



Essential Criteria Background Document

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1.0 Executive Summary

The GBCA's Essential Criteria for forest certification must be met by any forest certification scheme seeking recognition in Green Star rating tools. The Essential Criteria are part of a larger piece of work called the Assessment Framework for Forest Certification Schemes (the Framework). The Framework was released in June 2009 and is the result of over two years of engagement with timber stakeholders and the recommendations of an independent Timber Expert Reference Panel (TERP). The Framework contains fifteen criteria for forest certification schemes that address governance, standards development procedures and content of forest management standards.

The Essential Criteria represent five of the Framework's fifteen criteria and address schemes' governance, standards development procedures, auditing and certification decisions, and protocols on verification of legally sourced timber and chain of custody.

The Essential Criteria apply only to forest certification schemes seeking recognition in the Green Star Timber credit. They do not represent credit compliance requirements and do not need to be documented by Green Star project teams as part of the Timber credit.

Within the context of the Green Star rating tools, recognition of forest certification schemes that comply with the Essential Criteria provides assurance that the certified timber is legally procured. Timber products sourced from forests that are certified by forest certification schemes which comply with the 'Essential Criteria' will contribute to the achievement of one point within the Green Star Timber credit.

Forest certification schemes that are deemed to satisfy the Essential Criteria are limited to those accredited by the Forest Stewardship Council (FSC) International or Programme for the Endorsement of Forest Certification (PEFC).

FSC Australia is the Australian provider of FSC certification. The Australian Forest Certification Scheme (AFCS) is the PEFC accredited scheme in Australia.

Section 4.0 - GBCA recognition of PEFC and FSC International as satisfying the Essential Criteria, provides a detailed explanation on the rationale for the decision to award PEFC and FSC International with Deemed-to-Satisfy status for Essential Criteria.

2.0 Essential Criteria

The Assessment Criteria presented in this document apply only to independent, voluntary forest certification schemes that:

- undertake forest certification by developing or administering forest management standards;
- require suitably-qualified third party auditors, who are independent from the certification scheme, to assess the management of a forest against an agreed standard; and
- operate in a regional, national or international capacity.

The Essential Criteria are as follows:

CRITERIA	OBJECTIVE
1) Chain of Custody	Ensures timber can be traced to source and that no substitutions for uncertified timber are made along the supply chain
2) Governance	Ensures schemes use a stakeholder governance model
3) Standard Development and Revision	Ensures standards are developed robustly, independently, and continuously improved over time
4) Auditing and Certification Decisions	Ensures auditing and certification processes remain transparent and independent from one another
5) Verification of Legality	Ensures projects do not use timber from illegal logging; includes verification of timber used in Mixed Sources products

2.1 CHAIN OF CUSTODY

Aim

To recognise forest certification schemes that ensure the timber stemming from certified forests is not substituted with uncertified timber during the processes that occur between the forest management unit and the end user.

COMPLIANCE REQUIREMENTS

The Forest Scheme shall offer Chain of Custody (CoC) certification. The CoC shall be able to extend from the certified forest to the end user.

CoC auditing shall be undertaken by JAS–ANZ accredited conformity assessment bodies (CAB) or equivalent (i.e. CAB operating in accordance with ISO 17011).

GUIDANCE

Chain of Custody shall be defined as: All the changes of custodianship of timbers during the harvesting, transportation, processing and distribution chain from the forest to the end-use (CPET, 2004).

BACKGROUND

CoC is a mechanism designed to ensure that timber and timber products are accurately tracked all the way through the supply chain; from forest to point of sale. The aim of a chain of custody certificate is to provide a guarantee, through an auditable process, that only wood which has come from a certified forest management operation is sold and/or labelled as such. It is imperative that a GBCA-recognised forest certification scheme offers chain of custody so that the origin of specified timber can be ascertained during the assessment of a building seeking Green Star certification.

2.2 GOVERNANCE

AIM

To recognise forest certification schemes whose governance processes rely on the use of a stakeholder governance model.

COMPLIANCE REQUIREMENTS

The forest certification scheme shall be governed by processes that are publicly available. The scheme's governance arrangements (e.g. Board of Directors, committees, working groups, etc.) shall require participation of stakeholders from constituencies representing social, environmental and economic interests.

Note: Refer to section 3.0 - Deemed-To-Satisfy Criteria for more information.

GUIDANCE

When assessing a scheme, the following questions shall be considered:

- Are there mechanisms in place for participation of all major stakeholder groups in the governance of the certification scheme?
- Are all major stakeholder groups represented and do they have voting rights at the body's meetings (i.e. Board Meetings and AGM)?

(Assessment Guideline for stakeholder consultation were adapted from Mechel et al 2006)

BACKGROUND

The GBCA supports a stakeholder governance model approach as the preferred pathway to achieving best practice environmental outcomes. Equal representation of economic, environmental and social interests must therefore be accounted for in the decision making mechanisms of a forest certification scheme. A consistent finding of international reviews of forest certification schemes establishes that broad stakeholder engagement and participation is necessary at both standards development and certification implementation levels. (CPET 2006; Mechel et al, 2006; YPFPG a, 2008; World Bank – WWF Alliance, 2005)

2.3 STANDARD DEVELOPMENT AND REVISION

AIM

To recognise forest certification schemes whose standards development procedures are robust and independent from the accreditation process. The forest management certification standards development procedures shall also ensure that there is a process in place to incorporate improvements to standards.

COMPLIANCE REQUIREMENT

The forest management scheme shall have the following standard development characteristics:

- The standards development process shall be:
 - Separate from the accreditation process;
 - Consensus based;
 - Operated in a transparent and impartial way;
 - Open and accessible to all interested stakeholders at all stages.
- Standards shall be:
 - Performance based; and
 - Available for public comment in Draft format.
- The standard revision process shall include reference to emerging knowledge and research through established review and feedback processes (such as research by the scheme, external research and the outcomes of conflict resolution). Results of research shall be peer reviewed and used to inform the improvements of existing standards.
- Compliance indicators to all criteria shall be publicly available and shall clearly outline the exact requirements for achieving compliance with each criterion.

Note: Refer to section 3.0 - Deemed-To-Satisfy Criteria for more information.

GUIDANCE

A scheme must not allow the forest manager to customise the standard against which it will be certified, and standard criteria may not be optional or flexible.

Stakeholder accessibility to the scheme for the purposes of standards development shall be assessed. Assessment shall be based on schemes' being able to demonstrate that procedures are in place to provide opportunities for the participation of any stakeholder at all stages of the standards development process.

2.4 AUDITING AND CERTIFICATION DECISIONS

AIM

To recognise forest certification schemes that incorporate procedures to ensure the transparency and independence of their auditing and certification processes

COMPLIANCE REQUIREMENTS

The forest management scheme shall ensure:

- Certification decisions are free from conflicts of interest from parties with vested interests;
- Full audits (including on-site audits) shall be performed on a regular basis and at a minimum of at least every five years;
- Audits shall be performed by an accreditation body whose procedures are consistent with ISO 17011:2004 'Conformity Assessment – General Requirements for Accreditation Bodies Accrediting Conformity Assessment Bodies' or equivalent;
- Auditors shall be accredited by a relevant national or international accreditation body, and shall be free from conflict of interest in relation to any other association with the scheme aside for serving as auditor;
- Final audit reports shall be subject to peer review by colleague auditors prior to formal approval; and
- An audit result summary shall be made publicly available that provides adequate and sufficient detail of compliance/ non compliance with all criteria and indicators, including corrective actions taken where non-compliances have been issued.

Note: Refer to section 3.0 - Deemed-To-Satisfy Criteria for more information.

GUIDANCE

The Joint Accreditation System of Australian & New Zealand (JAS-ANZ) is the Australia and New Zealand government-appointed accreditation body responsible for providing accreditation of conformity assessment bodies (CABs). JAS-ANZ applies the requirements of ISO 17011 when assessing CABs. Auditing bodies must be accredited by JAS-ANZ or other equivalent international bodies that also comply with ISO 17011 (e.g. ANSI, SANAS and UKAS) for compliance with the criterion to be demonstrated.

BACKGROUND

Just as independent auditing is a fundamental principle behind the transparency and accountability of Green Star certification, so too should it be a fundamental requirement of forest certification schemes. Independent auditing is advocated by many as an indication of credibility in forest certification. (2008; CPET, 2006; TPAS, 2008)

2.5 VERIFICATION OF LEGALITY

AIM

To recognise forest certification schemes that can provide an assurance that timber certified by their scheme has not been illegally logged

COMPLIANCE REQUIREMENTS

The forest certification scheme shall require that the forest manager complies with all legal frameworks associated with:

- Indigenous peoples' rights, public trust, and public or private ownership rights;
- Forest management regulations;
- Contractual agreements;
- Transport and trade regulations;
- Financial, accounting and tax regulations;
- Acquisition of forest concessions; and
- International labour and health and safety conventions.

(Adapted from Tacconi et al, 2003, and TPAS, 2008)

GUIDANCE

This criterion also ensures that provisions for the use of uncertified material in mixed source products do not provide avenues for illegally sourced timber to be promoted as legal certified timber.

Illegal forest activities refer to all illegal acts relating to forest ecosystems, forest-related industries, and timber and non-timber products.

Transport and trade regulations refers in particular to the Convention on the International Trade in Endangered Species (CITES, 2008)

In relation to labour, health and safety, the following UN International Labour Organisation (ILO) international conventions apply where no equivalent National law exists:

- 'Freedom of Association and Collective Bargaining' (Conventions 87 and 98);
- 'Elimination of Forced and Compulsory Labour' (Conventions 29 and 105);
- 'Elimination of Discrimination in respect of employment and occupation' (Conventions 100 and 111).
- Convention 155 - Occupational Safety and Health and its accompanying Recommendation No. 164;
- Convention 161 - Occupational Health Services and its accompanying Recommendation No.171.

(ILO, 2008)

BACKGROUND

The high demand for wood products worldwide has led to large-scale illegal logging operations in some countries. Illegally harvested timber accelerates destruction of forest resources, may have a negative impact upon biodiversity, and causes deforestation and desertification as well as other environmental degradation processes.

The economic impacts of the illegal trade are also considerable with losses of revenue and taxes in many countries, estimates of global market losses amount to around US\$10b per year (Schloenhardt, 2008).

Between the years 2003 and 2004 \$450 million worth of illegal timber was imported into Australia (Schloenhardt, 2008).

The issue of illegal logging is advocated by many stakeholders in the forest management certification debate as a major motivation for seeking certified timber (e.g. FERN, 2004, CEPI, 2004, YPFPG, b, 2008).

3.0 Deemed-To-Satisfy Criteria

To avoid unnecessary duplication of assessments, forest certification schemes that have been independently audited against the requirements of the national or international frameworks or recognition arrangements (e.g. Standards Australia) listed below, and that can disclose a favourable result of this audit or evidence of certification to the GBCA, will achieve deemed-to-satisfy compliance with the requirements of the following 'Essential' criteria:

- Governance (2);
- Standard Development and Revision (3); and
- Auditing and Certification Decisions (4).

The applicant scheme's audit report, certificate, accreditation or standard will be used to determine which components of the above Assessment Criteria are satisfied.

Governance and Standard Development and Revision

Examples of national and international frameworks and accreditation systems applicable to auditing governance and standard development procedures of certification schemes include:

- Standards Australia or equivalent;
- International Accreditation Forum (IAF) Multilateral Recognitions Arrangement;
- The ISEAL (International Social and Environmental Accreditation and Labelling Alliance) 'Code of Good Practice for Setting Social and Environmental Standards';
- ISO/IEC 17021:2006 Conformity assessment - Requirements for bodies providing audit and certification of management systems;
- ISO Guide 65: 1996 'General Requirements for Bodies Operating Product Certification Systems'.

Auditing and Certification Decisions

Audit reports or certificates for deemed-to-satisfy compliance with national or international frameworks will only be accepted from JAS-ANZ accredited auditing bodies or equivalent.

4.0 GBCA recognition of PEFC and FSC International as satisfying the Essential Criteria

The internationally-recognised Central Point of Expertise on Timber Procurement (CPET, 2006) review found that the Forest Stewardship Council (FSC) International and the Programme for the Endorsement of Forest Certification (PEFC) meet criteria that sufficiently cover those set out in the GBCA Essential Criteria. As a result, Forest Certification Schemes accredited by FSC International and PEFC are deemed to satisfy the GBCA Essential criteria. The Australian accredited FSC and PEFC national schemes are:

- FSC Australia (FSC International accredited); and
- Australian Forest Certification Scheme (AFCS) (PEFC accredited).

FSC International and PEFC are deemed to satisfy the Essential Criteria on the basis that they:

- provide an assurance of legality
- have robust governance, standards development, and independent auditing process; and
- provide chain of custody certification extending from the forest to the end user which is traceable throughout the supply chain.

Timber and timber products that are sourced from forests which are certified by FSC International and PEFC-accredited forest certification schemes are therefore eligible to contribute to the achievement of one point within this credit.

The GBCA's decision to recognise FSC International and PEFC accredited schemes as satisfying the Essential Criteria was reached by considering the recommendations from an independent Timber Expert Reference Panel (TERP) process as well as engaging with timber stakeholders over a 2 year period. The TERP process concluded in June 2009 and resulted in the development of an Assessment Framework for Forest Certification Schemes (the Framework). This Framework contains fifteen criteria addressing the governance, standards development procedures and content of forest management standards. The GBCA Essential Criteria comprise five of the fifteen criteria that were developed with the TERP. Much of the Framework was based on the work of UK Government's Central Point of Expertise on Timber Procurement (CPET).

CPET was established by the UK Department for Environment, Food and Rural Affairs (Defra) in 2006. CPET have established a Framework for Assessment of Forest Certification Schemes and have contracted independent assessors to verify the compliance of Forest Certification Schemes operating in the UK market against this Framework.

The Dutch government has established a similar process to CPET called the Timber Procurement Assessment Committee (TPAC). The results of the CPET and TPAC assessments of forest certification schemes have informed the UK and Dutch governments' timber procurement guidelines since 2006 and 2008 respectively.

CPET and TPAC have undertaken assessments of the PEFC and FSC International forest accreditation systems.

The CPET assessments of the PEFC and FSC International forest accreditation systems resulted in both being recognised as compliant with the UK governments' requirements (CPET, 2008). Full reports detailing compliance of these international frameworks to the CPET criteria are available on the CPET section of the ProForest website CPET website (CPET, 2008).

CPET have also undertaken an assessment of national forest certification schemes that are PEFC accredited, including the Australian Forestry Certification Scheme (AFCS), the US-based Sustainable Forestry Initiative (SFI), the Malaysian Timber Certification Scheme (MTCS) and the Canadian Standards Association (CSA) Sustainable Forest Management Program. These national schemes were all found compliant (refer to note below).

A review of the requirements of the CPET criteria by the GBCA has shown clear correlations between the requirements of the GBCA Essential Criteria and the CPET criteria for:

- Chain of Custody
- Schemes Governance;
- Standard Development Processes;
- Independence of Auditing; and
- Legality of Timber

The CPET recognition levels extending to forest certification schemes are 'Legal' and 'Sustainable'; these include a combination of requirements that together cover the requirements contained in the GBCA's Essential Criteria.

The CPET 'Legal' and 'Sustainable' recognition extends to all FSC and PEFC schemes (CPET, 2008). The GBCA will continue to recognise all PEFC and FSC Schemes as deemed to satisfy the Essential criteria as long as CPET continues to recognise these international frameworks.

The CPET recognition of PEFC and FSC provides the rationale for the GBCA to determine that all PEFC and FSC schemes can demonstrate deemed-to-satisfy compliance to the GBCA 'Essential Criteria'.

Note: the CPET recognition of the Malaysian Timber Certification Scheme (MTCS) only extends to a 'Legal' and 'Sustainable' recognition level in the case of the 2008 released MTCS standards. Therefore, products certified by MTCS will only be rewarded under the Green Star Timber credit when certified after December 2008, as evident by the MTCS Chain of Custody certificate.

Recognition in Green Star rating tools of FSC International and PEFC accredited forest certification most notably provides assurance that the timber they certify is legally procured which meets an important part of the Aim of Green Star Timber credit.

Any non-FSC or PEFC-accredited forest certification schemes seeking to demonstrate compliance with the Essential Criteria must contact the GBCA for further guidance.

5.0 Comparing CPET criteria with the GBCA Essential Criteria

This section provides a comparison of the GBCA's Essential Criteria and the CPET Criteria for Evaluating Forest Certification Schemes. Each of the Essential Criteria requirements is listed and followed by the corresponding CPET criteria.

Please refer to the CPET details on the ProForest website (CPET, 2008) for full detail of the CPET criteria as well as Audit Reports detailing compliance of the PEFC and FSC International Frameworks to their criteria.

5.1 CHAIN OF CUSTODY

GBCA ESSENTIAL CRITERIA:

The Forest Scheme shall offer Chain of Custody (CoC) certification. The CoC shall be able to extend from the certified forest to the end user.

CoC auditing shall be undertaken by JAS–ANZ-accredited conformity assessment bodies (CAB) or equivalent (i.e. CAB operating in accordance with ISO 17011).

CPET CORRESPONDING CRITERIA:

4.1 – Assessment of chain of custody must be undertaken by a certification body operating in accordance with ISO Guide 65 or equivalent and accredited by an accreditation body operating in accordance with ISO 17011 or equivalent.

4.2 – There must be a certified chain of custody in place from the forest of origin to the final certified product which provides a link between the certified material in the product, or product line, and certified forests.

5.2 GOVERNANCE

GBCA ESSENTIAL CRITERIA:

The forest certification scheme shall be governed by processes that are publicly available. The scheme's governance arrangements (e.g. Board of Directors, committees, working groups, etc.) shall require participation of stakeholders from constituencies representing social, environmental and economic interests. Refer to section 3.0 - Deemed-To-Satisfy Criteria for more information.

CPET CORRESPONDING CRITERIA:

3.1 – Accreditation must be undertaken by a national or international body whose organisation, systems and procedures are consistent with ISO 17011:2004 Conformity assessment - General requirements for accreditation bodies accrediting conformity assessment bodies or equivalent.

Note: if this is not provided by the requirements of the certification system, or through other mechanisms such as the International Accreditation Forum's Multilateral Recognitions Arrangements

then the checklist in Annex 3 must be completed (Annex 3 is a checklist of compliance based on ISEAL and ISO guides).

5.3 STANDARD DEVELOPMENT AND REVISION

GBCA ESSENTIAL CRITERIA:

The forest management scheme shall have the following standard development characteristics:

- The standards development process shall be:
 - Separate from the accreditation process;
 - Consensus based;
 - Operated in a transparent and impartial way;
 - Open and accessible to all interested stakeholders at all stages.
- Standards shall be:
 - Performance based; and
 - Available for public comment in Draft format.
- The standard revision process shall include reference to emerging knowledge and research through established review and feedback processes (such as research by the scheme, external research and the outcomes of conflict resolution). Results of research shall be peer reviewed and used to inform the improvements of existing standards.
- Compliance indicators to all criteria shall be publicly available and shall clearly outline the exact requirements for achieving compliance with each criterion.

Refer to section 3.0 - Deemed-To-Satisfy Criteria for more information.

CPET CORRESPONDING CRITERIA:

1.3.1 – The standard-setting process must be consistent with the requirements of ISO Guide 59: Code of Good Practice for Standardisation or the ISEAL Code of Good Practice for Setting Social and Environmental Standards or equivalent.

1.3.2 – The standard-setting process must seek to ensure balanced representation and input from the economic, environmental and social interest categories.

1.3.3 – The standard-setting and decision-making process adopted must seek to ensure:

- No single interest can dominate the process;
- No decision can be made in the absence of agreement from the majority of an interest category.

5.4 AUDITING AND CERTIFICATION DECISIONS

GBCA ESSENTIAL CRITERIA:

The forest management scheme shall ensure:

- Certification decisions are free from conflicts of interest from parties with vested interests;
- Full audits (including on-site audits) shall be performed on a regular basis and at a minimum of at least every five years;
- Audits shall be performed by an accreditation body whose procedures are consistent with ISO 17011:2004 'Conformity Assessment – General Requirements for Accreditation Bodies Accrediting Conformity Assessment Bodies' or equivalent;
- Auditors shall be accredited by a relevant national or international accreditation body, and shall be free from conflict of interest in relation to any other association with the scheme aside for serving as auditor;
- Final audit reports shall be subject to peer review by colleague auditors prior to formal approval; and
- An audit result summary shall be made publicly available that provides adequate and sufficient detail of compliance/ non compliance with all criteria and indicators, including corrective actions taken where non-compliances have been issued.

Refer to section 3.0 - Deemed-To-Satisfy Criteria for more information.

CPET CORRESPONDING CRITERIA:

2.1 – Certification must be undertaken by a body whose organisation, systems and procedures conform to applicable ISO guidance, or publicly available equivalent.

2.2 – Certification is undertaken by a body which is accredited to evaluate against forest management standards.

2.3 – The requirements for certification audits must include assessment of systems and documentation together with verification of outcomes in the forest adequate to ensure that both system and performance requirements in the standard are being met.

2.4 – The certification audit must include sufficient consultation with external stakeholders to ensure that all relevant issues are identified relating to compliance with the requirements of the standard.

2.5 – A summary of the results of the certification audit (excluding confidential information) must be publicly available to interested parties.

2.6 – There is an accessible and functioning mechanism for dealing with complaints and disputes which is open to any interested party.

5.5 VERIFICATION OF LEGALITY

GBCA ESSENTIAL CRITERIA:

The forest certification scheme shall require that the forest manager complies with all legal frameworks associated with:

- Indigenous peoples' rights, public trust, and public or private ownership rights;
- Forest management regulations;
- Contractual agreements;
- Transport and trade regulations;
- Financial, accounting and tax regulations;
- Acquisition of forest concessions; and
- International labour and health and safety conventions.

CPET CORRESPONDING CRITERIA:

1.1.1 – The standard requires that the forest owner/manager holds legal use rights to the forest

1.1.2 – The standard requires compliance from both the forest management organisation and any contractors with local and national legal requirements including those relevant to:

- Forest management
- Environment
- Labour and welfare
- Health & safety
- Other parties' tenure and use rights

1.1.3 – The standard requires payment of all relevant royalties and taxes.

1.1.4 – The standard requires compliance with the requirements of CITES.

6.0 Significant Criteria for Evaluating Forest Certification Schemes

The GBCA's recognition of FSC and PEFC applies to the Essential Criteria ONLY.

The Draft Significant Criteria will be released for further consultation in early 2010 with the aim of being implemented in mid-2010. The GBCA's Significant Criteria for forest certification will focus on best practices in forest management.

In future, two points will be available where at least 95% (by cost) of all timber is certified by a forest certification scheme that meets both the GBCA's 'Essential' and 'Significant' criteria for forest certification; or is from a reused source; or is sourced from a combination of both.

7.0 Chain of Custody (COC) Requirements

Forest Certification Schemes recognised by the GBCA as having deemed to satisfy the requirements of Essential Criteria (i.e. all PEFC and FSC accredited schemes) must provide guidance on how the CoC certification they issue is traceable from the certified forest to a contractor or subcontractor installing timber products in a Green Star project. Green Star project teams must document CoC for timber products based on this guidance for all claimed certified timber by requesting contractors and subcontractors installing certified timber in the project to provide evidence of CoC in compliance to the schemes guidance.

GBCA-recognised Forest Certification Schemes are requested to provide detail of how Green Star projects must demonstrate evidence of the chain of custody for certified products. Schemes are encouraged to make this information publicly available on their websites.

8.0 References

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