or by the federal nature conservation laws, whose protection status is that of a nature reserve. According to the catalog for HCV in Germany solely woodland cemeteries, recreational forests of level 1 (according to forest function mapping) and, in individual cases, “relics of historical land use that are worthy of conservation) are not subject a particular legal protection status. Construction and ground monuments are also covered by monument protection laws in the individual federal states (Stegmann 2014).		al sites, or cultural, historic or religious objects, are mostly known and mapped. Most forest management plans take these objects into account accordingly. Threats cannot be described for the area as a whole. Individual cases may arise. The legal framework conditions were classified as ‘low risk’ in the legality assessment section. Threshold 28 is met, as there is low/negligibl

HCVs of category 6. When assessing the potential threats, please refer also to the legality assessment in order to determine whether community rights are legally recognized and enforced.	http://www.lwk-niedersachsen.de/index.cfm/portal/4/nav/0/article/19198.html; last accessed on 26th of January 2017.	Various programs and initiatives do exist to promote and sustain e.g. historical forms of land use that are worthy of conservation (e.g. wood pasture, coppice). In Baden-Württemberg forest and nature protection authorities are working together to set aside appropriate areas and to manage these areas according to their conservation goal. Besides that awareness rising is done to explain the peculiarities of such sites to the public. According to an expert, the amount of timber stemming from “relics worthy of preservation from historical forms of forest management (coppice and wood pasture), that is harvested and marketed, is negligible. The preservation of these management forms even requires the use of timber from these forests. Woodland cemeteries represent a special form of land use. Woodland cemeteries have to be included as designated areas in the midterm planning (Forsteinrichtung) and mapping. Forest management is limited or restricted to the extent that it does not interfere with the cemetery purposes, but also guarantees that the forest owners obligation to safeguard the property against hazards is fulfilled (Breloer 2009). The designation of a woodland cemetery requires permission from legal authorities as it needs to be handled according to legal requirements. Respectively special agreements between communities, forest owners and woodland cemetery operators are negotiated. The dedication of a forest as a woodland cemetery is not an act of forest conversion subject to authorization. The prerequisite is that these areas are not subject pathway restrictions. The chosen internment trees in a woodland cemetery are placed under special protection for a certain time period. As part of a larger forest area, woodland cemeteries remain accessible for all recreation seekers (Friedwald GmbH, 2016). According to an expert, woodland cemeteries are basically secured in the land register. Their conservation and		e risk to HCV 6 in the area under assessment. The risk designation is ‘low risk’.

		protection is in the interests of forest enterprises, as they are also of economic importance. The risk of impairing high conservation value with forest management is therefore low. Experts in the working group agree that protection measures for those sites are effective and sufficient, as several laws do exist (such as BWaldG, BNatschG, DSchG) and intensive mapping takes place. We could not detect any sources that give evidence for large scale or systematic violations of HCVs. The risk designation is 'low risk'.		
Analysis of Threshold29: HCV 6 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.				Threshold 29 has not been assessed because threshold 28 is met. A risk assessment with 'low risk' was possible.
Analysis of Threshold 30: HCV 6 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.				Threshold 30 for specified risk has not been assessed because threshold 28 is met. A risk assessment with 'low

	risk' was possible.

Control measures
N/A

Controlled wood category 4: Wood from forests being converted to plantations or non-forest use

Risk assessment

Indicator	Source of information	Functional scale	Risk designation and determination
4.1 Conversion of natural forests to plantations or non-forest use in the area under assessment is less than 0.02% or 5000 hectares average net annual loss for the past 5 years (whichever is less)	Governmental: Bundesministerium für Ernährung und Landwirtschaft (BMEL). 2015, „Bundeswaldinventur: Unser Wald - nutzen und bewahren.“. https://www.bundeswaldinventur.de/index.php?id=710; last accessed on 30th of January 2017. Thünen-Institut, Dritte Bundeswaldinventur - Ergebnisdatenbank, https://bwi.info , Überschrift: Veränderung der Waldfläche [ha] nach Land und Waldspezifikation Filter: Jahr= 2002-2012*;* last accessed on 30th of January 2017. Forst BW: Was heißt eigentlich Bundeswaldinventur. http://www.forstbw.de/schuetzen-bewahren/waldinventur/bundeswaldinventur/; last accessed on 30th of January 2017. Non-Governmental: Bund für Umwelt und Naturschutz Deutschland e.V. (BUND), „Kurzumtriebsplantagen für die Energieholzgewinnung: Chancen und Risiken.“ https://www.bund.net/fileadmin/bundnet/publikationen/landwirtschaft/20100714_landwirtschaft_bund_position_55_KUP.pdf.; Last accessed on 1st of February 2017.	N/A	According to the third Federal Forest Inventory (Bundeswaldinventur) from 2012 the forest area only showed slight changes between 2002 and 2012. A forest loss of 58,000 hectares is compensated by 108,000 hectares of forest growth. In total, the forest area has increased by 0.4% or 50,000 hectares The average annual gain of 5.000 hectares is far below the threshold of 5.000 hectares net annual loss. Therefore, the risk designation for this indicator for the assessment area is ‘low risk’. The Federal Forest Inventory (BWI) provides data about the condition of the German forests based on a uniform data collection procedure in Germany. This large-scale, statistically secure data pool is based on 60,000 measuring points. It is the major source for statistical data about German forests; the majority of other scientific reports are referring to that source. For the last four years there is no other source available.

Indicator	Source of information	Functional scale	Risk designation and determination
			Thresholds 1 and 3 are met, as the indicator is not exceeded. The risk designation is 'low risk'.
OR Conversion is illegal at the national or regional level on public and private land	**<u>Federal legislation:</u>** • National Forest Act (BWaldG) Articles 2 "Definition of forest" "Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 1 des Gesetzes vom 17. Januar 2017 (BGBl. I S. 75) geändert worden ist" https://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf • National Forest Act (BWaldG) Articles 9 "Preservation of the forest", 41a "Forest Inventories", (12 "Protection Forest", 13 "Recreational Forest") "Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 1 des Gesetzes vom 17. January 2017 (BGBl. I S. 75) geändert worden ist"; last accessed on 1st of February 2017. • Building Code (BBauGB) Articles §§ 1a "Supplementary Provisions for Nature Protection", 35 "Construction on the outskirts" • Federal Nature Conservation Act (BNatschG) Articles §§14 "Interventions in nature and landscape", 15 "Obligations of the intervening party, inadmissibility of intervention; authorization to issue statutory ordinances", 17 "Procedures; authorization to issue statutory ordinances" (Protective sites §§ 23, 24, 25, 26, 27, 28, 29, 30, 31) • **<u>Federal State Forest Acts:</u>** Berlin: §§ 6 "Forest conversion", 8 "Environmental impact assessment" Baden-Württemberg: §§ 9 "Preservation of the Forest", 10 "Special cases of conversion" Bayern: §§ 9 "Preservation of the Forest", 39a "Environmental Impact Assessment" Brandenburg: §8 "Conversion of forest to other land uses"		**Low risk** <u>Content of the law</u> § 2 of the National Forest Act excludes areas that are used for short rotation coppice or short rotation forestry, these areas are not defined as forests and are subjected to other legislation than forest legislation Article 9 (1) of the National Forest Act states that conversion of forests to any other land use is allowed only with the permission of the corresponding federal state authority. If necessary, the Environmental Impact Assessment Act is applied to assess potential environmental impacts and develop mitigation or compensation measures, if a conversion of land use shall take place. By making the decision as to whether conversion will be permitted, the rights, duties and economic interests of the forest owner as well as public interests have to be evaluated. The request to permit conversion will be declined, if conservation of the forest is of public interest –

Indicator	Source of information	Functional scale	Risk designation and determination
	Bremen: §8 “Forest conversion” Hamburg: §4 “Forest conversion” Hessen: §12 “Forest preservation and Conversion” Mecklenburg-Vorpommern: §15 “Conversion of forest to other land uses”, 15a “Special cases of forest conversion” Niedersachsen: §8 “Forest conversion” Nordrhein-Westfalen: §§39 “Conversion of forest”, 42 “Procedure”, 43 “Exceptions” Rheinland-Pfalz: §14 “Preservation and increase of forest area” Thüringen: § 10 “Change in Land use” Sachsen: § 8 “Forest preservation” 9 “Special cases of forest conversion” Sachsen-Anhalt: § 8 “Forest conversion to other land uses” Saarland: § 6 “Forestry frameworks”, § 8 “Preservation of forest” Schleswig-Holstein: § 9 “Conversion of forest” **National Forest Inventory:** Home page of the National Forest Inventory by the Federal Ministry of Food and Agriculture (English version): • Forest area unchanged: https://www.bundeswaldinventur.de/index.php?id=563&L=3 • Timber stock rose to record high: https://www.bundeswaldinventur.de/index.php?id=562&L=3 • Results database of the Third National Inventory: https://bwi.info/start.aspx • Brochure with selected results for the Third National Inventory by the Federal Ministry of Food and Agriculture: https://www.bundeswaldinventur.de/fileadmin/SITE_MASTER/content/Dokumente/Downloads/BMEL_The_Forests_in_Germany.pdf		particularly if the forest is considered highly significant due to characteristics of its ecosystem, its silvicultural production level or its use for public recreation. In addition, due to the National Forest Act §9 (3), Federal states can determine whether an approval for another type of land use is necessary for a particular forest area e.g. for infrastructure. In this case permits are granted under the planning law and compensation (e.g. afforestation, compensation payments) must take place as required by legal regulations. This is regulated through the Building Code (BBauGB) §§1a, 35 and Federal Nature Conservation Act (BNatschG) §§14, 15. The procedure of intervention into nature is regulated in §17 (BNatschG) and in the Environmental Impact Assessment Act. This applies e.g. to the conversion of forests for windmill construction, which requires an approval procedure taking into account possible environmental impacts, economical interests and common interest. If the federal states grant permission that is not based on planning law-specific rules, details and compensation measures for

Indicator	Source of information	Functional scale	Risk designation and determination
	Legislation: - Building Code (Baugesetzbuch (BauGB) vom 23. September 2004 (BGBl. I S. 2414)), • §1a "Supplementary Provisions for Nature Protection" http://www.gesetze-im-internet.de/bbaug/__1a.html • §35 "Construction on the outskirts" http://www.gesetze-im-internet.de/bbaug/__35.html - Environmental Impact Assessment Act (Gesetz über die Umweltverträglichkeitsprüfung (UVpG) in der Fassung vom 24. Februar 2010 (BGBl. I S. 94)) • http://www.gesetze-im-internet.de/uvpg/ - Gemeinsame Grundsätze für Ausgleichs- und Ersatzmaßnahmen. http://www.naturschutzrecht-online.de/naturschutzrecht/eingriffsregelung/kompensationsmasnahmen/gemeinsame-grundsatze-fur-ausgleichs-und-ersatzmasnahmen; last accessed on 1st of February 2017. - National Forest Act (Bundeswaldgesetz (BWaldG)) vom 2. Mai 1975 (BGBl. I S. 1037) • Article §9 "Preservation of the forests" http://www.gesetze-im-internet.de/bwaldg/__9.html • Article §41a "Forest Inventories" http://www.gesetze-im-internet.de/bwaldg/__41a.html - Federal Nature Conservation Act (Bundesnaturschutzgesetz (BNatSchG) vom 29. Juli 2009 (BGBl. I S. 2542)) • Article §14 "Intervention in nature and landscape" http://www.gesetze-im-internet.de/bnatschg_2009/__14.html • Article §15 "Duties of person responsible; inadmissibility of interventions" http://www.gesetze-im-internet.de/bnatschg_2009/__15.html • Article §17 "Procedures" http://www.gesetze-im-internet.de/bnatschg_2009/__17.html Baden-Württemberg: - Waldgesetz für Baden-Württemberg (Landeswaldgesetz - LWaldG) in der Fassung vom 31. August 1995 (GBl. 1995, 685) • §9: "Preservation of the forests" http://www.landesrecht-bw.de/jportal/portal/t/6ap/page/bsbawueprod.psml;jsessionid=CD5535686C5C68AA501AEFA524498FF7.jp81?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=1&numberofresults=1&fromdoctodoc=yes&doc.id=jlr-WaldGBWrahmen&doc.part=X&doc.price=0.0#jlr-WaldGBWV14P9-jlr-WaldGBWV13P9		conversion from the Federal Forest Acts apply. However, in any case of conversion in Germany, compensation measures have to be undertaken, it is legally binding to create such measures, several court decisions offer guidelines and describe requirements (e.g., afforestation, payment) for the extent (e.g., area size, at least the same area that has been converted) and quality this measures need to be implemented. The type (e.g., afforestation, payment) and quantity (e.g., area size) of the compensation varies by the federal states, see above cited article of the federal forest laws. In some federal states, legal rules exist for cases for small areas where no permission is required for conversion. In Baden-Württemberg there is no need for permission for building power /electric lines under 1 hectare (Federal State Act of Baden-Württemberg §9 (7)). There are no state regulations relating to areal limits of conversions. Federal states define thresholds for the size of conversions to ensure that the extent of any conversion is limited, with an additional environmental impact assessment being obligatory under the

Indicator	Source of information	Functional scale	Risk designation and determination
	• §10: “Special cases of conversion“ http://www.landesrecht-bw.de/jportal/?quelle=jlink&query=WaldG%20BW&max=true&aiz=true#jlr-WaldGBWpP10 • §11 “Conversion limited in time” http://www.landesrecht-bw.de/jportal/?quelle=jlink&query=WaldG%20BW&max=true&aiz=true#jlr-WaldGBWpP11 Bayern: - Waldgesetz für Bayern (BayWaldG) in der Fassung der Bekanntmachung vom 22. Juli 2005 (GVBl 2005, S. 313) http://www.gesetze-bayern.de/jportal/portal/page/bsbayprod.psml?showdoccase=1&doc.id=jlr-WaldGBY2005rahmen&doc.part=X&doc.origin=bs • §9 ""Preservation of the forest” • §39a “Environmental Impact Assessment” Berlin: - Gesetz zur Erhaltung und Pflege des Waldes (Landeswaldgesetz - LWaldG) vom 16. September 2004 (GVBl. 2004, 391) • §6 „Preservation of the forest: http://gesetze.berlin.de/jportal/portal/t/gaf/page/bsbeprod.psml;jsessionid=033DDFFF085A017DD700ADCC84FC5952.jp12?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=1&numberofresults=1&fromdoctodoc=yes&doc.id=jlr-WaldGBEpP19&doc.part=X&doc.price=0.0#jlr-WaldGBEV1P6-jlr-WaldGBEpP6 • §8 “Environmental impact assessment” http://gesetze.berlin.de/jportal/portal/t/oh3/page/bsbeprod.psml/action/portlets.jw.MainAction?p1=e&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGBEpP8&doc.part=S&toc.poskey=#focuspoint Brandenburg: • §8 “Conversion of forest in other land use type” http://bravors.brandenburg.de/de/gesetze-212918#8 Bremen: - Bremisches Waldgesetz (BremWaldG) in Kraft ab: 10.06.2010 • §8 ""Conversion of forest“ https://bremen.beck.de/?vpath=bibdata%2Fges%2FBrWaldG%2Fcont%2FBrWaldG.P8.htm		Environmental Impact Assessment Act. Environmental impact assessment is an eco-political environmental precaution method for determining possible outcomes for projects with relevance for the environment. The detail as to when an environmental impact assessment is required is stipulated in the federal forest acts as well. Thresholds are usually low, e.g. in Berlin for every forest conversion above 3 hectares (Federal state forest act Berlin §8 (1)). The Federal Forest Inventory (2015) shows that legal conversion does not sum up to the levels of the numeric thresholds. Penalties exist for conversions occurring without permission and are defined by the forest acts of the federal states (usually afforestation is required, or a heavy fine imposed). In protected areas as defined by the Federal Nature Conservation Act (§§ 23, 24, 25, 26, 27, 28, 29, 30, 31), by the National Forest Act (§§12, 13), by Federal Forest Acts or in Habitat Directive areas, stricter rules apply in relation to conversions and levels of compensation. Without an extraordinary reason, permissions are normally not granted for any conversion in these areas.

Indicator	Source of information	Functional scale	Risk designation and determination
	Hamburg: - Hamburger Landeswaldgesetz Vom 13. März 1978 (HmbGVBl. 1978, S. 74) • §4 “Conversion of forest” • §12 “Financial compensation by prohibited conversion” • § 15 “Disorderly actions” (i.e. forest conversion without permission) Hessen: - Hessisches Waldgesetz (HWaldG) Vom 27. Juni 2013 (GVBl. 2013, 458) • §12 „Forest preservation and conversion“ http://www.rv.hessenrecht.hessen.de/jportal/portal/t/1eiz/page/bshesprod.psml;jsessionid=1022FECB35819ED70113885BF7ACEB2A.jp27?doc.hl=1&doc.id=jlr-WaldGHErahmen&documentnumber=1&numberofresults=46&showdoccase=1&doc.part=X&paramfromHL=true#jlr-WaldGHEpP12 • §24 “Responsibilities in sovereign sphere, procedures in granting conversion permissions” http://www.rv.hessenrecht.hessen.de/jportal/portal/t/1eiz/page/bshesprod.psml;jsessionid=1022FECB35819ED70113885BF7ACEB2A.jp27?doc.hl=1&doc.id=jlr-WaldGHErahmen&documentnumber=1&numberofresults=46&showdoccase=1&doc.part=X&paramfromHL=true#jlr-WaldGHEpP24 Regierungspräsidium Gießen, Dezernat 43.1 – Immissionsschutz I: Genehmigungsverfahren für Windenergieanlagen und erforderliche Antragsunterlagen. Presentation from the 28th of March 2012. https://www.energieportal-mittelhessen.de/fileadmin/image/Weiterf%c3%bchrende_Informationen/Vortraege/2013/9._Klimaschutzforum/Pr%c3%a4sentation_Windkraftgenehmigung_van_den_Berg.pdf Mecklenburg-Vorpommern: -Waldgesetz für das Land Mecklenburg-Vorpommern (Landeswaldgesetz - LWaldG) In der Fassung der Bekanntmachung vom 27. Juli 2011 (GVOBl. M-V 2011, S. 870) • § 15 “Conversion of forest in other land use type” http://www.landesrecht-mv.de/jportal/portal/page/bsmvprod.psml?nid=j&showdoccase=1&doc.id=jlr-WaldGMV2011pP15&st=lr • §15a ""Special cases of conversion“ http://www.landesrecht-mv.de/jportal/portal/page/bsmvprod.psml?nid=k&showdoccase=1&doc.id=jlr-WaldGMV2011pP15a&st=lr		Is the law enforced? 1) Is the applicable legislation enforced? Due to the complex and non-uniform system in the federal states, enforcement and monitoring are executed by different authorities. Depending on administrative structures, these authorities can be lower forest authorities, higher forest authorities, municipal forest authorities, Federal Ministry of Food and Agriculture, Federal Agency for Nature Conservation, Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety. As mentioned in the assessment for CW Category 1 Germany ranks high on the worldwide governance Indicator with 'government effectiveness' being 1.73, 'rule of law' being 1.85 and control of corruption being 1.83 on a scale of -2.5 to +2.5. Germany has a Corruption Perceptions Index of 79 (above the threshold of 50) and is placed 12th worldwide. Therefore, there it can be assumed that the legislation is enforced sufficiently. Furthermore, in a densely populated country like Germany, it is not possible to convert forest to any other land use on a large scale

Indicator	Source of information	Functional scale	Risk designation and determination
	• §51 "Breaches of law“ http://www.landesrecht-mv.de/jportal/portal/page/bsmvprod.psml?nid=1q&showdoccase=1&doc.id=jlr-WaldGMV2011pP51&st=lr Niedersachsen: - Niedersächsisches Gesetz über den Wald und die Landschaftsordnung (NWaldLG) Vom 21.März 2002 (Nds.GVBl. Nr.11/2002 S.112) • §8 "Forest conversion“ http://www.recht-niedersachsen.de/79100/nwaldlg.htm#p8 Nordrhein-Westfalen: - Landesforstgesetz für das Land Nordrhein-Westfalen (Landesforstgesetz - LFoG), Bekanntmachung der Neufassung Vom 24. April 1980 (GV. NW. 1980 S. 546) • §39: "Conversion“ https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=10000000000000000274#det332965 • §40: “Conversion limited in time” https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=10000000000000000274#det332966 • §42 “Procedures, deadline of conversion” https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=10000000000000000274#det332968 • §43 “Exceptions” https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=10000000000000000274#det332969 • §44 “Duty of reforestation” https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=10000000000000000274#det332970 Rheinland-Pfalz: Landeswaldgesetz (LWaldG) Vom 30. November 2000 (GVBl. 2000, 504) • §14 "Preservation and increase of forest“ http://landesrecht.rlp.de/jportal/portal/t/m27/page/bsrlpprod.psml;jsessionid=04F0EEC5F1866C008817164FCE5C1DF2.jp22?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=1&numberofresults=1&fromdoctodoc=yes&doc.id=jlr-WaldGRPrahmen&doc.part=X&doc.price=0.0#jlr-WaldGRPpP14 Thüringen: Gesetz zur Erhaltung, zum Schutz und zur Bewirtschaftung des Waldes und zur Förderung der Forstwirtschaft (Thüringer Waldgesetz - ThürWaldG -) Vom 6. August 1993 (GVBl. 2008, 327) http://apps.thueringen.de/de/publikationen/pic/pubdownload1047.pdf		without being noticed by media or citizens. Past experiences give no reason to think otherwise. There are no known reports or infringements relating to large-scale, illegal conversions in Germany. <u>2) Is other data available to conclude or support a low risk or specified risk designation?</u> Monitoring of the whole German forest area is prescribed by law in the National Forest Act Article 41a. The monitoring must be repeated every ten years. According to the third Federal Forest Inventory (Bundeswaldinventur) from 2012 the forest area has changed little between 2002 and 2012. A forest loss of 58,000 hectares is covered by 108,000 hectares of new forest. In total, the forest area has increased by 0.4% or 50,000 hectares. The average annual net loss meets the threshold of 5.000 hectares per year. The results of the National Forest Inventory are significant at international and national levels and the regional level of the federal states. The inventory is a primary information source for forest policies. The data are used to represent forestry interests in the European

Indicator	Source of information	Functional scale	Risk designation and determination
	• §24 “Preservation of forest“ Sachsen: - Waldgesetz für den Freistaat Sachsen (SächsWaldG) Vom 10. April 1992 (SächsGVBl. S. 137) http://www.landratsamt-pirna.de/download/SaechsWaldG_010514.pdf • §8 “Preservation of the forest” • §9 “Special cases of conversion” Sachsen Anhalt: - Waldgesetz für das Land Sachsen-Anhalt (WaldG LSA) Vom 13. April 1994 (GVBl. LSA 1994, 520) • §8 “Conversion of forest in other land use type” http://www.landesrecht.sachsen-anhalt.de/jportal/;jsessionid=5E4233AA4CAEF804AC5F6BE53309D4C2.jp19?quelle=jlink&query=WaldG+ST&psml=bssahprod.psml&max=true&aiz=true#jlr-WaldGSTV7P8-jlr-WaldGSTV6P8 Saarland: - Waldgesetz für das Saarland (Landeswaldgesetz - LWaldG) Vom 26. Oktober 1977 (Amtsblatt 1977, S. 1009) - §§5-13 http://www.saarland.de/dokumente/thema_justiz/790-14.pdf • §6 “Forestry frameworks” • §8 „Preservation of the forest” Schleswig-Holstein: -Waldgesetz für das Land Schleswig-Holstein (Landeswaldgesetz - LWaldG) Vom 5. Dezember 2004 (GVOBl. 2004, 461) • §5 „Management of forest“ http://www.gesetze-rechtsprechung.sh.juris.de/jportal/portal/t/m6z/page/bsshoprod.psml;jsessionid=0782ACF9C9CB2B622A3DA583426BCDB0.jp29?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=1&numberofresults=1&fromdoctodoc=yes&doc.id=jlr-WaldGSH2004rahmen&doc.part=X&doc.price=0.0#jlr-WaldGSH2004V5P5-jlr-WaldGSH2004V1P5-jlr-WaldGSH2004V2P5-jlr-WaldGSH2004V3P5-jlr-WaldGSH2004V4P5		Union (e.g. in climate negotiations) and serves as the basis for planning for industry, for example for the development and creation of processing capacities. In addition, the data are a fixed element of international reports such as those required by the Kyoto Protocol and the United Nations Framework Convention on Climate Change. Thresholds 1 and 3 are met; therefore, the area under assessment is ‘low risk’.

Indicator	Source of information	Functional scale	Risk designation and determination
	• §9 „Conversion“ http://www.gesetze-rechtsprechung.sh.juris.de/jportal/portal/t/m6z/page/bsshoprod.psml;jsessionid=0782ACF9C9CB2B622A3DA583426BCDB0.jp29?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=1&numberofresults=1&fromdoctodoc=yes&doc.id=jlr-WaldGSH2004rahmen&doc.part=X&doc.price=0.0#focuspoint"		

Control measures

N/A

Controlled wood category 5: Wood from forests in which genetically modified trees are planted

Risk assessment

Indicator	Sources of information	Functional scale	Risk designation and determination
5.1 There is no commercial use of genetically modified trees. There is at the moment no use of GMO trees for research purpose. ‘Low risk’ thresholds: (1) GMO (trees) use is illegal according to applicable legislation of the area under assessment AND the risk assessment for relevant indicators of Category 1 confirms that applicable legislation is enforced ('low risk'), OR (2) There is no commercial use of GMO (tree) species in the area under assessment, AND (3) Other available evidence does not challenge a ‘low risk’ designation. ‘Specified risk’ thresholds:	• Forstvermehrungsgutgesetz (FoVG) (“Act of Forestry Reproductive Material”) §4,3 (admission of original material) http://www.gesetze-im-internet.de/fovg/BJNR165800002.html • Gentechnikgesetz (GenTG) (“Genetic Engineering Act”) §§14-16 (release, bringing on the market, admissions): http://www.gesetze-im-internet.de/gentg/BJNR110800990.html • Further overview over German Acts, laws and decrees concerning genetic engineering: http://www.bvl.bund.de/EN/06_Genetic_Engineering/08_LegalFramework/01_Germany/legal_basis_national_node.html;jsessionid=9259812F03E4081844E45269CD6C58F9.2_cid350 • Overview over European Law (engl.): http://www.bvl.bund.de/EN/06_Genetic_Engineering/08_LegalFramework/02_Europe/legal_basis_eu_node.html • Prohibition of GMO cultivation https://www.bmel.de/DE/Landwirtschaft/Pflanzenbau/Gentechnik/_Texte/NatRegelungAnbauverbote.html • Genetic engineering in Germany https://www.foodwatch.org/de/informieren/gentechnik/mehr-zum-thema/gentechnik-in-deutschland/ • Expert interviews in forest research centres and federal authorities (e.g. for consumer protection)	N/A	Laws and Acts in Germany strictly regulate the use of GMO species in Germany. GMO is currently an important topic in agriculture, so the regulation of transport, agricultural use or commercial use is mainly important for agriculture. All regulations are also binding for forest management activities. Therefore, threshold 1 is not met. In German forestry GMOs have no importance at all. This is strictly regulated by (1) the mentioned laws and acts and (2) the long-term objectives in forestry, which makes the use of GMOs unsecure and uninteresting. There is no relevant sign of motivation for using GMOs by German forest owners. Interviewed experts stated that in order to receive possible gains from GMO trees, it would be required to do research on GMOs as well as well as to put them into tests in experiments under natural conditions on a large scale over several decades. It is also unclear what would be effects of climate change and how tree species would react to that. Against this background GMOs in forestry are irrelevant in Germany and in addition, the existing legislation calls for strict regulation and supervision. The strict legislation prohibiting and limiting the use of GMO in agriculture as well as in forestry also reflects the negative and skeptical attitude of the German population towards GMOs. The GMO lobby in Germany is negligible. Thresholds 2 and 3 are met: There is no commercial use of GMO (tree) species in the area under assessment AND other available evidence does not challenge a ‘low risk’ designation.

(4) GMO (trees) use is illegal according to applicable legislation of the area under assessment but risk assessment for relevant indicators of Category 1 confirms 'specified risk', OR (5) There is commercial use of GM tree species in the area under assessment.			

	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
1	Does applicable legislation for the area under assessment include a ban for commercial use of GMO (trees)?	No. There is no prohibition in Germany. The commercial use of GM trees is regulated by law and requires a permit, which is preceded by an inspection, including consideration of the reasons for the use of GM trees. Regulated in: Forstvermehrungsgutgesetz (FoVG) ("Act of Forestry Reproductive Material) §4,3 ("admission of original material")	FoVG: http://www.gesetze-im-internet.de/fovg/BJNR165800002.html GenTG: http://www.gesetze-im-internet.de/gentg/BJNR110800990.html European Law: http://www.bvl.bund.de/EN/06_Genetic_Engineering/08_LegalFramework/02_Europe/legal_basis_eu_node.html EU guideline 2001/18: (Danish: http://eur-lex.europa.eu/legal-content/DA/TXT/?uri=CELEX:32001L0018 ; English: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0018) • Further overview over German Acts, laws and decrees concerning genetic engineering: http://www.bvl.bund.de/EN/06_Genetic_Engineering/08_LegalFramework/01_Germany/legal_basis_national_node.html;jsessionid=9259812F03E4081844E45269CD6C58F9.2_cid350 • Overview over European Law (engl.): http://www.bvl.bund.de/EN/06_Genetic_Engineering/08_LegalFramework/02_Europe/legal_basis_eu_node.html • Expert interviews in forest research centres and federal authorities (e.g. for consumer protection)protection)

	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
		• Gentechnikgesetz (GenTG) ("Genetic Engineering Act") §§14-16 (release, bringing on the market, admissions) • European Law, here mainly EU-guideline 2001/18	
2	Is there evidence of unauthorized use of GM trees?	No, no source of the unauthorized use of genetically modified trees was found in Germany, since laws, controls and measures are effectively enforced. There are some cases linked to agricultural activities but these are individual cases, as the legislation in Germany is strict and the social and political attitude towards genetic modified organisms is negative.	https://www.foodwatch.org/de/informieren/gentechnik/mehr-zum-thema/gentechnik-in-deutschland/ http://www.transgen.de/anbau/deutschland.html https://www.greenpeace.de/themen/landwirtschaft/gentechnik/illegaler-anbau-von-gen-mais

	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
3	Is there any commercial use of GM trees in the country or region?	No, commercial use does not have any relevance in the German forestry sector. According to the Expert interviews, but also on based of investigations, scientists come to the result that the use of GMOs in forestry in Germany makes no sense. The costs are too high and the negative environmental impacts are unknown. The precautionary approach of the German Environmental legislation applies.	• Expert interviews in forest research centres and federal authorities (e.g. for consumer protection) • Status quo use of genetically modified organisms in the forestry sector: http://www.stmelf.bayern.de/mam/cms02/asp/dateien/gegenw__rtiger_stand_der_gentechnik_im_wald.pdf • Precautionary approach in German Environmental Legislation: • https://www.umweltbundesamt.de/themen/nachhaltigkeit-strategien-internationales/umweltrecht/umweltverfassungsrecht/vorsorgeprinzip
4	Are there any trials of GM trees in the country or region?	Yes. Four trials for research purposes since 1991, which have been strictly monitored by research centres (prevention of reproduction by bud control, daily monitoring of area, duty of documentation) are known.	Overview over use of GMO in research (currently only one research project with GMO trees in Germany within the last 24 years) http://gmoinfo.jrc.ec.europa.eu/gmp_browse.aspx and http://www.transgen.de/zulassung/gvo/ Detailed report of last research project with GMO trees (17/04/2003): http://gmoinfo.jrc.ec.europa.eu/gmp_report.aspx?CurNot=B/DE/02/145 (release of 72 poplars in rural district Mansfelder Land, Saxonia-Anhalt, Germany)

	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
5	Are licenses required for commercial use of GM trees?	Yes: - Forstver-mehrungsgutgesetz (FoVG) (“Act of Forestry Reproductive Material) §4,3 (“admission of original material”) - Gentechnikgesetz (GenTG) (“Genetic Engineering Act”) §§14-16 (release, bringing on the market, admissions) Any use and release onto the market must be registered and approved due to the requirement for assessment and monitoring	FoVG: http://www.gesetze-im-internet.de/fovg/BJNR165800002.html GenTG: http://www.gesetze-im-internet.de/gentg/BJNR110800990.html
6	Are there any licenses issued for GM trees relevant for the area under assessment? (If so, in what regions, for what species and to which entities?)	No. Refer to question 4 and 5	

	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
7	What GM 'species' are used?	N/A	
8	Can it be clearly determined in which MUs the GM trees are used?	N/A	

Control measures
N/A

Annex A & B

Not applicable.

Annex C1 List of information sources

No.	Source of information	Relevant indicator(s) or CW category
1.	Transparency International Corruption Perception Index http://www.transparency.org/policy_research/surveys_indices/cpi for Transparency International indices; Country Ranking 2017: https://www.transparency.org/country/#DEU Last accessed: 15.10.2017	1,2,3,4,5
2.	World Bank Worldwide Governance Indicators: World Bank, Governance Indicators for Germany (2016): http://info.worldbank.org/governance/wgi/index.aspx#reports Last accessed: 15.10.2017	1,2,3,4,5
3.	Transparency International: Bribe Payers Index Report 2011 http://www.transparency.org/bpi2011/results; Last accessed on: 26. Januar 2017	1
4.	Interpol Report: Uncovering the risks of corruption in the forestry sector. Published December 2016, Last accessed on: 26. Januar 2017. https://www.interpol.int/News-and-media/News/2016/N2016-166	1
5.	Press release Thünen-Institut, 4th of March 2013: Aktiv gegen den illegalen Holzeinschlag. https://www.thuenen.de/en/info-desk/press-releases/press-archive/press-releases-2013/aktiv-gegen-den-illegalen-holzeinschlag/, Last accessed on: 09.05.2017.	1, 1.21
6.	Federal Constitution Court, verdict 18,12,1968, Clause 94: Ownership in German Constitution) (ger.): http://www.servat.unibe.ch/dfr/bv024367.html	1.1
7.	German Federal Parliament, Scientific Services (2016): Brief explanation of land ownership in Germany. State of affairs WD7-3000-018/12: https://www.bundestag.de/blob/414774/826f537e22a405a15f495700b37ab15b/wd-7-018-16-pdf-data.pdf	1.1

No.	Source of information	Relevant indicator(s) or CW category
8.	Further information on property: Gabler Wirtschaftslexikon (Online Lexikon) http://wirtschaftslexikon.gabler.de/Definition/grundbesitz.html Familienbetriebe Land und Forst e.V.(Family owned enterprises in agriculture and forestry) – lobbyist for property in Forestry http://www.fablf.de/themen/eigentum/ Last accessed 10.10.2017	1.1
9.	Principles of ownership in Germany: http://www.ordnungspolitisches-portal.com/03_03_Prinzipien.htm Last accessed on: 09.05.2017.	1.1
10.	Neft, R. Close to nature silviculture in Bavaria, published in LWF Wissen 58: https://www.lwf.bayern.de/mam/cms04/service/dateien/w58-naturnaher-waldbau-bei-den-bayerischen-staatsforsten.pdf	1.3, 1.8
11.	Bundesministerium für Ernährung und Landwirtschaft (BMEL) (2012):„ Results of Bundeswaldinventur ("National Forest Inventory 2012"). “Stock rose again”: https://www.bundeswaldinventur.de/index.php?id=543&L=3	1.3, 3.1
12.	Ecovis BLB Landau Steuerberatungsgesellschaft mbh (2013): Taxes in forest enterprises: What do I have to consider as forest owner? (Lecture, 06.02.2013, ger.) http://www.ecovis.com/fileadmin/standorte/landau/2013-02-06_Forstbesteuerung_Laimer_Ecovis.pdf Last accessed on 15.10.2017	1.6, 1.7
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16.	European Commission : Information about implementing Habitats Directive: http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm	1.9, 3.1,3.2,3.3

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17.	Federal Agency for Nature Conservation (Bundesamt für Naturschutz): Geographical map showing conservation areas in Germany: http://www.geodienste.bfn.de/schutzgebiete/#?centerX=3786876.500?centerY=5669060.000?scale=5000000?layers=524 Information on size and locations designated as conservation areas in Germany: https://www.bfn.de/0308_nsg+M52087573ab0.html Information about legal interventions in nature and landscape: https://www.bfn.de/0306_eingriffsregelung-natur.html Protected areas in Germany: https://www.bfn.de/0308_gebietsschutz+M52087573ab0.html Monitoring protected sites in Germany: https://www.bfn.de/0315_monitoring+M52087573ab0.html Last accessed on 15.10.2017	1.9, 3
18.	Federal Agency for Nature Conservation (Bundesamt für Naturschutz): Habitats Directive areas in Germany: https://www.bfn.de/fileadmin/MDB/documents/themen/natura2000/gebiete/meldestand_ffh_03012014.pdf https://www.bfn.de/fileadmin/MDB/documents/themen/natura2000/gebiete/ffh2013.pdf Birds Directive areas in Germany: https://www.bfn.de/fileadmin/MDB/documents/themen/natura2000/gebiete/meldestand_spa_31102013.pdf https://www.bfn.de/fileadmin/MDB/documents/themen/natura2000/gebiete/spa2013.pdf Monitoring results for Habitats/Birds Directive: http://bfn.de/0316_nat-bericht_ergebnisse2013.html https://www.bfn.de/0316_nat-bericht_2013-komplett.html Last accessed on 15.10.2017	1.9, 3.1,3.2,3.3
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20.	Annexes I, II, IV and V of the Habitats Directive (for Germany) http://www.ffh-gebiete.de/natura2000/ffh-anhang-i/ http://www.ffh-gebiete.de/natura2000/ffh-anhang-iv/	1.9, 3.1, 3.2, 3.3

No.	Source of information	Relevant indicator(s) or CW category
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21.	Commission Regulation (EU) No 1320/2014 of 1 December 2014 amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2014_361_R_0001	1.9, 3.1, 3.2, 3.3
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30.	Federal Ministry for Nutrition and agriculture (Bundesministerium für Ernährung und Landwirtschaft) (2014): Results of the German inventory on forest conditions 2014 http://www.bmel.de/SharedDocs/Downloads/Landwirtschaft/Wald-Jagd/ErgebnisseWaldzustandserhebung2014.pdf?__blob=publicationFile Results of Crown Condition Survey: http://www.bmel.de/SharedDocs/Downloads/Landwirtschaft/Wald-Jagd/ErgebnisseWaldzustandserhebung2014.pdf?__blob=publicationFile	1.10, 3.1,3.2,3.3
31.	German Federal Environmental Agency (Umweltbundesamt) (2012): Soil Condition in Germany. https://www.umweltbundesamt.de/sites/default/files/medien/publikation/long/4291.pdf	1.10
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35.	Research and monitoring on health and safety at work: http://www.baua.de/en/Homepage.html	1.11
36.	Joint German Occupational Safety and Health Strategy: http://www.gda-portal.de/en/Homepage.html	1.11
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No.	Source of information	Relevant indicator(s) or CW category
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42.	Social security card: http://www.hessenfinder.de/portal/?SOURCE=PstListAZ&SEARCHLETTER=S&PSTID=8960026	1.11
43.	Statistics of accidents in German state forests, showed per federal state and summed up (Arbeitsunfälle = accidents by working; Wegeunfälle = accidents on roads; tödliche Unfälle = fatal accidents): http://www.kwf-online.org/mensch-und-arbeit/unfallstatistik/2013.html	1.11
44.	Statistics of all accidents in German state forests on a timeline from 2000 to 2015 showed per federal state and summed up: http://www.kwf-online.org/mensch-und-arbeit/unfallstatistik/unfallzeitreihen.html	1.11
45.	Statistics of all accidents in agriculture, forestry and horticulture in 2013 (p. 41) in communes and private forests and percentage of accidents in forestry ("Wald- und Forstarbeiten") (p. 45): http://www.svlfg.de/30-praevention/prv04-informationsmaterial/praeventionsbericht_2013.pdf	1.11

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47.	ILO Convention 87 on Freedom of Association and Protection of the Right to Organize, 1948 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312232	1.12, 2.2
48.	ILO Convention 98 on the Right to Organize and Collective Bargaining, 1949 http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::no::P12100_Ilo_Code:C098	1.12, 2.2
49.	ILO Convention 105 on Abolition of Forced Labor, 1957 http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C105	1.12, 2.2
50.	ILO Convention 100 on Equal Remuneration, 1951 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_Ilo_Code:C100	1.12, 2.2
51.	ILO Convention 111 on Discrimination (Employment and Occupation), 1958 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C111	1.12, 2.2
52.	ILO Convention 138 on Minimum Age for Admission to Employment, 1973 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138	1.12, 2.2
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54.	Haupt, Daniel: „Forestry unobtrusive“ (“Forstwirtschaft unauffällig.”) Published in forstpraxis.de, 25.09.2015. https://www.forstpraxis.de/forstwirtschaft-unauffaellig	1.12
55.	„Fair Work Now, Campaign for IG-BAU main topic 2014, published in Forstliche Mitteilungen 06/2014. https://www.igbau.de/Binaries/Binary27014/140526_fm1406_wwww. pdf	1.12
56.	„Many mini-jobbers are deprived of minimum wage“ (“Vielen Minijobber wird Mindestlohn vorenthalten.”) Published on the 31st of January 2017. http://www.spiegel.de/wirtschaft/soziales/mindestlohn-vielen-minijobbern-wird-mindestlohn-vorenthalten-a-1132258.html	1.12
57.	Definition of Customary Rights by the UN: http://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf	1.13
58.	ILO Dossier on Indigenous People (pp. 5 ff.): http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_118120.pdf	1.13, 1.15, 2.3
59.	District administration Bodenseekreis: Information about entry rights, road safety obligation in the forest: https://www.bodenseekreis.de/uploads/tx_organisationguidejw/betretensrecht_und_verkehrssicherungspflicht_im_wald.pdf	1.13

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61.	Definition of Indigenous People by the UN: http://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf	1.15, 2.3
62.	Framework Agreement for Timber Trade ("Rahmenvereinbarung für den Rohholzhandel in Deutschland") http://www.fva-bw.de/termine/veranstaltungen/14vorort_rvr.pdf	1.16
63.	Timber classification in Germany: http://www.wald-prinz.de/holz-sortierung-holzsortiment/211	1.16
64.	Report about wood thefts and establishing "wood transport certificates" http://www.main-echo.de/regional/kreis-main-spessart/art11869,2468295, last accessed on 14.02.2017	1.17
65.	Wood thefts in Brandenburg's forests declining; Potsdam – Wood thefts in the forests of Brandenburg have decreased. (Holzdiebstähle in Brandenburgs Wäldern rückläufig ; Potsdam - Die Holzdiebstähle in den Wäldern Brandenburgs sind zurückgegangen.) http://m.proplanta.de/Agrar- Nachrichten/Agrarwirtschaft/Holz diebstaehle-in-Brandenburgs- Waeldern-ruecklaeufig_article1492525021.html last accessed on 08.05.2017	1.17
66.	Transfer Pricing Country Profile by OECD (regulations regarding transfer pricing in Germany) http://www.oecd.org/ctp/transfer-pricing/Germany_TPCountryProfile_Nov2012.pdf	1.18
67.	Common Reporting Standard (CRS) in Germany: http://www.bundesfinanzministerium.de/Content/EN/Pressemitteilungen/2015/2015-07-15-fight-against-tax-evasion.html http://www.oecd.org/ctp/exchange-of-tax-information/automatic-exchange-financial-account-information-common-reporting-standard.pdf	1.18
68.	Signatories of the CRS (2018): http://www.oecd.org/tax/exchange-of-tax-information/mcaa-signatories.pdf Last accessed on 20.02.2018	1.18
69.	Tax Information Exchange Agreements (TIEAs): Germany http://www.oecd.org/tax/transparency/taxinformationexchangeagreementstieasgermany.htm	1.18
70.	Germany's exchange Information relationships: http://www.eoi-tax.org/jurisdictions/DE#agreements	1.18

No.	Source of information	Relevant indicator(s) or CW category
71.	Global Transfer Pricing Review https://www.kpmg.com/Global/en/IssuesAndInsights/ArticlesPublications/global-transfer-pricing-review/Documents/germany.pdf	1.18
72.	No official known tax havens in Germany, Online Article 2013, Handelsblatt http://www.handelsblatt.com/politik/deutschland/wirkungsloses-steinbrueck-gesetz-offiziell-kennt-deutschland-keine-steueroasen/8268080.html	1.18
73.	Information about Customs regulations on wood http://www.rhein-neckar.ihk24.de/international/export/zoll/Zoll_Kontrollen_bei_der_Einfuhr_von_Holz_und_Holzerzeugnissen/940846	1.19
74.	German Customs Directorate: Generalzolldirektion: Companies http://www.zoll.de/DE/Unternehmen/unternehmen_node.html; last visited on 02.02.2017. Generalzolldirektion: Importation of goods ("Wareneinfuhr") http://www.zoll.de/DE/Fachthemen/Aussenwirtschaft-Bargeldverkehr/Wareneinfuhr/wareneinfuhr_node.html; Generalzolldirektion: Normal case of customs clearance ("Normalfall der Verzollung") http://www.zoll.de/DE/Unternehmen/Warenverkehr/Einfuhr-aus-einem-Nicht-EU-Staat/Zoll-und-Steuern/Normalfall-der-Verzollung/normalfall-der-verzollung_node.html; last visited on 30.01.2017	1.19
75.	Reply of the Federal Government to the interpellation from the representatives Steffi Lemke, Annalena Baerbock, Matthias Gastel, further representatives and the parliamentary group BÜNDNIS 90/DIE GRÜNEN – printed matter 18/9288 – „Controls and false declaration in timber trading." German Federal Parliament, 18. Election period, 11.08.2016 (Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Steffi Lemke, Annalena Baerbock, Matthias Gastel, weiterer Abgeordneter und der Fraktion BÜNDNIS 90/DIE GRÜNEN – Drucksache 18/9288 -: "Kontrollen und Falschdeklarationen im Holzhandel.", Deutscher Bundestag, 18. Wahlperiode, 11.08.2016) http://dip21.bundestag.de/dip21/btd/18/092/1809288.pdf	1.19, 1.21
76.	Checklist of CITES Species in Germany http://checklist.cites.org/#/en/search/country_ids%5B%5D=23&output_layout=alphabetical&level_of_listing=0&show_synonyms=1&show_author=0&show_english=1&show_spanish=1&show_french=1&scientific_name=plantae&page=1&per_page=20	1.20

No.	Source of information	Relevant indicator(s) or CW category
77.	Overview of EUTR: http://ec.europa.eu/environment/forests/timber_regulation.htm	1.21
78.	Schematic representation of the Due Diligence System in Germany: http://www.ble.de/SharedDocs/Downloads/02_Kontrolle/06_HandelMitHolz/a_dds_and_its_main_components.pdf?__blob=publicationFile	1.21
79.	Trading legally harvested timber: http://www.ble.de/DE/02_Kontrolle/06_HandelMitHolz/HandelMitHolz_node.html	1.21
80.	Information on EUTR implementation in Germany: http://www.ble.de/DE/02_Kontrolle/06_HandelMitHolz/EU_Holzhandelsverordnung/EU-Holzhandelsverordnung_node.html http://www.ble.de/DE/02_Kontrolle/06_HandelMitHolz/Pruefungsfeststellungen.html?nn=4717664	
81.	Study on the implementation and enforcement of EUTR in Germany by WWF Germany http://barometer.wwf.org.uk/what_we_do/government_barometer/scores_by_country/country_scores.cfm?country=Germany	1.21
82.	EUWID: WWF publishes current Government Barometer. Press release 12.08.2014, http://www.euwid-holz.de/news/handel/einzelansicht/Artikel/wwf-veroeffentlicht-aktualisiertes-government-barometer.html	1.21
83.	World Bank Harmonized List of Fragile Situations: http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/Fragile_Situations_List_FY11_%28Oct_19_2010%29.pdf	2
84.	Committee to Protect Journalists: Impunity Index CPJ's Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred between January 1, 2004, and December 31, 2013, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index. http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php	2
85.	Carleton University: Country Indicators for Foreign Policy: the Failed and Fragile States project of Carleton University examines state fragility using a combination of structural data and current event monitoring http://www4.carleton.ca/cifp/ffs.htm	2
86.	US AID: www.usaid.gov	2, 2.1
87.	Global Witness: www.globalwitness.org Last accessed on 20.05.2017	2, 2.1

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88.	WWF report: Failing the Forests; Europe's illegal timber trade. http://d2ouvy59p0dg6k.cloudfront.net/downloads/failingforests.pdf Last accessed on 20.10.2016	2
89.	Chatham House Illegal Logging Indicators Country Report Card http://www.illegal-logging.info Last accessed on 20.05.2017	2
90.	Freedom House – Freedom in the World Index 2015: https://freedomhouse.org/report/freedom-world/freedom-world-2015#.VgwaoXrtlHw https://freedomhouse.org/report/freedom-press/freedom-press-2015#.VgwZ2HrtlHw https://freedomhouse.org/report/freedom-net/2014/germany Last accessed on 20.05.2017	2
91.	Reporters without Borders: World Press Freedom Index 2015 https://index.rsf.org/#!/ Last accessed on 20.05.2017	2
92.	Fragile States Index 2015 http://fsi.fundforpeace.org/	2
93.	Global Peace Index 2015 http://static.visionofhumanity.org/sites/default/files/Global%20Peace%20Index%20Report%202015_0.pdf http://economicsandpeace.org/research/iep-indices-data/global-peace-index Last accessed on 20.05.2017	2
94.	FSC Controlled Wood Risk Assessment for Germany Assigned code: FSC-CWRA-007-DEU (V 3-1) (Approved: 03 June 2011): Info on illegal logging	2, 2.1
95.	Compendium of United Nations Security Council Sanctions Lists http://www.un.org/sc/committees/list_compend.shtml	2.1
96.	Human Rights Watch 2015 http://www.hrw.org/world-report/2015	2.1, 2.3
97.	World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf Now: PROFOR http://www.profor.info/node/1998	

No.	Source of information	Relevant indicator(s) or CW category
98.	Amnesty International Annual Report: http://www.amnesty.org	2.1, 2.3
99.	Greenpeace: www.greenpeace.org	2.1
100.	CIFOR: http://www.cifor.org/; http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm	2.1
101.	Observation (CEACR) - adopted 2012, published 102nd ILC session (2013) Forced Labor Convention, 1930 (No. 29) - Germany (Ratification: 1956) http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3079959:NO	2.2
102.	Observation (CEACR) - adopted 2014, published 104th ILC session (2015) Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) - Germany (Ratification: 1957) http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3190325:NO	2.2
103.	Observation (CEACR) - adopted 2014, published 104th ILC session (2015) Right to Organize and Collective Bargaining Convention, 1949 (No. 98) - Germany (Ratification: 1956) http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3187670:NO	2.2
104.	Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014) Equal Remuneration Convention, 1951 (No. 100) - Germany (Ratification: 1956) http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3145928:NO	2.2
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No.	Source of information	Relevant indicator(s) or CW category
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No.	Source of information	Relevant indicator(s) or CW category
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248.	Federal Ministry of Food and Agriculture (2015): The Forests in Germany. Selected Results of the Third National Inventory. https://www.bundeswaldinventur.de/fileadmin/SITE_MASTER/content/Dokumente/Downloads/BMEL_The_Forests_in_Germany.pdf	4.1
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250.	Expert interviews in forest research centres and federal authorities (e.g. for consumer protection)	5.1
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254.		5.1

No.	Source of information	Relevant indicator(s) or CW category
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Annex C2 Identification of applicable legislation

Legal rights to harvest

1.1 Land tenure and management rights

Tenure Rights and ownership:

- Grundgesetz für die Bundesrepublik Deutschland vom 23. Mai 1949 (BGBl. I S. 2438) (Änderung(en) des Gesetzes durch Artikel 1 des Gesetzes vom 23.12.2014 (BGBl. I S. 2438)) "German Constitution" - Article 14 (includes the amendment(s) to the Act by Article 1 of the Act of 23.12.2014 (Federal Law Gazette I p. 2438) http://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html#p0079
- Bürgerliches Gesetzbuch (BGB) in der Fassung der Bekanntmachung vom 2. Januar 2002 (BGBl. I S. 42, 2909; 2003 I S. 738) "German Civil Code" - § 873 (1): Acquisition by agreement and registration (as amended by the announcement of 2 January 2002 (BGBl. I p. 42,2909;2003 I p. 738)) http://www.gesetze-im-internet.de/englisch_bgb/englisch_bgb.html#p3614
- Grundbuchordnung in der Fassung der Bekanntmachung vom 26. Mai 1994 (BGBl. I S. 1114) GBO - "Landbook Rule". (as amended by the Notice of 26 May 1994 (BGBl. I p. 1114) GBO) http://www.gesetze-im-internet.de/gbo/BJNR001390897.html#BJNR001390897BJNG000101307

Farm Leasing (Pacht): Leasing of estates with a contract

- Bürgerliches Gesetzbuch (BGB) in der Fassung der Bekanntmachung vom 2. Januar 2002 (BGBl. I S. 42, 2909; 2003 I S. 738) - "German Civil Code" § 585 (Declaration and Definition of Farm Leasing) (as amended by the announcement of 2 January 2002 (BGBl. I p. 42,2909;2003 I p. 738) http://www.gesetze-im-internet.de/englisch_bgb/englisch_bgb.html#p2403
- Bürgerliches Gesetzbuch (BGB) in der Fassung der Bekanntmachung vom 2. Januar 2002 (BGBl. I S. 42, 2909; 2003 I S. 738) - § 581: Vertragstypische Pflichten beim Pachtvertrag - "German Civil Code" §581 "Contracts and duties concerning farm leasing" (as amended by the announcement of 2 January 2002 (BGBl. I p. 42,2909;2003 I p. 738) http://www.gesetze-im-internet.de/englisch_bgb/englisch_bgb.html#p2379

Taxes:

- Grundsteuergesetz (GrStG) vom 7. August 1973 (BGBl. I S. 965) GrStG, § 6 - Property Tax Law of 7 August 1973 (BGBl. I p. 965) GrStG, § 6 (as amended by the article 38 of the 19.12.2008) http://www.gesetze-im-internet.de/grstg_1973/__6.html

- Bewertungsgesetz (BewG) in der Fassung der Bekanntmachung vom 1. Februar 1991 (BGBl. I S. 230) BewG, Part 2, Section B, I-III - Valuation Tax Act (Assessment of tax volume in agriculture and forestry) as amended by the Notice of 1 February 1991 (Federal Law Gazette I p. 230) FL, Part 2, Section B, I-III
  http://www.gesetze-im-internet.de/bewg/BJNR010350934.html#BJNR010350934BJNG000502301
- Handelsgesetzbuch in der im Bundesgesetzblatt Teil III, Gliederungsnummer 4100-1, zuletzt durch Artikel 11 Absatz 28 des Gesetzes vom 18. Juli 2017 (BGBl. I S. 2745) geändert worden ist - "German Commercial Code" §8, 8a, 8b, last amended by Article 11 paragraph 28 of the Act of 18 July 2017 (Federal Law Gazette I, p. 2745)
  http://www.gesetze-im-internet.de/hgb/__8.html

1.2 Concession licenses

Not applicable

1.3 Management and harvesting planning

- Bundeswaldgesetz (BWaldG) vom 2. Mai 1975 (BGBl. I S. 1037) - "National Forest Act"
  1. § 41: Inventory
  Gesetz zur Erhaltung des Waldes und zur Förderung der Forstwirtschaft (Bundeswaldgesetz – BWaldG) vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 1 des Gesetzes vom 31. Juli 2010 (BGBl. I S. 1050) geändert worden ist
  Law on the conservation of forests and the promotion of forestry (Federal Forest Act - BWaldG) of 2 May 1975 (BGBl. I p. 1037), last amended by Article 1 of the Act of 31 July 1975 (BGBl. I p. 1037). 2010 (BGBl. I p. 1050).
  http://www.gesetze-im-internet.de/bwaldg/

- **Baden-Württemberg:**
  1. Waldgesetz für Baden-Württemberg (Landeswaldgesetz - LWaldG) in der Fassung vom 31. August 1995 (GBl. 1995, 685) - §§ 12, 20 50, 51 (Inventory and management planning in public forest) Forest Law for Baden-Württemberg (Landeswaldgesetz - LWaldG) as amended on 31 August 1995 (GBl. 1995,685) - Sections 12,20 50,51
  http://www.landesrecht-bw.de/jportal/portal/t/6w3/page/bsbawueprod.psml?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&fromdoctodoc=yes&doc.id=jlr-WaldGBWpG5&doc.part=X&doc.price=0.0&doc.hl=0#focuspoint

  2. Instruction guideline FED 2000
  http://www.waldnaturschutz-forstbw.de/site/downloads/571_32_FED2000_NWW_120217.pdf

  3. Richtlinie landesweiter Waldentwicklungstypen ("Guideline for Silviculture in Baden-Württemberg")

http://www.forstbw.de/fileadmin/forstbw_infothek/forstbw_praxis/wet/ForstBW_Waldentwicklung_web.pdf

4. State forest: FSC certification

- **Bayern:**
  1. Waldgesetz für Bayern (BayWaldG) in der Fassung der Bekanntmachung vom 22. Juli 2005 (GVBl 2005, S. 313) - §§ 18, 19
  Forest Law for Bavaria (BayWaldG) as amended by the Notice of 22 July 2005 (GVBl 2005, p. 313) - §§ 18,19
  http://www.gesetze-bayern.de/jportal/portal/page/bsbayprod.psml?showdoccase=1&doc.id=jlr-WaldGBY2005rahmen&doc.part=X&doc.origin=bs

  2. Körperschaftswaldverordnung KWaldV vom 9. Februar 2007 (GVBl. S. 196) BayRS 7902-3-L
  Enactment for Körperschaftswald of 9 February 2007 (GVBl. p. 196) BayRS 7902-3-L (last amended by §8 of the 05.12.2017)
  http://www.gesetze-bayern.de/jportal/?quelle=jlink&docid=jlr-K%C3%B6rpWaldVBY2007rahmen&psml=bsbayprod.psml&max=true&aiz=true

  3. Richtlinie zur Forsteinrichtung ("Guideline for Forest Planning“)
  https://www.verkuendung-bayern.de/files/allmbl/2012/01/anhang/7905.0-L-213-A001.pdf

  4. Waldbaurichtlinie ("Guidelines for Silviculture“)
  http://www.baysf.de/de/wald-verstehen/waldbau.html

- **Berlin:**
  1. Gesetz zur Erhaltung und Pflege des Waldes (Landeswaldgesetz - LWaldG) vom 16. September 2004 (GVBl. 2004, 391) - §1
  Law on the Conservation and Care of the Forest (Landeswaldgesetz - LWaldG) of 16 September 2004 (GVBl. 2004,391) - §1 (last amended by the article 3 on the 04.02.2016)
  http://www.stadtentwicklung.berlin.de/service/gesetzestexte/de/download/forsten/lwaldg.pdf

  2. Waldbaurichtlinie für die Berliner Forsten ("Guideline for Silviculture in Berlin“)
  http://www.stadtentwicklung.berlin.de/forsten/waldpflege/download/Waldbaurichtlinie2005.pdf n“)

  3. State forest: FSC certification

- **Brandenburg:**
  1. Waldgesetz des Landes Brandenburg (LWaldG) vom 20. April 2004 (GVBl.I/04, [Nr. 06], S.137) - § 30 (periodic forest inventories and forest register)
  Forest Law of the State of Brandenburg (LWaldG) of 20 April 2004 (GVBl. I/04, [No. 06], p. 137) - § 30 (last amended by the article 1 on the 10.07.2014)
  http://bravors.brandenburg.de/de/gesetze-212918#30

  2. Betriebliche Anweisung zur Forsteinrichtung BAFE (Official Guideline for Forsteinrichtung in public forests of Brandenburg)

http://forst.brandenburg.de/cms/media.php/lbm1.a.3310.de/bafe.pdf

3. Waldbaurichtlinie Brandenburg ("Guideline for Silviculture in Brandenburg“)
http://www.mlul.brandenburg.de/media_fast/4055/waldb_rl.15520821.pdf

- **Bremen:**
  1. Bremisches Waldgesetz (BremWaldG) in Kraft ab: 10.06.2010 –
  Bremen Forest Act (BremWaldG) in force from: 10.06.2010 - §5 (proper forestry) (last amended by the article 2 abs. 2 on the 25.05.2010)
  https://bremen.beck.de/?bcid=Y-100-G-brwaldg-name-inh

- **Hamburg:**
  1. Hamburger Landeswaldgesetz Vom 13. März 1978 (HmbGVBl. 1978, S. 74) - §6 (proper forestry)
  Hamburger state forest act from the March, 13 1978 (HmbGVBI. 1978, S. 74) - §6 (last amended by the article 1 on 02.12.2013)

  2. Waldbauliche Rahmenrichtlinie ("Guideline for Silviculture“)

  3. State forest: FSC certification
  http://www.landesrecht-hamburg.de/jportal/portal/page/bshaprod.psml?showdoccase=1&st=null&doc.id=jlr-WaldGHArahmen&doc.part=X&doc.origin=bs

- **Hessen:**
  1. Hessisches Waldgesetz (HWaldG) Vom 27. Juni 2013 (GVBl. 2013, 458) - § 5
  Hessian forest law (HWaldG) from June, 27 2013 (GVBI. 2013, 458) - § 5
  http://www.rv.hessenrecht.hessen.de/jportal/portal/t/1eiz/page/bshesprod.psml;jsessionid=27D4523B110B46866DEDB7C3DD902EEA.jp15?doc.hl=1&doc.id=jlr-WaldGHErahmen&documentnumber=1&numberofresults=46&showdoccase=1&doc.part=X&paramfromHL=true#jlr-WaldGHEpP5

  2. Hessische Waldbaufibel ("Hessian Reader for Silviculture“)
  https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB4QFjAAahUKEwjL3qyj4u7HAhUM7xQKHTkIBsg&url=http%3A%2F%2Fwww.hessen-forst.de%2Fdownload.php%3Ffile%3Duploads%2Fservice%2Fdownload%2Fwaldbaufibel_hessen_forst.pdf&usg=AFQjCNHTr4eKTwPnZFHxhPzPRSMPLu876w&cad=rja

  3. Hessische Waldbaurichtlinie ("Guideline for Silviculture“)
  http://www.hessen-forst.de/uploads/ueber-uns/riliribes.pdf

  4. State forest: FSC certification

- **Mecklenburg-Vorpommern:**
  1. Waldgesetz für das Land Mecklenburg-Vorpommern (Landeswaldgesetz - LWaldG) In der Fassung der Bekanntmachung vom 27. Juli 2011 (GVOBl M-V 2011, S. 870) - §§ 4,5
  Forest law for Mecklenburg-Vorpommern (state forest act – LwaldG) in the frame of the announcement from July, 27 2011 (GVOBI M-V 2011, S. 870) - §§ 4,5 (last amended by the article 14 on the 27.05.2016)
  http://www.landesrecht-mv.de/jportal/portal/page/bsmvprod.psml?showdoccase=1&doc.id=jlr-WaldGMV2011rahmen&doc.part=X&doc.origin=bs&st=lr

  2. Anforderungen an Forsteinrichtungswerke für Privat- und Körperschaftswaldbesitz in Mecklenburg-Vorpommern (Requirements of Forsteinrichtung in private and municipial forests)
  http://www.wald-mv.de/lib/media.php?id=379

  3. State forest: FSC certification

- **Niedersachsen:**
  1. Niedersächsisches Gesetz über den Wald und die Landschaftsordnung (NWaldLG) Vom 21.März 2002 (Nds.GVBl. Nr.11/2002 S.112) - §§ 6
  Lower Saxony law over the forest and the landscpae regulations (NWaldLG) from March, 21 2002 (Nds. GVBI. Nr. 11/2002 S. 112) - §§6 (last amended by article 16 on the 13.10.2011)
  http://www.recht-niedersachsen.de/79100/nwaldlg.htm#p6,7

- **Nordrhein-Westfalen:**
  1. Landesforstgesetz für das Land Nordrhein-Westfalen (Landesforstgesetz - LFoG),
  Bekanntmachung der Neufassung Vom 24. April 1980 (GV. NW. 1980 S. 546) - §§ 33, 34
  State forest act for North Rhine-Westphalia (LFoG), announcement of the new version from April, 24 1980 (GV. NW. 1980 S. 546) - §§ 33, 34
  https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=10000000000000000274#det332959

  2. Additional frameworks and documents for inventory, survey and measuring
  https://www.wald-und-holz.nrw.de/wald-und-holz-nrw/service/ausschreibungen-und-vergaben/unterlagen-zur-forsteinrichtung.html

  3. Decree for forest utilization and forest restoration
  https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=1&gld_nr=7&ugl_nr=79031&bes_id=2897&val=2897&ver=7&sg=0&aufgehoben=N&menu=1

  4. State forest: FSC certification

- **Rheinland-Pfalz:**
  1. Landeswaldgesetz (LWaldG) Vom 30. November 2000 (GVBl. 2000, 504) - § 7 (Orderliness of forestry)
  State forest act (LWaldG) from November, 30 2000 (GVBI: 2000, 504) - § 7 (last amended on the 22.12.2015)

http://landesrecht.rlp.de/jportal/portal/t/z59/page/bsrlpprod.psml;jsessionid=B71BD79DA96E0D0BFF2268944A12576A.jp14?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=1&numberofresults=1&fromdoctodoc=yes&doc.id=jlr-WaldGRPrahmen&doc.part=X&doc.price=0.0#jlr-WaldGRPpP7

2. Guidelines for silviculture in Rheinland-Pfalz
http://www.wald-rlp.de/index.php?id=3188

3. State forest: FSC certification

- **Thüringen:**
  1. Gesetz zur Erhaltung, zum Schutz und zur Bewirtschaftung des Waldes und zur Förderung der Forstwirtschaft (Thüringer Waldgesetz - ThürWaldG -) Vom 6. August 1993 (GVBl. 2008, 327) - § 5, 20, 33
  Law on the conservation, protection and management of the forest and the promotion of forestry (Thuringia forest law – ThürWaldG-) from August, 6 1993 (GVBI. 2008, 327) - §5, 20, 33 (last amended by the article 2 on the 22.11.2016)
  http://landesrecht.thueringen.de/jportal/portal/t/ypv/page/bsthueprod.psml?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&fromdoctodoc=yes&doc.id=jlr-WaldGTH2008pG3&doc.part=X&doc.price=0.0&doc.hl=0#focuspoint

  2. 3rd and 6th Durchführungsverordnung DVO ("execution decree")
  http://www.wbv-thueringen.de/download/2010-01-25-01.pdf
  http://landesrecht.thueringen.de/jportal/portal/page/bsthueprod.psml?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&fromdoctodoc=yes&doc.id=jlr-WaldGDVTH6rahmen&doc.part=X&doc.price=0.0

  3. Principles for Silviculture
  http://www.waldbesitzerportal.de/de/waldbesitzerportal/themen/waldbau/waldbaugrundsaetze-der-thueringer-forstverwaltung/

- **Sachsen:**
  1. Waldgesetz für den Freistaat Sachsen (SächsWaldG) Vom 10. April 1992 (SächsGVBl. S. 137) - § 22, Abs. 2 (orderliness in forest management), § 48, Abs. 2 (periodic plannings)
  http://www.lexsoft.de/cgi-bin/lexsoft/justizportal_nrw.cgi?t=144188655922063511&sessionID=1881078088371660105&templateID=document&source=document&chosenIndex=Dummy_nv_68&xid=171347,1&task=chose_fliesstext#gesetz_fliesstext_171347,23

  2. Richtlinie für den Staatswald des Freistaates Sachsen, Bestandeszieltypen ("Guidelines for forest stands development ")
  https://www.smul.sachsen.de/sbs/download/Bestandeszieltypen.pdf

- **Sachsen Anhalt:**
  1. Waldgesetz für das Land Sachsen-Anhalt (WaldG LSA) Vom 13. April 1994 (GVBl. LSA 1994, 520) - § 5
  Forest law for Saxony-Anhalt (WaldG LSA) from April, 13 1994 (GVBI. LSA 1994, 520) - § 5 (last amended on the 25.02.2016)

http://www.landesrecht.sachsen-anhalt.de/jportal/;jsessionid=3A3570D8278B89C20D7D86153A1BF736.jp25?quelle=jlink&query=WaldG+ST&psml=bssahprod.psml&max=true&aiz=true#jlr-WaldGSTV5P5-jlr-WaldGSTV1P5-jlr-WaldGSTV2P5-jlr-WaldGSTV3P5-jlr-WaldGSTV4P5

2. Forsteinrichtungsverfahren des Landesforstbetriebes LSA ("Procedure of Forsteinrichtung in State forests“)
http://www.mlu.sachsen-anhalt.de/fileadmin/Bibliothek/Politik_und_Verwaltung/MLU/MLU/Master-Bibliothek/Landwirtschaft_und_Umwelt/F/Anlage_1_FE_Verf_LFB_Anl_1_27_06_07.pdf

3. Leitlinie zur Erhaltung und weiteren nachhaltigen Entwicklung des Waldes im Land Sachsen-Anhalt ("Guideline for Conservation and further sustainable Development of the forest in Sachsen-Anhalt“)
http://www.mlu.sachsen-anhalt.de/fileadmin/Bibliothek/Politik_und_Verwaltung/MLU/MLU/Master-Bibliothek/Landwirtschaft_und_Umwelt/F/Forst/Leitlinie_Wald/LEITLINIE_WALD_2014.pdf

- **Saarland:**
  1. Waldgesetz für das Saarland (Landeswaldgesetz - LWaldG) Vom 26. October 1977 (Amtsblatt 1977, S. 1009) - §§ 13, 30 (periodic plannings)
  Forest law for Saarland (LWaldG) from October, 26 1977 (Amtsblatt 1977, S. 1009) - §§13, 30 (last amended on the 05.04.2006
  http://sl.juris.de/cgi-bin/landesrecht.py?d=http://sl.juris.de/sl/gesamt/WaldG_SL.htm#WaldG_SL_rahmen

  2. Richtlinie für die Bewirtschaftung des Staatswaldes im Saarland (“Guideline for Managing the State forest in Saarland”)
  http://www.saarland.de/dokumente/thema_naturnutzung/waldbaurichtlinien_saarland.pdf

  3. State forest: FSC certification

- **Schleswig-Holstein:**
  1. Waldgesetz für das Land Schleswig-Holstein (Landeswaldgesetz - LWaldG) Vom 5. Dezember 2004 (GVOBl. 2004, 461) - §§ 5, 6
  Forest law for Schleswig Holstein (LWaldG) from December, 5 2004 (GVOBI. 2004, 461) - §§ 5, 6 (last amended by article 2 on the 27.05.2016)
  http://www.gesetze-rechtsprechung.sh.juris.de/jportal/;jsessionid=D1C60BD8B62F01EE5FC1CD430E24D7E0.jp22?quelle=jlink&query=WaldG+SH&psml=bsshoprod.psml&max=true&aiz=true#jlr-WaldGSH2004V5P5-jlr-WaldGSH2004V1P5-jlr-WaldGSH2004V2P5-jlr-WaldGSH2004V3P5-jlr-WaldGSH2004V4P5

  2. State forest: FSC certification

1.4 Harvesting permits

Not applicable

Taxes and fees

1.5 Payment of royalties and harvesting fees

Not applicable

1.6 Value added taxes and other sales taxes

- Umsatzsteuergesetz (UStG) in der Fassung der Bekanntmachung vom 21. Februar 2005 (BGBl. I S. 386) - “Value Added Tax Act” (Version of the Notice of 21 February 2005 (BGBl. I p. 386) (last amended by article 11 on the 18.07.2017):
  1. §1 Taxable sales
  http://www.gesetze-im-internet.de/ustg_1980/__1.html
- §10 Basis for assessment
  http://www.gesetze-im-internet.de/ustg_1980/__10.html
- §13, 15 Calculation of VAT
  http://www.gesetze-im-internet.de/ustg_1980/__13.html
  http://www.gesetze-im-internet.de/ustg_1980/__15.html
- §17 Changes in basis for assessment
  http://www.gesetze-im-internet.de/ustg_1980/__17.html
- §18 Procedures of Taxation
  http://www.gesetze-im-internet.de/ustg_1980/__18.html
- §20 Taxation after remuneration
  http://www.gesetze-im-internet.de/ustg_1980/__20.html
- §24 VAT in agriculture and forestry
  Abgabenordnung (AO) in der Fassung der Bekanntmachung vom 1. October 2002 (BGBl. I S. 3866; 2003 I S. 61) - "The Fiscal Code of Germany”:
  http://www.gesetze-im-internet.de/ustg_1980/__24.html
- §§ 140, 141: Obligations of Account keeping
  http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p1043
- §148: Authorization of simplification
  http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p1115
- §§379, 370: Tax crimes and tax evasion
  Handelsgesetzbuch (HGB) 1897 (BGBl. I S. 1474) - “German Commercial Code”
  http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p2175
- §6,1: Obligations of Account keeping for incorporated enterprises
  http://www.gesetze-im-internet.de/hgb/__6.html

1.7 Income and profit taxes

- Einkommensteuergesetz (EStG) in der Fassung der Bekanntmachung vom 8. October 2009 (BGBl. I S. 3366, 3862) Income Tax Act (EStG) as amended by the Notice of 8 October 2009 (BGBl. I p. 3366,3862) (last amended by article 9 on the 14.08.2017)
  1. §2 Volume of taxation, definitions
  http://www.gesetze-im-internet.de/estg/__2.html
- §13 Income from agriculture and forestry
  Fiscal Code (AO) as amended by the Notice of 1 October 2002 (BGBl. I p. 3866;2003 I p. 61)
  http://www.gesetze-im-internet.de/estg/__13.html
- 140, 141: Obligations of Account keeping
  http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p1043
- §§379, 370: Tax crimes and tax evasion
  Handelsgesetzbuch (HGB) 1897 (BGBl. I S. 1474) - “German Commercial Code”
  http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p2175
- § 6,1: Obligations of Account keeping for incorporated enterprises
  http://www.gesetze-im-internet.de/hgb/__6.html

Timber harvesting activities

1.8 Timber harvesting regulations

- Bundeswaldgesetz (BWaldG) vom 2. Mai 1975 (BGBl. I S. 1037) - “National Forest Act” (last amended by article 1 on the 17.01.2017)
  1. Article §8 “Protection of forest functions upon plannings and measures by public projects”
  http://www.gesetze-im-internet.de/bwaldg/__8.html
- Article §9 “Preservation of the Forests”
  http://www.gesetze-im-internet.de/bwaldg/__9.html
- Article §11 “Management of forests”
  http://www.gesetze-im-internet.de/bwaldg/__11.html
- Bundesnaturschutzgesetz (BNatSchG) vom 29. Juli 2009 (BGBl. I S. 2542) - “Federal Nature Conservation Act” (last amended by article 1 on the 15.09.2017)
  1. Article §5 "Agriculture, forestry and fisheries“
  Forest acts of the federal states (1):
  http://www.bmub.bund.de/fileadmin/Daten_BMU/Download_PDF/Naturschutz/bnatschg_en_bf.pdf

- **Baden-Württemberg:**
  1. Waldgesetz für Baden-Württemberg (Landeswaldgesetz - LWaldG) in der Fassung vom 31. August 1995 (GBl. 1995, 685) - §§5-28
  Forest Law for Baden-Württemberg (LWaldG) as amended on August, 31 1995 (GBI. 1995, 685) - §§ 5-28

http://www.landesrecht-bw.de/jportal/portal/t/6w3/page/bsbawueprod.psml?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&fromdoctodoc=yes&doc.id=jlr-WaldGBWpG5&doc.part=X&doc.price=0.0&doc.hl=0#jlr-WaldGBWpG2

Richtlinie landesweiter Waldentwicklungstypen ("Guideline for Silviculture in Baden-Württemberg")
http://forstbw.de/fileadmin/forstbw_mediathek/forstbw_praxis/wet/ForstBW_Waldentwicklung_web.pdf

- **Bayern:**
  1. Waldgesetz für Bayern (BayWaldG) in der Fassung der Bekanntmachung vom 22. Juli 2005 (GVBl 2005, S. 313) - §§ 5-19
  Forest law for Bavaria (BayWaldG) as amended on July, 22 2005 (GVBI 2005, S. 313) –§§5-19
  http://www.gesetze-bayern.de/jportal/portal/page/bsbayprod.psml?showdoccase=1&doc.id=jlr-WaldGBY2005rahmen&doc.part=X&doc.origin=bs

  Richtlinie zur Forsteinrichtung ("Guideline for Forest Planning")
  Waldbaurichtlinie ("Guidelines for Silviculture")
  http://www.baysf.de/de/wald-verstehen/waldbau.html

- **Berlin:**
  1. Gesetz zur Erhaltung und Pflege des Waldes (Landeswaldgesetz - LWaldG) vom 16. September 2004 (GVBl. 2004, 391) - §§ 4-12
  Law on the Conservation and Care of the Forest (Landeswaldgesetz - LWaldG) of 16 September 2004 (GVBl. 2004,391) - §§ 4-12 (last amended by the article 3 on the 04.02.2016)
  http://www.stadtentwicklung.berlin.de/service/gesetzestexte/de/download/forsten/lwaldg.pdf

  Waldbaurichtlinie für die Berliner Forsten ("Guideline for Silviculture in Berlin")
  http://www.stadtentwicklung.berlin.de/forsten/waldpflege/download/Waldbaurichtlinie2005.pdf

- **Brandenburg:**
  1. Waldgesetz des Landes Brandenburg (LWaldG) vom 20. April 2004 (GVBl.I/04, [Nr. 06], S.137) - §§ 4-10
  Forest Law of the State of Brandenburg (LWaldG) of 20 April 2004 (GVBl. I/04, [No. 06], p. 137) - §§4-10 (last amended by the article 1 on the 10.07.2014)
  http://bravors.brandenburg.de/de/gesetze-212918#30

  2. Waldbaurichtlinie Brandenburg ("Guideline for Silviculture in Brandenburg")
  http://www.mlul.brandenburg.de/media_fast/4055/waldb_rl.15520821.pdf

- **Bremen:**
  1. Bremisches Waldgesetz (BremWaldG) in Kraft ab: 10.06.2010 - §§4-8
  Bremen Forest Act (BremWaldG) in force from: 10.06.2010 - §§4-8 (proper forestry) (last amended by the article 2 abs. 2 on the 25.05.2010)
  https://bremen.beck.de/?bcid=Y-100-G-brwaldg-name-inh

- **Hamburg:**
  1. Hamburger Landeswaldgesetz Vom 13. März 1978 (HmbGVBl. 1978, S. 74) - §§3,6
  Hamburger state forest act from the March, 13 1978 (HmbGVBI. 1978, S. 74) - §§3,6 (last amended by the article 1 on 02.12.2013)
  http://www.landesrecht-hamburg.de/jportal/portal/page/bshaprod.psml?showdoccase=1&st=null&doc.id=jlr-WaldGHArahmen&doc.part=X&doc.origin=bs

2. Waldbauliche Rahmenrichtlinie ("Guideline for Silviculture“)

- **Hessen:**
  1. Hessisches Waldgesetz (HWaldG) Vom 27. Juni 2013 (GVBl. 2013, 458) - §§3-7
  Hessian forest law (HWaldG) from June, 27 2013 (GVBI. 2013, 458) - §§3-7
  http://www.rv.hessenrecht.hessen.de/jportal/portal/t/13q0/page/bshesprod.psml/action/portlets.jw.MainAction?p1=1&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGHEpIVZ&doc.part=S&toc.poskey=#focuspoint

  2. Hessische Waldbaufibel ("Hessian Reader for Silviculture“)
  https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB4QFjAAahUKEwjL3qyj4u7HAhUM7xQKHTkIBsg&url=http%3A%2F%2Fwww.hessen-forst.de%2Fdownload.php%3Ffile%3Duploads%2Fservice%2Fdownload%2Fwaldbaufibel_hessen_forst.pdf&usg=AFQjCNHTr4eKTwPnZFHxhPzPRSMPLu876w&cad=rja

  3. Hessische Waldbaurichtlinie ("Guideline for Silviculture“)
  http://www.hessen-forst.de/uploads/ueber-uns/riliribes.pdf

- **Mecklenburg-Vorpommern:**
  1. Waldgesetz für das Land Mecklenburg-Vorpommern (Landeswaldgesetz - LWaldG) In der Fassung der Bekanntmachung vom 27. Juli 2011 (GVOBl M-V 2011, S. 870) - §§ 5-15a
  Forest law for Mecklenburg-Vorpommern (state forest act – LwaldG) in the frame of the announcement from July, 27 2011 (GVOBI M-V 2011, S. 870) - §§ 5-15a (last amended by the article 14 on the 27.05.2016)
  http://www.landesrecht-mv.de/jportal/portal/page/bsmvprod.psml?showdoccase=1&doc.id=jlr-WaldGMV2011rahmen&doc.part=X&doc.origin=bs&st=lr

- **Niedersachsen:**
  1. Niedersächsisches Gesetz über den Wald und die Landschaftsordnung (NWaldLG) Vom 21.März 2002 (Nds.GVBl. Nr.11/2002 S.112) - §§ 5,6,7,8,11,12,15
  Low Saxon Law over the forest and the landscpae regulations (NWaldLG) from March, 21 2002 (Nds. GVBI. Nr. 11/2002 S. 112) -§§ 5,6,7,8,11,12,15 (last amended by article 16 on the 13.10.2011)
  http://www.recht-niedersachsen.de/79100/nwaldlg.htm

  2. LÖWE Programm (Programme for long-term forest development)
  https://www.landesforsten.de/LOEWE-Langfristige-OEkologische-Waldentwicklung.20.0.html

- **Nordrhein-Westfalen:**
  1. Landesforstgesetz für das Land Nordrhein-Westfalen (Landesforstgesetz - LFoG),
  Bekanntmachung der Neufassung Vom 24. April 1980 (GV. NW. 1980 S. 546) - §§1a, b, 6b, 7, 8, 9, 31, 32, 39
  State forest act for North Rhine-Westphalia (LFoG), announcement of the new version from April, 24 1980 (GV. NW. 1980 S. 546) - §§ 1a, b, 6b, 7, 8, 9, 31, 32, 39
  https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=10000000000000000274

  Decree for forest utilization and forest restoration
  https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=1&gld_nr=7&ugl_nr=79031&bes_id=2897&val=2897&ver=7&sg=0&aufgehoben=N&menu=1

- **Rheinland-Pfalz:**
  Landeswaldgesetz (LWaldG) Vom 30. November 2000 (GVBl. 2000, 504) -§§ 4-8,12-14
  State forest act (LWaldG) from November, 30 2000 (GVBI: 2000, 504) - §§ 4-8, 12-14 (last amended on the 22.12.2015)
  http://landesrecht.rlp.de/jportal/portal/t/y1b/page/bsrlpprod.psml/action/portlets.jw.MainAction;jsessionid=51ED59433FC9AE4252FEE4B1AEF35F8A.jp14?p1=1&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGRPpIVZ&doc.part=S&toc.poskey=#focuspoint

  Guidelines for silviculture in Rheinland-Pfalz
  http://www.wald-rlp.de/index.php?id=3188

- **Thüringen:**
  1. Gesetz zur Erhaltung, zum Schutz und zur Bewirtschaftung des Waldes und zur Förderung der Forstwirtschaft (Thüringer Waldgesetz - ThürWaldG -) Vom 6. August 1993 (GVBl. 2008, 327) - §§ 5,7,8,18-25,31,33,35
  Law on the conservation, protection and management of the forest and the promotion of forestry (Thuringia forest law – ThürWaldG-) from August, 6 1993 (GVBI. 2008, 327) - §§ 5,7,8,18-25,31,33,35 (last amended by the article 2 on the 22.11.2016)
  http://landesrecht.thueringen.de/jportal/portal/t/y45/page/bsthueprod.psml/action/portlets.jw.MainAction;jsessionid=BE94CAA06024A777A412E56019D00C5A.jp14?p1=1&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGTH2008V2IVZ&doc.part=S&toc.poskey=#focuspoint

  Principles for Silviculture
  http://www.waldbesitzerportal.de/de/waldbesitzerportal/themen/waldbau/waldbaugrundsaetze-der-thueringer-forstverwaltung/

- **Sachsen:**
  1. Waldgesetz für den Freistaat Sachsen (SächsWaldG) Vom 10. April 1992 (SächsGVBl. S. 137) §§ 6-10,16-19,21-24
  http://www.lexsoft.de/cgi-bin/lexsoft/justizportal_nrw.cgi?t=144197846580523184&sessionID=1881078088371660105&chosenIndex=Dummy_nv_68&templateID=document&source=context&source=context&highlighting=off&xid=171347,1

  2. Richtlinie für den Staatswald des Freistaates Sachsen, Bestandeszieltypen ("Guidelines for forest stand development ")
  https://www.smul.sachsen.de/sbs/download/Bestandeszieltypen.pdf

- **Sachsen Anhalt:**
  1. Waldgesetz für das Land Sachsen-Anhalt (WaldG LSA) Vom 13. April 1994 (GVBl. LSA 1994, 520) - §§ 4-12, 22,23
  Forest law for Saxony-Anhalt (WaldG LSA) from April, 13 1994 (GVBI. LSA 1994, 520) - §§ 4-12, 22,23 (last amended on the 25.02.2016)
  http://www.landesrecht.sachsen-anhalt.de/jportal/portal/t/11w3/page/bssahprod.psml/action/portlets.jw.MainAction?p1=1&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGSTV9IVZ&doc.part=S&toc.poskey=#focuspoint

  2. Forsteinrichtungsverfahren des Landesforstbetriebes LSA ("Procedure of Forsteinrichtung in Sachsen Anhalt")
  Leitlinie zur Erhaltung und weiteren nachhaltigen Entwicklung des Waldes im Land Sachsen-Anhalt ("Guideline for Conservation and further sustainable Development of the forest in Sachsen-Anhalt")
  http://www.mlu.sachsen-anhalt.de/fileadmin/Bibliothek/Politik_und_Verwaltung/MLU/MLU/Master-Bibliothek/Landwirtschaft_und_Umwelt/F/Forst/Leitlinie_Wald/LEITLINIE_WALD_2014.pdf

- **Saarland:**
  1. Waldgesetz für das Saarland (Landeswaldgesetz - LWaldG) Vom 26. October 1977 (Amtsblatt 1977, S. 1009) - §§5-13
  Forest law for Saarland (LWaldG) from October, 26 1977 (Amtsblatt 1977, S. 1009) - §§5-13 (last amended on the 05.04.2006
  http://sl.juris.de/cgi-bin/landesrecht.py?d=http://sl.juris.de/sl/gesamt/WaldG_SL.htm#WaldG_SL_rahmen

  2. Richtlinie für die Bewirtschaftung des Staatswaldes im Saarland ("Guideline for Managing the State forest in Saarland")
  http://www.saarland.de/dokumente/thema_naturnutzung/waldbaurichtlinien_saarland.pdf

- **Schleswig-Holstein:**
  1. Waldgesetz für das Land Schleswig-Holstein (Landeswaldgesetz - LWaldG) Vom 5. Dezember 2004 (GVOBl. 2004, 461) - §§ 5-10
  Forest law for Schleswig Holstein (LWaldG) from December, 5 2004 (GVOBI. 2004, 461) - §§ 5-10 (last amended by article 2 on the 27.05.2016)
  http://www.gesetze-rechtsprechung.sh.juris.de/jportal/portal/t/10cb/page/bsshoprod.psml/action/portlets.jw.MainAction;jsessionid=4875A13BC93FB336273277CD26B8B9A6.jp22?p1=2&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-WaldGSH2004V5IVZ&doc.part=S&toc.poskey=#focuspoint

  2. State forest: FSC certification
  http://www.fsc-deutschland.de/preview.fsc-waldstandard.a-53.pdf

1.9 Protected sites and species

- Bundeswaldgesetz (BWaldG) vom 2. Mai 1975 (BGBl. I S. 1037) - "National Forest Act"
  1. Article 12 "Protection Forest" (last amended by article 1 on the 17.01.2017)
  http://www.gesetze-im-internet.de/bwaldg/__12.html

- Bundesnaturschutzgesetz (BNatSchG) vom 29. Juli 2009 (BGBl. I S. 2542) - “Federal Nature Conservation Act” (last amended by article 1 on the 15.09.2017)
  1. Article 6 "Monitoring of nature and landscape”
  2. Article 7 (13) (14) – “specially protected species“ and "strictly protected species“
  3. Chapter 3 Article 13-19 “General protection of nature and landscape”
  4. Chapter 4 Article 20-36 “Protection of certain parts of nature and landscape”
  5. Chapter 5 Section 1-4 Article 37-51 “Protection of wild fauna and flora species, of their living sites and of their biotopes”
  http://www.bmub.bund.de/fileadmin/Daten_BMU/Download_PDF/Naturschutz/bnatschg_en_bf.pdf
- Bundesartenschutzverordnung (BArtSchV) vom 16. Februar 2005 (BGBl. I S. 258, 896), zuletzt durch Artikel 10 des
- Gesetzes vom 21. Januar 2013 (BGBl. I S. 95) geändert – "Federal Species Protection Ordinance“ (last amended by article 10 on the 21.01.2013)
  http://www.gesetze-im-internet.de/bartschv_2005/index.html
  1. Annex I of Federal Species Protection Ordinance
  http://www.gesetze-im-internet.de/bartschv_2005/anlage_1.html

- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora - Article 2,6,12,17
  http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043
- Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds
  http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009L0147
- Commission Regulation (EU) No 1320/2014 of 1 December 2014 amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein
  http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2014_361_R_0001

1.10 Environmental requirements

- Bundeswaldgesetz (BWaldG) vom 2. Mai 1975 (BGBl. I S. 1037) - “National Forest Act” (last amended by article 1 on the 17.01.2017)
  Article §8 (“Protection of forest functions upon plannings and measures by public projects”)
  http://www.gesetze-im-internet.de/bwaldg/__8.html
  Article §9 (“Preservation of the Forests”)
  http://www.gesetze-im-internet.de/bwaldg/__9.html
  Article §11(“Management of forests”)
  http://www.gesetze-im-internet.de/bwaldg/__11.html
  Article §41a (“Forest Monitoring“)

- Bundesnaturschutzgesetz (BNatSchG) vom 29. Juli 2009 (BGBl. I S. 2542) - “Federal Nature Conservation Act” (last amended by article 1 on the 15.09.2017)
  1. Article §5 ("Agriculture, forestry and fisheries“)
  http://www.bmub.bund.de/fileadmin/Daten_BMU/Download_PDF/Naturschutz/bnatschg_en_bf.pdf

- Bundes-Bodenschutzgesetz(BBodSchG) vom 17. März 1998 (BGBl. I S. 502) – “Soil Protection Act” (last amended by article 3 on the 27.09.2017)
  1. Article §17 ("Good agriculture practice“)
  http://www.gesetze-im-internet.de/bbodschg/__17.html
- Wasserhaushaltsgesetz(WHG) vom 31. Juli 2009 (BGBl. I S. 2585) - “Water Resources Act” (last amended by article 1 on the 18.07.2017)
  http://www.gesetze-im-internet.de/whg_2009/
- Düngeverordnung (DüV) in der Fassung der Bekanntmachung vom 27. Februar 2007 (BGBl. I S. 221) – “Fertilizer legislation”
  http://www.gesetze-im-internet.de/d_v/
- Düngemittelverordnung (DüMV) vom 5. Dezember 2012 (BGBl. I S. 2482) - “Fertilizer ordinance” (last amended by article 3 on the 26.05.2017)
  http://www.gesetze-im-internet.de/d_mv_2012/
- Chemikaliengesetz (ChemG) in der Fassung der Bekanntmachung vom 28. August 2013 (BGBl. I S. 3498, 3991)– “Chemicals Act” (last amended by article 2 on the 18.07.2017)
  http://www.gesetze-im-internet.de/chemg/index.html
- Pflanzenschutzgesetz (PflSchG) vom 6. Februar 2012 (BGBl. I S. 148, 1281) – “Plant Protection Act” (last amended by article 4 on the 18.07.2016)
  http://www.gesetze-im-internet.de/pflschg_2012/

1.11 Health and safety

- Arbeitsschutzgesetz (ArbSchG) vom 7. August 1996 (BGBl. I S. 1246) - Occupational Safety and Health Act (last amended by article 427 on the 31.08.2015)
  http://www.gesetze-im-internet.de/englisch_arbschg/index.html
- Gesetz über Betriebsärzte, Sicherheitsingenieure und andere Fachkräfte für Arbeitssicherheit (ASiG) vom 12. Dezember 1973 (BGBl. I S. 1885) – "Occupational Safety Act“
  http://www.gesetze-im-internet.de/asig/
- Das Siebte Buch Sozialgesetzbuch (SGB VII) – Gesetzliche Unfallversicherung – (Artikel 1 des Gesetzes vom 7. August 1996, BGBl. I S. 1254) - “Seventh Social Code Book - statutory accident insurance” (last amended by article 4 on the 17.07.2017)
  1. Article §15 – Unfallverhütungsvorschriften - “Accident prevention regulations”
  http://www.gesetze-im-internet.de/sgb_7/__15.html
- PSA-Benutzungsverordnung (PSA-BV) vom 4. Dezember 1996 (BGBl. I S. 1841) – Directive on personal equipment protection
  http://www.gesetze-im-internet.de/psa-bv/index.html
- DGUV Regel 114-018 Juni 2009 "Regel Waldarbeiten“ - “Rules on Forest Work”
  http://www.arbeitssicherheit.de/media/pdfs/bgr_2114.pdf
- DGUV-Information 214-046 Mai 2014 ”Sichere Waldarbeiten” - “Safe forest working”
  http://www.arbeitssicherheit.de/media/pdfs/CCC_3426.pdf
- Unfallverhütungsvorschrift(VSG) – "Accident prevention regulations“
  1. VSG 1.1 Allgemeine Vorschriften für Sicherheit und Gesundheitsschutz – General Regulations on Security and Health protection
  https://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/01_vsg11.pdf

- VSG 4.3 Forsten – Forsten - Forestry
  https://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/17_vsg43.pdf
- VSG 4.5 Gefahrstoffe – Gefahrstoffe - Hazardous substances
  http://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/19_vsg45.pdf
- SLVFG Unfallverhütungsvorschrift(UVV) – "Accident prevention regulations“

..1 https://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/01_vsg11.pdf
..2 https://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/17_vsg43.pdf
..3 http://www.svlfg.de/30-praevention/prv03-gesetze-und-vorschriften/prv0301-vorschriften-fuer-sicherheit-und-gesundheitsschutz/19_vsg45.pdf

1.12 Legal employment

- Jugendarbeitsschutzgesetz (JArbSchG) vom 12. April 1976 (BGBl. I S. 965) – "Youth employment protection act“
  http://www.gesetze-im-internet.de/jarbschg/
- Kinderarbeitsschutzverordnung (KindArbSchV) vom 23. Juni 1998 (BGBl. I S. 1508) – "Child Labour Protection Ordinance“
  http://www.gesetze-im-internet.de/kindarbschv/
- Schwarzarbeitsbekämpfungsgesetz (SchwarzArbG) vom 23. Juli 2004 (BGBl. I S. 1842) - "Act against illegal employment“
  http://www.gesetze-im-internet.de/schwarzarbg_2004/
- Arbeitsgenehmigungsverordnung (ArGV) vom 17. September 1998 (BGBl. I S. 2899) – “Regulation on Work Permits for Foreign Workers”
  http://www.gesetze-im-internet.de/argv/
- Das Fünfte Buch Sozialgesetzbuch (SGB V) – Gesetzliche Krankenversicherung – (Artikel 1 des Gesetzes vom 20. Dezember 1988, BGBl. I S. 2477, 2482) – "Social Code Book V - Statutory Health Insurance“
  http://www.gesetze-im-internet.de/sgb_5/
- Das Sechste Buch Sozialgesetzbuch (SGB VI) – Gesetzliche Rentenversicherung – in der Fassung der Bekanntmachung vom 19. Februar 2002 (BGBl. I S. 754, 1404, 3384) – "Social Code Book VI – Statutory Annuity Insurance“
  http://www.gesetze-im-internet.de/sgb_6/
- Das Siebte Buch Sozialgesetzbuch (SGB VII) – Gesetzliche Unfallversicherung – (Artikel 1 des Gesetzes vom 7. August 1996, BGBl. I S. 1254) - “Seventh Social Code Book - statutory accident insurance”
  http://www.gesetze-im-internet.de/sgb_7/
- Allgemeines Gleichbehandlungsgesetz (AGG) vom 14. August 2006 (BGBl. I S. 1897) – "General Equal Treatment Act“
  http://www.gesetze-im-internet.de/agg/index.html
- Arbeitszeitgesetz (ArbZG) vom 6. Juni 1994 (BGBl. I S. 1170, 1171) – "Working Time Act“
  http://www.gesetze-im-internet.de/arbzg/index.html
- Bundeselterngeld- und Elternzeitgesetz (BEEG) vom 5. Dezember 2006 (BGBl. I S. 2748) – "Federal Parental Benefit Act“
  https://dejure.org/gesetze/BEEG
- Bundesurlaubsgesetz (BUrlG) vom 20. April 2013 (BGBl. I S. 868) - Federal Holiday Act
  http://www.gesetze-im-internet.de/burlg/index.html

- Kündigungsschutzgesetz (KSchG) in der Fassung der Bekanntmachung vom 25. August 1969 (BGBl. I S. 1317) – "Employment Protection Act“ http://www.gesetze-im-internet.de/kschg/index.html
- Mutterschutzgesetz (MuSchG) in der Fassung der Bekanntmachung vom 20. Juni 2002 (BGBl. I S. 2318) – "Maternity Protection Act“ http://www.gesetze-im-internet.de/muschg/index.

Third parties’ rights

1.13 Customary rights

- Deutsches Grundgesetz (“Basic Law for the Federal Republic of Germany”), revised version published in the Federal Law Gazette Part III, classification number 100-1, as last amended by Article 1 of the Act of 23 December 2014 (Federal Law Gazette I p. 2438)

http://www.gesetze-im-internet.de/englisch_gg/

- Bundesministerium für Ernährung und Landwirtschaft, "Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 413 der Verordnung vom 31. August 2015 (BGBl. I S. 1474) geändert worden ist". 2015. Federal Ministry of Food and Agriculture,"Federal Forest Act of 2 May 1975 (Federal Law Gazette I p. 1037), as last amended by Article 413 of the Ordinance of 31 August 2015 (Federal Law Gazette I p. 1474). 2015 http://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf.

1.14 Free Prior and Informed Consent

- Gesetz zur Verbesserung der Öffentlichkeitsbeteiligung und Vereinheitlichung von Planfeststellungsverfahren" (PlVereinhG)) - Law for the Improvement of Public Participation and Standardization of Planning Procedures http://www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2012/02/planfeststellung.html http://www.gesetze-im-internet.de/ifg/index.html, Press Release 29.02.2012. https://www.bgbl.de/xaver/bgbl/start.xav?start=%2F%2F*%5B%40attr_id%3D%27bgbl113s1388.pdf%27%5D#__bgbl__%2F%2F*%5B%40attr_id%3D%27bgbl113s1388.pdf%27%5D__1487181917865

- "Informationsfreiheitsgesetz vom 5. September 2005 (BGBl. I S. 2722), das durch Artikel 2 Absatz 6 des Gesetzes vom 7. August 2013 (BGBl. I S. 3154) geändert worden ist". Law for Freedom of Information of 5 September 2005 (Federal Law Gazette I, p. 2722), as amended by Article 2 (6) of the Act of 7 August 2013 (Federal Law Gazette I, p. 3154)". http://www.gesetze-im-internet.de/ifg/index.html

- "Verwaltungsverfahrensgesetz in der Fassung der Bekanntmachung vom 23. Januar 2003 (BGBl. I S. 102), das zuletzt durch Artikel 20 des Gesetzes vom 18. Juli 2016 (BGBl. I S. 1679) geändert worden ist". Administrative Procedure Act as amended by the Notice of 23 January 2003 (Federal Law Gazette I p. 102), which states that was last amended by Article 20 of the Act of 18 July 2016 (BGBl. I p. 1679). http://www.gesetze-im-internet.de/bundesrecht/vwvfg/gesamt.pdf

1.15 Indigenous Peoples' rights

- Grundgesetz für die Bundesrepublik Deutschland vom 23. Mai 1949 (BGBl. I S. 2438) (Änderung(en) des Gesetzes durch Artikel 1 des Gesetzes vom 23.12.2014 (BGBl. I S. 2438)) - "German Constitution" - Article 14 (includes the amendment(s) to the Act by Article 1 of the Act of 23.12.2014 (Federal Law Gazette I p. 2438)
  http://www.gesetze-im-internet.de/englisch_gg/

Not applicable

Trade and transport

1.16 Classification of species, quantities, qualities

- Gesetz über gesetzliche Handelsklassen für Rohholz (Forst-HKS)" - "Act on legal commercial categories for wood" – disestablished in 2009
  http://forstbw.de/fileadmin/forstbw_pdf/gesetze_verordnungen/hks.pdf

Not applicable

1.17 Trade and transport

- Handelsgesetzbuch (HGB) 1897 (BGBl. I S. 1474) - "German Commercial Code"
  Article 2
  http://www.gesetze-im-internet.de/hgb/__2.html
  Article 3
  http://www.gesetze-im-internet.de/hgb/__3.html
  Article 341 q,r,t,v,y
  http://www.gesetze-im-internet.de/hgb/BJNR002190897.html#BJNR002190897BJNG038700307

1.18 Offshore trading and transfer pricing

- Steuerhinterziehungsbekämpfungsgesetz (StHBG) Gesetz vom 29.07.2009 (BGBl. I S. 2302) – "Tax Evasion Act"
  http://www.buzer.de/gesetz/8930/index.htm
- Abgabenordnung (AO) in der Fassung der Bekanntmachung vom 1. October 2002 (BGBl. I S. 3866; 2003 I S. 61) - "The Fiscal Code of Germany":
  Article 90 "Obligation of participants to cooperate"
  http://www.gesetze-im-internet.de/englisch_ao/englisch_ao.html#p0559

1.19 Customs regulations

- Import
  Commissions Implementing Regulation (EU) No 498/2012 of 12 June 2012 on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union
  http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:152:0028:0037:EN:PDF)
- European Timber Regulation (EUTR)
  http://ec.europa.eu/environment/forests/timber_regulation.htm
- Forstvermehrungsgutgesetz vom 22. Mai 2002 (BGBl. I S. 1658), last change on 31 August 2015 (BGBl. I S. 1474) by Article 414
  http://www.gesetze-im-internet.de/fovg/__15.html

1.20 CITES

- Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein
  http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31997R0338
- Bundesartenschutzverordnung (BArtSchV) vom 16. Februar 2005 (BGBl. I S. 258, 896) – "Federal Species Protection Ordinance“
  http://www.gesetze-im-internet.de/bartschv_2005/index.htm

Due-Diligence / due care

1.21 Due-Diligence / due care procedures

- Holzhandels-Sicherungs-Gesetz (HolzSiG) vom 11. Juli 2011 (BGBl. I S. 1345) - “Timber trading security act” http://www.gesetze-im-internet.de/holzsig/
- Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market. Text with EEA relevance http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32010R0995
- Commission Implementing Regulation (EU) No 607/2012 of 6 July 2012 on the detailed rules concerning the due diligence system and the frequency and nature of the checks on monitoring organizations as provided for in Regulation (EU) No 995/2010 of the European Parliament and of the Council laying down the obligations of operators who place timber and timber products on the market http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32012R0607

Traditional and Human Rights

2.2 Labor rights

- Schwerbehindertengesetz (SchwbG), Gesetz zur Sicherung der Eingliederung Schwerbehinderter in Arbeit, Beruf und Gesellschaft in der Fassung der Bekanntmachung vom 26. August 1986 (BGBl I S. 1421, 1550), zuletzt geändert durch Art. 9 des Gesetzes vom 19. December 1997 (BGBl I S. 3158). Disabled

Persons Act (SchwbG), Act on the Integration of Disabled Persons into Work, Occupation and Society as amended by the Notice of 26 August 1986 (Federal Law Gazette I p. 1421,1550), as last amended by Article 9 of the Act of 19 December 1997 (Federal Law Gazette I p. 3158).

High Conservation Values

3.0 und 3.3 HCV 3

- Bundesministerium für Ernährung und Landwirtschaft, „Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 413 der Verordnung vom 31. August 2015 (BGBl. I S. 1474) geändert worden ist". 2015. (Federal Ministry of Food and Agriculture, „Federal Forest Act of 2 May 1975 (Federal Law Gazette I, p. 1037), as last amended by Article 413 of the Ordinance of 31 August 2015 (Federal Law Gazette I, p. 1474). 2015.) http://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf.

3.4 HCV 4

- Wasserhaushaltsgesetz vom 31. Juli 2009 (BGBl. I S. 2585), das durch Artikel 1 des Gesetzes vom 4. August 2016 (BGBl. I S. 1972) geändert worden ist. (Water Resources Act of 31 July 2009 (Federal Law Gazette I p. 2585), as amended by Article 1 of the Act of 4 August 2016 (Federal Law Gazette I p. 1972). 2009.) https://www.gesetze-im-internet.de/whg_2009/index.html

3.6 HCV 6

- Bundesamt für Naturschutz, Gesetz über Naturschutz und Landschaftspflege: (Bundesnaturschutzgesetz - BNatSchG). 2009. (Federal Agency for Nature Conservation, Nature Conservation and Landscape Management: (Federal Nature Conservation Act - BNatSchG). 2009.) https://www.bfn.de/fileadmin/MDB/documents/themen/monitoring/BNatSchG.PDF.

Conversion of Natural Forests

4.1 Conversion of natural forests to plantations

- National Forest Act (BWaldG)Definition of forest
  "Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 1 des Gesetzes vom 17. Januar2017 (BGBl. I S. 75) geändert worden ist"
  https://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf
- National Forest Act (BWaldG) Articles 9 “Preservation of the forest”, 41a “Forest Inventories”, (12 “Protection Forest”, 13 “Recreational Forest”)
  "Bundeswaldgesetz vom 2. Mai 1975 (BGBl. I S. 1037), das zuletzt durch Artikel 1 des Gesetzes vom 17. Januar
  2017 (BGBl. I S. 75) geändert worden ist“; last accessed on 1st of February 2017.
- Building Code (BBauGB) Articles §§ 1a “Supplementary Provisions for Nature Protection”,
- 35 “Construction on the outskirts”

- Federal Nature Conservation Act (BNatschG) Articles §§14 “Interventions in nature and landscape”, 15 “Obligations of the intervening party, inadmissibility of intervention; authorization to issue statutory ordinances”, 17 “Procedures; authorization to issue statutory ordinances”
  (Protective sites §§ 23, 24, 25, 26, 27, 28, 29, 30, 31)

Federal State Forest Acts:

- Berlin: §§ 6 “Forest conversion”, 8 “Environmental impact assessment”
- Baden-Württemberg: §§ 9 “Preservation of the Forest”, 10 “Special cases of conversion”
- Bayern: §§ 9 “Preservation of the Forest”, 39a “Environmental Impact Assessment”
- Brandenburg: §8 “Conversion of forest to other land uses”
- Bremen: §8 “Forest conversion”
- Hamburg: §4 “Forest conversion”
- Hessen: §12 “Forest preservation and Conversion”
- Mecklenburg-Vorpommern: §15 “Conversion of forest to other land uses”, 15a “Special cases of forest conversion”
- Niedersachsen: §8 “Forest conversion”
- Nordrhein-Westfalen: §§39 “Conversion of forest”, 42 “Procedure”, 43 “Exceptions”
- Rheinland-Pfalz: §14 “Preservation and increase of forest area”
- Thüringen: § 10 “Change in Land use”
- Sachsen: § 8 “Forest preservation” 9 “Special cases of forest conversion”
- Sachsen-Anhalt: § 8 “Forest conversion to other land uses”
- Saarland: § 6 “Forestry frameworks”, § 8 “Preservation of forest”
- Schleswig-Holstein: § 9 “Conversion of forest

- Environmental Impact Assessment Act in the version of 24 February 2010 (BGBl. I p. 94) (Gesetz über die Umweltverträglichkeitsprüfung (UVpG) in der Fassung vom 24. Februar 2010 (BGBl. I S. 94))
  http://www.gesetze-im-internet.de/uvpg/
- Common principles for compensatory and compensatory measures. Gemeinsame (Grundsätze für Ausgleichs- und Ersatzmaßnahmen.)
  http://www.naturschutzrecht-online.de/naturschutzrecht/eingriffsregelung/kompensationsmasnahmen/gemeinsame-grundsatze-fur-ausgleichs-und-ersatzmasnahmen;
- National Forest Act (Bundeswaldgesetz (BWaldG)) of 2 May 1975 (BGBl. I p. 1037) Article §9 “Preservation of the forests” http://www.gesetze-im-internet.de/bwaldg/__9.html
  Article §41a “Forest Inventories”
  http://www.gesetze-im-internet.de/bwaldg/__41a.html

Genetically Modified Organisms

5.1 There is no commercial use of genetically modified trees.

- Forstvermehrungsgutgesetz (FoVG)
  "Act of Forestry Reproductive Material" §4,3 (admission of original material) , last amended by Art. 414 V of 31.8.2015 I 1474
  http://www.gesetze-im-internet.de/fovg/BJNR165800002.html
- Gentechnikgesetz (GenTG)
  Genetic Engineering Act", last amended by Art. 3 G of 17.7.2017 I 2421 §§14-16 (release, bringing on the market, admissions): http://www.gesetze-im-internet.de/gentg/BJNR110800990.html
- Further overview over German Acts, laws and decrees concerning genetic engineering:
  http://www.bvl.bund.de/EN/06_Genetic_Engineering/08_LegalFramework/01_Germany/legal_basis_national_node.html;jsessionid=9259812F03E4081844E45269CD6C58F9.2_cid350
- Overview over European Law (engl.): http://www.bvl.bund.de/EN/06_Genetic_Engineering/08_LegalFramework/02_Europe/legal_basis_eu_node.html
- Prohibition of GMO cultivation
  https://www.bmel.de/DE/Landwirtschaft/Pflanzenbau/Gentechnik/_Texte/NatRegelungAnbauverbote.html

Update and Revision History

1. Updates

The table below presents the history of corrections and minor edits to the risk assessment. These changes result in second-level version number changes. This table is cleared whenever a new first-level version number is issued (see table 2 below).

Date	Version	Section/indicator	Change
31/07/20	1-1	Indicator 3.4	Analysis of threshold 21 added (p. 166)

2. Revisions

The table below presents the history of major changes and revisions to the risk assessment. These changes result in first-level version number changes. This table is persistent throughout the lifetime of the risk assessment.

Date	From version…	To version…	Section/indicator	Change