



Civil association ESTONIAN FOREST AID (EFA)

www.eestimetsaabiks.ee

29.06.2020

Dear Nathalie, Peter, Roman,

We, the Estonian Forest Aid (EFA) present a complaint concerning the activities of an FSC certificate holding forest management organization RMK (Estonian State Forest Management Centre) about the inclusion of local citizens into forest management planning and its conformity to the requirements of the certificate.

We find that the Corrective Action Request prescribed to RMK on the inclusion of locals (NCR 01/20), which was changed into an Observation (OBS 05/20) on reasons not known to us has to be changed back into a Corrective Action Request. This is necessary for protecting the interests of communities in RMK's spatial sphere of influence and assuring the good reputation of the FSC certificate.

In the past three years we have documented RMK's deficient inclusion practices all over Estonia, among others at Kose borough, Kose municipality (see Annex1_EFA_report_KOSE), at Ohtu village, Lääne-Harju municipality (see Annex2_EFA_report_OHTU), at Kolga village, Kuusalu municipality and elsewhere. The complaint at hand is centered on the loggings at Kose borough, representative of tactics typical for the organization like insufficient notification of the clear cutting plans, not considering justified propositions etc.

In last spring, May 28th 2019 the presumed inclusion of the locals by RMK concerning loggings planned into Kose borough took place. As practically no notification of the meeting was undertaken prior to it, about 5 locals in total took part of it, all members of the same family, making up less than 0,2 per cent of the borough's residents.

An immediate neighbor of the plots 10, 11, 12 and 13 of the cadastral unit 33702:002:0588 which were planned to be clear cut, Virgo Orasi, was present at the meeting, and wished to raise a question about those plots being important protective forests for both him and other neighboring households, the logging of which would open the households to strong eastern winds, agricultural pollution and highway

noise. The citizen's arguments were not considered as it was claimed that those plots do not fall under public interest.

- **Contradiction with the FSC criterion 4.4.3** [from hereinafter from the Nepcon's interim forest management standard for Estonia]: *Large and medium FMO-s: FMO shall demonstrate that input from community participation was considered and/or responded to during management planning and operations.*

The public notification started only a few days prior to the event on the municipality's homepage and Facebook channel. When the SFMC started clear cutting in the end of 2019, it came as a shock to the local community due to poor prior informing. Locals contacted the civil association Estonian Forest Aid for help and they managed to stop the logging together. But RMK has repeatedly said that it wants to go on with the logging in volumes it has already planned.

The EFA and the local community have directed RMK's attention to the fact that the forest management organization fails to take into account the protective function that the plots 10, 11, 12 and 13 of the cadastral unit 33702:002:0588 on the northern edge of Kose borough have for the human settlements from wind, highway noise and agricultural pollution, due to which the local community would come to harm if those forests were managed with clear cuts.

- **Contradiction with the FSC criterion 6.5.6:** *6.5.6 FMO shall preserve existing buffer zones along forest edges and favor the development and conservation of wind resistant and viable forest edges (buffer zones) along open landscapes.*

Attention has also been drawn to the fact that the plots 2 and 3 of the cadastral unit 33702:002:0591 which is planned to be clear cut contain the side-streams of the protected stream Rahksoon. The area near the Rahksoon's side-streams also needs protection, because clear cuts that are conducted by heavy machinery would damage the environment surrounding Rahksoon and thereby also Rahksoon itself.

- **Contradiction with the FSC criterion 9.1.2:** *Large and medium FMO-s: FMO shall carry out an assessment of the FMU sufficient to identify all parts of the FMU that have each of the following attributes:
[...c) HCV3. Forest areas that are in or contain rare, threatened or endangered ecosystems, such as Natura 2000 sites and Woodland Key Habitats;*
- In addition, the locals have mapped cultural and military heritage on the formerly mentioned plots and their immediate vicinity. To preserve its value, it is also necessary to fully preserve the environment of said cultural values, which would be damaged by management via clear cuts.
- **Contradiction with the FSC criterion 9.1.2:** *Large and medium FMO-s: FMO shall carry out an assessment of the FMU sufficient to identify all parts of the FMU that have each of the following attributes: f) HCV6. Forest areas critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).*

The plots 1 and 4 of the cadastral unit 33702:002:0317 that has been set aside for clear cutting are situated next to the highways 11122 Kose sanatooriumi road and 11123 Kose-Ravila-Nõmbra road. Those roads connect the Kose and Ravila boroughs which, taken together, house over 2800 residents.

According to the locals, those roads are actively used for recreation and foraging for mushroom and berries and going to school and back by children.

- Contradictions with the **FSC criterion 5.5.2**: *FMO shall consider areas important for mushrooms and berry picking; hunting and recreation when planning forest operations;*
- and the **FSC criterion 9.1.2**: *Large and medium FMO-s: FMO shall carry out an assessment of the FMU sufficient to identify all parts of the FMU that have each of the following attributes: [...] e) HCV5. Forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health);*

On the plots 1, 2, and 4 set aside for clear cutting, various protected species reside and the area has characteristics of a key habitat. The plots 1 and 6 of the cadastral unit 33702:002:0316 set aside for clear cutting are in the immediate vicinity of a key habitat, therefore functioning as a buffer zone for the key habitat which secures its good condition.

- Contradiction with the **FSC criterion 9.1.2**: *Large and medium FMO-s: FMO shall carry out an assessment of the FMU sufficient to identify all parts of the FMU that have each of the following attributes: [...] c) HCV3: Forest areas that are in or contain rare, threatened or endangered ecosystems, such as Natura 2000 sites and Woodland Key Habitats.*

In addition, RMK has been informed that the forests in Kose borough and its close surroundings are a spring-rich area, whose water is carried through Kose forests into the Pirita river. Thus special attention has to be paid to the question whether the logging will damage the springs and with them the entire water system of the area surrounding Tallinn. RMK has however not wound the locals' arguments sufficient to refrain from clear cutting operations in the borough forests or to delve deeper into the questions of springs and water protection.

- Contradiction with the **FSC criterion 9.1.2**: *Large and medium FMO-s: FMO shall carry out an assessment of the FMU sufficient to identify all parts of the FMU that have each of the following attributes: [...] d) HCV4: Forest areas that provide basic services of nature in critical situations (e.g. watershed protection, erosion control), such as areas important for drinking water;*

Despite locals' opposition RMK is unwilling to neither reduce the size of the clear cut areas nor decide in favor of another logging method.

- Contradiction with the **FSC criterion 4.5.1**: *FMO shall make all reasonable efforts to avoid losses and damages affecting local peoples, and in resolving grievances related to legal rights, damage compensation and negative impacts.*

People have been offered an option of pointing the retention trees, heritage objects, springs and the borders of areas to be logged, but the question of preserving their environment has been ignored.

- Contradiction with the **FSC criterion 4.4.4**: *Large and medium FMO-s: Areas of special economic, ecological, cultural or spiritual value for local communities shall be mapped and their protection values and management regime shall be documented.*

People's distrust has also been fed by the fact that seven years ago the state forest managers clear cut a forest plot surrounding a spring with a remarkably large diameter, using the mouth of the Kõstrioja stream as the wood extraction road and thus clogging both the spring and the stream-mouth.

- Contradictions with the **FSC criterion 9.1.2: c) HCV3 and d) HCV4**

After the logging that took place years ago, the spring is still clogged from the logging activities. The locals have asked RMK repeatedly for permission to clean the spring, which the forest master has not granted, claiming that the state forest managers will solve the situation better than locals. In the present year, the local community observed that the spring has dried up completely, while RMK has yet to do anything to better the condition of the spring and correct their past failures in forest management.

The locals' arguments on wind protection, recreational function and key habitats have been pushed aside with no substantial analysis, though the arguments are justified and adequate and defend the position that the clear cut heavy management plan would seriously damage the locals' life environment.

- Contradictions with the **FSC criterion 4.4.3: Large and medium FMO-s: FMO shall demonstrate that input from community participation was considered and/or responded to during management planning and operations;**
- **FSC criterion 2.3.4: FMO shall demonstrate significant progress achieved to resolve major disputes;**
- and **FSC criterion 9.2.3: Stakeholder consultations should indicate that FMO consistently considers and protects HCVF values.**

During the inclusion process the local community and the public, as well as the Kose municipality council has been straight out lied to by claiming that the law does not allow selective logging at the borough forests, but only clear cuts. The environmental organizations Estonian Forest Aid and Estonian Fund for Nature have publicly called out those lies, but RMK still continues misinforming the local community and the municipality council.

- Contradiction with the **FSC criterion 2.3.2: FMO shall use mechanisms for resolving disputes over tenure claims and use rights that respectfully involve and consider the disputants in process.**

RMK has repeatedly implied that the Kose residents cannot represent the community and RMK can only take into account the Kose municipality council's opinion, even though the local community has registered a non-profit precisely to ease inclusion and numerous signatures have been collected from the locals supporting the protection of borough forests.

- Contradiction with the **FSC criterion 9.1.5: FMO should be open and willing to cooperate with state organizations and environmental specialists for inventories and protection of HCV forest areas.**

Following from the above we find that we find that changing the Corrective Action Request (NCR 01/20) on inclusion of locals to an Observation (OBS 05/20) to the FSC certificate holder forest management organization SFMC (RMK) not justified. The practices described in the report at hand point to a possibility of the SFMC not taking the local community's arguments into consideration. Only the reinstating of a Corrective Action Request can assure that the SFMC will include the Kose community

according to the requirements of the FSC certificate. Without a Corrective Action Request and on the continuing of current inclusion practices, the good name of the FSC certification system is in increasing danger.

Our civil association is in possession of documents, e-mail exchanges, video, photo and audio recordings proving the account. We are ready to back all described events with evidence.

Respectfully

Martin Luiga

MTÜ Eesti Metsa Abiks (Estonian Forest Aid)

Member of the Board