






Centralized National Risk Assessment for Belgium

FSC-CNRA-BE V1-0 EN

Title:	Centralized National Risk Assessment for Belgium
Document reference code:	FSC-CNRA-BE V1-0 EN
Approval body:	FSC International Center: Policy and Standards Unit
Date of approval:	18 May 2017
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Risk assessments that have been finalized for Belgium

Controlled Wood categories		Risk assessment completed?
1	Illegally harvested wood	YES
2	Wood harvested in violation of traditional and human rights	YES
3	Wood from forests where high conservation values are threatened by management activities	YES
4	Wood from forests being converted to plantations or non-forest use	YES
5	Wood from forests in which genetically modified trees are planted	YES

Risk designations in finalized risk assessments for Belgium

Indicator	Risk designation (including functional scale when relevant)
Controlled wood category 1: Illegally harvested wood	
1.1	Low risk
1.2	N/A
1.3	Low risk
1.4	Low risk
1.5	N/A
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	N/A
1.15	N/A
1.16	Low risk
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
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Risk assessments

Controlled wood category 1: Illegally harvested wood

Overview

Additional information source: FAO Global Forest Resources Assessment 2010 - national report for Belgium, available at <http://www.fao.org/docrep/013/al456f/al456f.pdf>

Belgium has a forest cover of about 700.000 hectares or 22% of the total surface area.

Belgium is a federal country with three regions (Flanders, Brussels-Capital Region, and Wallonia) that have their own forest-related legislation and administration, while some matters (e.g. taxation, customs, etc.) are arranged at the federal ('Belgian') level.

About 75% of Belgian forests are in the Walloon (French-speaking) Region, the remaining forests are mainly in the Flemish (Dutch-speaking) Region. The forest area in the Brussels-Capital Region is only 0.25% of the total forest area in Belgium, is all public forest and currently entirely FSC certified.

Over half of Belgium's forests are privately owned – by individuals, businesses and communities – while 44% are owned by the state (FAO 2010).

Ownership distribution in the regions:

Flanders: about 70% private forests and about 30% public forests.

Wallonia: about 52% private forests and about 48% public forests.

None of the country's primary forests remain, and 58% of existing forest cover comprises forest plantations. Forests owned by private persons are mainly plantations (predominantly poplar or pine in Flanders, and spruce or other conifers in Wallonia). Public forests, as well as forests owned by nature conservation organizations, are rather mixed forests and generally have a higher share of broadleaved tree species (oak, beech, etc.).

Forest management in Flanders:

Timber harvesting is regulated by the Forest Decree of 13 June 1990.

There are three levels of forest management:

1) Basic level, according to the Forest Decree;

2) Level of the criteria for sustainable forest management that shall be applied in public forests and in private forests larger than 5 hectares situated in the Flemish Ecological Network – these criteria can also be applied elsewhere on a voluntary basis;

3) Level of the management vision ('beheervisie') for public forests, based on the Pro Silva 'close to nature' management principles - note that the management vision has no legally binding status, but is applied in the forests owned by the Flemish government (13% of the forest area) and is recommended (encouraged) in all other public forests (e.g. for forests owned by municipalities, provinces, etc.- 17% of the forest area).

All public forests (about 50.000 hectares) and about 30.000 hectares of private forests in Flanders are covered by management plans.

Terms and conditions for harvesting in the forest apply. These conditions are included in the Forest Decree regulations for recognition of companies harvesting in public forest ('Erkenningsregeling exploitanten'). This regulation is also applied by some forest owner groups ('bosgroepen'). All companies harvesting more than 50 m³ per year need an official recognition by the forest administration, which includes requirements on training, safety at work, legal employment, payment of taxes, etc.

A harvesting permit is required, unless the harvesting operations are included in a management plan approved by the forest and nature administration.

Given the low forest cover in Flanders, the Flemish government has strict regulations for deforestation (conversion to non-forest land use).

Three principles apply:

1. Deforestation is prohibited, except in cases described in the Forest Decree.
2. If deforestation is not prohibited, an urbanism permit is required.
3. An urbanism permit for deforestation or an allotment permit for forested land can only be granted if approved compensation measures are in place.

Forest management in Wallonia:

The permission of the forest owner is required for all harvesting operations.

A harvesting permit is required for all public forests.

All public forests (200.000+ hectares) contiguously larger than 20 hectares have a management plan (mandatory).

Management plans are not required (optional) for small private forests.

About 30.000 hectares of private, PEFC certified forests in Wallonia are covered by management plans.

For the whole of Belgium, the area of forests covered by a management plan amounts to about 360.000 hectares. The increase in the area of certified forests means that the share of forests with a management plan is increasing. In 2011, about 287.000 hectares of forest were PEFC certified (50% of the forest area in Wallonia, nearly all public forests and 11% of the private forests). In 2014, about 21000 hectares of forest were FSC certified (in Flanders and Brussels).

Forests included in the Natura 2000 network cover 209.000 hectares (total for the three regions). In the Natura 2000 network, forest management activities are subject to specific conditions to protect species and habitats. The economic and social functions of Natura 2000 forests are not excluded, but the priority is the ecological function.

Note that in this framework important changes to legislation are underway in Flanders.

Forest reserves have been designated in all three regions, and are included in the Natura 2000 network.

In Wallonia, about 100.000 hectares of public forests have as primary function the protection of vulnerable soils (e.g. on slopes) and water bodies. These forests are subject to particular protection measures.

The remaining surface area (about 400.000 ha in Belgium) is 'multifunctional' forest according to the forest legislation.

The surface area of 'permanent forest' amounts to about 600.000 hectares. This entails forests which lie in zones that are designated as forests in the regional spatial plans. These forests cannot be converted to non-forest land use, except for particular cases of 'public interest' that are subject to strict procedures. The corruption level in Belgium is considered low, refer to the Transparency International corruption perception index of 75 (higher than the threshold of 50), so there is not much risk for fraud, e.g. in procedures such as the approval of forest management plans or the issuance of harvesting permits or urbanism permits.

The (regional) competent authorities are the Agency for Nature and Forests (Flanders) and the Department of Nature and Forests (Wallonia). The forest and nature administrations are involved in the approval of management plans, granting of harvesting permits, sales of wood from public forests, and field verification of harvesting operations.

Infringements, observed during inspection of the site of forest exploitation, during and/or shortly after the harvesting operations, are recorded as complaints or in official reports.

The list of sources provided in FSC-PRO-60-002a, section 3.3.3 has been reviewed for relevance in regards to the national legality risk assessment of Belgium.

Following sources has been used; "World Bank Worldwide Governance Indicator" and Transparency International Corruption Perception Index, and referred to under "sources of Information" for each applicable sub-category.

The remaining sources were not found to be relevant for the legality risk assessment for Belgium.

Sources of legal timber in Belgium

Forest classification type	Permit/license type	Main license requirements (forest management plan, harvest plan or similar?)	Clarification
Flanders			
Private forests larger than 5 hectares situated in the Flemish Ecological Network	- An elaborate forest management plan is required (mandatory) - No separate harvesting permit needed	Harvested in accordance with the management plan, accepted by the forest administration	- No separate harvesting permit needed, if the forest exploitation is included in a management plan, accepted by the forest administration - Comprehensive forest management plan according to the criteria for sustainable forest management (refer to BVR 27 July 2003 'tot vaststelling van de criteria voor duurzaam bosbeheer voor bossen gelegen in het Vlaamse gewest.')

Private forests smaller than 5 hectares situated in the Flemish Ecological Network	- Management plan, according to the criteria for sustainable forest management OR - Harvesting permit	Harvested in accordance with the management plan, accepted by the forest administration OR Harvested in accordance with a harvesting plan and in accordance with a harvest permit.	- No separate harvesting permit needed, if the forest exploitation is included in a management plan, accepted by the forest administration
Private forests larger than 5 hectares situated outside the Flemish Ecological Network	- Management plan (optional, not mandatory), according to the basic level of the Forest Decree OR - Harvesting permit	Harvested in accordance with the management plan, accepted by the forest administration OR Harvested in accordance with a harvesting plan and in accordance with a harvest permit.	- This basic level of management corresponds with the level prescribed in the Forest Decree (1990) - The criteria for sustainable forest management can be applied on a voluntary basis, in a management plan
Public forests (forests owned by the Flemish Region, municipalities, provinces, etc.)	Elaborate forest management plan, based on the criteria for sustainable forest management and/or the management vision for public forests	Harvested in accordance with the management plan, only by recognized harvesting companies	
Forests converted to non-forest land use (e.g. for housing or industry)	- Urbanism permit or allotment permit is required - Exemption of the prohibition of deforestation required	- Harvested in accordance with the conditions stipulated in the urbanism permit or allotment permit (e.g. on remaining trees) - Compensation measures shall be fulfilled	
Forest reserves / nature reserves (with forest cover)	Management plan	Management plan, accepted by the forest and nature administration	Note: In principle, harvesting in 'integral forest reserves' is excluded
Note, for Flanders, that the 'new nature decree' of 25 april 2014 ('Decreet tot wijziging van de regelgeving betreffende natuur en bos') will entail an integration of the forest-related and nature-related legislation. Integrated forest and nature management plans will be required for Natura 2000 special areas of conservation and integrated criteria for sustainable forest and nature management will be applied. The majority of new rules will enter into force by mid-2015, when the implementing orders are expected.			
Wallonia			
Private forests outside the Natura 2000 network	- Authorization from the land owner - No management plan needed - No harvesting permit needed	Harvested in accordance with the specific terms and conditions ('Cahier des charges' is optional, applied on a voluntary basis)	
Private forests in the Natura 2000 network	- Natura 2000 management plan required	Harvested in accordance with the 'Arrêté du Gouvernement wallon' of 19 may 2011 and with the specific terms	

		and conditions for harvesting operations ('Cahier des charges') if applied on a voluntary basis	
Public forests ('forêts domaniales', forests owned by municipalities, provinces, ...) contiguously larger than 20 hectares, outside the Natura 2000 network	<ul style="list-style-type: none"> - Forest management plans are required (mandatory) - Harvesting permit 	Harvested in accordance with the basic requirements of the Forest Code (2008), with the harvesting permit, and with the specific terms and conditions for harvesting operations ('Cahier des charges')	Public forests are submitted to the Forest Code ('bois soumis'). They may be owned by the Belgian state, the Walloon Region, the provinces, municipalities or other public institutions, except military areas. The forests owned by public owners, except military areas, are managed by the forest and nature administration, according to the Forest Code.
Public forests ('forêts domaniales', forests owned by municipalities, provinces, ...) in the Natura 2000 network	<ul style="list-style-type: none"> - Natura 2000 management plan required - Harvesting permit 	Harvested in accordance with the 'Arrêté du Gouvernement wallon' of 19 may 2011, with the harvesting permit, and with the specific terms and conditions for harvesting operations ('Cahier des charges')	
Forest reserves / nature reserves (with forest cover)	<ul style="list-style-type: none"> - Natura 2000 management plan required 	Harvested in accordance with the management plan	
Forests converted to non-forest land use (e.g. housing or industry)	<ul style="list-style-type: none"> - Urbanism permit / certificate is required - Exemption ('dérogation') granted by the government is required 	<ul style="list-style-type: none"> - Harvested in accordance with the conditions stipulated in the urbanism permit (e.g. on remaining trees) 	

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			
<p>1.1 Land tenure and management rights</p>	<p>Applicable laws and regulations</p> <p>Belgium:</p> <ul style="list-style-type: none"> - Civil Law ('Burgerlijk Wetboek' / 'Code Civil' 21.03.1804), Book II, Title IV, art. 516-710 (goods and limits of property), specifically articles 637 and the following (customary rights); - Wet van 4 November 1969 and subsequent amendments - Civil Law, Book III, Title VIII, Chapter II, Section 3 (rules on land lease) - Veldwetboek / Code rural 1886, article 29; - Boswetboek / Code forestier 1854 (Title XI); - Wetboek van Strafvordering / Code d'instruction criminelle 17.11.1808 and more recent amendments (articles 16-21, partly abrogated). - Law on income taxes ('Wetboek van de Inkomstenbelastingen' / 'Code des impôts sur les revenus') 1992 - including Title IX. 'Kadastraal inkomen van onroerende goederen' / 'Le revenu cadastral des biens immobiliers' <p>Specifically for Flanders:</p> <ul style="list-style-type: none"> - Forest Decree 1990 (Chapter IX), art. 51 (rights of forest use) and art. 10 (accessibility of the forest) - Besluit erkenning exploitanten 2002 (recognition of companies harvesting wood) <p>Specifically for Wallonia:</p> <ul style="list-style-type: none"> - Décret du 15 juillet 2008 relatif au Code forestier (Forest Code) - Code des droits d'enregistrement, d'hypothèque et de greffe, Title I. Droit d'enregistrement, Chapter IV, Section I. Transmissions à titre onéreux de biens immeubles (on registration fees for immovables) 	<p>Belgium:</p> <p>http://financien.belgium.be/nl/over_de_fod/structuur_en_diensten/algemene_administraties/patrimoniumdocumentatie/</p> <p>http://www.burgerlijkwetboek.be/ (in Dutch)</p> <p>http://www.droitbelge.be/codes.asp (in French)</p> <p>http://www.belgium.be/en/justice/</p> <p>http://www.globalwitness.org</p> <p>http://www.belgium.be/en/justice/ (general information)</p> <p>Transparency International Corruption Perception Index</p> <p>http://www.transparency.org/cpi2013/results</p> <p>World World Banks Worldwide Governance Indicator</p> <p>http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>Flanders:</p> <p>http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=1990061332</p> <p>http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/wetgeving_en_vergunning/erkenning_exploitanten;</p> <p>http://www.natuurenbos.be/nl-BE/Natuurbeleid/Toegankelijkheid.aspx</p> <p>Wallonia:</p> <p>http://environnement.Wallonia.be/legis/dnf/forets/foret025.htm ('Code forestier' 2008)</p>	<p>Low risk</p> <p>There are no elements that indicate that the forest sector in Belgium is considered a sector with major conflicts (refer to Global Witness). Belgium is a constitutional state where civil rights and property rights apply, with complaint mechanisms.</p> <p>There are recognized and equitable processes in place to solve conflicts related to e.g. user rights and cultural interests. In (federal) civil law and (regional) forest law, rights and interests concerning forest use and access to the forest are clearly described.</p> <p>Land ownership conflicts related to forests are relatively rare. All land titles are recorded in the land registry.</p> <p>When a land owner rents out the land, this is recorded in a land lease contract, stipulating the right to use the land according to the contract but without owning it.</p> <p>Companies harvesting wood in the forest require valid tax registration.</p> <p>The business register shall confirm valid business licenses to operate within the jurisdiction.</p> <p>In Flanders, all companies harvesting more than 50 m³ per year need an official recognition by the forest administration ('Erkenningsregeling exploitanten').</p> <p>In the procedure for approval of forest management plans, there is stakeholder consultation.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Legal Authority</p> <p>Belgium:</p> <ul style="list-style-type: none"> - The Cadastre (land register), an administration which is part of the General Administration Heritage Documentation, part of the Federal Public Service of Finance (database of property) - The notary (documents/deeds and registration of property) - Tax office of the federal Ministry (FOD / SPF) of Finance (for tax registration) - Registry of the Court of Commerce ('Griffie van de Rechtbank van Koophandel' / 'Greffes du tribunal de commerce') - Enterprise office ('Ondernemingsloket' / 'Guichet d'entreprise') <p>Flanders:</p> <ul style="list-style-type: none"> - Agency for Nature and Forests (recognition of harvesting companies and inspections in the field) <p>Wallonia:</p> <ul style="list-style-type: none"> - Département de la Nature et des Forêts (inspections in the field) <p>Legally required documents or records</p> <p>Belgium:</p> <ul style="list-style-type: none"> - Cadastre plan of lots/allotments - Property certificate with survey plan (attachment to the notarial document/deed) - Business registration documents: foundation document ('Oprichtingsakte' / 'document d'établissement') and registration thereof at the registration office of the Ministry of Finance; and 	<p>http://ccff02.minfin.fgov.be/KMWeb/document.do?method=view&id=347cb717-e6e1-4fc2-a753-d4e9e84d5f75#findHighlighted</p>	<p>The regional competent authorities (forest and nature administrations) carry out inspections of harvesting sites to confirm that harvesting takes place within property limits (including felling, transport and log landings).</p> <p>Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World Bank's Worldwide Governance Indicator. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50). Based on the strong legal framework, governance and law enforcement, and the low level of conflicts in the Belgian forest sector, the risk of infringement on land tenure rights is considered low.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>enterprise identification number ('ondernemingsnummer' / 'numéro d' entreprise')</p> <p>Flanders:</p> <ul style="list-style-type: none"> - Recognition for harvesting companies, as required under the 'Erkenningsregeling exploitanten', for companies that harvest wood from (most) public forests and for private forest owners united in 'forest groups' ('Bosgroepen') that choose to work only with recognized harvesting companies. - Harvesting permit or approved management plan, and urbanism permit in particular cases (refer to 1.4) <p>Wallonia:</p> <ul style="list-style-type: none"> - In private forests: authorization from the land owner to harvest wood - In public forests: harvesting permit ('permis d'exploiter') - An urbanism permit is required for all harvesting activities in 'agricultural zones' or 'green zones' as defined in the spatial plan ('plan de secteur'). 		
1.2 Concession licenses	<p>Applicable laws and regulations</p> <p>N/A. There are no concessions for harvesting wood from the forest, only concessions for hunting and for the use of real estate in forests owned by the government and managed by the forest and nature administration.</p> <p>Legal Authority</p> <p>N/A</p>	N/A	N/A

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Legally required documents or records</p> <p>N/A</p>		
<p>1.3 Management and harvesting planning</p>	<p>Applicable laws and regulations</p> <p>Flanders:</p> <ul style="list-style-type: none"> - Forest Decree ('Bosdecreet') 1990, article 41b (on forest owner groups, 'bosgroepen'), article 41quater (on forest inventories), articles 43 and 47 (on management plans); - Besluit van de Vlaamse Regering betreffende de beheerplannen van bossen van 27 juni 2003 (on forest management plans); - Nature Decree ('Natuurdecreet') 1997, for forests situated in the Flemish Ecological Network ('Vlaams Ecologisch Netwerk', VEN) - Decree of 25 april 2014 'tot wijziging van de regelgeving betreffende natuur en bos' (amending act to the Forest Decree 1990, Nature Decree 1997 and other decrees) <p>Wallonia:</p> <ul style="list-style-type: none"> - Décret du 15 juillet 2008 relatif au Code forestier (Forest Law) - <ul style="list-style-type: none"> ° Chapitre II, Articles 8 - 11 (on the permanent inventory of forest resources) and Article 31 (on forest protection in the management plan) ° Chapitre III, Articles 57 - 70 (on management plans) <p>Belgium:</p> <ul style="list-style-type: none"> - Federal law of 6 May 1999 on the creation of forest owner groups ("Loi visant à promouvoir la création de sociétés civiles de groupements forestiers") 	<p>Belgium:</p> <p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>Flanders:</p> <p>Forest Decree ('Bosdecreet') 1990; Besluit van de Vlaamse Regering betreffende de beheerplannen van bossen van 27 juni 2003 (B.S. 10.09.2003); Nature Decree ('Natuurdecreet') 1997; http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/Bosbeheerplanning; http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/Bosbeheerplanning/Procedure_voor_goedkeuring; http://www.bosgroepen.be/bosbeheer-beheer-plannen http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=2003062745 http://www.inbo.be/docupload/4998.pdf (page 42)</p> <p>Wallonia:</p> <p>http://environnement.wallonie.be/legis/dnf/forets/foret025.htm (Code forestier 2008)</p>	<p>Low risk</p> <p>Flanders:</p> <p>There are two kinds of forest management plans. Concise management plans have to fulfil the basic level of the Forest Decree, while elaborate management plans have to comply with the criteria for sustainable forest management. The criteria for sustainable forest management are based on the FSC principles.</p> <p>According to the Forest Decree all private forests larger than 5 hectares and all public forests shall have a forest management plan.</p> <p>For all public forests and for private forests in the Flemish Ecological Network, this must be an elaborate management plan.</p> <p>Other forest owners (outside the Flemish Ecological Network) can apply the criteria for sustainable forest management on a voluntary basis.</p> <p>Furthermore, management plans are available for forest reserves.</p> <p>In public forests, the management vision for public forests ('Beheervisie') is applied in addition to the criteria for sustainable forest management.</p> <p>About 33% of the forest area in Flanders is covered by forest management plans. Management plans are generally valid for a time of 20 years.</p> <p>Note, for Flanders, that the 'new nature decree' of 25 april 2014 ('Decreet tot wijziging van de regelgeving betreffende natuur en bos') will entail an integration of</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Legal Authority</p> <p>Flanders: Agency for Nature and Forests ('Agentschap voor Natuur en Bos') in cooperation with the Forest Groups ('Bosgroepen') for private forests</p> <p>Wallonia: - Département de la Nature et des Forêts (regional or provincial level) - Municipality/City council (for communal forests) or other local authorities that own forest land</p> <p>Legally required documents or records</p> <p>Flanders: - A forest management plan is required (mandatory) for private forests larger than 5 hectares and for all public forests. - For specific management activities (e.g. planting of exotic tree species, change of relief, the use of glyphosate, etc.) in forests situated in the Flemish Ecological Network, an exemption is required from the Agency for Nature and Forests. - For specific management operations in small (< 5 hectares) private forests outside the Flemish Ecological Network without a management plan, a nature license ('natuurvergunning') from the Agency for Nature and Forests may be required. Management operations not included in an approved management plan are submitted to authorization by the Agency for Nature and Forests. - Note that several private or public forest owners can write a common management plan together. - The regional forest inventory (for the whole of Flanders) is carried out continuously with a cycle of</p>	<p>http://environnement.wallonie.be/dnf/inventaire/indgen.htm</p>	<p>the forest-related and nature-related legislation. Forest and nature management will be re-orientated toward reaching the European and regional conservation objectives for species and habitats. The majority of new rules will enter into force by mid-2015, when the implementing orders are expected. Changes will include the introduction of an integrated 'forest and nature management plan' and integrated 'criteria for sustainable forest and nature management'.</p> <p>Wallonia: Forest management plans are required for all public forests contiguously larger than 20 hectares. Forest management plans are not mandatory for private forests, but large forest owners (including nature conservation organizations) will generally have them.</p> <p>Management plans include maps. Drafts of new elaborate management plans are subject to public consultation prior to approval by the forest and nature administration. There are guidelines for the content of management plans and management plans are evaluated by the forest administration, on the basis of a set of criteria, prior to approval.</p> <p>In the case of a forest being (part of) a Natura 2000 site, a Natura 2000 management plan has to be developed and approved by the competent authorities (forest and nature administration). This plan needs to identify all allowed land uses and set up a monitoring system. New forest management plans will have to be evaluated on the basis of the conservation objectives.</p> <p>Forest owners need to comply with national, provincial and local legislation, and apply for permits at different levels. The forest owner groups ('Bosgroepen' in Flanders / 'Groupements forestiers' in Wallonia) can</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>10 years.</p> <ul style="list-style-type: none"> - Individual forest inventories shall be prepared at the start of a new management plan (valid for 20 years) and there shall be management evaluations at least every 5 years. <p>Wallonia:</p> <ul style="list-style-type: none"> - A forest management plan is required (mandatory) for all public forests contiguously larger than 20 hectares (Forest Law, article 57) - Forest management plans are required (mandatory) for public forests and private forests in Natura 2000 areas. The government replaces the owner if he has not prepared and implemented a management plan in time (as stipulated in the Forest Law, article 63). - In the public forests classified as natural reserves, forest reserves, Natura 2000 sites or nature parks the management plan needs to be revised and made in accordance with the rules and objectives of this status. 		<p>assist in navigating the complexities involved. Applications for permits are checked for compliance by the relevant authorities.</p> <p>There are field verifications (by the competent forest administration / inspection) to check that the conditions/restrictions/limits of the harvesting plans are adhered to in the field.</p> <p>Apart from monitoring activities (required for modifications to the management plan), there are regular ('informal') evaluations (e.g. with the forest administration, even in private forest) to ensure that harvesting plans are consistent with approved forest management plans.</p> <p>Despite assistance provided for applying for permits and approval of management plans, oversights can occur. Potential consequences do not appear to be severe though, as destructive management operations (e.g. large-scale clearcutting) do not occur in Belgium.</p> <p>Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50).</p> <p>As there is a clear legal framework for management planning and there is no evidence that procedures for approval of management plans would not be followed, the risk is considered low.</p>
1.4 Harvesting permits	<p>Applicable laws and regulations</p> <p>Flanders:</p> <ul style="list-style-type: none"> - Forest Act ('Bosdecreet') 1990 (articles 20, 50, 62, 66, 79, 81 and 97) 	<p>Belgium:</p> <p>www.illegal-logging.org</p> <p>Environmental Investigation Agency (www.eia-international.org)</p> <p>Global Witness (www.globalwitness.org)</p>	<p>Low risk</p> <p>Flanders:</p> <ul style="list-style-type: none"> - A system of harvesting permits exist. Harvesting permits are not always required, but the rules for

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>- Decreet Ruimtelijke Ordening (1999) article 99 (on urbanism permits) - B.VI. Reg. of 8 November 2002 (on admission/recognition of wood buyers and harvesters)</p> <p>Wallonia: - Décret du 15 juillet 2008 relatif au Code forestier - Titre IV, Chapitre VI (on forest exploitation), Article 80 (harvesting permit) - Cahier des charges pour la vente des coupes de bois dans les forêts de la Région wallonne (Forêts domaniales) et dans les forêts des administrations subordonnées, particularly chapter V, article 28 (on the harvesting permit for exploitation in public forests owned by the Walloon Region and other administrations)</p> <p>Belgium: - Veldwetboek / Code rural 1886 (art. 90) - Strafwetboek / Code d'instruction criminelle 1808 (art. 537)</p> <p>Legal Authority</p> <p>Flanders: - Agency for Nature and Forests - Agency for Spatial Planning - Municipality (Council of Mayor and Aldermen), in case of an urbanism permit - Agency for Realty Heritage, in case of a protected landscape</p> <p>Wallonia: - Département de la Nature et des Forêts</p>	<p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>Flanders: http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/wetgeving_en_vergunning/Kapmachtiging http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/wetgeving_en_vergunning/erkenning_exploitanten Forest Act ('Bosdecreet') 1990 Decreet Ruimtelijke Ordening (1999) http://www.natuurenbos.be/nl-BE/Natuurbeleid/Natuurinspectie.aspx ANB report 'Handhavingsrapport 2013' (on law enforcement)</p> <p>Wallonia: http://environnement.Wallonia.be/legis/dnf/forets/foret025.htm (Code forestier 2008) http://environnement.wallonie.be/dnf/dagf/forets_domaniales.pdf (Cahier des charges, refer to article 28) http://environnement.wallonie.be/dnf/dagf/forets_subordonnees.pdf (Cahier des charges, refer to article 28) http://etat.environnement.wallonie.be/download.php?file=uploads/archives/tbe2008_full.pdf http://etat.environnement.wallonie.be/download</p>	<p>getting permits are transparent. Permits are always published in order to inform the public. No separate harvesting permit is needed in case a forest management plan is approved by the forest administration (refer to the column 'Legally required documents').</p> <p>- A formal recognition (according to the 'Erkenningsregeling exploitanten') is required for companies that harvest wood from (most) public forests and for private forest owners united in forest owner groups ('Bosgroepen') that choose to work exclusively with recognized harvesting companies.</p> <p>- Field inspection (before, during and/or after the exploitation) by the forest administration confirms that harvesting takes place within limits given in the harvesting permit.</p> <p>Wallonia: - Any harvesting activity, both in public forest and in private forest, requires the advance authorization from the land owner (article 32 of the Forest Code). - Furthermore, forest exploitation in public forests must be carried out according to the specified terms and conditions ('cahier des charges', article 78 of the Forest Code) and therefore a harvesting permit ('permis d'exploiter', article 80 of the Forest Code) is required. - After forest exploitation, there is a control operation - by the government - consisting of the counting of the number/volume of trees cut and to be sold ('récolement'). - Sanctions - applicable in cases of infringements - are also described in the Forest Code and specified in the terms and conditions. Sanctions may include the exclusion from wood purchases and harvesting during several years (article 89 of the Forest Code). - In private forests, the use of specified (written) terms</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>- Municipality (Council of Mayor and Aldermen), in case of an urbanism permit</p> <p>Legally required documents or records</p> <p>Flanders:</p> <ul style="list-style-type: none"> - Management plan, accepted by the Agency for Nature and Forests - Harvesting authorization (permit) in case the cutting is not included in an accepted management plan - Urbanism or allotment permit (in case of harvesting that leads to deforestation) - Note that in private forests exceptional harvesting without harvesting permit is possible for safety reasons or for phytosanitary reasons, but then the Agency for Nature and Forests shall be notified in writing (within 24 hours or 14 days, respectively) and a proposal for restoration measures shall be sent to the Agency within 6 months after harvesting. - Private persons or companies buying or harvesting wood (at least 50m³ per year and per address) in public forests in Flanders require an official admission / recognition card and number according to defined conditions. <p>Wallonia:</p> <ul style="list-style-type: none"> - In private forests: authorization from the land owner to harvest wood - In public forests: harvesting permit ('permis d'exploiter') - An urbanism permit is required for all harvesting activities in 'agricultural zones' or 'green zones' as defined in the spatial plan ('plan de secteur'). 	<p>ad.php?file=uploads/tbe/TBE2010_complet.pdf</p>	<p>and conditions is not mandatory, but is recommended for large harvesting operations.</p> <ul style="list-style-type: none"> - Even when there are no specified terms and conditions, forest exploitation shall be carried out within the limits of the Forest Code. <p>As a large share of the forests are open to recreation, and forests are patrolled by the forest and nature administration and inspection agencies, harvesting operations are quickly noticed.</p> <p>The corruption level in Belgium is considered low, refer to the Transparency International corruption perception index of 75 (higher than the threshold of 50), so there is not much risk for issuance of illegal harvesting permits.</p> <p>According to the participants of the FSC Belgium working groups on Controlled Wood (both Dutch and French speaking), harvesting of wood is subject to a robust authorization procedure and the level of law enforcement (including field inspections) is sufficient. Furthermore, there are little indications or evidence of harvesting without required permit in Belgium (refer to the ANB Handhavingrapport for Flanders and the TBE reports for Wallonia). Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50).</p> <p>The participants agreed that the risk can be considered low.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
Taxes and fees			
1.5 Payment of royalties and harvesting fees	<p>Applicable laws and regulations</p> <p>N/A. There are no legally required forest harvesting specific fees in Belgium.</p> <p>Legal Authority</p> <p>N/A</p> <p>Legally required documents or records</p> <p>N/A</p>	N/A	N/A
1.6 Value added taxes and other sales taxes	<p>Applicable laws and regulations</p> <p>Belgium: Law concerning the introduction of legislation on value added tax (1969) and subsequent law amendments</p> <p>Legal Authority</p> <p>Belgium: The tax office of the federal public service (FOD / SPF) of Finance</p> <p>Legally required documents or records</p> <p>Belgium: - Enterprise identification number ('ondernemingsnummer' / 'numéro d' entreprise', formerly known as the VAT number)</p>	<p>Law concerning the introduction of legislation on value added tax (published in B.S./M.B. 17.07.1969) and relevant law updates as described in the VAT manual available at http://www.fiscus.fgov.be/interfaofnl/identification_tva/pdf/2012-11-05-btw-handleiding-bijwerking-2012-nl.pdf (in Dutch)</p> <p>http://www.belgium.be/nl/economie/onderne ming/fiscaliteit_en_boekhouding/btw/ (in Dutch)</p> <p>http://www.belgium.be/nl/belastingen/btw/btw -plichtig_zijn/</p> <p>http://www.elfri.be/BTW-wet</p> <p>http://finances.belgium.be/fr/ (VAT manual, in French)</p> <p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World World Banks Worldwide Governance</p>	<p>Low risk</p> <p>Companies have to pay Value Added Tax on all their sales. It is legally required to print this on the invoice, and buyers would not accept an invoice without VAT specified as this would compromise their administration and tax assessments. All companies have to be registered with the Chamber of Commerce and the Tax Office. These registrations are linked so it is not possible to be registered with one and not the other. Once registered, a company is automatically requested to file their tax assessments and pay the VAT. It is not possible to do business without the correct registrations as suppliers and customers will require them.</p> <p>For Flemish public forests, data on volumes, species and qualities are included in a digital database system. Documents like the harvesting permit and sales invoice are produced automatically from the system so there is very little to no room/space for fraud or error.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<ul style="list-style-type: none"> - Yearly tax assessments - Documents of purchase / sales (invoices and receipts) 	<p>Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p>	<p>Generally, sales of wood from public forests are public. Only in rare cases (e.g. for wood from windfall) no public sales sessions are organized.</p> <p>The specified terms and conditions ('houtcatalogoog' / 'cahier des charges') for the sales of wood from public forests include a chapter on payments and VAT (e.g. chapter IV of the 'cahier des charges' on payments for forest exploitation, article 22 on VAT).</p> <p>There is no system of public sales (auctions) for wood in private forests. Note that some public forest owners, including nature conservation organizations, are registered as Public Benefit Organizations and are entitled to specific tax advantages.</p> <p>Wallonia: According to the French-speaking FSC Belgium working group on Controlled Wood, private forest owners do not have a real interest to sell wood on the black market because there is no taxation for the income from wood sales. This measure prevents fraud and results in transparency in wood sales from private forests. The sales note ('bordereau de vente') constitutes the proof of the wood sale, should problems arise. Furthermore, the provincial tax on the sales of fire-wood does not exist anymore, which also adds to transparency.</p> <p>Even if fraud can still exist in the matter of wood sales, this phenomenon is considered marginal. Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50).</p> <p>The participants of the FSC Belgium working group on Controlled Wood agreed that the risk can be considered low.</p>
<p>1.7 Income and profit taxes</p>	<p>Applicable laws and regulations</p> <p>Belgium: - Law on income taxes ('Wetboek van de Inkomstenbelastingen' / 'Code des impôts sur les revenus') 1992 - including Title IX. 'Kadastraal inkomen van onroerende goederen' / 'Le revenu cadastral des biens immobiliers'</p> <p>Legal Authority</p> <p>Belgium: - Tax office of the federal Ministry (FOD / SPF) of Finance; - Registry of the Court of Commerce ('Griffie van de Rechtbank van Koophandel' / 'Greffe du tribunal de commerce'); - Enterprise office ('Ondernemingsloket' / 'Guichet d'entreprise')</p> <p>Legally required documents or records</p> <p>Belgium: - Yearly tax assessments - Foundation document ('Oprichtingsakte') and registration thereof at the registration office of the Ministry of Finance - Enterprise identification number ('ondernemingsnummer' / 'numéro d'entreprise')</p>	<p>http://economie.fgov.be; http://www.belgium.be/nl/economie/onderne ming/oprichting/belangrijkste_stappen/opricht ingsakte/; http://www.belgium.be/nl/economie/onderne ming/oprichting/belangrijkste_stappen/registr atieakte/; http://www.belgium.be/nl/economie/onderne ming/fiscaliteit_en_boekhouding/vennootsch apsbelasting/ ; http://www.belgium.be/nl/economie/onderne ming/fiscaliteit_en_boekhouding/zelfstandige nbelasting/ http://www.belgium.be/nl/economie/onderne ming/fiscaliteit_en_boekhouding/controle/ http://www.elfri.be/WIB92</p> <p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p>	<p>Low risk</p> <p>All companies have to be registered with the Chamber/Court of Commerce and the Tax Office. These registrations are linked so it is not possible to be registered with one and not the other. Once registered, a company is automatically requested to file their tax assessments.</p> <p>Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50). All companies are automatically requested to file their tax assessments, and except for individual cases of deliberate fraud which can never be excluded, there is little risk of tax evasion.</p>

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Timber harvesting activities			
<p>1.8 Timber harvesting regulation s</p>	<p>Applicable laws and regulations</p> <p>Flanders:</p> <ul style="list-style-type: none"> - Forest Decree ('Bosdecreet') 1990, articles 54, 64, 70, 71 - Besluit Vlaamse Regering van 27.06.2003 'tot vaststelling van de criteria voor duurzaam bosbeheer voor bossen gelegen in het Vlaamse gewest' (on the criteria for sustainable forest management) - Nature Decree ('Natuurdecreet') 1997, article 13 § 4 (on 'nature license') and article 25 § 1, 2nd part, 1° and 5° (on criteria for sustainable forest management in the Flemish Ecological Network) - Beheervisie Openbaar Bos (2001) - management vision for public forests - Code goede natuurpraktijk (omzendbrief 10.11.1998) - 'Code for good nature practice' - Besluit erkenning exploitanten 2002 (recognition of harvesting companies) <p>Wallonia:</p> <ul style="list-style-type: none"> - Décret du 15 juillet 2008 relatif au Code forestier (Forest Code) : <ul style="list-style-type: none"> ° Titre IV, Chapitre VI (on forest exploitation), Articles 81 - 91 ° Titre IV, Chapitre IV (on forest conservation) Article 71 - Cahier des charges pour la vente des coupes de bois dans les forêts de la Région wallonne (Forêts domaniales) et et dans les forêts des administrations subordonnées, particularly chapters V, VI and VII (on forest exploitation in public forests) 	<p>Belgium:</p> <p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>Flanders:</p> <p>Besluit Vlaamse Regering van 27 juni 2003 'tot vaststelling van de criteria voor duurzaam bosbeheer voor bossen gelegen in het Vlaamse gewest.' http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/Bosbeheerplanning/Procedure_voor_goedkeuring http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/wetgeving_en_vergunning/erkenning_exploitanten http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=2003062745 http://www.natuurenbos.be/~media/Files/Themas/Bos/Bosbeheer/Brochure%20beheervisie.pdf</p> <p>INBO report by Thomaes & Vandekerckhove (2004). Een vergelijking van beheerrichtlijnen voor bossen en invulling van verschillende beschermingsstatuten aan de hand van bosbeheerrichtlijnen (refer to page 26) http://www.natuurenbos.be/nl-BE/Natuurbeleid/Natuurinspectie.aspx</p>	<p>Low risk</p> <p>Conditions for harvesting in the forest apply. In Flanders, there are three levels of forest management (refer to INBO report Thomaes & Vandekerckhove 2004) with increasing level of harvesting regulations:</p> <ol style="list-style-type: none"> 1) Basic level, according to the Forest Decree and the internal regulation ('dienstorder') of the forest and nature administration; 2) Level of the criteria for sustainable forest management ('Criteria Duurzaam Bosbeheer', CDB) that apply in public forests and in private forests larger than 5 hectares situated in the Flemish Ecological Network; 3) Level of the management vision ('beheervisie') for public forests - note that the management vision has no legally binding status, but is applied in the forests owned by the Flemish government (13% of the forest area) and is recommended (encouraged) in all other public forests (e.g. for forests owned by municipalities, provinces, etc - 17% of the forest area). <p>Conditions for harvesting are included in the recognition for companies harvesting in the forest ('Erkenningsregeling exploitanten'). At least in public forests, trees in the forest management unit for which felling is prohibited are marked.</p> <p>The regional forest administration carries out an inspection of the site of forest exploitation, during and/or shortly after the operations (according to article 76 of the Forest Decree and article 90 of the Forest Code, respectively).</p>

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	<p>owned by the Walloon Region and other administrations)</p> <p>Legal Authority</p> <p>Flanders: Agency for Nature and Forests ('Agentschap voor Natuur en Bos'), in cooperation with the Forest Groups ('Bosgroepen') for private forests</p> <p>Wallonia: Département de la Nature et des Forêts</p> <p>Legally required documents or records</p> <p>Flanders: - A forest management plan, approved by the forest and nature administration, is required (mandatory) for private forests larger than 5 hectares and for all public forests. - For specific management activities (e.g. planting of exotic tree species, change of relief, the use of glyphosate, etc.) in forests situated in the Flemish Ecological Network, an exemption is required from the Agency for Nature and Forests. - For specific management operations in small (< 5 hectares) private forests outside the Flemish Ecological Network without a management plan, a nature license ('natuurvergunning') from the Agency for Nature and Forests may be required. - All comprehensive forest management plans have to comply with the criteria for sustainable forest management ('criteria voor duurzaam bosbeheer', CDB) as described in the B.VI.Reg. of 27 July 2003 'tot vaststelling van de criteria voor duurzaam</p>	<p>ANB report 'Handhavingsrapport 2013' (on law enforcement)</p> <p>Wallonia: http://environnement.Wallonia.be/legis/dnf/forets/foret025.htm (Code forestier 2008) http://environnement.wallonie.be/dnf/dagf/forets_domaniales.pdf (Cahier des charges) http://environnement.wallonie.be/dnf/dagf/forets_subordonnees.pdf (Cahier des charges) http://etat.environnement.wallonie.be/download.php?file=uploads/archives/tbe2008_full.pdf http://etat.environnement.wallonie.be/download.php?file=uploads/tbe/TBE2010_complet.pdf</p>	<p>Infringements are recorded as complaints or in official reports ('PVs').</p> <p>In general, harvesting operations are relatively small-scale. A large part of harvesting operations are for thinnings. Clear-cuts must not be larger than 1 to 3 or 5 hectares (depending on the tree species composition and the status of the site concerning protection of natural values).</p> <p>A large percentage of forests is public or owned by nature conservation organizations (with as main objectives the ecological and social functions of the forest, rather than the economical function / revenues from harvesting).</p> <p>Law enforcement by regional forest and nature administration ensures that harvesting restrictions are adhered to and that harvesting does not take place in areas where harvesting is legally prohibited. Only a limited number of cases of infringements is reported. Nature conservation societies and civilians can (and do) notify the forest and nature administration on infringements.</p> <p>Infringements include exceeding the maximum size of felling areas, felling protected (marked) trees or felling in a period of seasonal limitation. However, the relatively low number of infringements is limited in their temporal and spatial impact (Handhavingsrapport 2013, and personal communications from the nature and forest administration and inspection agencies).</p> <p>Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>bosbeheer voor bossen gelegen in het Vlaamse gewest.'</p> <p>Wallonia:</p> <ul style="list-style-type: none"> - Forest management plans are required (mandatory) for public forests. - Exemption ('dérogation') is required for specific management activities. 		<p>scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50). Given the high level of law enforcement by the forest and nature administration and inspection agencies, as well as the low number and small scale of reported infringements, the risk is considered low.</p>
<p>1.9 Protected sites and species</p>	<p>Applicable laws and regulations</p> <p>International agreements: Belgium has signed/ratified the Convention on Biological Diversity (CBD) 1992, as well as the Ramsar, Bern and Bonn Conventions.</p> <p>European Union:</p> <ul style="list-style-type: none"> - Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora ('Habitats Directive') - Council Directive 2009/147/EC on the conservation of wild birds ('Birds Directive') <p>Belgium:</p> <ul style="list-style-type: none"> - Royal Decree on protected animal species, 1980 (modified in 1987, 1992 and 2001), - Law on the protection of birds, 1981 - Several Royal Decrees on the protection of natural areas, including e.g. the Sonian Forest <p>Flanders:</p> <ul style="list-style-type: none"> - Forest Decree ('Bosdecreet' 1990) articles 22 - 30 on forest reserves - Landscape Decree ('Decreet van 16 april 1996 betreffende de landschapszorg'), articles 14 and 16 - Nature Decree ('Natuurdecreet') of 21 oktober 1997, article 14 ('zorgplicht'), articles 2 and others 	<p>Flanders:</p> <p>Forest Decree ('Bosdecreet' 1990) Nature Decree ('Natuurdecreet 1997) Decreet van 16 april 1996 betreffende de landschapszorg ('Landschappendecreet 1996')</p> <p>Decreet van 30 juni 1993 houdende bescherming van het archeologisch patrimonium http://www.natuurenbos.be/nl-BE/wetgeving_en_subsidies/wetgeving/natuurdecreet</p> <p>Dumortier M., De Bruyn L., Hens M., Peymen J., Schneiders A., Van Daele T. & Van Reeth W. (red.) (2007). Natuurrapport 2007. Toestand van de natuur in Vlaanderen: cijfers voor het beleid. Mededeling van het Instituut voor Natuur- en Bosonderzoek, nr.4, Brussel http://www.inbo.be/docupload/4998.pdf (Indicators for nature quality/quantity in Flanders) http://www.inbo.be/content/page.asp?pid=EN_POL_NAT_SPE_redlist (species 'red lists') Dataset oppervlakte natuur- en bosreservaat per provincie - http://aps.vlaanderen.be/sgml/largereeksen/3</p>	<p>Low risk</p> <p>Both in Flanders and Wallonia, habitats and species of European (community) interest, including priority habitats, Bird Directive areas and Habitat Directive areas, have been designated. There are general and specific measures for protection of these species and habitats.</p> <p>Flanders:</p> <p>Natura 2000 network: The total area of the Natura 2000 network (Bird Directive and Habitat Directive areas) in Flanders amounts to 166.322 hectares (12,3% of the total surface area of Flanders). In Flanders, about half of the Annex I habitats are forests. The main policy instruments for these habitats are the elaborate forest management plans, the nature reserves and the forest reserves.</p> <p>The Flemish Ecological Network ('Vlaams Ecologisch Netwerk', VEN): The Spatial Structure Plan for Flanders of 23 september 1997 contains 125.000 hectares (9,2 % of the total surface area of Flanders) for the Flemish Ecological Network, consisting of Large Units of Nature and Large Units of Nature in Development.</p>

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	<p>on Natura 2000 special areas of conservation (Habitat Directive and Bird Directive areas) and articles 48 and 50 on the 'natuurrichtplan'</p> <ul style="list-style-type: none"> - Decree of 25 april 2014 'tot wijziging van de regelgeving betreffende natuur en bos' (amendment to the Forest Decree 1990, Nature Decree 1997 and other decrees) - Decree on archeological heritage (Decreet van 30 juni 1993 houdende bescherming van het archeologisch patrimonium) - Besluit van de Vlaamse regering van 24 mei 2002 (on designation of special areas of conservation according to the Habitat Directive) - Onroerendergoeddecreet van 12 juli 2013 <p>Wallonia:</p> <ul style="list-style-type: none"> - Décret du 6 décembre 2001 relatif à la conservation des sites Natura 2000 ainsi que de la faune et de la flore sauvages (on protection of Natura 2000 sites and natural fauna and flora) - 24 mars 2011 - Arrêté du Gouvernement wallon portant les mesures préventives générales applicables aux sites Natura 2000 ainsi qu'aux sites candidats au réseau Natura 2000 - 19 mai 2011 - Arrêté du Gouvernement wallon fixant les types d'unités de gestion susceptibles d'être délimitées au sein d'un site Natura 2000 ainsi que les interdictions et mesures préventives particulières qui y sont applicables, modifié par l'arrêté du Gouvernement wallon du 30 avril 2014 - 23 octobre 2008 – Arrêté du Gouvernement wallon fixant certaines modalités du régime préventif applicable aux sites Natura 2000 - Décret du 15 juillet 2008 relatif au Code forestier: Titre IV, Chapitre IV (on forest protection), Article 71 - Code wallon de l'Aménagement du Territoire, de 	<p>486.htm http://www.inbo.be/content/page.asp?pid=BE_L_VLA_GEB_Natuurreservaten INBO report by Thomaes & Vandekerckhove (2004). Een vergelijking van beheerlijnen voor bossen en invulling van verschillende beschermingsstatuten aan de hand van bosbeheerlijnen. ANB report 'Handhavingsrapport 2013' (on law enforcement) http://www.natuurenbos.be/nl-BE/Natuurbeleid/Natuurinspectie.aspx</p> <p>Wallonia: http://biodiversite.wallonie.be/fr/natura-2000.html?IDC=829 http://www.naturawal.be/fr/documentation/legislation http://www.naturawal.be/images/stories/pdf/73_D%C3%A9cret%20relatif%20%C3%A0%20la%20conservation%20des%20sites%20Natura%202000.pdf (Conservation of Natura 2000 sites) http://www.naturawal.be/images/stories/Plaquettes_Natw/guide%20de%20gestion%20for%20et_naturawal_bres.pdf http://www.naturawal.be/fr/actualites/nouvelles/596-enquete-publique-natura-2000-voici-le-deroulement-des-operations http://biodiversite.wallonie.be/fr/resultats-du-rapportage-article-17-au-titre-de-la-directive-92-43-cee-pour-la-periode-2007-2012.html?IDD=4237&IDC=5803 (progress report 2007-2012, according to article 17 of the Habitat Directive) http://www.naturawal.be/fr/actualites/enquete</p>	<p>Furthermore, nature interweaving areas ('Natuurverwevingsgebieden') shall be designated, in which the ecological function shall sustainably be combined with agriculture, forestry and recreation. These areas shall be connected by the provinces in their spatial structure plans.</p> <p>The area of protected sites (including Flemish nature reserves, recognized nature reserves, forest reserves, and military areas with a 'nature protocol') is increasing gradually, but is still below the generally (European) recommended level of 10% of the total surface area.</p> <p>A considerable area (about 20 000 hectares) of forests with high ecological value are threatened to a certain extent, because they are situated in areas designated for other functions such as housing or industry (refer also to subcriterion 3.6 conversion). The Flemish government is currently working towards the implementation of an action plan for the conservation of these forests.</p> <p>Forest management in Flanders is strongly regulated by forest and nature legislation. Therefore, a large number of protection measures foreseen by the European Union (habitats and species) in Special Areas of Conservation are already covered in the basic level of forest management that is applicable for all forests (according to the Forest Decree).</p> <p>Note, for Flanders, that the 'new nature decree' of 25 april 2014 ('Decreet tot wijziging van de regelgeving betreffende natuur en bos') will entail an integration of the forest-related and nature-related legislation. Forest and nature management will be re-orientated toward reaching the European and regional conservation objectives for species and habitats. The majority of new</p>

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	<p>l'Urbanisme et du Patrimoine, Livre III, Articles 185 - 252 and Livre IV, Article 450 (partim) and 477 - 529 (protection of heritage, including archeological sites) - Décret wallon relatif aux Parcs naturels du 16 juillet 1985 modifié le 3 juillet 2008 (on Natural Parks)</p> <p>Various Flemish and Walloon decrees/acts to designate Natura 2000 areas.</p> <p>Legal Authority</p> <p>Flanders: Agency for Nature and Forests ('Agentschap voor Natuur en Bos'); Agency for Realty Heritage ('Agentschap Onroerend Erfgoed') - for archaeological sites</p> <p>Wallonia: Département de la Nature et des Forêts; 'Conseil supérieur wallon de la conservation de la nature' (CSWCN) - for approval of management plans of reserves Direction de la Protection du patrimoine / Direction de l'Archéologie (for archaeological sites)</p> <p>Legally required documents or records</p> <p>Flanders: For forests situated in the Flemish Ecological Network, comprehensive forest management plans are required. Comprehensive forest management plans have to comply with the criteria for sustainable forest management ('criteria voor duurzaam bosbeheer', CDB) as described in the BVR of</p>	<p>s-publiques http://environnement.Wallonia.be/legis/dnf/forets/foret025.htm (Code forestier 2008) http://environnement.wallonie.be/legis/consnat/cons045.htm http://environnement.wallonie.be/legis/consnat/natura019.htm https://wallex.wallonie.be/PdfLoader.php?type=doc&linkpdf=12439-11894-6625 http://dgo4.spw.Wallonia.be/DGATLP/DGATLP/Pages/Patrimoine/Pages/Legislation/default.asp (protection of heritage sites) http://etat.environnement.wallonie.be/download.php?file=uploads/tbe/TBE2010_complet.pdf http://biodiversite.wallonie.be http://environnement.wallonie.be/dnf/dcnev/consnat/protection_des_especes.htm#a6 http://environnement.wallonie.be/dnf/dcnev/consnat/protection_des_habitats.htm#a7 http://environnement.wallonie.be/dnf/parcsNaturaux.pdf http://etat.environnement.wallonie.be/download.php?file=uploads/archives/tbe2008_full.pdf http://etat.environnement.wallonie.be/download.php?file=uploads/tbe/TBE2010_complet.pdf</p> <p>Belgium/International: http://www.natura.org COST E27 "Protected forest areas in Europe – analysis and harmonisation", Country report – Belgium. Kris Vandekerkhove, Etienne Branquart & Kris Verheyen (2002)</p>	<p>rules will enter into force by mid-2015, when the implementing orders are expected.</p> <p>Wallonia:</p> <p>Protected sites have been designated with varying statutes (and corresponding levels of protection), including the Natura 2000 network, protected natural sites (public nature reserves, recognized nature reserves, and forest reserves), ancient forests and natural parks.</p> <p>The Walloon Natura 2000 network entails about 221.000 hectares of which 150.000 hectares are forests (about 10% of the total surface area of the Walloon Region). General and specific protection measures have been elaborated and are subject to public consultation.</p> <p>Protected natural sites (including forest reserves) require a management plan approved by the Walloon nature conservation council ('Conseil supérieur wallon de la conservation de la nature', CSWCN) and have a strong legal protection. The surface area of protected natural sites is increasing (doubled over the past 20 years) to reach about 11.000 hectares (TBE2010, page 196)</p> <p>A forest management plan is required for all public ancient forests ('Forêts historiques') larger than 20 hectares and receive particular attention during forest management activities (according to article 57 of the Forest Code).</p> <p>Forests with high conservation value have been identified and adequate measures of protection are in place.</p> <p>For forests in the Natura 2000 network, general and</p>

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	<p>27.07.2003 'tot vaststelling van de criteria voor duurzaam bosbeheer voor bossen gelegen in het Vlaamse gewest'. These include biodiversity conservation (Principle 5) with criteria and indicators for species and habitats.</p> <p>For forests situated in protected landscapes, the forest management plan shall include a section on measures aimed at realization of the management objectives for the protected landscape. There are general and specific regulations for activities in protected landscapes, e.g. activities for which a permit is required are submitted to an additional 'binding advice' from the authorized administration; activities for which no permit is required are submitted to direct approval by the administration.</p> <p>Wallonia:</p> <ul style="list-style-type: none"> - Forest management plans are required (mandatory) for all public forests and for forests in the Natura 2000 network. The government replaces the owner if he has not prepared and implemented a management plan in time (as stipulated in Article 63). - In the public forests classified as natural reserves, forest reserves, Natura 2000 sites or nature parks the management plan needs to be revised and made in accordance with the rules and objectives of this status. The management plan shall be approved by the 'Conseil supérieur wallon de la conservation de la nature' (CSWCN). - A management agreement ('contrat de gestion active') may be signed between the government and the owner or tenant of the land, if this is considered appropriate for the fulfilment of the management objectives (as described in Article 27 of the 'Décret du 6 décembre 2001 relatif à la conservation des 		<p>specific protection measures have been elaborated and compensation measures are being established for situations where priority of the ecological function of the forest leads to a loss of income for the forest owner. This should serve as an incentive to foster the protection of forest habitats and forest-related species. En cas d'infraction, des réductions de primes, des exclusions ou des pénalités sont prévues.</p> <p>All activities that may harm protected sites or species need to apply for a permit or exemption, unless they were included in a management plan, approved by the competent (regional) forest and nature administration. A permit or exemption can be issued when significant effects can be excluded, if needed by an environmental impact assessment procedure. If significant effects cannot be excluded, a permit will only be issued under very specific circumstances.</p> <p>A large share of the species (in Flanders more than 50%) and habitats (in Flanders about 75%) of the Habitat Directive are currently in a very unfavorable state of conservation.</p> <p>Law enforcement: Both in Flanders and Wallonia, forests are controlled by the forest and nature administration/inspection and particular attention is paid to the follow-up of public and private forests in the Natura 2000 network. There are reports of infringements, e.g. the illegal killing of protected birds of prey (refer to ANB Handhavingsrapport 2013). It is still possible that timber is (knowingly or unknowingly) harvested from a place where it is not allowed (e.g. due to the presence of endangered species).</p>

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	<p>sites Natura 2000 ainsi que de la faune et de la flore sauvages')</p> <p>- For some management activities, an exemption of protection measures may be attributed by the government - Département de la Nature et des Forêts (as described in Décret du 6 décembre 2001 relatif à la conservation des sites Natura 2000 ainsi que de la faune et de la flore sauvages, 'Section 4. - Dérogations')</p>		<p>The extent/scale of harvesting operations in Belgium is generally limited (e.g. only small-scale clearcutting). A large percentage of forests is owned by the government (particularly in Wallonia) and nature conservation societies (aiming at services to society rather than revenues from harvesting). Nature conservation societies and civilians have a pro-active approach and infringements can be (and are) reported to the forest and nature administration, which carries out inspections in the field.</p> <p>Although it will be a difficult task to achieve a favorable state of conservation for many habitats and species, the risk of legal infringements concerning protected species and habitats is considered low.</p>
1.10 Environmental requirements	<p>Applicable laws and regulations</p> <p>Flanders:</p> <ul style="list-style-type: none"> - 'Milieuvergunningsdecreet' (1985) - on environmental permits - 'Decreet Algemene Bepalingen Milieubeleid' (1995) - general regulations on environmental policy - Decreet Ruimtelijke Ordening (1999) - on spatial planning - Forest Decree ('Bosdecreet') 1990, articles 90, 96 and 97 - on forest protection - Nature Decree (1997) - Besluit van de Vlaamse regering van 10 december 2004 houdende vaststelling van de categorieën van projecten onderworpen aan milieueffectrapportage (on environmental impact assessment in case of deforestation) - Besluit erkenning exploitanten 2002 (on recognition of companies harvesting wood) <p>Wallonia:</p> <ul style="list-style-type: none"> - Décret du 15 juillet 2008 relatif au Code forestier - 	<p>Belgium:</p> <p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>Flanders:</p> <ul style="list-style-type: none"> Decreet van 28 juni 1985 betreffende de milieuvergunning (Milieuvergunningsdecreet 1985) Decreet van 5 april 1995 houdende algemene bepalingen inzake milieubeleid (Decreet Algemene Bepalingen Milieubeleid 1995) Decreet Ruimtelijke Ordening (1999) Bosdecreet (1990) Natuurdecreet (1997) 	<p>Low risk</p> <p>All plans and activities that may harm the environment or protected sites and species, are subject to an environmental impact assessment and shall be approved by the legally competent authorities. The assessments are part of the procedure for applying for a permit.</p> <p>In the case of archeological sites of interest being present, research need to be carried out beforehand.</p> <p>General restrictions to harvesting are mentioned in the forest-related legislation (Forest Decree / Forest Code). Further terms and conditions for forest harvesting are specified in the sales catalogue ('houtcatalogoog' / 'cahier des charges') for sales of wood in public forests and in some (large) private forests.</p> <p>Environmental restrictions shall be followed in the field, such as requirements related to soil damage, buffer zones, retention trees, seasonal restrictions (e.g. harvesting operations must not take place from 1 April to 30 June (during the period of nesting for birds,</p>

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	<p>° Titre 3, Chapitre VI, Articles 31 - 51 (on forest protection) ° Titre 4, Chapitre III, Article 57 (environmental requirements in management plans) ° Titre 4, Chapitre IV, Article 71 (on conservation) - Code wallon de l'aménagement du territoire, de l'urbanisme, du patrimoine, et de l'énergie (Décret du 19 avril 2007) - Book I, Title V, Chapitre III, Section VII (procedure for urbanism permit and environmental impact assessment) and Book V, Title 1, Chapter I bis, Section 1, Article 254 (procedure) - Circulaire n° 2556 of 14 april 1995 and Circulaire n° 2619 of 22 september 1997 'relative aux aménagements dans les bois soumis au régime forestier' - on specific measures for the protective role of public forests</p> <p>Legal Authority</p> <p>Flanders: Agency for Nature and Forests ('Agentschap voor Natuur en Bos'); Agency for Spatial Planning ('Agentschap RO-Vlaanderen')</p> <p>Wallonia: Département de la Nature et des Forêts Municipality - Council of Mayor and Aldermen ('Collège communal') - in case of urbanism permit for deforestation - refer to criterion 3.6 Conversion</p>	<p>http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/wetgeving_en_vergunning/erkenning_exploitanten ANB report 'Handhavingsrapport 2013' (on law enforcement)</p> <p>Wallonia: http://environnement.wallonie.be/legis/dnf/forests.htm (Code forestier 2008) http://environnement.Wallonia.be/legis/menucode.htm (Code de l' Environnement) http://wallex.Wallonia.be/index.php?doc=1423 and http://www.demeures-historiques.be/images/contents/27_8717_file.pdf (Code wallon de l'Aménagement du Territoire, de l'Urbanisme, du Patrimoine et de l'Energie) http://environnement.wallonie.be/dnf/dagf/forests_domaniales.pdf (Cahier des charges - forêts domaniales, cf. article 48) http://environnement.wallonie.be/dnf/dagf/forests_subordonnees.pdf (Cahier des charges - forêts des administrations subordonnées)</p>	<p>applicable both in Flanders and Wallonia).</p> <p>Flanders: - Principles of environmental policy in Flanders are the precautionary principle, the stand-still principle, high level of protection, (source-oriented) prevention of damage to the environment, and the principle that 'the polluter pays' (for the cost of the damage to the environment). - Large-scale clear-cutting is prohibited. The maximum surface area of clear-cuts is 1 hectare in general. For plantations of poplar, American red oak, Scots pine and Corsican pine the maximum surface area of clear-cuts is 3 hectare. - Deep soil preparation, construction of new permanent exploitation roads, change of relief, new drainage systems, fertilization, removal of litter and the use of herbicides is prohibited in principle. - There are detailed regulations for protection of sites and species.</p> <p>Wallonia: Environmental requirements are included in the Forest Code and in the terms and conditions for exploitation in public forests ('cahier des charges'). Elsewhere, including in private forests, environmental regulations are in effect. About 100.000 hectares of public forests have as primary function the protection of vulnerable soils (e.g. on slopes) and water bodies. These forests are subject to particular protection measures (by the Circulaire n° 2556 du 14 avril 1995 and Circulaire n° 2619 du 22 septembre 1997 'relative aux aménagements dans les bois soumis au régime forestier').</p> <p>Belgium has a high ranking of 89.9% (2013) in regards</p>

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	<p>Legally required documents or records</p> <p>Flanders:</p> <ul style="list-style-type: none"> - A forest management plan is required (mandatory) for private forests larger than 5 hectares and for all public forests. - For specific management activities (e.g. planting of exotic tree species, change of relief, the use of glyphosate, etc.) in forests situated in the Flemish Ecological Network, an exemption is required from the Agency for Nature and Forests. - For specific management operations in small (< 5 hectares) private forests outside the Flemish Ecological Network without a management plan, a nature license ('natuurvergunning') from the Agency for Nature and Forests may be required. <p>Wallonia:</p> <ul style="list-style-type: none"> - A forest management plan is required (mandatory) for all public forests contiguously larger than 20 hectares - Urbanism permit (in case of land-use changes) 		<p>to "rule of Law" under the World banks Worldwide Governance Indicator. In relation to control of corruption Belgium ranks 91.9% and has a CPI of 75 in 2013 (Above the threshold of 50). While the legal framework is quite strong, it is still possible that timber is (knowingly or unknowingly) harvested from a place where it is not allowed.</p> <p>The extent/scale of harvesting operations in Belgium is generally limited (e.g. thinnings, only small-scale clearcutting).</p> <p>A large percentage of forests is owned by the government (particularly in Wallonia) and nature conservation societies (aiming at services to society rather than revenues from harvesting). Nature conservation societies and civilians have a pro-active approach and infringements can be reported to the forest and nature administration, which carries out inspections in the field.</p> <p>Although isolated cases of wrong-doings can occur, the risk of legal infringements is considered low.</p>
1.11 Health and safety	<p>Applicable laws and regulations</p> <p>International agreements: As an ILO member, Belgium has ratified all fundamental and governance conventions and about half of the technical conventions.</p> <p>Belgium:</p> <ul style="list-style-type: none"> - Law of 4 August 1996 on well-being of workers in the performance of their work - Relevant Royal Decrees, as summarized in the 'Codex on well-being at work' (2012) - General regulations on the protection of workers, 	<p>International: http://www.ilo.org www.ilo.org/dyn/normlex/en/f?p=NORMLEX_PUB:11110:0::NO::P11110_COUNTRY_ID:102560 http://webfusion.ilo.org/public/applis/appl-byCtry.cfm?lang=EN&CTYCHOICE=0070</p> <p>Belgium: Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p>	<p>Low risk</p> <p>Belgium is an ILO member and signed/ratified the (basic) conventions.</p> <p>There is national (federal) legislation in place that prescribes how health and safety need to be dealt with at work.</p> <p>Required safety measures are included in the (region-specific) terms and conditions of the wood sales for public forests and for some (large) private forests ('houtcatalog' / 'cahier des charges').</p> <p>Compliance is checked by a federal government</p>

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	<p>1947 (partly abrogated)</p> <p>Flanders: - Besluit erkenning exploitanten 2002 (on recognition of companies harvesting wood in the forest)</p> <p>Wallonia: - Cahier des charges pour la vente des coupes de bois dans les forêts de la Région wallonne (Forêts domaniales) et dans les forêts des administrations subordonnées, particularly chapter IX, article 48 on prevention of accidents at work during forest exploitation in public forests owned by the Walloon Region and other administrations, which refers to the regulations on protection of workers ('Règlement général sur la Protection du Travail')</p> <p>Legal Authority</p> <p>Belgium: Federal Public Service Employment, Labour and Social Dialogue</p> <p>Flanders: Agency for Nature and Forests</p> <p>Wallonia: Département de la Nature et des Forêts</p> <p>Legally required documents or records</p> <p>Belgium: - Dynamic risk management system, including a risk analysis with preventive measures</p>	<p>World World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>http://www.belgium.be/nl/werk/gezondheid_en_welzijn/ (in Dutch) http://www.employment.belgium.be/WorkArea/linkit.aspx?LinkIdIdentifier=id&ItemID=1896 http://www.emploi.belgique.be/detailA_Z.aspx?id=916</p> <p>Codex on well-being at work (version June 2012), available online at: http://www.werk.belgie.be/moduleDefault.aspx?id=1958# (in Dutch) http://www.emploi.belgique.be/moduleDefault.aspx?id=1958 (in French)</p> <p>Annual Report 2011 of the General Direction Supervision on Well-Being At Work (Labour Inspection), available online at: http://www.werk.belgie.be/WorkArea/DownloadAsset.aspx?id=31974&LangType=2067 (in Dutch)</p> <p>Annual Report 2012 of the Labour/Social Inspection, available online at: http://www.socialsecurity.fgov.be/docs/nl/publicaties/jaarrapport_si/jaarverslag-sociale-inspectie-2012-nl.pdf (in Dutch)</p> <p>Flanders: http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/wetgeving_en_vergunning/erkenning_exploitanten</p> <p>Wallonia: http://environnement.wallonie.be/dnf/dagf/for</p>	<p>inspection agency ('Arbeidsinspectie' / 'Inspection du travail') and by the competent (regional) forest and nature administration.</p> <p>All safety and health regulations shall be followed and all required safety equipment shall be used - Occupational health and safety requirements shall be observed by all personal involved in harvesting activities. - Interviews with staff and contractors shall confirm that legally required protection equipment is required/provided by the organization. - All requirements on prevention of air and water pollution shall be followed and are verified through reports monitoring pollution (when applicable)</p> <p>Most employees can be found with the large forest owners and harvesting companies, including government institutions and nature conservation organizations. Generally, specialized contractors and/or freelancers are hired to do e.g. harvesting work. It is not common to employ labourers on a temporary basis, except contractors and freelancers. It is unlikely that fraud or abuse in relation to foreign labourers or seasonal workers would occur in the Belgian forestry sector, as skilled permanent staff and/or specialized contractors are hired instead of unskilled workers.</p> <p>Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50).</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>- Training plan for employees; Training records</p> <p>- Records of (near-) accidents at work (including annual report), available with the person responsible for supervision of health and safety at work within the company</p> <p>Flanders and Wallonia:</p> <p>- Certificates of training for workers operating machines during harvesting operations</p>	<p>ets_domaniales.pdf (Cahier des charges - forêts domaniales, cf. article 48)</p> <p>http://environnement.wallonie.be/dnf/dagf/for_ets_subordonnees.pdf (Cahier des charges - forêts des administrations subordonnées)</p>	<p>While isolated cases of infringements can never be excluded, the FSC Belgium working groups on Controlled Wood are convinced that the framework of the Belgian legislation is strong and that there are adequate control mechanisms in place to prevent infringements concerning health and safety of workers. Hence, the risk is considered low.</p>
1.12 Legal employment	<p>Applicable laws and regulations</p> <p>International agreements: As an ILO member, Belgium has ratified all fundamental and governance conventions and about half of the technical conventions.</p> <p>Belgium: - Labour Law of 16 March 1971 - Law of 3 July 1978 on work contracts (and subsequent amendments)</p> <p>Flanders: - Besluit Vlaamse Regering betreffende de erkenning van exploitanten 2002 (on recognition of companies harvesting wood in the forest)</p> <p>Legal Authority</p> <p>Belgium: Federal Public Service Employment, Labour and Social Dialogue</p>	<p>International: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102560</p> <p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>Belgium: http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=1971031602; http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=1978070301; http://www.belgium.be/nl/werk/; http://www.werk.belgie.be/defaultTab.aspx?id=387#; http://www.rsz.fgov.be/en/employers-and-</p>	<p>Low risk</p> <p>As an ILO member, Belgium has ratified all fundamental and governance conventions and about half of the technical conventions. There is no indication / evidence of violation of the principles and fundamental rights of the ILO (e.g. freedom of association, elimination of forced and compulsory labour, child labour, discrimination, etc) in the Belgian forest sector. The Belgian legislation on work rights is conform to the European and international requirements. There is federal legislation in place that prescribes what requirements employers have to meet.</p> <p>Belgium has a federal service of labour inspection that carries out inspections and checks compliance with aspects like permits, insurances and working conditions. Compliance with aspects like taxes and social security contributions are checked by the tax office.</p> <p>The Flemish regulations on the recognition of harvesting companies ('Erkenningsregeling exploitanten') includes mandatory training prior to the</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Legally required documents or records</p> <p>Belgium:</p> <ul style="list-style-type: none"> - Register of personnel (or electronic 'dimona' declaration) - The individual account and payslip - Work contracts, including agreements for flexible employment or employment as student or apprentice - Foreign workers (not citizens of countries of the European Economic Area and Switzerland) need a work permit ('arbeidskaart' / 'permis de travail'). - If there is a Collective Labour Agreement, the employer shall adhere to the regulations stipulated therein. - All social security contributions ('Rijksdienst voor Sociale Zekerheid' / 'Office Nationale de Sécurité Sociale') shall be paid - via the tax office. - The buyer of wood from public forests shall identify the company/individuals carrying out the harvesting operations. For harvesting in military areas, an attendance register is required. 	<p>nssso/registering http://www.belgium.be/en/justice/Annual Report 2012 of the Labour/Social Inspection, available online at: http://www.socialsecurity.fgov.be/docs/nl/publicaties/jaarrapport_si/jaarverslag-sociale-inspectie-2012-nl.pdf (in Dutch)</p> <p>Flanders: http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/wetgeving_en_vergunning/erkenning_exploitanten</p>	<p>start of any harvesting operations. This ensures that persons involved in harvesting activities hold required certificates of competence for the function they carry out.</p> <p>Most employees can be found with the large forest owners and harvesting companies, including government institutions and nature conservation organizations.</p> <p>Generally, specialized contractors and/or freelancers are hired to do e.g. harvesting work.</p> <p>It is not common to employ labourers on a temporary basis, except contractors and freelancers.</p> <p>It is unlikely that fraud or abuse in relation to foreign labourers or seasonal workers would occur in the Belgian forestry sector, as skilled permanent staff and/or specialized contractors are hired instead of unskilled workers.</p> <p>Isolated cases of infringements can never be excluded. The FSC Belgium working groups on Controlled Wood are convinced that the framework of the Belgian legislation is strong and that there are adequate control mechanisms in place to prevent violation of fundamental principles and rights of workers. Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicator. Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50). There are no indications of violation of ILO fundamental Principles and Rights at work. Hence, the risk is considered low.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
Third parties' rights			
1.13 Customary rights	<p>Applicable laws and regulations</p> <p>Belgium: Civil Law ('Burgerlijk Wetboek' / 'Code Civil' 21.03.1804), Book II, Title IV, art. 516-710 (goods and limits of property), specifically articles 637 and the following on customary rights ('Erfdienstbaarheden' / 'Servitudes');</p> <p>Legal Authority</p> <p>Belgium: - The Cadastre (land register), part of the General Administration Heritage Documentation, which is part of the federal Ministry (FOD) of Finance (database of property) - The notary (documents/deeds and registration of property)</p> <p>Legally required documents or records</p> <p>Belgium: - Documents of ownership (notarial document/deed with survey plan as measured by the land surveyor) - Customary rights can exist in the form of condoned situations (e.g. a particular use of the land) that have lasted for more than 30 years ('erfdienstbaarheden' / 'servitudes'). These rights may be found on the documents of ownership.</p>	<p>http://www.landmeters-experten.be/docs/doc%20erfdienstbaarheid.pdf</p>	<p>Low risk</p> <p>Customary rights (erfdienstbaarheden) come into existence when a specific land use is condoned for more than 30 years. When identified these rights will be recorded on the ownership documents when the property is sold. Other customary rights may exist without having been recorded, but these generally have a limited scope (for example the right to cross the land to reach adjacent lands). If contested, customary rights can be argued and determined in a court of law.</p> <p>In the Walloon Region, some user rights still exist in some municipalities and are preserved even while the Forest Code did not foresee new user rights (article 48). In private forest, notarial deeds (documents) may include certain rights that are thus protected.</p> <p>Forest management plans are subject to stakeholder consultation prior to approval by the forest and nature administration. This should ensure that customary rights are observed during harvesting activities.</p> <p>Given their limited scope and legal status, infringements on customary rights are not likely and the risk is considered low (refer also to subcriterion 1.1).</p>
1.14 Free prior and informed consent	<p>Applicable laws and regulations</p>	N/A	N/A

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>N/A. There is no transfer of forest management rights or customary rights to organizations harvesting in the forest.</p> <p>Legal Authority N/A</p> <p>Legally required documents or records N/A</p>		
1.15 Indigenous peoples rights	<p>Applicable laws and regulations N/A. There are no indigenous people in Belgium, according to UN definition (refer also to ILO convention 169).</p> <p>Legal Authority N/A</p> <p>Legally required documents or records N/A</p>	N/A	N/A
Trade and transport			
1.16 Classification of species,	<p>Applicable laws and regulations European Union: - Council Regulation (EEC) number 2913/92 of 12 October 1992 establishing the Community Customs Code</p>	<p>http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1992R2913:20070101:EN:PDF (EEC Customs Code) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri</p>	<p>Low risk A government inspection agency checks compliance (refer also to 5.4 and 6.1), including verification of product classification (species, quantities, qualities etc.) on sales documents, custom declarations and other</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
quantities, qualities	<p>- Commission Regulation (EEC) number 2454/93 of 2 July 1993 (implementing provisions)</p> <p>Legal Authority</p> <p>Belgium:</p> <ul style="list-style-type: none"> - Federal Public Service of Finance, Administration of Customs and Excise - Customs offices <p>Legally required documents or records</p> <p>Belgium:</p> <p>Set of Due Diligence standards:</p> <ul style="list-style-type: none"> - Records of purchases / sales (invoices) and transport documents (CMR document, bill of lading, packing list / delivery note), records of harvests including species, proof of legality, and a risk analysis - For import/export of wood products, the common European customs document ('Enig Document' / 'Document administratif unique') includes information on the nature of the goods, the tariff classification (TARIC code), the transaction classification, etc. 	<p>=CONSLEG:1993R2454:20130131:EN:PDF (implementing provisions)</p> <p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World Bank Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p>	<p>legally required documents.</p> <p>Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50).</p> <p>There are no indications or evidence that infringements are occurring frequently or are likely to occur. Though implementation of the EU TR in practice may come with initial problems due to complexity, there seems to be little scope for fraud regarding classification or volumes. Therefore, the risk for this subcriterion is considered low.</p>
1.17 Trade and transport	<p>Applicable laws and regulations</p> <p>International agreements:</p> <ul style="list-style-type: none"> - CMR convention (Convention Relative au Contrat de Transport International de Marchandises par Route) - Convention on the contract for the international carriage of goods by road, 1956 (modified in 1978) 	<p>International:</p> <p>http://www.unidroit.org/instruments/transport/cmr-convention http://www.idit.asso.fr/_private/moteur_cmr/jurisprudence/textes.php</p> <p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p>	<p>Low risk</p> <p>The main mode of transport of wood (and wood products) within Belgium is the carriage by road. Furthermore, shipping via inland waterways and railways account for relatively limited volumes, for wood products in containers or bulk (e.g. roundwood for paper industries, or sawnwood).</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>European Union:</p> <ul style="list-style-type: none"> - Resolution number (EC) 1071/2009 of the European Parliament and the Council of 21 October 2009 (on common rules for the conditions applicable to the profession of road haulage undertaker, and access to the market for international carriage of goods by road) - Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 laying down technical requirements for inland waterway vessels and repealing Council Directive 82/714/EEC - Council Directive 95/ 18/EC of 19 June 1995 on the licensing of railway undertakings <p>Belgium:</p> <ul style="list-style-type: none"> - Belgium signed the CMR convention on 19 May 1956 and ratified the convention on 18 September 1962. - Law of 15 July 2013 on the carriage of goods by road, and including execution of the Resolution (EC) number 1071/2009 of the European Parliament and the Council of 21 October 2009 (on establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator, and access to the market for international carriage of goods by road) - Royal Decree of 22 May 2014 on the carriage of goods by road - Royal Decree of 4 April 2014 - Amending act to the Royal Decree of 15 October 1935 concerning the general regulations for shipping waterways of the Kingdom and amending the Royal Decree of 24 September 2006 concerning the general police regulations for shipping on the inland waterways of the Kingdom - Each waterway (canal, river, or part thereof) has 	<p>World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>European Union: http://www.europarl.europa.eu/document/activities/cont/201305/20130531ATT67143/20130531ATT67143EN.pdf (Report on Transport Policy in the European Economic Area) http://eur-lex.europa.eu/legal-content/en/ALL/?ELX_SESSIONID=1Vv1Jl3DGPPPhSbj9wDnhQTWBSFjYVgzQgLOPlzWv8sxvPOLRGZLp!1543137432?uri=CELEX:32006L0087 http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31995L0018&from=NL</p> <p>Belgium: http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=2013071522 (in Dutch) http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2013071522&table_name=loi (in French) and http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=2014052236 (in Dutch) http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2014052236&table_name=loi (in French) and http://mobilit.belgium.be/nl/wegverkeer/goederenpersonen/ (in Dutch)</p>	<p>The CMR convention (on international transport of goods by road) applies to all road transport from, or to, a country that ratified the convention. The CMR is legally binding (article 41 of the convention). The CMR document is also valid for a domestic transport as part of an international transport. Road transport companies need to apply for permits for national and international road haulage (European regulations).</p> <p>Transport of goods by railroad in Belgium was completely liberalized in early 2007. There are various companies with a security certificate that currently drive on the Belgian railroad network.</p> <p>With the unification of the European market, inspections by customs services are not only carried out at the national borders, but can be carried out anywhere. These inspections include inspections of validity and conformity of required transport documents.</p> <p>Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50).</p> <p>There are no indications or evidence that infringements on the regulations for trade and transport (of domestic wood within Belgium) occur frequently in Belgium. Therefore, the risk is considered low.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>its own specific shipping regulations and police regulations - Royal Decree of 30 September 2005 on the promotion of combined transport of goods</p> <p>Legal Authority</p> <p>Belgium: Federal Public Service - Mobility and Transport</p> <p>Legally required documents or records</p> <p>Belgium:</p> <p>1) Road transport: - Board documents (vehicle registration, insurance, technical inspection) - Wood transported by truck shall be accompanied by a transport document specifying nature and quantities of the goods (CMR 'vrachtbrief' / 'lettre de voiture') - Transport companies need permits for national and international road haulage / carriage of goods by road</p> <p>2) Waterway transport: - Tonnage certificate (measuring bill) and documents that specify the nature and quantities of cargo on board - Documents that show the vessel and its equipment meet the technical requirements; Community inland navigation certificate, according to Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 - Certificates of the captain of the ship</p>	<p>http://mobilit.belgium.be/fr/circulationroutiere/marchandisespersonnes/ (in French)</p> <p>http://www.mobilit.belgium.be/nl/scheepvaart/binnenvaart/ (in Dutch)</p> <p>http://www.mobilit.belgium.be/fr/navigation/interieure/ (in French)</p> <p>http://www.binnenvaart.be/nl/regelgeving/regelgeving.asp</p> <p>http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=2014040406 (in Dutch)</p> <p>http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2014040406&table_name=loi (in French)</p> <p>http://www.binnenvaart.be/nl/regelgeving/documenten/AlgemeenpolitierglementvoordescheepvaartopdebinnenwaterenvanhetKoninkrijkBS18042014.pdf (in Dutch)</p> <p>http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=1976070830&table_name=wet (in Dutch)</p> <p>http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=1976070830&table_name=loi (in French)</p> <p>http://www.belgium.be/nl/mobiliteit/goederentransport/spoor/ (in Dutch)</p> <p>http://www.belgium.be/fr/mobilite/transport_de_marchandises/chemins_de_fer/ (in French)</p> <p>http://www.mobilit.belgium.be/nl/spoorwegverkeer/wet/ (in Dutch)</p> <p>http://www.mobilit.belgium.be/fr/traficferroviaire/legislation/ (in French)</p> <p>http://www.ejustice.just.fgov.be/cgi_loi/change</p>	

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<ul style="list-style-type: none"> - Transport companies need permits for waterway transport; Exploitation license 3) Railroad transport: <ul style="list-style-type: none"> - Railway undertakings require a license and a safety certificate - Documents that specify the nature and quantities of cargo 	<p>e_lg.pl?language=nl&la=N&cn=2005093031&table_name=wet (in Dutch) http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2005093031&table_name=loi (in French)</p>	
1.18 Offshore trading and transfer pricing	<p>Applicable laws and regulations</p> <p>Belgium:</p> <ul style="list-style-type: none"> - Law of 10 February 1999 on repression of corruption ('Wet betreffende de bestraffing van corruptie' / 'Loi relative à la répression de la corruption') <p>Legislation relevant to corruption/bribery:</p> <ul style="list-style-type: none"> - Penal Code, Articles 5, 7bis, 41bis, 246 (§2), 250 - Code of Criminal Procedure, Articles 21, 21ter and 22 of the Preliminary Title, Article 10quater (§1 and 2), Article 29 - Income Tax Code, Article 53 (§24), Article 219 <p>Legal Authority</p> <p>Belgium: Federal Public Service - Finance</p> <p>Legally required documents or records</p> <p>Belgium:</p> <ul style="list-style-type: none"> - Yearly tax assessments - Documents of purchases and sales (invoices) 	<p>http://www.oecd.org/daf/anti-bribery/belgium-oecdanti-briberyconvention.htm http://www.ejustice.just.fgov.be/cgi/article.pl (date of publication 1999-03-23) http://www.ibfd.org/IBFD-Products/International-Transfer-Pricing-Journal-All-Articles (find 'Belgium') http://www.oecd.org/tax/transparency/taxinformationexchangeagreementstieasbelgium.htm Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p>	<p>Low risk</p> <p>The international tax standard, developed by OECD and supported by the UN and the G20, provides for full exchange of information on request in all tax matters without regard to a domestic tax interest requirement or bank secrecy for tax purposes.</p> <p>In March 2009, Belgium withdrew its reservation to the OECD standard. Currently all 30 OECD member countries, including Belgium, have endorsed and agreed to implement the international tax standard. Furthermore, all offshore financial centers accept the standard.</p> <p>Belgium wrote to more than 100 countries to propose the conclusion of protocols to update Article 26 of its existing treaties or to enter into new exchange of information agreements. Belgium has recently signed (at least) twelve Tax Information Exchange Agreements (TIEAs) with jurisdictions of offshore financial centers. Therefore, Belgium moves into the OECD category of "Jurisdictions that have substantially implemented the internationally agreed tax standard."</p> <p>The room for companies in the forestry sector for trading through countries known as "tax havens" is limited.</p> <p>From a Belgian perspective, no specific transfer pricing rules apply to transactions involving low-tax</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>jurisdictions.</p> <p>Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50).</p> <p>There are no indications or evidence that wood or wood products from Belgium are traded through countries known as "tax havens".</p> <p>There are no indications or evidence that there is illegal manipulation in relation to the transfer pricing in Belgium.</p> <p>Therefore, the risk is considered low.</p>
1.19 Custom regulations	<p>Applicable laws and regulations</p> <p>European Union: - Council Regulation (EEC) number 2913/92 of 12 October 1992 establishing the Community Customs Code, and subsequent amending acts - Commission Regulation (EEC) number 2454/93 of 2 July 1993 (implementing provisions)</p> <p>Belgium: - Ministerial Decision of 11 January 2007 (explanation of the common customs document, 'Enig document' / 'Document administratif unique')</p> <p>Legal Authority</p> <p>Belgium: - Federal Public Service of Finance, Administration of Customs and Excise - Customs offices</p> <p>Legally required documents or records</p>	<p>http://europa.eu/legislation_summaries/other/l11010_en.htm (EEC Customs Code - summary) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1992R2913:20070101:EN:PDF (EEC Customs Code) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1993R2454:20130131:EN:PDF (implementing provisions) http://ec.europa.eu/taxation_customs/index_en.htm http://ec.europa.eu/taxation_customs/common/legislation/legislation/customs/index_en.htm http://europa.eu/youreurope/business/vat-customs/report-imports-exports/index_nl.htm</p> <p>Transparency International Corruption</p>	<p>Low risk</p> <p>All relevant international legislation is implemented in Belgian legislation, and inspections are carried out. Export of domestic wood occurs as high and low grade roundwood, wood products and biomass. Domestic wood is exported mainly to other EU member states, but part is exported to other continents. Products are classified according to type, custom code, species, quantities, qualities, etc. (see also 5.1). The Customs Office carries out checks on exports, including verification of documents and EU TR (if requested by the competent Federal Public Service), FLEGT and phytosanitary requirements. The corruption level in Belgium is considered low, refer to the Transparency International corruption perception index of 75 (higher than the threshold of 50). Procedures exist for preventing fraud, and control has become more efficient through the use of electronic declarations.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Belgium: In case of import of timber, phytosanitary regulations, CITES and legality requirements apply. The EU TR and subsequent due diligence always applies. Certificates may be required depending on the species (e.g. CITES permit, FLEGT permit, certificate of origin, phytosanitary certificate). A customs declaration is required (the former national customs documents were replaced by the common Europees customs document, 'Enig Document' / 'Document administratif unique'). Note that digital/electronic systems of "paperless customs" (e.g. PLDA and NCTS) are introduced, so the format of declarations is changing thoroughly.</p>	<p>Perception Index http://www.transparency.org/cpi2013/results</p> <p>World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>Belgium: Ministerial Decision of 11 January 2007 (explanation of the common customs document, 'Enig document') http://fiscus.fgov.be/interfdanl/nl/site/customs_english.htm</p> <p>Flanders: http://www.vlaanderen.be/nl/werk/buitenlands-beleid/invoer-en-uitvoer</p>	<p>Belgium has a high ranking of 89.9% (2013) in regards to "rule of Law" under the World banks Worldwide Governance Indicators. This is a score of 1.40 on a scale of -2.5 to +2.5. In relation to control of corruption Belgium ranks 91.9% (score of 1.63) and has a CPI of 75 in 2013 (Above the threshold of 50). As there is no evidence of legal infringements or fraud related to activities of the Customs Office and timber from Belgian forests, the risk is considered low.</p>
1.20 CITES	<p>Applicable laws and regulations</p> <p>International: Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) - Washington, 3 March 1973</p> <p>European Union: - Regulation (EG) number 338/97 of the Council of 9 December 1996 (and subsequent amendments) - Regulation (EG) number 865/2006 of the Commission of 4 May 2006 on export regulations - Regulation (EU) number 750/2013 of the Commission of 29 July 2013 (update of the Annexes, change of Regulation (EG) number 338/97 of the Council)</p>	<p>Belgium: http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2003040943&table_name=wet (in Dutch) http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2003040943&table_name=loi (in French)</p> <p>http://www.belgium.be/nl/leefmilieu/biodiversiteit_en_natuur/bedreigde_diersoorten/internationaal/ http://www.health.belgium.be/eportal/AnimalsandPlants/Endangeredspecies/Opvakantie/index.htm#.U-DGEuN_vp8 http://www.health.belgium.be/filestore/17982844/EU-338-1997-basisverordening_17982844_nl.pdf http://www.health.belgium.be/filestore/17982</p>	<p>Low risk</p> <p>The CITES rules have been implemented in Belgian (federal) legislation. Compliance is checked through inspections and verifications by the Customs Office at (re-)export. Permits are handled by the Federal Public Service Health, Food Chain Safety and Environment.</p> <p>For wood from Belgian forests: There are no CITES (tree/wood) species occurring in Belgian forests. Therefore, there is no risk for this sub-criterion.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Belgium:</p> <ul style="list-style-type: none"> - Law of 28 July 1981 (and subsequent amending acts) on the approval of the CITES convention and of the Annexes, as well as the amendment to the Convention of Bonn of 22 June 1979 - Royal Decree of 9 April 2003 on protection of species of wild fauna and flora through control of the trade <p>Legal Authority Belgium: Federal Public Service Health, Food Chain Safety and Environment - Directorate General 'Animal, Plant and Nutrition' - Office for Animal Welfare and CITES</p> <p>Legally required documents or records</p> <p>Belgium:</p> <ul style="list-style-type: none"> - CITES certificate (original and valid) for species of EU-CITES Annex A - (re-)export permit/certificate 	<p>846/EU-865-2006-gemodificeerde%20versie-toepassingsverordening_17982846_nl.pdf http://www.health.belgium.be/filestore/19091373_NL/Liste%20alphabétique%20complete%20-%20volledigealfabetische%20lijst.pdf (CITES list of protected species)</p> <p>International: www.cites.org</p>	
Diligence/duer care procedures			
1.21 Legislation requiring due diligence/ due care procedures	<p>Applicable laws and regulations</p> <p>European Union:</p> <ul style="list-style-type: none"> - Regulation (EU) number 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 ('EU Timber Regulation') - Commission Delegated Regulation (EU) No 363/2012 of 23 February 2012 (on the procedural 	<p>http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32010R0995 (Regulation (EU) number 995/2010 of the European Parliament and of the Council of 20 October 2010) http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32012R0363 (Commission Delegated Regulation (EU) No 363/2012 of 23 February 2012) http://eur-lex.europa.eu/legal-</p>	<p>Low risk</p> <p>The EU TR came into effect and became applicable in its entirety throughout the EU on 3 March 2013. The EU Timber Regulation is legally binding on all EU Member States, which are responsible for laying down effective, proportionate and dissuasive penalties and for enforcing the Regulation. Operators are monitored by monitoring organizations, whose activities are checked by the Member States' competent authorities.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>rules for the recognition and withdrawal of recognition of monitoring organizations) - Commission implementing Regulation (EU) No 607/2012 of 6 July 2012 (detailed rules concerning the due diligence system and the frequency and nature of the checks on monitoring organizations)</p> <p>Belgium: - Law of 21 December 1998 on product standards to foster sustainable production and consumption patterns and to protect the environment, public health and workers - Royal Decree of 16 November 2000 (on designation of officials of the Federal Public Service Environment to carry out inspection activities) - Law of 25 April 2014, amending to the 'product standards law' of 21 December 1998 - Royal Decree of 2 July 2014 on the regulation of control measures for the enforcement of the 'product standards law' of 21 December 1998</p> <p>Legal Authority</p> <p>Belgium: Federal Public Service Health, Food Chain Safety and Environment - Federal Public Service Product Policy Unit - DG Environment</p> <p>Legally required documents or records</p> <p>Belgium: - Supplier invoices, packing lists / delivery notes, and transport documents (CMR, CIM, airway bill, bill of lading) - Information describing the timber and timber</p>	<p>content/EN/TXT/?uri=CELEX:32012R0607 (Commission implementing Regulation (EU) No 607/2012 of 6 July 2012); http://ec.europa.eu/environment/forests/pdf/list_competent_authorities_eutr.pdf http://emis.vito.be/sites/emis.vito.be/files/mesages/2026/2013/FicheFSC-EUTR_NL201211.pdf http://ec.europa.eu/environment/eutr2013/index_fr.htm (in French) http://ec.europa.eu/environment/eutr2013/index_nl.htm (in Dutch) Eurostat (CN8, monthly) http://epp.eurostat.ec.europa.eu/newxtweb/setupdimselection.do</p> <p>http://barometer.wwf.org.uk/what_we_do/government_barometer/ http://www.illegal-logging.info/sites/default/files/uploads/ETTF2011Belgiumstatistics.pdf http://health.belgium.be/eportal/Environment/EnvironmentAndInspection/index.htm?fodnlang=en#.VFflPrt0ycw</p>	<p>According to the WWF Government Barometer 2014, Belgium has made the necessary legislative changes to implement the EUTR. The EU Timber Regulation is implemented in Belgian (federal) legislation, including a set of due diligence requirements. Belgium has introduced the corresponding sanction regime through the adaptation of the (federal) law on product standards ('productnormen'). The implementation, enforcement and control (including sanctions) of the EUTR in Belgium is the responsibility of the Federal Public Service (Public Health, Security of the Food Chain, and Environment). The competent Federal Public Service investigates wood trade (in collaboration with customs offices) and there are procedures for sanctions and prosecution of companies that do not fulfil the requirements. In case of complaints (e.g. from environmental NGOs or independent observers) the Product Policy Unit alerts authorities of other EU member states (in case of transit-trade) and the European Commission. The Belgian competent authorities will report (every two years) to the Commission on the application of the Regulation.</p> <p>For domestic wood (from Belgian forests): Most wood from public forests in Belgium is sold by the regional forest administrations in public 'standing stock' sales. This has as a consequence that the forest administrations are not considered as 'operators' under the EU TR. Instead, the companies harvesting in the forest (and selling harvested wood) have to comply with the Regulation. The Flemish Agency for Nature and Forests has prepared a document for forest managers and harvesting companies on how they can comply with the</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>products, country of harvest, species, quantity, details of the supplier and information on compliance with national legislation</p> <ul style="list-style-type: none"> - Risk assessment (concerning illegal timber) - Risk mitigation measures (additional information and verification from the supplier) - Timber and timber products covered by valid FLEGT or CITES licenses are considered to comply with the requirements of the Regulation. 		<p>EU TR ('Infofiche : Toepassing van de EU Hout verordening of 'EU Timber Regulation (EUTR)' voor beheerders van natuur- en groengebieden'). Based on the (region-specific) criteria for legality applicable to wood from Belgian forests, there is a low risk for illegal wood from Belgian forests.</p> <p>However, apart from the EU 'guidance document' to the EUTR, there are currently no specific guidelines or templates (on format and content) for the 'due diligence system' in Belgium. At present only a limited number of 'operators' (forest owners, companies harvesting in the forests, and wood importers) have a true 'due diligence system' in place. In most cases the 'basic information' (step 1) is available (although often not systematically kept in a database), but a formal 'risk evaluation procedure' (step 2) and 'risk reduction procedure' (step 3) is lacking.</p> <p>So far, no 'due diligence systems' (other than those for certified wood and legality-verified wood) have as such been certified by independent monitoring organizations (or certification bodies) active in Belgium. Furthermore, given the limited capacity (personnel) of the inspection agencies (Product Policy Unit of the competent Federal Public Service Public Health, Security of the Food Chain, and Environment) priorities for inspections are currently at the (higher-risk activities of) companies importing non-domestic wood.</p> <p>There is limited evidence to suggest that the DDS requirements are uniformly enforced at forest level. However, since low risk has been found in CW Categories 1.1-1.20, it is concluded that the potential impact of this lack of enforcement will be limited both in impact and in scale. As a consequence the risk has been concluded to be low.</p>

Note for non-domestic wood (relevant to indicators 1.20 and 1.21):

Note that the risk evaluation above includes only timber from Belgian forests and does not include imported wood.

With major ports and easy access to the EU, Belgium is an important wood importing country and distributor of wood products to other EU countries.

There is still a large share of all timber and wood on the Belgian market that is not from a demonstrable (certified) legal origin.

Recent reports by environmental NGOs and independent observers show that infringements on the EU Timber Regulation and CITES Convention do occur with Belgian companies, making it possible that illegal wood enters the EU market.

Recommended 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	Low risk All 'low risk thresholds' (1, 2, 3, 4 and 5) are met and there is no other evidence of 'specified' risk. None of the 'specified risk thresholds' are met.
2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.	See detailed analysis below.	Country	Low risk The low risk thresholds 10 and 12 apply.
2.3. The rights of Indigenous and Traditional Peoples are upheld.	See detailed analysis below.	Country	Low risk The low risk thresholds 16 and 21 apply.

Recommended 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) <ul style="list-style-type: none"> 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 WGI 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 2013 (latest available year) Belgium scores between 75.36 (for Political Stability and Absence of Violence/Terrorism) and 93.30 (for Government effectiveness) on the percentile rank among all countries for all six dimensions (the scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes).	country	
World Bank Harmonized List of Fragile Situations: http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/Fragile_Situations_List_FY11_%28Oct_19_2010%29.pdf	Belgium does not feature on this list	country	
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	Belgium does not feature on this list	country	
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 Belgium scores low on State fragility map 2011.	country	
Human Rights Watch: http://www.hrw.org	http://www.hrw.org/sites/default/files/reports/wr2014_web_0.pdf Belgium does not feature in World Report 2014 of Human rights Watch	country	
US AID: www.usaid.gov Search on website for [country] + 'human rights' 'conflicts' 'conflict timber'	www.usaid.gov	country	

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.

For Africa and Asia also use: http://pdf.usaid.gov/pdf_docs/pnact462.pdf	No information found on specified risks after searching Belgium + 'human rights' 'conflicts' 'timber conflicts'		
Global Witness: www.globalwitness.org Search on website for [country] +'human rights' 'conflicts' 'conflict timber'	www.globalwitness.org No information found on specified risks after searching Belgium + 'human rights' 'conflicts' 'timber conflicts'	country	
http://wwf.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/	Belgium not mentioned in article	Country	
Transparency International Corruption Perceptions Index http://cpi.transparency.org/cpi2013/results/	India scores 75 points on the Corruption Perceptions Index 2013 on a scale from 0 (highly corrupt) to 100 (very clean). Belgium ranks 15 out of 177 with rank nr. 1 being the most clean country.	Country	
Chattam House Illegal Logging Indicators Country Report Card http://www.illegal-logging.info	http://www.illegal-logging.info/content/greenpeace-investigation-prompts-belgian-authorities-seize-timber-shipment "Greenpeace investigation prompts Belgian authorities to seize timber shipment Authorities in Belgium seized two containers of Brazilian timber in Antwerp following a demonstration by Greenpeace, which alleged that the lpe timber had been cut illegally and therefore violated the EU's trade laws. According to Greenpeace, the shipment was in transit to two European trading companies, Lemahieu and Omniplex, which had sourced the wood from a Brazilian sawmill called Rainbow Trading." http://www.illegal-logging.info/sites/default/files/uploads/GreenpeaceJuly2013.pdf "Greenpeace Belgium recently discovered illegal exports of the threatened species Afrormosia from the Congolese logging company Tala Tina to two of Belgium's leading timber importers, Vandecasteele and Denderwood." http://www.illegal-logging.info/content/new-illegal-logging-ban-eu-could-sever-all-ties-companies-working-drc "During recent investigative visits to DRC ports and forests in the Bandundu Province, Greenpeace found several companies maneuvering around the law. The group found that loggers were sharing the same artisanal permit, cutting significantly more than allowed for, and bribing locals for access to forests. According to the report much of the logging from the DRC to the EU ends up in France, Portugal, Belgium, and the Netherlands."	Country	
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://files.amnesty.org/air13/AmnestyInternational_AnnualReport2013_complete_en.pdf The European Court of Human Rights found that Belgium had violated the right to a fair trial. The authorities took the first steps towards the creation of a National Human Rights Institution. [...]The government was found to have used evidence that may have been obtained by torture in a trial of a terrorism suspect. [...]Discrimination on the grounds of religion or belief continued, especially against Muslims, in public education and in the workplace. The general prohibition on wearing religious and cultural symbols and dress remained in force in Flemish public education."	Country	
Freedom House http://www.freedomhouse.org/	http://www.freedomhouse.org/report-types/freedom-world#.U-3q5fl_sVc	Country	

	<p>The status of Belgium on the Freedom in the World index is 'free'. http://www.freedomhouse.org/report-types/freedom-net#.U-3hUvl_sVc The status of Belgium on the Freedom on the Net is 'no data'. http://www.freedomhouse.org/report-types/freedom-press#.U-3hkvl_sVc The status of Belgium on the Freedom of the press is 'free'.</p>		
Reporters without Borders: Press Freedom Index	<p>2013: http://en.rsf.org/spip.php?page=classement&id_rubrique=1054 Belgium ranks nr. 21 out of 179 with a score of 12,94 on the 2013 World Press Freedom Index, which ranks it among the countries with very good press freedom in the world.</p>	country	
<p>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</p>	<p>http://ffp.statesindex.org/rankings-2013-sortable Belgium is ranked 164 out of 178 countries on the failed states index. (nr 1 being the most failed state). This ranks Belgium in the category between 'sustainable' and 'stable'.</p>	country	
<p>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 neighbouring countries and the level of respect for human rights. Source: The Guardian: http://economicsandpeace.org/research/iep-indices-data/global-peace-index</p>	<p>http://www.visionofhumanity.org/sites/default/files/2014%20Global%20Peace%20Index%20REPORT.pdf The state of Peace in Belgium is labelled 'Very High' with Belgium ranking number 9 out of 162 countries with a score of 1.354 (p. 6).</p>	country	
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
No additional sources found			
From national CW RA: Info on illegal logging	<p>"Specific norms regulating forest logging/harvesting activities exist at regional level in all 3 regions. All 3 regions have adopted a Forestry Law, of which evidence of proper enforcement is existing.</p> <p>According to the working groups, evidence of 'law enforcement of logging related laws is found both in their own day-to-day experience, as well as in publically available reporting of which sources are listed.</p> <p>According to the working groups, in all regions, harvesting of trees is subject to a robust Authorisation Procedure, and good procedures for monitoring are in place. This</p>	country	

	<p>conclusion is based on experiences within the working groups, as well as on publically available reporting.</p> <p>EUTR was identified by the working groups as a new legislation that also had effect on timber harvesting in Belgium. The working group concluded that EUTR is another push for effective systems, but that those effective systems are already in place.</p> <p>According to the working group, and the experience and knowledge of its members, and based in available information there is no evidence of illegal logging in Belgium.</p> <p>Limited infractions are considered by the working groups to be marginal/negligible, which is reaffirmed by publically available reporting.</p> <p>According to directive 40-005 (adv 12), the indicator 1.4 is met when the Corruption Perception Index, CPI referred to the country being assessed is higher than 50. For Belgium (indifferent of region) the most recent figure (2013) is 75, which is higher than the minimum threshold value for compliance with FSC Controlled Wood requirements.”</p>		
<p>Conclusion on country context: Belgium scores positive on all indicators reviewed in this context section. It is ranked relatively high on all relevant aspects such as 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.</p>		country	
<p>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.</p>			
<p>Guidance</p> <ul style="list-style-type: none"> • 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? 			
<p>Compendium of United Nations Security Council Sanctions Lists http://www.un.org/sc/committees/list_compend.shtml</p>	<p>There is no UN Security Council ban on timber exports from Belgium.</p> <p>Belgium is not covered by any other international ban on timber export.</p>	country	low risk
<p>US AID: www.usaid.gov</p>	<p>There are no individuals or entities involved in the forest sector in Belgium that are facing UN sanctions</p>		
<p>Global Witness: www.globalwitness.org</p>			
<p>From national CW RA</p>	<p>Belgium is not listed by the UN Security Council, nor by any other international organisation or country with a ban on timber exports.</p>	country	low
<p>Guidance</p> <ul style="list-style-type: none"> • 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? 			
<p>www.usaid.gov http://pdf.usaid.gov/pdf_docs/pnact462.pdf Conflict Timber is defined by US AID as:</p>	<p>No information found on specified risks after searching Belgium + ‘conflicts’ ‘timber conflicts’</p>	country	low risk

<p>- 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</p>			
<p>www.globalwitness.org/campaigns/environment/forests</p>	<p>No information found on specified risks after searching Belgium + 'conflicts' 'timber conflicts'</p>	<p>country</p>	<p>low risk</p>
<p>Human Rights Watch: http://www.hrw.org/</p>	<p>No information found on specified risks after searching Belgium + 'conflicts' 'timber conflicts'</p>	<p>country</p>	<p>low risk</p>
<p>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</p>	<p>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 Belgium.</p>	<p>country</p>	<p>low risk</p>
<p>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/en/annual-report/2011/; http://amnesty.org/en/annual-report/2013/</p>	<p>No information on conflict timber related to Belgium found.</p>	<p>country</p>	<p>low risk</p>
<p>World Bank: Worldwide Governance Indicators - the WGI's 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</p>	<p>http://info.worldbank.org/governance/wgi/index.aspx#reports In 2013 (latest available year) Belgium scores 75.36 for Political Stability and Absence of Violence/ on the percentile rank among all countries (the scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes).</p>	<p>country</p>	<p>low risk</p>
<p>Greenpeace: www.greenpeace.org Search for 'conflict timber [country]'</p>	<p>No information on conflict timber related to Belgium found.</p>	<p>country</p>	<p>low risk</p>
<p>CIFOR: http://www.cifor.org/; http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm</p>	<p>Belgium is not mentioned in this document about <i>Forests and conflict</i>.</p>	<p>country</p>	<p>low risk</p>
<p>Google the terms '[country]' and one of following terms or in combination 'conflict timber', 'illegal logging'</p>	<p>http://www.illegal-logging.info/regions/belgium "22% of Belgium is forested, with the country's total forest cover growing by 0.2% for the past ten years (FAO 2010). Over half of Belgium's forests are privately owned – by individuals, businesses and communities – while 44% are owned by the state (FAO 2010). None of the country's primary forests remain, and 58% of existing forest cover comprises forest plantations (FAO 2010).</p>	<p>country</p>	<p>low risk</p>

	Belgium is a net importer of wood products. While domestic production of logs in 2011 was 2.7 million cubic metres (ETTF 2011), imports of timber products in the same year totalled 13.3 million cubic metres. Around 74% of these products were imported from within the EU (ETTF 2011). In 2005, the Belgian government introduced a public procurement policy for timber and timber products (with the exception of paper) under which it committed to sourcing only sustainable timber (FERN 2009). As an EU Member State, Belgium's imports are now subject to the requirements of the EU Timber Regulation, which entered into force in March 2013. No further information found on Belgium as a source of conflict timber.		
Additional comment from FSC Belgium	"[The Belgium public procurement policy for timber and timber products] is only about public purchasing at federal level (and thus not on regional nor local government level where most of the procurement is done)"	country	low risk
From national CW RA	"Belgium is not designated as a source of conflict timber by Global Witness (or any other organisation)."	country	low risk
Conclusion on indicator 2.1: No information was found on Belgium 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 (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.		country	low risk
Indicator 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.			
Guidance			
<ul style="list-style-type: none"> • 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 labour? • Is there evidence confirming absence of discrimination in respect of employment and/or occupation, and/or gender? • Is there evidence confirming absence of child labour? • 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 labour rights limited to specific sectors? 			

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.

general sources from FSC-PRO-60-002a V1-0 EN	information found and specific sources	scale of risk assessment	risk indication
<p>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 Labour Convention, 1930 C87 Freedom of Association and Protection of the Right to Organise Convention, 1948 C98 Right to Organise and Collective Bargaining Convention, 1949 C100 Equal Remuneration Convention, 1951 C105 Abolition of Forced Labour Convention, 1957 C111 Discrimination (Employment and Occupation) Convention, 1958 C138 Minimum Age Convention, 1973 C182 Worst Forms of Child Labour Convention, 1999</p> <p>Ratification as such should be checked under Category 1. In Cat. 2 we take that outcome into consideration. Refer to it.</p>	<p>http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102560</p> <p>Belgium has ratified all the 8 Fundamental ILO Conventions. The status on the ILO website for all 8 Conventions is 'in force'.</p>	country	low risk
<p>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 labour', 'forced labour', 'gender equality', 'freedom of association'</p>	<p>http://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_315637.pdf <i>Independent evaluation of the ILO's strategies on Fundamental Principles and Rights at Work - September 2014</i> "Discrimination in employment, both direct and indirect, of equally qualified individuals is rampant across Europe and leads to the marginalization of entire ethnic groups and their inability to integrate into the wider society. Directly, it occurs in the form of legal barriers in access to legal employment such as in a system of work permits restricted to specific job categories in places like Belgium and the Czech Republic. Indirectly, it can come through limitations such as language requirements for jobs where specific language skills that are not necessary." (p. 501)</p>	country	specified risk for discrimination of immigrants
<p>ILO Child Labour Country Dashboard: http://www.ilo.org/ipec/Regionsandcountries/lang--en/index.htm</p>	<p>http://www.ilo.org/ipec/Regionsandcountries/lang--en/index.htm Belgium does not feature in the ILO Child Labour Country Dashboard</p>	country	low risk
<p>Global March Against Child Labour: http://www.globalmarch.org/</p>	<p>No references to Belgium regarding child labour or child trafficking.</p>	country	low risk
<p>Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child: http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx</p>	<p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBEL%2fCO%2f3-4&Lang=en <i>Consideration of reports submitted by States parties under article 44 of the Convention - Concluding observations: Belgium - 18 June 2010</i> 80. The Committee welcomes the significant efforts of the State party to combat trafficking of children for the purposes of forced labour and commercial sexual exploitation, in particular, the adoption of the National Plan of Action against Trafficking and Smuggling of Persons on 11 July 2008 and the specific anti-trafficking training provided to the Armed Forces deployed in international peacekeeping operations. However, the Committee expresses concern that child victims of trafficking are</p>	country	low risk

	<p>insufficiently protected in the State party. The Committee notes with particular concern that children are granted a residence permit only if they cooperate in the investigations against their traffickers. The Committee is also seriously concerned that child victims of trafficking are often not adequately sheltered or protected, as a result of which they may disappear from reception centres and/or find themselves on the streets. (p. 15-16)</p> <p>No mentioning in this report of child labour in Belgium.</p>		
<p>ILO Helpdesk for Business on International Labour Standards: http://www.ilo.org/empent/areas/business-helpdesk/lang--en/index.htm</p>	<p>No information found on serious violations of labour rights in Belgium.</p>	country	low risk
<p>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</p>	<p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBEL%2fCO%2f3-4&Lang=en <i>Committee on the Elimination of Discrimination against Women - Concluding observations on the seventh periodic report of Belgium - 7 November 2014</i> "Trafficking and exploitation of prostitution 24. The Committee notes with concern that no temporary residence permits are granted to victims of trafficking who, after a 45-day reflection period, do not report that they are victims of human trafficking and refuse or are unable to cooperate with the prosecution authorities. It also notes with concern the absence of comprehensive information and data on trafficking in women and girls, the reportedly low number of prosecutions and convictions of traffickers, and reports on the insufficient funding for combatting trafficking in women and girls and for assisting victims." (p. 5)</p> <p>"Employment 32. The Committee welcomes the adoption of the 2012 Law aimed at reducing the gender wage gap and the 2011 Law on women's participation in management boards of listed companies and autonomous public enterprises. However, it remains concerned at: (a) The persistent gender wage gap as well as horizontal and vertical segregation in the labour market, where women are concentrated in lower-paid and part-time work, which adversely affects their career development and pension benefits; (b) The fact that the evaluation of the implementation of the 2011 Law on women's participation in management boards of listed companies and autonomous public enterprises is due to take place only in 2023 and that no similar temporary special measures are envisaged in other companies to increase the representation of women at decision-making levels; (c) The large number of cases of discrimination on grounds of pregnancy and motherhood filed with the Institute for the Equality of Women and Men; (d) The low number of cases of sexual harassment that are considered to be well-founded by the labour courts (14.3 percent) and the increasing number of complaints concerning sexual harassment received by the Institute for the Equality of Women and Men between 2009 and 2011; and (e) The absence of a study on gender-based discrimination in the social security system." (p. 7)</p>	country	specified risk for gender pay gap and discrimination on grounds of pregnancy and motherhood
<p>Human Rights Watch: http://www.hrw.org/</p>	<p>No references found regarding Belgium and violations of labour rights</p>	country	low risk

	<p>(65%) and the male participation rate in Belgium (73%). Closing the gender gap in labour force participation would translate in an increase in the GDP per capita annual growth rate of 0.6 percentage points. At the same time, the "glass ceiling" which prevents women from progressing in their careers to top-level salaries seems to be less prevalent in Belgium than in other OECD countries: the gender wage gap (8.9%) is about half the size of the gap in the average OECD country (15.8%) and is roughly the same among top earners. Nevertheless, women remain under-represented in senior management functions (34%, while they represent 45% of the labour force) and in the boardroom (barely 10% of the boards of listed companies are women, despite the legal obligation to have one third of each gender in management boards). The impressive increase in parliamentary seats occupied by women, from 12% in 1995 to 39% in 2011, could be an important way of pushing ahead with gender equality in the labour market"</p>	country	low risk for gender pay gap
Additional general sources	Additional specific sources		
No additional sources found			
From national CW RA	<p>"Belgium – as EU member - has ratified ILO conventions (see ILO country profile).</p> <p>The working groups are convinced that Belgian legislation and controls provide adequate control mechanisms to prevent violation of fundamental principles and rights of workers (in the for-est and beyond). There are no indications of violation of ILO fundamental Principles and Rights at work. (Compare the assessment for Category 1)</p> <p>The working groups recognise that Belgium is a 'state of law' where mechanisms exist to recognise and protect these rights and for conflict resolution in general. The working group is also strongly convinced that these mechanisms prove to be sufficiently efficient. (Compare the assessment for Category 1)</p> <p>Also in forest law (forest law per region) such rights/interests/identities, mostly on access and forest use are clearly described and respected."</p>	country	low risk
<p>Conclusion on Indicator 2.2:</p> <ul style="list-style-type: none"> • Social rights are covered by the relevant legislation. • Rights like freedom of association and collective bargaining are upheld. • There is evidence confirming absence of compulsory and/or forced labour. • There is evidence confirming absence of discrimination in respect of employment and/or occupation, and/or gender. Although there is a gender pay gap it is concluded that this is limited from the international perspective. There are instances of reported discrimination in the working place but these are not widespread and no specific instances found in forestry sector. • There is evidence confirming absence of child labour. • The country is signatory to the relevant ILO Conventions. 		country	low risk

<ul style="list-style-type: none"> • There is evidence that all groups (including women) feel adequately protected related to the rights mentioned above. • Evidences of minor violations of labour rights are limited compared internationally. <p>The following low risk thresholds apply:</p> <p>(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 labour; eliminations of discrimination in respect of employment and occupation; and effective abolition of child labour), AND the risk assessment for relevant indicators of Category 1 confirms enforcement of applicable legislation ('low risk'); [Compare the assessment for category 1]</p> <p>AND</p> <p>(12) Other available evidence do not challenge 'low risk' designation.</p>		
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<p>Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.</p> <p>Guidance:</p> <ul style="list-style-type: none"> • 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?
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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:102560 Belgium did not ratify Convention 169. Therefore this source does not provide information on its implementation by Belgium.	country	specified risk for ILO 169
Survival International: http://www.survivalinternational.org/	No sources mention IP/TP presence in Belgium, 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.	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/srindigenouseoples/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			

<p>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</p>			
<p>Intercontinental Cry http://intercontinentalcry.org/</p>			
<p>Forest Peoples Programme: www.forestpeoples.org FPP's focus is on Africa, Asia/Pacific and South and Central America.</p>			
<p>Society for Threatened Peoples: http://www.gfbv.de/index.php?change_lang=english</p>			
<p>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</p>			
<p>Data provided by National Indigenous Peoples', Traditional Peoples organizations;</p>			
<p>Data provided by Governmental institutions in charge of Indigenous Peoples affairs;</p>			
<p>Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing);</p>			
<p>National land bureau tenure records, maps, titles and registration (Google)</p>			
<p>Relevant census data</p>			
<p>- 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)</p>			
<p>National/regional records of claims on lands, negotiations in progress or concluded etc.</p>			
<p>Cases of IP and TP conflicts (historic or ongoing).) Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes)</p>			
<p>Social Responsibility Contracts (<i>Cahier des Charges</i>) established according to FPIC (Free Prior Informed Consent) principles where available</p>			

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
No additional sources found			
From national CW RA	There are no 'Native population' in Belgium according to the definition in ILO Conv 169 (indicator does not apply).	country	low risk
Conclusion on Indicator 2.3: There are no indigenous peoples and no traditional peoples in Belgium. 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

Forest classification and landownership

Traditionally Belgium is divided into 3 “gewesten” or regions; the Flemish Region, the Brussels-Capital Region and the Walloon Region. For the purpose of this CNRA the same separation is made because forest law and regulations are different.

Around 22,7% of Belgium is covered with forests, totalling a number of 692.916 hectares. From this 78% can be found in the Walloon region, 21% in the Flemish region and 1% in the Brussels-Capital Region.

- 58% of all forests are owned by around 100.000 private owners, with an average of 2,5 ha per owner.
- 42% of the forests are owned by the public (‘gewesten/regions’ (11%), municipalities (28%), provinces and other organisation like the military (3%) (lit 42,43,50).

Given the historical context, all Belgian forests have been exposed to some level of forest management activities, varying from low impact to very intensive forestry. Therefore only one general forest type can be found in Belgium: ‘Semi-natural forest (planted)’. There are no ‘old growth natural’ forests, although lately natural regeneration is responsible for ‘new’ natural forests and forest management in all regions has evolved in general towards a multifunctional, semi-natural forest management.

In general, the share of planted forest is higher in privately owned forest land compared to the share of the more semi-natural and more mixed forest lands in public lands (which were also exposed to some level of forest management). But also in public forest land, the share of planted forest is important. Nevertheless there is a strong tendency to make those forests more divers (e.g in Flanders, but also in the other regions), or maintain a balance between ‘mixed deciduous’ and ‘conifers’ (in Wallonia). When looking at tree species in planted forests, then there is a dominance of poplar and pine species in Flanders, while in the Walloon region spruce and to some extent other conifers are dominant.

With regards to legal land-use classification where forests are occurring there are two: ‘Forests (permanent, forest as land-use category)’ and ‘Other lands with trees or forest’ (trees or forest on land destined for other land-use categories). The last category are lands not classified as forest as such in the cadastre, but where trees or forests are growing. These are for example abandoned industrial lands or overgrown agricultural lands, or lands destined for building area or industrial grounds.

Forest landowners in Belgium can be Public (regional, provincial, municipality and military) and Private lands.

The official definition of forest in Flanders is: ‘forests are land areas where trees and woody shrub vegetation are the main elements, with its own flora and fauna and fulfilling one or more functions’ (Forest decree/law 1990, lit 20).

The official definition of forest in Wallonia is: ‘These are lands of woods and forests such as areas covered by natural habitats, wood deposits, fauna feeding places, marshes, ponds and firebreaks.’ (Code forestier 2008, lit 20).

Protection categories

In Flanders the following protection categories are in place: Natura2000, Biological Hotspots map (Biologische Waarderings Kaart), Speciale Beschermings Zone's (SBZ), European Bird and Habitat regulation (called VEN in Flanders), natural parks (*Parcs Naturels*), nature reserves, forest reserves, and one national park (de 'Hoge Kempen'). In Flanders the Spatial Structure Plan for Flanders (1997) contains 125.000 hectares (9,2 % of the total surface area of Flanders) for the Flemish Ecological Network (called VEN), consisting of Large Units of Nature and Large Units of Nature in Development. Furthermore, nature interweaving areas ('Natuurverwevingsgebieden') are designated, in which the ecological function shall sustainably be combined with agriculture, forestry and recreation. These areas shall be connected by the provinces in their spatial structure plans. Forests could also be protected because of special regulations about the protection of historical real estates (castles, etc.). Besides this forests can be protected as buffer zones around other protected areas.

More recently (2016) a new methodology is developed to score the ecological value of forests which is applied to forests that are outside the permanent forest estate (forests on land that is currently not classified as forest as a land-use category). These new actions are based on the new article 90ter of the official "Bosdecreet" (lit 20). This scoring system looks at 5 different criteria: size, history, ecological value (existing map), desired nature & forest types (GNBS) and location related to value forests (so called INBO-map). As a result of this 'scoring' an online map with around 12.500 ha of 'most vulnerable and valuable forests' has been prepared by the Flemish government (Meest Kwetsbare Waardevolle Bossen (MKWB)). These are lands where HCVs can occur. The Flemish government has already taken the [decision to increase the level of protection](#) for those forests against permanent deforestation, and both the map as the system will be rolled out in the spring of 2017. When the map is online published a 60 days public consultation period will take place where the public (and landowners) can give feedback or ask questions, which might lead to some revisions. Together with the map a compensation system has been agreed upon to compensate landowners for the potential loss of value of such lands. With these additional legislation and compensation measures harvesting of such forest could only be allowed after special approval of the Flemish parliament.

In Wallonia the following protection categories are in place: Natura 2000, European Bird and Habitat regulation, protected natural sites (public nature reserves, recognized nature reserves, and forest reserves) and ancient forests.

In the Brussels capital region Natura2000 and Speciale Beschermings Zone's (SBZ) can be found.

In Belgium there are no forest ecosystems that are classified as a *Global 200 Ecoregion*. There are 9 Priority forest habitats recognised under the EU Habitats Directive (see below (lit 46)). There are 9 [RAMSAR sites](#) designated (all wetlands).

Nature 2000

New Nature 2000 sites in Flanders are proposed by [INBO](#). They select and propose areas based on the EU Birds & the EU Habitats Directive. If sites are selected because of birds or habitats they will be called Speciale Beschermings Zone's (SBZ). This means that all such SBZ sites are also Nature 2000 sites. The whole procedure is regulated throughout the "Natuurdecreet" law (lit 21 & 22).

In Wallonia the idea is the same, but the selection of sites is done by 8 special committees, each in its own part of Wallonia (lit 33). There is no separate law, work is done according to the EU laws. Sites are officially named 'Nature 2000' sites. In total 148 sites (out of 240) are covered by a [decree of designation](#) in 2016.

Implementation of Nature 2000 in Belgium as a whole is well underway and in a similar state as compared to other EU countries (there is a 6 –year work program with detailed goals and targets).

Products for controlled wood

With regards to (harvested) *products* only timber is taken into account in Belgium as there are only small cases, reports or proof that other products are commercially harvested or collected.

Main threats to HCVs from forest management activities

Following the Royal Belgian Institute of Natural Sciences (lit 46) the main threat for HCVs are:

‘Land conversion: -whether for urban and industrial expansion, agriculture, infrastructure or tourism- is undoubtedly the main cause in Belgium. It results in the loss, degradation or fragmentation of habitats, and currently affects all habitat types.’

Other mentioned threats to HCVs in general are Pollution, Recreational pressure, Invasive species and Climate change.

Based on the conclusion of the Royal Belgian Institute of Natural Sciences we could conclude that threats from regular Forest Management activities as such are not causing major risks for HCVs in Belgium. But land conversion is still possible with the ‘other lands with forest’ land-use type. The good news is that the 12.500 most valuable hectares of these ‘other lands’ are now protected (spring 2017).

FSC certification

FSC forest certification in Belgium is mostly present in the Flemish and Brussels part, where resp. 13-15% and >99% of the forests are FSC certified. In the Walloon region the first pilot project around FSC certification are only just about to start.

High Conservation Value Forest in Belgium

A National Risk Assessment was carried out in 2014. The outcome of this NRA was also considered into this analysis.

The CNRA analyses below is based on so called ‘source types’. A source type is a timber/NFTP source with similar geographical and/or functional characteristics with a homogenous risk designation. These are potential sources from which timber could enter the market, and end up in the supply chain of FSC certified timber processing companies. Such source types need to be defined because risks could be different with each of them. The following source types were identified:

- Flemish Region, state owned, permanent, semi natural, forest.
- Flemish Region, military owned, permanent, semi natural, forest.
- Flemish Region, privately owned, permanent, semi natural, forest.
- Flemish Region, state owned, other lands with forests, semi natural, forest.
- Flemish Region, privately owned, other lands with forests, semi natural, forest.

- Walloon Region, state owned, permanent, semi natural, forest.
- Walloon Region, military owned, permanent, semi natural, forest.
- Walloon Region, privately owned, permanent, semi natural, forest.
- Walloon Region, state owned, other lands with forests, semi natural, forest.
- Walloon Region, privately owned, other lands with forests, semi natural, forest.
- Brussels Capital Region, state owned, permanent, semi natural, forest.
- Brussels Capital Region, privately owned, permanent, semi natural, forest.
- Brussels Capital Region, state owned, other lands with forests, semi natural, forest.
- Brussels Capital Region, privately owned, other lands with forests, semi natural, forest.

As can be seen there is no source type identified about small scale landscape elements like poplar or willows along roads or canals. Or vegetation in small urban parks, or private gardens. According to the forest definitions in Belgium these are not considered to be forest. Thus this source type is not taken into account.

Each of the HCV classes mentioned below is thus assessed against these source types.

- HCV 1 - Species diversity
- HCV 2 - Landscape-level ecosystems and mosaics
- HCV 3 - Ecosystems and habitats
- HCV 4 - Critical ecosystem services
- HCV 5 - Community needs
- HCV 6 - Cultural values

Experts consulted

	Name	Organization	Area of expertise (category/sub-category)
1.	Bart Holvoet	FSC Belgium	General FSC and HCV expertise

Risk assessment

Indicator	Sources of Information	HCV occurrence and threat assessment	Functional scale	Risk designation and determination
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3.0		<p>a) Are there data available, sufficient for determination of HCV presence and distribution within the area under assessment, according to the requirements of this document?</p> <p>In Belgium there is sufficient information and data available to draw conclusions about the HCV presence and distribution within the area under assessment. See introduction text above and literature list below. With each of the HCV categories below the relevant literature is mentioned.</p> <p>b) Are there data available, sufficient for assessment of the threats to HCVs from forest management activities according to the requirements of this document?</p> <p>In Belgium there is sufficient information and data available to draw conclusions about the threats to HCVs from forest management activities. See introduction text above and literature list below. With each of the HCV categories below the relevant literature is mentioned.</p>		<p>Low risk.</p> <p>The following thresholds are met: (1) Data available are sufficient for determining HCV presence within the area under assessment and (2) Data available are sufficient for assessing threats to HCVs caused by forest management activities.</p>
3.1 HCV 1	<p>35,38,39,42,43,46,53-60,61,66,68,69,96,103-106.</p> <p>Please note: 46 (Nature 2000 reporting), 35 (general info Belgium N2000), 34 (N2000 in Wallonia) and 9 (N2000 in Flanders).</p> <p>For maps see lit 73, 75 and 76.</p>	<p>Species diversity in Flanders; Introduction The geographical situation in Belgium and the different legal land titles are resulting in the fact that the 3 regions in Belgium needs to be assessed separately. See further down below for the Walloon and Brussels capital regions.</p> <p>Forests in Flanders does contain HCV 1. HCV 1 occurrence and threat assessment for Flanders consist of 5 different <u>sub</u>-assessments. First of all we assess the implementation of EU regulations into the country specific laws. After that we check the daily practise in the field with felling/harvesting licenses. We also judge if the law enforcement is up to a satisfactory level. By looking at the biodiversity level improvements over the last years we will decide if all implemented regulations and enforcement actually result in increased biodiversity levels. And in a conclusion we decide if all source types have to be analyses separately or not.</p> <p>Implementation of EU Legislation and country specific laws Belgium signed ‘The Convention on Biological Diversity’ (CBD) in 1995 and the Royal Belgian Institute of Natural Sciences (RBINS) is responsible for its</p>	<p>Flemish region</p>	<p>Low risk</p> <p>The following thresholds are met: (7) HCV 1 is identified and its occurrence is likely in the area under assessment, but it is effectively protected from threats from management activities.</p>

		<p>monitoring and reporting in Belgium (lit 46). The CBD Strategic Plan for Biodiversity 2011-2020 is followed as a guideline for implementation.</p> <p>During the European Summit of Gothenburg in 2001 Belgium committed itself also to "halting biodiversity decline". Related to all this Belgium developed a National Biodiversity Strategy 2006-2016 (lit 60) and an update in 2014 where 15 strategic objectives and 78 operational objectives are specified that aim to reduce and prevent the causes of biodiversity loss in all regions of the country. The Strategy plan takes into account 31 signed (by Belgium) international agreements (see lit 60, page 90 for all agreements) of which the CBD, Birds Directive, Habitats Directive, NATURA 2000, RAMSAR, Convention on the Conservation of Migratory Species of Wild Animals (CMS) and Cites are the most important for biodiversity. There are no CITES (tree/wood) species occurring in Belgian forests.</p> <p>Based on the <i>National Biodiversity Strategy</i> each of 3 regions developed their own <i>regional</i> strategic documents and action plans in relation to biodiversity: In Flanders this is the 'Milieubeleidsplan 2016-2020'. Since 2006 Flanders also has its own Strategic Plan and a yearly operational plan giving more detailed information on objectives, actions and indicators related to actions and processes for the conservation and management of nature, forests and green spaces.</p> <p>Management of all forests are strictly regulated and enforced by special regulations called: 'het Bosdecreet 1990' (lit 20) in the Flemish region. Prior to these 3 regional regulations there was the national 'Boswet (1854)' law, applicable for the complete country.</p> <p>All forests that are managed are subjected to harvesting permits and/or forest management plans approved by governmental regional forest organisations. This is the 'Agentschap voor Natuur en Bos (ANB)' in Flanders.</p> <p>Military forests (around 15.000 hectares in total in Belgium, Lit. 46, 68, 69) are classified as important for nature. All military forests are therefore managed in close cooperation and under supervision (environmental-wise) by the ANB mentioned above to make sure nature is protected.</p> <p>Overall laws and regulations have more or less the same goals for all 3 regions in Belgium and are aiming for sustainability, production and protection of HCVs. With regards to harvesting the regulations are strict and enforced. And above all forests are to remain forests under all circumstances (see lit 53-60 for all details).</p>		
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		<p>In the Flanders context EU and national protection designations (see above, Nature 2000) will be used to denote areas with significant concentrations of biodiversity values. The <u>Natura 2000</u> network in <u>Flanders</u> is allocated to 166.322 ha in Flanders (Belgium total is 389.642 ha or 14% of the land cover) (sea is excluded in this total, lit 46). All protected areas in the 3 regions are well mapped and online available for the general public (<u>Flemish</u> region, lit 73, 75 & 76). The Natura 2000 network, the corresponding maps and above all the status of implementation are used as the basis for further analyses in this risk assessment, as most (but not all) other protection classes and types are included In the Natura 2000 network.</p> <p><u>Court cases</u></p> <p>In the past there were several court cases between the EU and Belgium related to species and habitats (lit 103-106):</p> <ul style="list-style-type: none"> • Case: 2011: C-538/09. Special areas of conservation • Case: 2003: C-415/01. Conservation of wild birds - Special protection areas • Case: 2002: C-324/01. Wild fauna and flora - Incomplete transposition • Case: 2002: 729. Conservation of natural habitats and of wild fauna and flora <p>Because of these cases, and since 2003, many laws are adapted and changed to be able to respond to this problem. During the CNRA assessment we studied each case in detail (and the more <u>recent 2011</u> case in particular) and came to the conclusion that all are solved satisfactory because of new regulations and the well implemented Natura 2000 system and/or Speciale Beschermings Zone's (SBZ, in Flanders). Because of the 2011 case a new addition to the environmental laws was made. This can be found <u>here</u>.</p> <p>All forest areas that are critical to conservation are now designated as protected areas at national or EU level (Natura 2000). Following the used literature and discussions with expert there are no major knowledge/data gaps in relation to important HCV areas. Belgium in general is working hard to implement the National Biodiversity Strategy, based on the international CBD requirements. And this national strategy is properly converted into 3 regional plans and these are, in their turn, to be followed by the regulating authorities DNF, ANB and BIM and the municipalities.</p> <p>Daily practice in the field and felling licenses</p> <p><u>Permanent forests in Flanders.</u></p>		
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		<p>taken the decision to increase the level of protection for those 12.493 hectares against permanent deforestation, and both a map as the system will be rolled out in the spring of 2017. When the map is online published a 60 days public consultation period will take place where the public (and landowners) can give feedback or ask questions, which might lead to some revisions. Together with the map a compensation system has been agreed upon to compensate landowners for the potential loss of value of such lands. The value of these lands (per hectare) will be less because they are now fully protected and nothing can be done with it anymore. Thus landowners are compensated by this 'loss' in value. With these additional legislation and compensation measures harvesting of such forest could only be allowed after special approval of the Flemish parliament.</p> <p>The remaining 50.750 hectares will remain under normal forest legislation, with the principle of a prohibition on deforestation and a permit system that on a case by case basis might still allow it. Thus in Flanders there is a possibility that smaller amounts of wood from 'Other lands with forest', from private and public owners is entering the market, but the danger to HCV's is minimal because the most valuable parts are now protected (the 12.493 hectares, see above, lit 38, 39, 42, 43).</p> <p><u>Military lands in Flanders</u> These are designated as permanent forest and they are managed by the same ANB (in cooperation with the military).</p> <p>In all 3 regions harvesting permits (and approved forest management plans) are issued with the provision that the natural condition of the forest will not deteriorate. Each time the DNF, ANB or BIM will need to give their approval, and they are checking the location and importance with regards to protection levels (see above). In public lands the same organisations are actually <u>managing</u> the forests, and they are following the same laws.</p> <p>Law enforcement and governance To further support assessment of threats to HCVs from forestry activities in all forest, the level of compliance with the Forest Law was used as a means of assessing the effectiveness of statutory protection. The law and corresponding national strategies and documents were also checked for compliances with international agreements (see above). Besides that we have assessed the level of implementation of the Natura 2000 network (also above).</p>		
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		<p>ANB reported 692 cases of offenses in their 2015 report (lit 23) which resulted in the loss of 26 hectares of forests. In previous years these numbers are more or less equal. This number is neglectable with regards to this HCV assessment.</p> <p>We may conclude that Forest Management on private, public and military lands is well regulated and enforced by the regional authorities and thus the threats to HCVs are minimal. There are no further national or international signals that report on further habitat removal, habitat fragmentation or introduction of alien/invasive species (lit 90, 91, 92, 95 and 96).</p> <p>Thus we may assume that the level of compliance is high and the danger for HCV 1 is negligible. This is also the conclusion of the CNRA cat 1 assessment where all indicators are 'low risk'.</p> <p>Biodiversity level increase?</p> <p>In Flanders 59 species are listed in the annexes of the Habitats Directive (lit 46: Royal Belgian Institute of Natural Sciences, 2014 Fifth National Report of Belgium, to the Convention on Biological Diversity).</p> <p>For <i>Flanders</i> the conservation status of species of European interest has been evaluated as part of the reporting requirements for the EU Habitats Directive, under the Article 17 Report (2007-2012) (lit 96). The main goal of the Habitats Directive is to maintain a 'favourable' conservation status of selected species. These species are assumed to be endangered and Europe should play an important role in their conservation. Generally these are species living in specific habitats. The evaluation of the conservation status is based on four criteria set down by Europe. These are the population of the species, its distribution, the state of its habitat and its future prospects. In Flanders, only nine species (three amphibians, one fish and five bats) have a favourable conservation status. For more than half of the species (32) the conservation status is poor and for nine species (16%) the status is inadequate. For 10 species there was insufficient data to evaluate their status. Compared with 2007, the conservation status of 14 species improved, but at the same time the situation for 17 species deteriorated (lit 46).</p> <p>Similar to other literature (46, 60, 61) the above picture confirms indeed that Nature needs more time to recover, even with all protection measures in place. We realize that such levels only increase after some time, thus conclusions based on this assessment will only act as guidance.</p>		
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		<p>With regards to habitat (and species) improvements and the relation with Natura 2000 we have seen a similar conclusion in other EU countries. Even with everything implemented and a proper law enforcement the improvement levels are not yet convincing. We may conclude that Natura 2000 is not effective enough. Recently the EU announced <u>15 new actions</u> to be carried out by 2019, this to improve the situation. We should also take the climate change into account which is resulting in a new mix of species in every country. Rare species will become abundant while common species will migrate to other regions. This makes future HCV assessments a challenge.</p> <p>Based on all of the above we may conclude that Flanders has implemented the regulations that were needed to protect species, biodiversity and habitats, from a legislation point of view. We may also assume that the daily practise in the field, with harvesting permits and the online map systems are good enough, and publically available, to guarantee a proper implementation of laws without much room for doubts and mistakes. Besides this the law enforcement is strict enough, and effective. Biodiversity levels still need to improve, but regulations are in place.</p> <p>Based on the above sub-assessments we classify all source types related to Flanders as low risk.</p>		
		<p>Species diversity in <u>Wallonia</u>; Introduction The geographical situation in Belgium and the different legal land titles are resulting in the fact that the 3 regions in Belgium needs to be assessed separately. See above for Flanders and down below for the Brussels capital regions.</p> <p>Forests in Wallonia does contain HCV 1. HCV 1 occurrence and threat assessment for Wallonia consist of 5 different <u>sub-assessments</u>. First of all we assess the implementation of EU regulations into the country specific laws. After that we check the daily practise in the field with felling/harvesting licenses. We also judge if the law enforcement is up to a satisfactory level. By looking at the biodiversity level improvements over the last years we will decide if all implemented regulations and enforcement actually result in increased biodiversity levels. And in a conclusion we decide if all source types have to be analyses separately or not.</p> <p>Implementation of EU Legislation and country specific laws</p>	<p><u>Walloon</u> region.</p>	<p>Low risk</p> <p>The following thresholds are met: (7) HCV 1 is identified and its occurrence is likely in the area under assessment, but it is effectively protected from threats from management activities.</p>

		<p>Belgium signed 'The Convention on Biological Diversity' (CBD) in 1995 and the Royal Belgian Institute of Natural Sciences (RBINS) is responsible for its monitoring and reporting in Belgium (lit 46). The CBD Strategic Plan for Biodiversity 2011-2020 is followed as a guideline for implementation.</p> <p>During the European Summit of Gothenburg in 2001 Belgium committed itself also to "halting biodiversity decline". Related to all this Belgium developed a National Biodiversity Strategy 2006-2016 (lit 60) and an update in 2014 where 15 strategic objectives and 78 operational objectives are specified that aim to reduce and prevent the causes of biodiversity loss in all regions of the country. The Strategy plan takes into account 31 signed (by Belgium) international agreements (see lit 60, page 90 for all agreements) of which the CBD, Birds Directive, Habitats Directive, NATURA 2000, RAMSAR, Convention on the Conservation of Migratory Species of Wild Animals (CMS) and Cites are the most important for biodiversity. There are no CITES (tree/wood) species occurring in Belgian forests.</p> <p>Based on the <i>National Biodiversity Strategy</i> each of 3 regions developed their own <i>regional</i> strategic documents and action plans in relation to biodiversity: The Walloon region is renewing the strategic plan at this moment (2016). All information regarding biodiversity is combined on one single website.</p> <p>Management of all forests are strictly regulated and enforced by special regulations called: 'Code forestier 2008' (lit 58) in the Walloon region. Prior to the regional regulations there was the national 'Boswet (1854)' law, applicable for the complete country.</p> <p>All forests that are managed are subjected to harvesting permits and/or forest management plans approved by governmental regional forest organisations. In Wallonia this is: 'Département de la Nature et des Forêts (DNF)'.</p> <p>Military forests (around 15.000 hectares in total in Belgium, Lit. 46, 68,69) are classified as important for nature. All military forests are therefore managed in close cooperation and under supervision (environmental-wise) by the DNF mentioned above to make sure nature is protected.</p> <p>Overall laws and regulations have more or less the same goals for all 3 regions in Belgium and are aiming for sustainability, production and protection of HCVs. With regards to harvesting the regulations are strict and enforced. And above all forests are to remain forests under all circumstances (see lit 53-60 for all details).</p>		
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		<p>In the Walloon context EU and national protection designations (see above, Nature 2000) will be used to denote areas with significant concentrations of biodiversity values. The Natura 2000 network in Wallonia is allocated to 220.945 ha (Belgium total is 389.642 ha or 14% of the land cover) (sea is excluded in this total, lit 46). All protected areas in the 3 regions are well mapped and online available for the general public (Walloon region)(Lit 73,75 & 76). The Natura 2000 network, the corresponding maps and above all the status of implementation are used as the basis for further analyses in this risk assessment, as most (but not all) other protection classes and types are included In the Natura 2000 network.</p> <p><u>Court cases</u></p> <p>In the past there were several court cases between the EU and Belgium related to species and habitats (lit 103-106):</p> <ul style="list-style-type: none"> • Case: 2011: C-538/09. Special areas of conservation • Case: 2003: C-415/01. Conservation of wild birds - Special protection areas • Case: 2002: C-324/01. Wild fauna and flora - Incomplete transposition • Case: 2002: 729. Conservation of natural habitats and of wild fauna and flora <p>Because of these cases, and since 2003, many laws are adapted and changed to be able to respond to this problem. During the CNRA assessment we studied each case in detail (and the more recent 2011 case in particular) and came to the conclusion that all are solved satisfactory because of new regulations and the well implemented Natura 2000 system and/or Speciale Beschermings Zone's (SBZ, in Flanders). Because of the 2011 case a new addition to the environmental laws was made. This can be found here.</p> <p>All forest areas that are critical to conservation are now designated as protected areas at national or EU level (Natura 2000). Following the used literature and discussions with expert there are no major knowledge/data gaps in relation to important HCV areas. Belgium in general is working hard to implement the National Biodiversity Strategy, based on the international CBD requirements. And this national strategy is properly converted into 3 regional plans and these are, in their turn, to be followed by the regulating authorities DNF, ANB and BIM and the municipalities.</p>		
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		<p>Daily practice in the field and felling licenses</p> <p><u>Permanent forests</u> In <u>Wallonia</u> forest management plans are required for all public forests contiguously larger than 20 hectares. Forest management plans are not mandatory for private forests, but large forest owners (including nature conservation organizations) will generally have them. In the case of a forest being (part of) a Natura 2000 site, a Natura 2000 management plan has to be developed and approved by DNF.</p> <p>In all 3 regions harvesting permits (and approved forest management plans) are issued with the provision that the natural condition of the forest will not deteriorate. Each time the DNF will need to give their approval, and they are checking the location and importance with regards to protection levels (see above). In public lands the same organisations are actually <u>managing</u> the forests, and they are following the same laws.</p> <p><u>Other lands with forests</u> In the <u>Walloon</u> area everything related to 'other lands with forests' is organized a bit different. Wallonia has 23 '<u>plans de secteur</u>' (land use plans) implemented with the main aim to manage the pressure that urbanization puts on the area by defining zones which can be built on (270,000 ha) and zones to be used for agriculture, forests, or wildlife (1,400,000 ha). Besides that there is the 'Walloon Code of Land Management, Urban Planning, Heritage and Energy' (<u>CWATUPE</u>). This plan identifies any natural zone as intended for preservation, for the protection and the regeneration of a natural environment of high biological value or home to species (terrestrial or aquatic) that need to be protected. In the same plan a forested zone is destined to forestry and the conservation of the ecological equilibrium. The plan also contributes to the preservation or the development of the landscape. This code also regulates the classification of areas subject to protection measures. The plan should also be consulted when discussing building permits for which the DNF is consulted (for areas within the Natura 2000 zones as well as within any forested zone). In case there is a habitat area under threat that is not covered by the 'Code forestier' (forest law), CWATUPE specifies a legal framework in which deforestation is allowed (see in particular Article 84). CWATUPE specifies also via Article Art. 452/27 the identification of a protected area in which clearing or modification of vegetation require a permit.</p> <p>All public forests have a management plan, but some still need to update their plans in line with the Code Forestier of 2008 (article 57). Because there is no requirement for private forest owners to have a forest management plan any</p>		
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		<p>conversion of old-growth forests to plantations of monocultures is, in theory, possible. But nevertheless the chance that this happens is neglectable because, as a default, every private owner still needs to follow the 'Code forestier' and the CWATUPE regulation mentioned above.</p> <p>Unfortunately there is no recent mapping about vulnerable and valuable forest but the online geoportal gives some indications. Nevertheless the 'Code forestier' is applicable for all forests, even when the legal land classification is different. And there is a clear definition what 'forest' is in such a case (lit 58, forest law).</p> <p><u>Military lands in Wallonia</u> These are designated as permanent forest and they are managed by the same DNF (in cooperation with the military).</p> <p>Law enforcement and governance To further support assessment of threats to HCVs from forestry activities in all forest, the level of compliance with the Forest Law was used as a means of assessing the effectiveness of statutory protection. The law and corresponding national strategies and documents were also checked for compliances with international agreements (see above). Besides that we have assessed the level of implementation of the Nature 2000 network (also above).</p> <p>DNF reported 629 cases of offenses in their latest report (lit 40). Which is similar to the Flanders region. Unfortunately corresponding numbers of potentially lost hectares are not reported in Wallonia (it was 28 hectares in average in Flanders). Most of the offense cases in Wallonia are not about the loss of forest or nature. In fact, this offense is so small in numbers that it is not even reported separately.</p> <p>We may conclude that Forest Management on private, public and military lands is well regulated and enforced by the regional authorities and thus the threats to HCVs are minimal. There are no further national or international signals that report on further habitat removal, habitat fragmentation or introduction of alien/invasive species (lit 90, 91, 92, 95 and 96).</p> <p>Thus we may assume that the level of compliance is high and the danger for HCV 1 is negligible. This is also the conclusion of the CNRA cat 1 assessment where all indicators are 'low risk'.</p>		
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		<p>Biodiversity level increase?</p> <p>For Wallonia 101 bird species and 31 other animal and plant species are listed in the annexes of the Habitats Directive (lit 46: Royal Belgian Institute of Natural Sciences, 2014 Fifth National Report of Belgium, to the Convention on Biological Diversity).</p> <p>For Wallonia 149 bird species have been subjected to a recent evaluation: 106 species are not threatened, 39 species are threatened and 4 species are extinct. In comparison with the previous evaluation (1997), 23 species have a better status (some due to a more sensitive methodology) while the status of 16 species deteriorated. About 64% of the threatened species are linked to open and aquatic habitats. A detailed analysis of butterflies indicates that 52% of the 101 studied species are threatened or extinct. The analysis also shows that the expanding species are the more common, ubiquitous or flexible species, while numerous rare species with strict ecological demands are in regression. In Wallonia, the species conservation status is poor for 2/5 of the species in the monitored groups (mammals, birds, reptiles, amphibians, fishes, dragonflies, butterflies, ladybirds, beetles, vascular plants and nonvascular cryptogamous). All groups combined, 31% of the species that were examined run the risk of disappearing in Wallonia and close to 9% have already disappeared. Among bats, fish, reptiles, butterflies, dragonflies and damselflies, more than half of species are in an unfavourable situation. The conservation status of any given species is the result of a combination of factors such as habitats fragmentation, incidence of pollution, disruptions caused by invasive exotic species. The objective of halting the loss of biodiversity for 2010, as set at European level, has also been written down in the 2009-2014 Regional Policy Declaration. This objective has not been reached yet and supplementary measures have to be put in place (lit 46).</p> <p>Similar to other literature (46, 60, 61) the above picture confirms indeed that Nature needs more time to recover, even with all protection measures in place. We realize that such levels only increase after some time, thus conclusions based on this assessment will only act as guidance.</p> <p>Based on all of the above we may conclude that Wallonia has implemented the regulations that were needed to protect species, biodiversity and habitats, from a legislation point of view. We may also assume that the daily practise in the field, with harvesting permits and the online map systems are good enough, and publically available, to guarantee a proper implementation of laws without much room for doubts and mistakes. Besides this the law enforcement is strict enough, and effective. Biodiversity levels still need to improve, but regulations are in place.</p>		
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		Altogether we therefore classify all source types related to Wallonia as low risk.		
		<p>Species diversity in Brussels Capital; Introduction The geographical situation in Belgium and the different legal land titles are resulting in the fact that the 3 regions in Belgium needs to be assessed separately. See above for the Flanders and the Walloon regions.</p> <p>Forests in Brussels Capital does contain HCV 1. HCV 1 occurrence and threat assessment for Brussels Capital consist of 5 different <u>sub</u>-assessments. First of all we assess the implementation of EU regulations into the country specific laws. After that we check the daily practise in the field with felling/harvesting licenses. We also judge if the law enforcement is up to a satisfactory level. By looking at the biodiversity level improvements over the last years we will decide if all implemented regulations and enforcement actually result in increased biodiversity levels. And in a conclusion we decide if all source types have to be analyses separately or not.</p> <p>Implementation of EU Legislation and country specific laws Belgium signed 'The Convention on Biological Diversity' (CBD) in 1995 and the Royal Belgian Institute of Natural Sciences (RBINS) is responsible for its monitoring and reporting in Belgium (lit 46). The CBD Strategic Plan for Biodiversity 2011-2020 is followed as a guideline for implementation. During the European Summit of Gothenburg in 2001 Belgium committed itself also to "halting biodiversity decline'. Related to all this Belgium developed a National Biodiversity Strategy 2006-2016 (lit 60) and an update in 2014 where 15 strategic objectives and 78 operational objectives are specified that aim to reduce and prevent the causes of biodiversity loss in all regions of the country. The Strategy plan takes into account 31 signed (by Belgium) international agreements (see lit 60, page 90 for all agreements) of which the CBD, Birds Directive, Habitats Directive, NATURA 2000, RAMSAR, Convention on the Conservation of Migratory Species of Wild Animals (CMS) and Cites are the most important for biodiversity. There are no CITES (tree/wood) species occurring in Belgian forests.</p> <p>Based on the <i>National Biodiversity Strategy</i> each of 3 regions developed their own <i>regional</i> strategic documents and action plans in relation to biodiversity. <u>For Brussels capital:</u> The 'Natuurplan' is developed and implemented in 2016.</p> <p>Management of all forests are strictly regulated and enforced by special regulations. In the Brussels-Capital Region the regulations can be found in the</p>	Brussels Capital region	<p>Low risk</p> <p>The following thresholds are met: (7) HCV 1 is identified and its occurrence is likely in the area under assessment, but it is effectively protected from threats from management activities.</p>

		<p>‘Ordonnantie of 18 maart 2004’ (lit 66). Prior to the regional regulations there was the national ‘Boswet (1854)’ law, applicable for the complete country.</p> <p>All forests that are managed are subjected to harvesting permits and/or forest management plans approved by governmental regional forest organisations. In the Brussels Capital region this is the ‘Brussels Instituut voor Milieubeheer’ (BIM).</p> <p>Overall laws and regulations have more or less the same goals for all 3 regions in Belgium and are aiming for sustainability, production and protection of HCVs. With regards to harvesting the regulations are strict and enforced. And above all forests are to remain forests under all circumstances (see lit 53-60 for all details).</p> <p>In the Brussels Capital context EU and national protection designations (see above, Nature 2000) will be used to denote areas with significant concentrations of biodiversity values. The Natura 2000 network in Brussels Capital is allocated to 2.375 ha in Brussels-Capital (mostly the well managed and protected “Zoniënwoud (Sonian forest)”). The total for Belgium is 389.642 ha or 14% of the land cover (sea is excluded in this total, lit 46). All protected areas in the 3 regions are well mapped and online available for the general public (Brussels) (Lit 73, 75 & 76). The Natura 2000 network, the corresponding maps and above all the status of implementation are used as the basis for further analyses in this risk assessment, as most (but not all) other protection classes and types are included In the Natura 2000 network.</p> <p><u>Court cases</u></p> <p>In the past there were several court cases between the EU and Belgium related to species and habitats (lit 103-106):</p> <ul style="list-style-type: none"> • Case: 2011: C-538/09. Special areas of conservation • Case: 2003: C-415/01. Conservation of wild birds - Special protection areas • Case: 2002: C-324/01. Wild fauna and flora - Incomplete transposition • Case: 2002: 729. Conservation of natural habitats and of wild fauna and flora <p>Because of these cases, and since 2003, many laws are adapted and changed to be able to respond to this problem. During the CNRA assessment we studied each case in detail (and the more recent 2011 case in particular) and came to the conclusion that all are solved satisfactory because of new regulations and the well implemented Natura 2000 system and/or Speciale Beschermings Zone's (SBZ, in</p>		
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		<p>Flanders). Because of the 2011 case a new addition to the environmental laws was made. This can be found here.</p> <p>All forest areas that are critical to conservation are now designated as protected areas at national or EU level (Natura 2000). Following the used literature and discussions with expert there are no major knowledge/ data gaps in relation to important HCV areas. Belgium in general is working hard to implement the National Biodiversity Strategy, based on the international CBD requirements. And this national strategy is properly converted into 3 regional plans and these are, in their turn, to be followed by the regulating authorities DNF, ANB and BIM and the municipalities.</p> <p>Daily practice in the field and felling licenses</p> <p>The Brussels Capital region mainly consist of public forest (mainly the “Zoniënwoud”). There are private forest owners, but these are mainly belonging to large castles/estates where the forest has the function of a recreational park. And although there is 2.375 ha identified as Natura 2000 (lit 46), harvesting will hardly take place and in public lands this is well managed and enforced. In total this 2.375 ha counts for 0,6 % of the countries’ total of 389.642 ha. Thus the risk for HCVs is negligible.</p> <p>Law enforcement and governance</p> <p>There is no separate information available from SIB about offenses related to forests and nature in the Brussels Capital region. Moreover, only 0,6% of Belgium’s’ Natura sites are in this region (see above).</p> <p>There are no further national or international signals that report on further habitat removal, habitat fragmentation or introduction of alien/invasive species (lit 90, 91, 92, 95 and 96). We may therefore conclude that Forest Management is well regulated and enforced by the regional authorities and thus the threats to HCVs are minimal.</p> <p>Biodiversity level increase?</p> <p>Brussels Capital region is not presented separately in the Fifth National Report of Belgium, to the Convention on Biological Diversity. Therefore we were not able to assess this sub-assessment. But we may assume that conclusions will be similar as the other regions.</p> <p>Based on all of the above we may conclude that Brussels capital has implemented the regulations that were needed to protect species, biodiversity and habitats, from a legislation point of view. We may also assume that the daily practise in the</p>		
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		<p>field, with harvesting permits and the online map systems are good enough, and publically available, to guarantee a proper implementation of laws without much room for doubts and mistakes. Besides this the law enforcement is strict enough, and effective. Biodiversity levels still need to improve, but regulations are in place.</p> <p>Altogether we classify all source types related to Brussels Capital as low risk.</p>		
3.2 HCV 2	50, 53,90, 91, 93	<p>Landscape-level ecosystems and mosaics.</p> <p>There are no forest ecosystems in Belgium that meet the definition for large, landscape-level ecosystems or ecosystem mosaics that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance (lit 53, 90, 91).</p> <p>It was decided that this type of HCV is not present in Belgium. Indeed it was thought to be extremely rare in Europe, with only forests such as Bialowieza in Poland, being in this category.</p> <p>We classify all source types as low risk.</p>	Country	<p>Low risk</p> <p>The following thresholds are met: (9) There is no HCV 2 identified and its occurrence is unlikely in the area under assessment.</p>
3.3 HCV 3	<p>35,38,39,42,43,46,53-60,66,68,69,96,103-106.</p> <p>Please note: 46 (Nature 2000 reporting), 35 (general info Belgium N2000), 34 (N2000 in Wallonia) and 9 (N2000 in Flanders).</p> <p>For maps see lit 73, 75 and 76.</p>	<p>Ecosystems and habitats</p> <p>Forests in Belgium does contain HCV 3.</p> <p>With regards to HCV 3, please see HCV 1 for the major sub-assessments, which are the same (and with the same conclusions) for HCV 3. The only thing different is the Habitat improvement assessment. By looking at the habitat level improvements over the last years we will decide if all implemented regulations and enforcement actually result in increased habitat levels. We realize that such levels only increase after some time, thus conclusions based on this assessment will only act as guidance.</p> <p>This habitat level assessment we carry out for the country as a whole because Belgium also report on country level to the Convention on Biological Diversity (CBD). In all 3 regions priority habitats are included in the Nature 2000 network. That means that further analyses is based on the status of the Natura 2000 network.</p> <p>Habitat improvements?</p> <p>In Belgium 58 Priority habitats are recognised under the EU Habitats Directive, of which 9 important ones are related to forestry (lit 46: Royal Belgian Institute of Natural Sciences, 2014 Fifth National Report of Belgium, to the Convention on Biological Diversity)</p>	Country	<p>Low risk</p> <p>The following thresholds are met: (15) HCV 3 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p>

		<p>Code Habitat</p> <p>9110 Luzulo-Fagetum beech forests</p> <p>9120 Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrublayer (Quercion robori-petraeae or Ilici-Fagenion)</p> <p>9130 Asperulo-Fagetum beech forests</p> <p>9150 Medio-European limestone beech forests of the Cephalanthero-Fagion</p> <p>9160 Sub-Atlantic & medio-EU oak or oak-hornbeam forests of Carpinion betuli</p> <p>9180 * Tilio-Acerion forests of slopes, screes and ravines</p> <p>9190 Old acidophilous oak woods with Quercus robur on sandy plains</p> <p>91D0 * Bog woodland</p> <p>91E0 * Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)</p> <p>(The sign * indicates priority habitat types for conservation.)</p> <p>Belgium data with regards to reporting to the EU about the EU habitats Directive is not easy accessible. But raw data is available for the reporting period 2008-2013. See lit 96. In lit 96 each of these habitats is outlined and their current status is presented. The final conclusion of the status in 2013 (last reporting) was:</p> <ul style="list-style-type: none"> • 9110 Luzulo-Fagetum beech forests. Overall assessment of Conservation Status; Bad. Overall trend in Conservation Status: <i>Declining</i>. • 9120 Atlantic acidophilous beech forests. Overall assessment of Conservation Status; Bad. Overall trend in Conservation Status: <i>Improving</i>. • 9130 Asperulo-Fagetum beech forests. Overall assessment of Conservation Status; Bad. Overall trend in Conservation Status: <i>Declining</i>. • 9150 Medio-European limestone beech forests. Overall assessment of Conservation Status; Inadequate. Overall trend in Conservation Status: <i>Unknown</i>. • 9160 Sub-Atlantic & medio-EU oak or oak-hornbeam forests. Overall assessment of Conservation Status; Bad. Overall trend in Conservation Status: <i>Unknown</i>. • 9180 Tilio-Acerion forests of slopes, screes and ravines. Overall assessment of Conservation Status; Inadequate. Overall trend in Conservation Status: <i>Unknown</i>. • 9190 Old acidophilous oak woods. Overall assessment of Conservation Status; Bad. Overall trend in Conservation Status: <i>Stable</i>. • 91D0 Bog woodland. Overall assessment of Conservation Status; Bad. Overall trend in Conservation Status: <i>Unknown</i>. 		
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		<ul style="list-style-type: none"> • 91E0 Alluvial forests with Alnus and Fraxinus. Overall assessment of Conservation Status; Bad. Overall trend in Conservation Status: <i>Improving</i>. <p>Similar to other literature (46, 60, 61) the above picture confirms indeed that Nature needs more time to recover, even with all protection measures in place.</p> <p>Conclusions Habitat levels show a mixed picture (see above) and in general still need more time to improve. However, we may conclude that Belgium properly implemented the regulations that were needed to protect species, biodiversity and habitats, from a legislation point of view. We may also assume that the daily practise in the field, with permits and the online map systems are good enough, and publically available. This guarantees a proper implementation of laws without much room for doubts and mistakes in all 3 regions. Besides this the law enforcement is strict enough, and effective in Belgium (see full assessment under HCV 1).</p> <p>Based on the above sub-assessments we classify all source types as low risk.</p>		
3.4 HCV 4	20,51,58,65,66,90,91,92,95 and 96	<p>Critical ecosystem services. Under HCV 4 we assess if there are forests present and classified as important for erosion control, preventing of flooding, barriers from destructive fire and clean water catchments. We also assess if forest management activities are threatening these areas. Forests in Belgium does contain HCV 4.</p> <p>In Belgium forests are not categorized by the ‘functions’ as mentioned above. This means that we cannot judge officially if there are forests present and classified as important for erosion control, preventing of flooding and barriers from destructive fire. Thus we have to assess this in a more general way in some cases, one by one.</p> <p>Forests acting as protection against erosion and flooding. Officially there are no special forests classified as important for the protection of flooding or erosion. Nevertheless we need to assess if there is a potential problem with flooding and if there is a risk of forest management contributing to this problem.</p> <p>Erosion, runoff and potential corresponding flooding in valleys is well prevented by the regular forest laws (see overview text)(lit 20,58 and 66). In all 3 regions</p>	Country	<p>Low risk</p> <p>The following thresholds are met: (21) HCV 4 is identified and its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p>

		<p>harvesting permits (and approved forest management plans) are issued with the provision that the natural condition of the forest will not deteriorate. Each time the DNF, ANB or BIM will need to give their approval, and they are checking the location and importance with regards to protection levels (see above). In public lands the same organisations are actually <u>managing</u> the forests, and they are following the same laws.</p> <p>About 100.000 hectares of public forests in <u>Wallonia</u> have as primary function the protection of vulnerable soils (e.g. on slopes) and water bodies. These forests are subject to particular protection measures (by the Circulaire n° 2556 du 14 avril 1995 and Circulaire n° 2619 du 22 septembre 1997 'relative aux aménagements dans les bois soumis au régime forestier').</p> <p>There are no signals in national or international publications that forest management is contributing to a problem with flooding or erosion in Belgium (lit 90, 91, 92, 95 and 96).</p> <p>With regards to the presence of forests acting as protection against flooding and erosion, and if these are potentially threatened by forest management activities, the conclusion is that their occurrence is small in the area under assessment, and it is effectively protected from threats caused by management activities.</p> <p>Forests acting as barriers for destructive fire. Officially there are no special forests classified as acting as barriers for destructive fire. Nevertheless we need to assess if there is a potential problem with forest fires and if there is a risk of forest management contributing to this problem.</p> <p>Fire prevention for forests is organised by law by the DNF, ANB or BIM (lit 20, 58 and 66). They carry out a daily assessment (in cooperation with the Belgium air force) and use a colour code system to identify the daily fire danger. Colour codes can also be found on municipality websites and in the field on special sign-post with the bigger forest/nature areas. These levels of danger are automatically shared with the fire fighters who will respond to this by go going to a higher or lower 'alert' level. When the danger is highest fire-towers are manned with staff, extra patrols take place and forest owners are also informed.</p> <p>In 2014 there were 1470 cases of forest/nature fires in Belgium. In other years this was similar (lit 51). There are no summarizing statistics about the number of hectares lost (because forest and heathlands are often combined and there is no</p>		
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		<p>overall accounting system. But studying news reports over the last years shows that, in average, around 200-300 hectares of forest are lost, which is neglectable for this HCV risk assessment.</p> <p>There are no special forests classified and acting as barriers for destructive fire, nor is there much need to appoint such forests. Thus there is no danger that any forest management will contribute to any further increase of forest fires.</p> <p>Forests acting as clean drinking water catchments and protection of water quality. Belgium is following European laws on drinking water. These are converted to <u>regional</u> regulations (lit 65). Conservation measures are already in place in all regions that address all important aspects, and such areas thus appear adequately protected under existing legislation and practice. There are no signals in national or international publications that forest management is contributing to a problem with clean drinking water in Belgium (lit 90, 91, 92, 95 and 96).</p> <p>With regards to the presence of forests acting as a source for clean drinking water, and if these are potentially threatened by forest management activities, the conclusion is that they are present in the area under assessment, and they are effectively protected from threats caused by management activities. We found no further evidence or data that prove otherwise.</p> <p>Based on the above sub-assessments we conclude that, for HCV 4, all of Belgium is considered low risk</p>		
3.5 HCV 5	102	<p>Community needs This HCV does not appear to occur in the Belgium context. No forest areas were identified that are fundamental to meeting the basic needs of local communities or indigenous people. There are no cases in literature, press or international reports to be found where this is stated different. There are also no special laws or regulations that regulate such things, which is another indication that there is no clear need for this.</p> <p>Besides this no sources mention indigenous people (IP) presence in Belgium, neither the sources that give overviews, such as The Indigenous World, nor could any report or website be found mentioning or claiming IP presence or a discussion or debate about such a presence.</p>	Country	<p>Low risk</p> <p>The following thresholds are met: (23) There is no HCV 5 identified and its occurrence is unlikely in the area under assessment.</p>

		We classify all source types as low risk.		
3.6 HCV 6	20,58,66,77,81,99,100,101	<p>Cultural values and Cultural Heritage Sites. HCV 6 is present in the area under assessment. There are many registered cultural heritage sites and features in Belgium, with some of these sites found in forest reserves. Sites in Flanders and Brussels-Capital are listed on a website for public access (lit 77). Another source lists the sites per Belgian province.</p> <p>In Wallonia sites are managed and protected by the 'CRMSF Wallonia'. In Flanders this is the 'KCML-Flanders' and for the Brussels-Capital region this is 'KCML Brussels'. Each of the 3 regional agencies is working according to their own regulations (Lit 99,100,101).</p> <p>All protected sites are considered by regional agencies as irreplaceable and they are strictly protected. Cultural heritage sites can be ancient graves and burial mounds, but may also include relicts of early settlements, fortifications, old bridges and roads, stone walls, etc. There are also areas with landscapes of national cultural significance. Examples of these include early industrial areas with dams, mill ponds etc.</p> <p>In Belgium there are two Unesco commissions; The Flanders Unesco Commission (VUC), raised in 2003 and the 'Commission belge francophone et germanophone pour l'Unesco' raised 2006. Currently there are 11 sites listed in Belgium.</p> <p>There are no Belgium sites on the UNESCO 'danger' list of 'World Heritage sites in Danger'. Belgium itself did not report any major problems with protection in their official 'cycle 1' report to UNESCO (lit 81).</p> <p>Examples of cultural sites found in forests (such as archaeological sites, monuments etc.) are rarely considered critical to local community's traditional cultural identity. Besides that archaeological features are already marked and mapped by the regional agencies. These sites may be considered HCV sites, but are in practice already fully protected during forestry operations by the forest laws (lit 20, 58 and 66). There are no cases in literature, press or international reports to be found where heritage sites seems to be threatened by forest management (lit 81,99,100,101).</p>	Country	<p>Low risk</p> <p>The following thresholds are met: (29) 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.</p>

		<p>There are thus no economic incentives that would lead to, and no well-known cases of, forest management activities causing destruction or disturbing of rights/values of features of national cultural significance.</p> <p>For HCV 6, all of Belgium is considered low risk.</p>		
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Recommended control measures

Indicator	Recommended control measures
3.0	
3.1 HCV 1	
3.2 HCV 2	
3.3 HCV 3	
3.4 HCV 4	
3.5 HCV 5	
3.6 HCV 6	

Information sources

No.	Source of information	Relevant HCV category and indicator
	Flanders specific	
1	Natuur & Bos, HCV 1 general (Flanders). http://www.natuurenbos.be/beleid-wetgeving/natuurbeheer/soortenbescherming	1 & 3
2	Natuurpunt, Biodiversity policies. https://www.natuurpunt.be/pagina/biodiversiteitsbeleid	1 & 3
3	Natura2000 Flanders, General introduction Natura 2000 https://www.natura2000.vlaanderen.be/planten-en-dieren	1 & 3
4	Natuur & Bos, red list http://www.natuurenbos.be/rodelijsten	1 & 3
5	Inbo, red list https://www.inbo.be/nl/natuurindicator/rode-lijst-alle-onderzochte-soorten	1 & 3
6	Natuur & Bos, species protection http://www.natuurenbos.be/SBP	1 & 3
7	Natuur & Bos, species protection, other projects http://www.natuurenbos.be/beleid-wetgeving/natuurbeheer/soortenbescherming/andere-initiatieven-verband-met-soortenbescherming	1 & 3
8	Natuur & Bos, protected areas http://www.natuurenbos.be/beleid-wetgeving/beschermde-gebieden	1 & 3

9	Natura2000 Flanders, natura2000, SBZ zones https://www.natura2000.vlaanderen.be/	1 & 3
10	Natuur & Bos, Natur 2000 SBZ (Special Protection Sites) http://www.natuurenbos.be/beleid-wetgeving/beschermde-gebieden/natura-2000-speciale-beschermingszone-sbz	1 & 3
11	Belgium government general, Natura 200 starting point http://www.belgium.be/nl/leefmilieu/biodiversiteit_en_natuur/natuurbeleid/gebiedsgericht/natura_2000	1 & 3
12	Inbo, indicators https://www.inbo.be/nl/natuurindicatoren/thema/7/soorten-%26-biotopen/biotopen	1 & 3
13	Inbo, protected areas in ha https://www.inbo.be/nl/natuurindicator/oppervlakte-bosreservaat	1 & 3
14	Inbo, HCV 3 (ecosys services) https://www.inbo.be/nl/interactieve-kaart-ecosysteemdiensten-vlaanderen	3
15	Natura2000 Flanders, habitat types https://www.natura2000.vlaanderen.be/habitattypes	1 & 3
16	Inbo, general summary https://www.inbo.be/nl/natuurindicatoren	1 & 3
17	Inbo, Nature indicators https://www.inbo.be/nl/natuurindicatoren/thema/130/beheer/beheer-van-bos	1 & 3
18	Inbo, Nature indicators https://www.inbo.be/nl/natuurindicatoren/thema/73/maatschappij/bosbouw	1 & 3
19	Inbo, Nature indicators https://www.inbo.be/nl/natuurindicatoren/thema/122/ruimte/natuur--en-bosgebieden	1 & 3
20	Code forestier 2008/ Natuur & Bos, Bosdecreet 1990, (forest law) Walloon: http://environnement.wallonie.be/legis/dnf/forets.htm and Flemish: https://codex.vlaanderen.be/Zoeken/Document.aspx?DID=1003183&param=inhoud&ref=search&AVIDS=	all
21	Vlaamse Codex, Natuurdecreet 1997 (Nature law) http://codex.vlaanderen.be/Zoeken/Document.aspx?DID=1005915&param=informatie	1 & 3
22	Vlaamse Codex, New nature decree 2014 (add-on) http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=2014050910	1 & 3
23	Handhavings rapporten (Security monitoring and offenses, annual summary report). 2015. https://www.natuurenbos.be/publicaties/publicaties/handhavingsrapporten	1
	Wallonia specific	
25	Natura 2000 de Wallonie (Governm), general, biodiv. http://biodiversite.wallonie.be/fr/accueil.html?IDC=6	1
26	Natura 2000 de Wallonie (Governm), (species) http://biodiversite.wallonie.be/fr/especes.html?IDC=3025	1 & 3
27	Natagora, protected areas http://www.natagora.be/index.php?id=protection	1 & 3

28	Demna, L'état de l'environnement wallon, Report 2010 about status http://etat.environnement.wallonie.be/download.php?file=uploads/tbe/TBE2010_complet.pdf	1 & 3
29	Demna, L'état de l'environnement wallon, summary, see chapter 12 http://etat.environnement.wallonie.be/index.php?page=icew-2014	1 & 3
30	Demna, L'état de l'environnement wallon, forest inventory http://environnement.wallonie.be/dnf/Inventaire-forestier-wallon.pdf	1 & 3
31	Natura 2000 de Wallonie (Governm), Biotopes occurrence http://biodiversite.wallonie.be/fr/biotopes.html?IDC=858	1 & 3
32	Natura 2000 de Wallonie (Governm), protected areas http://biodiversite.wallonie.be/fr/sites.html?IDC=855	1 & 3
33	Natura 2000 de Wallonie (Governm), Natura 2000, special commissions http://biodiversite.wallonie.be/fr/les-commissions-de-conservation.html?IDC=835&IDD=682	1 & 3
34	Natura 2000 de Wallonie (Governm), Natura 2000 http://biodiversite.wallonie.be/fr/sites-natura2000.html?IDC=838	1 & 3
35	Belgium government general, Natura 2000 http://www.belgium.be/nl/leefmilieu/biodiversiteit_en_natuur/natuurbeleid/gebiedsgericht/natura_2000	1 & 3
	'Other lands with forests' problem in regulations	
38	Immo spectator, Nieuws article about this issue http://www.immospector.be/NewsView.aspx?contentdomains=OR%28IMMOPRO,IMMORES,IMMONEW,IMMOMOD%29&id=kl1954045&lang=nl	1
39	Flanders government, 2014, Official plan to solve the issue http://www.poeziebos.be/Portals/0/PDF/20140131Conceptnota%20VR%20E2%80%9DPlan%20van%20aanpak%20ruimtelijk%20bedreigde%20bossen%20E2%80%9D.pdf	1
40	Rapport d'activité de police (Security monitoring and offenses in the environment, annual summary report). Various years. http://environnement.wallonie.be/	1 & 3
	Statistics Belgium	
42	Bos+Bosbarometer 2015, Flanders, background Belgium and stats http://www.bosplus.be/nl/publicaties/beleidsdossiers	all
43	Grontmij 2013, zonevreemde bossen Flanders, Flanders, stats. Part 1 and 2., 2013 https://www.google.be/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwi6wJrO9IHNAhXIAAsAKHQVwAJJoQFggBMAA&url=http%3A%2F%2Fwww.invexo.be%2F~%2Fmedia%2FFiles%2FThemas%2FBos%2FWetgeving%2Fzonevreemde_bossen_deelrapport1.pdf&usg=AFQjCNFHQcXhLEAubyuZLeNsqa8WEgdSkA&sig2=cZ43zHAGOERKhy51DkGV3A&bvm=bv.123325700,d.ZGg	all
44	Inbo, Flanders: areas in ha https://www.inbo.be/nl/natuurindicator/oppervlakte-bos-volgens-boswijzer	all
45	Inbo, Flanders: areas in ha, download Boswijzer http://www.geopunt.be/catalogus/datasetfolder/F9DDA633-1F45-483B-8227-91A466646329	all
46	Royal Belgian Institute of Natural Sciences, 2014, Fifth National Report of Belgium, to the Convention on Biological Diversity	1 & 3

	https://www.cbd.int/doc/world/be/be-nr-05-en.doc	
47	L'état de l'environnement wallon, Wallonia; Environmental outlook Wallonia 2014 http://etat.environnement.wallonie.be/index.php?page=eow-2014	1 & 3
48	Brussels capital region, Staat van het leefmilieu http://www.leefmilieu.brussels/staat-van-het-leefmilieu	all
49	http://www.houtverkopen.be/fsc-boscificering	all
50	SRFB, The Forest of Belgium http://www.srfb.be/nl/de_belgische_bossen	all
51	Statistieken Belgische Brandweer (statistics Belgium Fire fighters department) 2014. https://www.civieleveiligheid.be/sites/default/files/explorer/partie_s_incendie/Statistieken_BW_2014_10-2016.pdf	4
	Laws, regulation, policies general docs Belgium	
53	Natuur & Bos, Flanders law enforcement http://www.natuurenbos.be/beleid-wetgeving/natuurinspectie/handhavingsrapport	all
54	Rekenhof Belgium, General Belgium compensation after deforest https://www.rekenhof.be/NL/Publicaties/Fiche.html?id=5c3ccdce-e0b6-4746-bd1d-584cf00bd29c	all
55	Belgium federal government, Various governm. forests in Belgium & links http://www.belgium.be/nl/leefmilieu/biodiversiteit_en_natuur/natuurbeleid/bos/bescherming_en_beheer	all
56	Natuur & Bos, Flanders species protection law & red list http://www.natuurenbos.be/beleid-wetgeving/natuurbeheer/soortenbescherming/wetgeving	1
57	Natuur & Bos, Flanders harvesting permit system http://www.natuurenbos.be/beleid-wetgeving/vergunningen/kapmachtiging	1 & 3
58	Département de la Nature et des Forêts DNF, Wallonia forest law http://environnement.wallonie.be/legis/dnf/forets.htm	all
59	Département de la Nature et des Forêts DNF, Wallonia general introduction site http://environnement.wallonie.be/cgi/dgrne/plateforme_dgrne/visiteur/v2/frameset.cfm?page=http://environnement.wallonie.be/administration/dnf.htm	all
60	Federal government, Belgium's National Biodiversity Strategy 2006-2016 http://www.biodiv.be/implementation/docs/stratactplan	1 & 3
61	Royal Belgian Institute of Natural Sciences, Biodiversity in Belgium, a country study http://www.biodiv.be/implementation/docs/books/bib	1 & 3
62	DGARNE, La biodiversité en Wallonie, website http://biodiversite.wallonie.be/fr/accueil.html?IDC=6	1 & 3
63	Direction générale opérationnelle Wallonie, Plans de secteur (land use plans) http://dgo4.spw.wallonie.be/dgatlp/dgatlp/Pages/Observatoire/Pages/DirOHG/Geomatique/WebGIS/index.asp	all
64	Direction générale opérationnelle Wallonie, Walloon Code of Land Management, Urban Planning, Heritage and Energy http://dgo4.spw.wallonie.be/dgatlp/dgatlp/Pages/DGATLP/PagesDG/CWATUP/GEDactualise/GED/gedListeArbo.asp	all
65	Belgium federal government, Belgium drinkingwater regulations http://www.belgium.be/nl/gezondheid/gezond_leven/voeding/voedselveiligheid/water	4

66	Brussels capital region, Forest law http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2004031839&table_name=wet	all
	Military forests	
68	Life+ Project NATURA2MIL, Wallonia: project to connect nature to mil. Sites http://biodiversite.wallonie.be/fr/life-natura2mil-2006-2010.html?IDC=3180	1 & 3
69	Life+ Project DANAH, Flanders: project to connect nature to mil. Sites http://www.danah.be/	1 & 3
	Maps Belgium	
73	Geopunt vlaanderen, Flanders: Biological Hotspots map (BWK) & Natura 2000 map http://www.geopunt.be/	1 & 3
74	Geopunt vlaanderen, Flanders: Explanation Geopunt website https://www.natura2000.vlaanderen.be/waar-kun-je-de-bwk-biologische-waarderingskaart-en-habitatkaart-raadplegen	1 & 3
75	Cigale Internet Wallonie Governm., Wallonia: Biological Hotspots map (BWK) & Natura 2000 map http://carto1.wallonie.be/CIGALE/viewer.htm?APPNAME=OGEAD&BOX=-18378.75350707039:11567.058336872025:362622.0084944541:239572.20184715933	1 & 3
76	GEO Brussels Governm., Brussels: Biological Hotspots map (BWK) & Natura 2000 map http://geonode.geobru.irisnet.be/fr/maps/zones-naturelles-protegees/71/	1 & 3
77	KCML-Flanders, HVC 6 Cultural heritage map http://www.erfgoedkaart.be/?gclid=CjwKEAjwsr-6BRCLvrj785rbhTsSJADjUxak6EoZT7naR-hw8Lg_10GGYk0jvtEaRHZ1gDwNrxmEVRoCTxPw_wcB	6
	General sources HCV	
81	Greenpeace Intact Natural Forest Landscapes , General http://www.intactforests.org/world.map.html .	3
82	IUCN Red List, General http://www.iucnredlist.org/search	1
83	World Resource Inst. , General Atlas of Forest and Landscape Restoration http://www.wri.org/resources/maps/atlas-forest-and-landscape-restoration-opportunities	3
84	HCV network, General https://www.hcvnetwork.org/resources/global-hcv-toolkits	all
85	High Conservation network, The use of the 'Common guidance for the identification of High Conservation Values' for the assessment of HCV presence is recommended. Also use this for interpretation of 'Significant values'. https://www.hcvnetwork.org/resources/folder.2006-09-29.6584228415/2013_commonguidancev5	all
86	Proforest, HCV Toolkit http://www.proforest.net/en/publications/high-conservation-value-forest-toolkit	all
87	Ramsar, Ramsar sites http://www.ramsar.org/library?search_api_views_fulltext=Ireland&items_per_page=20	all

88	UNESCO, UNESCO Biosphere sites http://www.unesco.org/mabdb/br/brdir/directory/biores.asp?code=IRE+02&mode=all Belgium, reporting to Unesco: http://whc.unesco.org/archive/periodicreporting/EUR/cycle02/section1/groupa/be.pdf	6
89	Natura 2000, EU website with maps and data of all sites http://ec.europa.eu/environment/nature/natura2000/data/index_en.htm	all
90	Convention on Biological Diversity (CBD), Country profile. https://www.cbd.int/countries/?country=ie	all
91	Intact Forest Landscapes, Country profile. http://www.intactforests.org/data.ifl.html	3
92	Global Forest Watch, Country profile. http://www.globalforestwatch.org/country	all
93	WWF, WWF Global 200 Ecoregion/habitat list http://wwf.panda.org/about_our_earth/ecoregions/about/habitat_types/	all
94	FSC Int website & local standards, General Belgium https://ic.fsc.org/national-standards.247.htm	all
95	EU Habitats Directive, About protected habitats and EU countries http://biodiversity.europa.eu/mtr/countries/belgium New action plans towards 2019 : http://europa.eu/rapid/press-release_IP-17-1112_en.htm	all
96	EU Habitats Directive, Belgium reporting, Article 17 report to the EU (draft data only) http://cdr.eionet.europa.eu/be/eu/art17/envujb4ka/index_html?&page=2	1 & 3
	Cultural heritage Belgium	
99	CRMSF Wallonia, About cultural heritage sites http://www.crmsf.be/fr	6
100	KCML-Flanders, About cultural heritage sites https://www.onroerenderfgoed.be/	6
101	KCML Brussels, About cultural heritage sites http://www.kcml.irisnet.be/	6
102	FSC CNRA Belgium cat 2, About community needs http://www.globalforestregistry.org/	5
	EU-Belgium court cases	
103	2002:729, Conservation of natural habitats and of wild fauna and flora http://curia.europa.eu/juris/document/document.jsf?text=&docid=47561&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=286123	1 & 3

104	2003: C-415/01, Conservation of wild birds - Special protection areas http://curia.europa.eu/juris/document/document.jsf?text=&docid=48088&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=286123	1 & 3
105	2011: C-538/09, Special areas of conservation http://curia.europa.eu/juris/document/document.jsf?text=&docid=81537&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=286123	1 & 3
106	2002: C-324/01, Wild fauna and flora - Incomplete transposition http://curia.europa.eu/juris/document/document.jsf?text=&docid=47561&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=286123	1 & 3

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	<p>Belgium:</p> <ul style="list-style-type: none"> - Royal Decree of 28 December 1972 organization and application of spatial plans ('Gewestplannen' / 'Plans de secteur') <p>Flanders:</p> <ul style="list-style-type: none"> - Forest Act ('Bosdecreet') 1990 and subsequent amendments, Chapter VIII (on forest protection), article 90bis (on deforestation) and article 47 (on conversion in nature reserves); - B.VI.Reg. of 16.02.2001 (further regulations on deforestation) - Nature Act ('Natuurdecreet') 1997, article 36 ter, §3 (on exceptional deforestation in Natura 2000 areas) - Spatial plans ('Ruimtelijke Uitvoeringsplannen', RUP) at the regional, provincial and municipal levels - Decree of the Flemish Government of 10 December 2004 determining the categories of projects subject to environmental impact assessment -Besluit van de Vlaamse regering van 10 december 2004 houdende vaststelling van de categorieën van projecten onderworpen aan milieueffectrapportage (on environmental impact assessment, e.g. in case of deforestation) - Flemish Codex for Spatial Planning, Article 4.2.1, 3 °Vlaamse Codex Ruimtelijke Ordening, Artikel 4.2.1, 3° (on urbanism permit for deforestation) <p>Wallonia:</p> <ul style="list-style-type: none"> - Walloon Code of Regional Planning, Town Planning, Heritage and Energy (Decree of 19 April 2007 Code wallon de l'aménagement du territoire, de l'urbanisme, du patrimoine, et de l'énergie (Décret du 19 avril 2007) - <ul style="list-style-type: none"> ° Book I, Title III, Chapter II, Section III (on land use types and prescriptions) ° Title V, Chapter I (on urbanism permit and certificate) and Chapter III (procedure) 	-	<p>Assessment based on legality</p> <p>Content of law</p> <p>Flanders:</p> <p>The following principles apply to conversion of forest to non-forest land use (Forest Act 1990):</p> <ol style="list-style-type: none"> 1. Deforestation is prohibited, except in particular cases described in the Forest Decree. (such as acts of public interests, development of residential or industrial area (if agreed on in the spatial plan), land division into zones for construction (If agreed on in the spatial plan). 4: deforestation of the parts of an allotment [for housing] for which a permit was granted, and which is still valid, 5. for conservation objectives) 2. If deforestation is not prohibited, an urbanism permit is required. 3. An urbanism permit for deforestation or an allotment permit for forested land can only be granted if approved compensation measures are in place. <p>There is no legislation regulating conversion of natural forests to plantations. Moreover, Belgium forests are mainly semi-natural forests.</p> <p>Wallonia:</p> <p>According to article 38. § 1er of the Forest Code, it is prohibited to harvest (clear-cut) more than 5 hectares in stands comprised by more than 50% conifer species (based on basal area, 'grondvlak' / 'surface terrière') and 3 hectares in stands consisting of over 50% broadleaved species.</p> <p>An urbanism permit is required for all harvesting activities in 'agricultural zones' or 'green zones' as defined in the spatial plan ('plan de secteur').</p>

<p><u>Law enforcement and spatial analysis</u></p> <p>Belgium: FAO (2014) Global Forest Resources Assessment 2015 – Country Report, Belgium. Rome. Available at: http://www.fao.org/3/a-az164f.pdf (last accessed on 05 May 2017)</p> <p>Transparency International Corruption Perception Index http://www.transparency.org/cpi2013/results</p> <p>World World Banks Worldwide Governance Indicator http://info.worldbank.org/governance/wgi/index.aspx#reports</p> <p>Flanders: - Decree of 28 June 1985 on the environmental permit (Environmental Authorization Decree 1985) - Decreet van 28 juni 1985 betreffende de milieuvergunning (Milieuvergunningsdecreet 1985) - Decree of 5 April 1995 laying down general provisions on environmental policy (Decree General Environmental Policy Regulations 1995) - Decreet van 5 april 1995 houdende algemene bepalingen inzake milieubeleid (Decreet Algemene Bepalingen Milieubeleid 1995) - Decree Spatial Planning (1999) - Decreet Ruimtelijke Ordening (1999) Forest Act ('Bosdecreet') 1990 and subsequent amendments, Chapter VIII (on forest protection), article 90bis (on deforestation) and article 47 (on conversion in nature reserves); - Nature Act ('Natuurdecreet') 1997, article 36 ter, §3 (on exceptional deforestation in Natura 2000 areas) http://www.natuurenbos.be/nl-BE/natuurbeleid/bos/wetgeving_en_vergunning/erkenning_exploitanten ANB report 'Handhavingsrapport 2013' (on law enforcement) - BOS+ report 'Bosbarometer 2012' http://www.ademloos.be/sites/default/files/bos_docs/Bosbarometer_2012.pdf</p> <p>Wallonia: Forest Code (2008) http://environnement.wallonie.be/legis/dnf/forets.htm (Code forestier 2008) Environmental Code: http://environnement.Wallonie.be/legis/menucode.htm (Code de l'Environnement)</p>	<p>Is the law enforced?</p> <p>Flanders: The forest administration carries out field verification of compensation measures, i.e., re- or afforestation. If the forest administration observes that the planting of trees has not succeeded, it can carry out the re-/afforestation in the place of the owner.</p> <p>It is improbable that deforestation goes unnoticed in this densely populated region. The level of law enforcement is sufficient, with a reasonable capacity of forest guards and inspectors. Notifications of deforestation (either complaints by parties involved, or notifications by parties not involved) to the Agency for Nature and Forests (ANB) are increasing yearly. This does not correspond with a higher level of (illegal) deforestation, but rather with increased 'social control' and the fact that citizens know who they shall notify (the agency responsible for law enforcement) in case of (alleged) infringements. Notifications lead to effective actions in cases of (illegal) deforestation.</p> <p>Wallonia: While 'legal conversion' of forest to non-forest land use is still possible, it is subject to strict procedures and stakeholder consultation. The corruption level in Belgium is considered low, refer to the Transparency International corruption perception index of 75 (higher than the threshold of 50) and given the high transparency of the procedure for granting permission for conversion (including stakeholder consultation), there is not much risk for illegal conversion. Furthermore, a large share of the forests are open to recreation, and forests are patrolled by the forest and nature administration and inspection agencies, harvesting operations are quickly noticed.</p> <p>According to the participants of the FSC Belgium working groups on Controlled Wood (both Dutch and French speaking), conversion is subject to a robust authorization procedure and the level of law enforcement (including field inspections) is sufficient. Belgium has a high level of governance, and is densely populated. Furthermore, there are little indications or evidence of conversion (deforestation)</p>
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<p> http://wallex.Wallonia.be/index.php?doc=1423 and http://www.demeures-historiques.be/images/contents/27_8717_file.pdf Walloon Code of Regional Planning, Town Planning, Heritage and Energy (Decree of 19 April 2007 (Code wallon de l'Aménagement du Territoire, de l'Urbanisme, du Patrimoine et de l'Energie) http://environnement.wallonie.be/dnf/dagf/forets_domaniales.pdf (Cahier des charges - forêts domaniales, cf. article 48) http://environnement.wallonie.be/dnf/dagf/forets_subordonnees.pdf (Cahier des charges - forêts des administrations subordonnées) 'Inventaire Permanent des Ressources Forestières de Wallonie' (Walloon regional forest inventory) http://environnement.wallonie.be/dnf/Inventaire-forestier-wallon.pdf </p>	<p>without permit in Belgium (refer to the ANB Handhavingsrapport for Flanders and the TBE reports for Wallonia). The participants agreed that the risk can be considered low.</p> <p>Is it possible to conclude that the spatial threshold can be met by assessing the enforcement of legislation? No, the applicable legislation is not sufficient to assess this indicator with the legally-based thresholds. As conversion is allowed in some circumstances with a permit and compensation measures may not require reforestation, it is not possible to conclude that the spatial threshold can be met by assessing the enforcement of legislation.</p> <p>Assessment based on spatial data</p> <p>Flanders: According to the BOS+ report 'Bosbarometer 2012', forest area in Flanders decreased by 59 hectares in 2011. On the other hand, the Agency for Nature and Forests works with data from the new tool 'Boswijzer' which shows a net gain of forest area. Both measurement methods and figures face some criticism, but are still valuable tools according to FSC Belgium: The Boswijzer tool on one hand looks at formal permits for (permanent) deforestation and formal reforestation, but does not take into account similar 'informal' activities (illegal deforestation is considered to be low to non-existing, 'informal' reforestation is happening a lot due to natural regeneration). The Bosbarometer tool on the other hand, is a much more overall measurement system (air photography and corrections), but indeed needs to improve (over time) in its accuracy (reducing error margins).</p> <p>According to the Flemish forest and nature law enforcement report ('ANB Handhavingsrapport 2013') little deforestation is observed (or detected) in Flanders. The illegally deforested surface area was about 13 hectares in 2013 (back from over 27 hectares in 2011). The trend of illegal deforestation is decreasing.</p> <p>Wallonia: The Walloon regional forest inventory ('Inventaire Permanent des Ressources Forestières de Wallonie') reveals a decrease in the</p>
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		<p>surface area of conifer plantations compared to the surface area of forests composed of broadleaved species ('phénomène de glissement').</p> <p>The forest composition is changing and the trend is toward mixed forests rather than monospecific plantations.</p> <p>According to the Global Forest Resources Assessment 2015 for Belgium prepared by FAO, the forest area in Belgium increased by 2,200 ha between the years 2010 and 2015 (from 681,200 ha to 683,400 ha). This change is related only to Wallonia, as forest areas in Flanders and Brussels remained unchanged.</p> <p>In the same report, the latest available data about deforestation is from the year 2010. In 2010, 1,470 ha were deforested while 2,227 ha were reforested. Additionally, the forest expansion was 1,697 ha (1,242 ha afforestation and 455 ha natural forest expansion).</p> <p>There is no clear data available about how much natural forest was converted to plantations (if any), but the naturally regenerated forest area increased by 5,800 ha between 2010 and 2015 (from 283,400 to 289,200 ha). On the other hand, the area of planted forest decreased by 3600 ha between 2010 and 2015 (from 397,700 to 394,100 ha).</p> <p>Moreover, the French-speaking working group on Controlled Wood within FSC-Belgium, agreed that there is no evidence of net loss of forest area.</p> <p>The working group composed by stakeholders from the NGO side (Natuurpunt), the industry side (Fedustria, Unilin, Norbord) and the administration side (ANB) agreed with the 'low risk' designation for Belgium for indicator 4.1.</p> <p>Is it possible to conclude that the spatial threshold (0.02% or 5000 ha) is met?</p> <p>According to the spatial data provided above, conversion of natural forests to plantations or non-forest use in the area under assessment is below the threshold of 0.02% or 5000 hectares average net annual loss.</p>
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			<p>Risk designation: Low risk.</p> <p>Thresholds (1) and (3) are met: Thresholds provided in the indicator are not exceeded; AND Other available evidence do not challenge a 'low risk' designation.</p>
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Recommended 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	<p>Databases on deliberate releases of GMO in Belgium http://www.biosafety.be/DTB</p> <p>More specifically for GM trees: http://www.biosafety.be/DTB/deliberate-releases-of-transgenic-plants/field-evaluation-of-poplars-with-an-altered-wood</p> <p>and http://www.biosafety.be/DTB/deliberate-releases-of-transgenic-plants/field-evaluation-of-poplars-with-a-modified-wood</p> <p>http://www.health.belgium.be/eportal/Environment/Biodiversity/GMOs/Legislation/index.htm#.VAYF-qP2NqQ</p> <p>http://www.vib.be/nl/landbouw-en-milieu/Documents/Richtlijn%202001-18-EG.pdf</p>	N/A	<p>Low risk</p> <p><i>(1) GMO 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.</i></p> <p>GMO is not illegal in Belgium. All use of GM organisms, even in laboratory experiments or field trials, is subject to licenses/permits delivered by the competent federal ministry only after thorough investigation by the Biosafety Council ('Bioveiligheidsraad' / 'Conseil consultatif de Biosécurité') and after public consultation and positive advice from the competent regional minister.</p> <p><i>(2) There is no commercial use of GMO (tree) species in the area under assessment,</i></p> <p>Currently there is no commercial use of GM trees in Belgium.</p> <p>There are currently 2 field trials with GM poplar trees in Flanders (by the Flemish Institute for Biotechnology, VIB) on a small surface area and on well-known locations.</p> <p>The project proposal was subjected to public consultation. The Biosafety Council has given positive (but conditional) advice for the trials, as the council considers the risk for human health and the environment nearly nihil - provided that strict conditions are respected. Furthermore, the Flemish Minister for Environment has given positive advice. The trials were approved, under a large number of conditions, by the federal competent Minister of Public Health and the State Secretary for Environment.</p> <p>Evaluation of the annual report of activities and the trial logbooks, as well as research of wood samples and inspections at the sites of the trials, showed that all required conditions were met. The Federal Public Service (FOD / SPF) Public Health, Safety of the Food Chain and Environment continues to carry out control/inspection of the strict adherence to the conditions.</p> <p>Even for the relatively short field trials, there are strict control measures in place: for example, the wood is cut before tree flowering takes place, there is a buffer zone with non-GMO trees, the site is fenced and the wood is destroyed after the wood is harvested for scientific analysis.</p> <p>AND</p> <p><i>(3) Other available evidence does not challenge 'low risk' designation.</i></p> <p>Despite GMO not being illegal in Belgium, the use is highly regulated and no commercial use are taking place in Belgium. Thus the risk can be considered low.</p>

	http://www.vib.be/populier		
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GMO Context Question	Answer
1. Is there any legislation covering GMO (trees)?	<p>European Union: Directive 2001/18/EC of the European Parliament and of the Council on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC - particularly relevant for the current situation in Belgium are Part B, Articles 6 - 11 on field trials</p> <p>Belgium: Royal Decree of 21 February 2005 concerning the deliberate introduction into the environment and the commercialization of genetically modified organisms or products containing GMOs (published in 'Belgisch Staatsblad' / 'Moniteur belge' 24 February 2005, page 7129)</p>
2. Does applicable legislation for the area under assessment include a ban for commercial use of GMO (trees)?	<p>No (for the Belgian / federal level)</p> <p>Flanders: The use of GM trees is prohibited in forests where the criteria for sustainable forest management shall be applied (forests in the Flemish Ecological Network and public forests).</p> <p>Wallonia: The Walloon Region adheres to a network of 'GMO-free European regions' and has signed the 'Charter of Florence'.</p>
3. Is there evidence of unauthorized use of GM trees?	No
4. Is there any commercial use of GM trees in the country or region?	No
5. Are there any trials of GM trees in the country or region?	<p>Yes. There are 2 ongoing field trials in Flanders.</p> <p>The first trial (project "B/BE/07/V2", 2008 - 2014) is at the University of Ghent Science and Industry Park in Zwijnaarde (about 2400 m²).</p> <p>The second trial (project "B/BE/13/V1", 2014 - 2021) is at the ILVO site in Melle/Wetteren (about 1300 m², parcels known in the cadastre / land registry as Melle 1e afdeling sectie D, 525b and Wetteren, 1e afdeling, 1452C).</p>

6. Are licenses required for commercial use of GM trees?	Yes
7. 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?)	There have been no licenses issued for commercial use of GM trees in Belgium. Two permits have been issued for field trials (research activities) in Flanders (refer to 5).
8. What GM 'species' are used?	Grey poplar (<i>Populus x canescens</i> or <i>Populus alba x Populus tremula</i>) is used in both ongoing field trials.
9. Can it be clearly determined in which MUs the GM trees are used?	N/A as there is no commercial use of GM trees in Belgium. The sites of the two field trials in Flanders are well known (refer to 5).

Recommended control measures

N/A