



Forest Stewardship Council®
FSC® Canada

Intact Forest Landscapes & Indigenous Cultural Landscapes

*A Facilitated Strategic Discussion with FSC Canada Board of Directors and
Selected Chamber Representatives.*

Location: Vancouver, Canada

Prepared by: FSC Canada

Date: May 28, 2015



Table of Contents

A. Overview..... 3

B. Process and criteria for selecting chamber representatives 3

C. Key Discussion Points and Recommendations 4

D. Moving Forward 6

Appendix A, List of Participants..... 7

Annex B, Pre-session Survey Questions and Responses..... 8



A. Overview

On May 28, 2015, FSC Canada hosted a Facilitated Strategic Discussion with the FSC Canada Board of Directors and selected chamber representatives to share with and discuss issues related to Intact Forest Landscapes (IFLs) and Indigenous Cultural Landscapes (ICLs). The purpose of the session was to share perspectives about this important topic and to:

1. Gauge level of support for the FSC Canada's planned technical and strategic direction for addressing IFLs and ICLs in Canada;
2. Identify & discuss, concerns and challenges of IFLs / ICLs in Canada;
3. Identify and discuss solutions and opportunities for managing IFLs / ICLs in Canada.

FSC Canada has completed several technical documents including literature reviews on IFLs and ICLs; gap analyses on IFLs and ICLs; one case study of how a forest company might manage IFLs; and a preliminary draft indicators. In preparation for this discussion, FSC Canada hosted a webinar with all participants to review:

1. The process for developing national FSC Forest Management standards including the development of a work plan for IFLs and ICLs;
2. Draft definition of IFLs and ICLs;
3. Results of the preliminary gap analysis.

See Annex B for a list of Pre-session Survey Questions and Results

B. Process and criteria for selecting chamber representatives

Twelve individual participated in the discussion, three representatives from each chamber (Aboriginal People, Economic, Environmental and Social) and four FSC Canada Board of Directors. Refer to Appendix A for a list of participants.

Chamber representatives were selected by the FSC Canada Board of Directors based on the following criteria:

1. **Support for FSC:** Representatives want success for FSC in Canada and globally and understand and support for FSC's mission and vision;
2. **Full chamber perspective:** Representatives balance the views of their entire chamber, not simply one perspective;
3. **Technically savvy:** Representatives have an understanding of landscape level ecological and cultural issues in Canada. This includes having expert knowledge and/or experience of FSC certification, forest management, indigenous rights and title, and related issues;
4. **Politically wise:** Representatives understand that the FSC is a chamber-based system and that agreement in IFL and FPIC will require informed negotiation. Representatives have experience with consensus based multi-party processes;



5. **Deal makers:** Representatives seek to understand the interests of other chambers and seek consensus on the issues identified; and
6. **Be informed:** Representatives have reviewed and commented on documents provided and have participated in a pre-meeting webinar hosted by FSC Canada in order to understand the current thinking and the work completed to date.

C. Key Discussion Points and Recommendations

General considerations when addressing Intact Forest Landscapes and Indigenous Cultural Landscapes:

1. All chambers supported the development of a relevant standard to address IFLs and ICLs, indicating that it would be “a worst case scenario” to apply the default Motion prescription: “the core area of the IFL will be defined as an area of forest comprising at least 80% of the intact forest landscape falling within the FMU.
2. All Principles & Criteria are created equally. FSC certified certificate holders are required to meet all FSC principles, criteria and indicators.
3. All FSC certified forest managers globally have to meet the same standard.
4. FSC Canada will approve the new Forest Management Standard in Aug. 2016.
5. Forests that are not FSC certified will move on to competing forest certification systems,
6. There is risk, Canada has the most to gain and the most to lose.

FSC Canada has found that Intact Forest Landscapes (IFLs) needs to include respect for Indigenous People’s right to Free, Prior and Informed Consent (FPIC). The concept of Indigenous Cultural Landscapes (ICLs) is beneficial and critical to understanding IFLs in Canada.

Mapping and Defining IFLs / ICLs

- There are outstanding issues related to the completeness and reliability of maps for Canada, including Global Forest Watch (GFW) maps. This needs to be addressed. GFW Canada will release updated maps for boreal forests in summer 2015.
- FSC Motion 65 on IFLs directs that if there is an absence of a robust process, reliable science and consensus based agreements in place, the default IFL protection threshold would be 80% (i.e. as in the case of countries with no standard development committees).
- Global Forest Watch data must take into account Indigenous Peoples living within IFLs.

Questions raised

- What do we want to achieve in incorporating IFLs / ICLs into the standard?
- What are the pros and cons of a flexible vs. simple definition?
- What is the extent to which the definitions of ICLs and IFLs will be integrated or distinct?
- How does restoration fit into the IFL discussion?
- FSC impact & reach; sphere of influence & scope of certification; role of other mechanisms



- How much pressure or change can the Standard accommodate before it becomes impractical for companies to pursue certification – what is a balanced approach?

Incorporating IFL Indicators into FSC Canada's Forest Management Standard

- A unique IFL indicator may represent a unifying indicator, whereas other indicators within the standard will work to achieve IFL requirements (e.g. caribou indicators, protected areas).
- Two types of indicators could be developed around IFLs - either process based or outcome based.
- Context will be important. We may need an IFL definition that relates to context and region or indicators that do so. Process based indicators could achieve this.

Questions raised

- How does the scale of an IFL relate to the FMU? In other words, how many IFLs will be enough?
- Where IFLs or ICLs don't exist, should forest management practices endeavour to create them?
- Will an IFL area count towards the Organizations AAC?
- If a narrow definition of an IFL gets adopted and Indigenous Peoples livelihoods are impacted, should alternative revenue streams be made available?

FPIC and IFLs

- There is direct geographical connection between Indigenous Peoples occupancy and IFLs across Canada. However, how FPIC relates to IFLs needs to be better clarified.
- Many Aboriginal rights and title cases in Canada are coming out of the forestry context and most forest licenses within Canada include IFL areas. It is anticipated that Aboriginal Peoples control over forested areas in Canada will grow and some communities will want to pursue economic development.
- Traditional versus modern livelihoods need to be better clarified. Many Indigenous Peoples in Canada feel they are stewards of the land and have the right to manage it according to traditional or modern practices.
- Addressing IFLs in Canada will require organizations to recognize ICLs and be open to cooperative and joint ventures with Indigenous Peoples.
- There is no one 'Aboriginal community' but many which live in or around IFLs who may have similar or differing opinions on permissible forestry within these areas. Although an Indigenous community may have a good relationship with an organization they may also be frequently unwilling to sign an agreement.

ICL Definition

- FSC Canada is working on a draft ICL definition reflective of values including relationships, responsibilities, livelihoods, well-being, and spirituality.
- Labelling certain values as traditional can make ICLs static thus negating the reality that cultures evolve.
- The concept of an ICL is different than that of traditional territory. Although there is no one size for an ICL, it can be delineated on the land using historical and archeological knowledge. It may be similar to territorial size or not. At times, a territory may be larger as ICLs refer to areas that have evidence of cultural use.



- In the end, it could be that the processes of determining ecological protected areas and cultural protected areas are different but both may yield a similar outcome.
- The protection of ICLs, like IFLs, may require the development of “unifying indicators” within FSC Canada’s Forest Management Standard.

D. Moving Forward

The discussion provided a valuable opportunity to hear perspectives from all four chambers. With the information retained from this session and strategic guidance from FSC International, FSC Canada will continue to move forward with the work to address IFLs and ICLs in the new Forest Management Standard. The process will include the following:

1. Research

FSC Canada has produced a number of documents to inform the technical discussions. These include:

- a. Literature reviews on IFLs and ICLs;
- b. Gap analyses on IFLs and ICLs;
- c. One of three planned case study of how intact forest landscapes and Indigenous Cultural landscapes may be defined and mapped at the FMU and site level.

2. Technical Guidance

The IFL / ICL sub-committee made up of members of existing Technical Expert Panels (Aboriginal Rights; P6 and 9; Species at Risk and Caribou) will continue to provide technical guidance and review of documents including Forest Management indicators and guidance for IFLs and ICLs.

Participants of this group include:

- a. Justina Ray, Wildlife Conservation Society Canada
- b. Elston Dzus, ALPAC
- c. Louis Imbeau, Université du Québec en Abitibi-Témiscamingue
- d. Peggy Smith, University of Thunder Bay
- e. Geneviève Labrecque, Tembec
- f. Dave Pearce, CPAWS
- g. Christine Korol, Rainforest Alliance

3. Drafting an Approach

FSC Canada when developing an approach will consider:

- a. What are IFLs and ICLs in a Canadian context?
- b. Where IFLs and ICLs located and what are the appropriate methods for mapping them?
- c. What is the desired outcome and what would be appropriate management responses?



4. Consultation

Draft 1 of FSC Canada’s National Forest Management Standard will be made available for a 60-day public consultation in the fall of 2015. Stakeholders and Aboriginal Peoples will have an opportunity to review and comment on the IFL and ICL related indicators at this time.

Appendix A, List of Participants

Environmental Chamber	
1. John Cathro	FSC Canada Board of Director
2. Catharine Grant	Nominated representative - Greenpeace
3. Janet Summers	Nominated representative - Canadian Parks and Wilderness
Aboriginal Chamber	
4. Brad Young	FSC Canada Board of Director – National Aboriginal Forestry Association
5. Russ Diabo	Nominated representative – Wolf Lake First Nations
6. Andrew Chepeski	Nominated representative
Economic Chamber	
7. Chris McDonell	FSC Canada Board of Director – TEMBEC
8. Bill Adams	Nominated representative – Canfor Pulp
9. Jack Harrison	Nominated representative – Domtar
Social Chamber	
10. Arnie Bercov	FSC Canada Board of Director
11. Val Courtois	Nominated representative
12. Erik Leslie, 250-505-3311 erikl@netidea.com	Nominated representative - Harrop-Proctor Community Forest
FSC International Staff	
13. Pasi Miettinen	
FSC Canada Staff and Consultants	
14. Francois Dufresne	
15. Vivian Peachey	
16. Orrin Quinn	
17. Pam Perreault	
18. Meagan Curtis	
Facilitator	
19. Brenda Kuecks	Ecotrust Canada



Annex B, Pre-session Survey Questions and Responses

In preparation for the session participants are encouraged to answer the following questions:

1. What are the most important values needing to be addressed when developing indicators for IFLs / ICLs?
2. What are the gaps for managing IFLs / ICLs in existing standards and/or IGIs (e.g. what is deficient), that need to be included in a proposed approach?
3. What are some of the concerns and challenges of IFL / ICL in Canada?
4. What are some of the solutions and opportunities for managing IFL / ICL in Canada?

The following responses were provided.

What are the most important values needing to be addressed when developing indicators for IFLs / ICLs?

- I am not yet convinced there needs to be new indicator(s) for any practical reason. I understand M65 creating momentum around the need to analyze the IFL topic. That said, it is my hypothesis that the IFL discussion will evolve from its current definitional, *single issue framing to integrated thinking that recognizes that to have any meaningful consideration of IFL/ICL concepts on the ground, the framing must be fully integrated at minimum with existing and/or new IGIs related to P3, 6, 7 and 9.*
- A CH is required to be in compliance across all principles – FSC is required to deliver across all Principles
- Economic values must be addressed equally to other values in the IFL conversation
- Not all operations seeking certification will be able to meet FSC requirements
- There is a large overlap between IFLs and ICLs, as the remaining large intact forests in Canada tend to be located in the traditional territories of aboriginal communities. The reason why IFL/ICLs are important is because they contain multiple overlapping HCVs (both ecological and social/cultural – including HCV 1, 3-6). The IFLs areas which have the highest degree of overlapping values are the most important and must be prioritized for protection.

What are the gaps for managing IFLs / ICLs in existing standards and/or IGIs (e.g. what is deficient), that need to be included in a proposed approach?

- Methodology for how it should occur; ie who identifies what?
- A shared understanding of how the existing standards already rationalize conservation protection measures
- Absence of a ICL definition, lack of clarity on who defines it, once defined what does it mean and how is its identification dealt with by the forest manager in an integrated way with P3, 6, 7, 9?
- The main reason why Motion 65 was introduced was due to concern that existing requirements re: enhancing/maintaining HCVs (with IFLs as HCV 2) are not actually being implemented on the ground. An IFL cannot be maintained or enhanced with industrial scale logging proceeding further and further into its boundaries. For this reason, additional clarification is needed, and requirements about how to maintain/enhance the IFL must be explicit. Many of the basic concepts already exist in the standard (especially 9.3, which suggests the use of set asides and protected areas in large landscape level forests and strong aboriginal participation in planning;



as well as P3 requirements). What we need to do is develop very specific indicators that will lead the protection of the vast majority of IFLs consistent with FPIC, and community use in some cases. This will require significant changes to standard practices in IFLs in Canada, and therefore very detailed indicators are needed in addition to the existing ones.

What are some of the concerns and challenges of IFL / ICL in Canada?

- Other than the big challenge of figuring this out....
- It's not a science-based concept
- Perception that FSC is 'valuing' IFLs over other conservation and social values when it's standards require the adoption of many non-regulatory conservation and social measures (FPIC, Pas, core habitat, SAR, retention, old growth) etc.
- IFLs are not rare in Canada and in northern boreal appear very much like surrounding forest, so other conservation or social values don't necessarily overlap with IFLs just because they're IFLs;
- Concept of core or buffering IFLs is mystifying
- Some FSC certified forests will have operations in IFLs and are fully compliant
- Need to continue to recognize integrated nature of Canadian landscapes
- Forest manager doesn't own the land; therefore doesn't have control outside of its own activities
- It is not a reasonable expectation that resource development will be excluded from all IFLs and therefore it is a negative concept against which to measure success *vs the building of a "conservation plan" which FSC managers have been successfully doing*
- I think the biggest challenge is misconceptions about what the Motion actually means. I don't think Motion 65 is a radical change of direction for FSC, but rather a refinement of what is already intended under Principle 9. I've heard that there are fears about the Motion destroying communities across Canada, and the creation of giant protected areas without aboriginal consent. In my view, this doesn't have to be the outcome of Motion 65 (and is not its intention).

What are some of the solutions and opportunities for managing IFL / ICL in Canada?

- Think about IFL mapping as one input, one piece of information as part of a FMU.
- Pilot testing is good...(add a couple more)
- Understand better what is really happening on the "IFL lands" across resource sectors.
- I think that social and aboriginal chamber interests are compatible with environmental chamber interests, and that through dialogue this will become clearer. I also think we have some good examples of outcomes consistent with Motion 65 from certified companies in Canada, which will hopefully show economic chamber members that this is possible in the Canadian context – implementing Motion 65 will definitely require rethinking of how forestry is done for some companies, but it is possible to achieve this high bar. Dialogue between members who want the Motion to succeed and are open to creative thinking and collaboration will be critical for this process moving forward.