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Russia - European part Risk Mitigation Guide

Timber



LIFE - Support EUTR II - LIFE18 GIE/DK/000763



STARK

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COUNTRY SPECIFIC
TOOLS

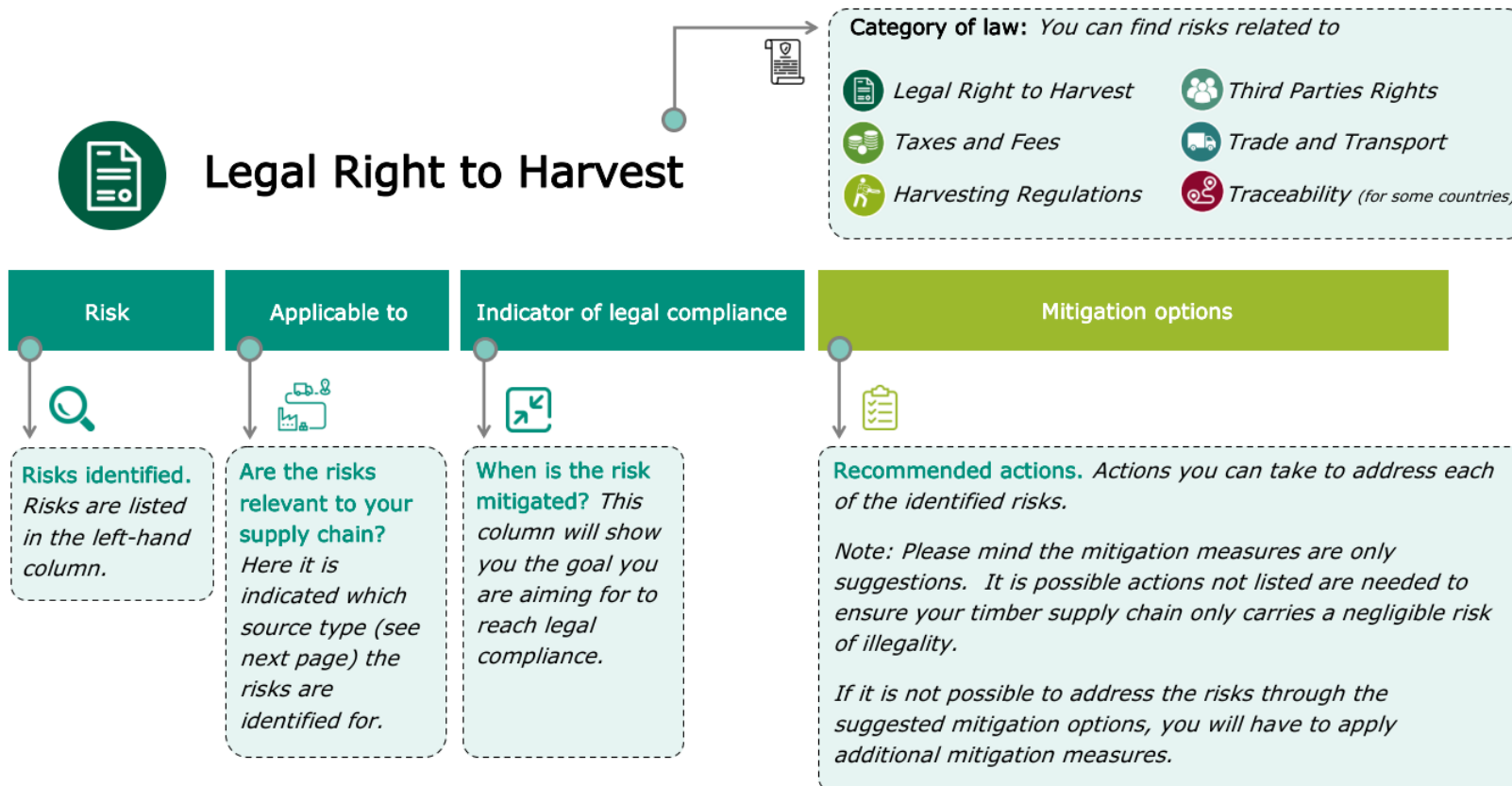


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European part of Russia Forestry Risk Mitigation Guide

This guide provides a series of mitigation options to assure low risk of illegality of timber harvested in the European Part of Russia. The guide relates only to timber harvested in the European part of Russia – not to material imported into Russia.



Timber Source Types

To understand what risks are relevant for your supply chain, you will first need to identify the origin of your timber. In general, it is often helpful to know not only the country of origin, but also other information about the origin, such as legal ownership, management regime, forest classification and permits in order to select the Timber Source Type(s) that applies to your supply chain. Identifying the right Timber Source Type is important to detail which risks are related to your supply chain and your timber products and how you can mitigate them.

Definitions used for Timber Source Types in Russia:

Concession (Long term use)

Areas leased out under a **Forest Concession Agreement**. The timber harvested on such areas is the property of the lessee. Lease term from 10 to 49 years

Short term use

Permit valid up to one year. There are three types of Short term use (see below), depending on main purpose of harvesting and actors involved. The harvested timber can be sold commercially, regardless of whether it has been harvested for the main purpose of commercial harvesting, or for protection and regeneration of forests.

- 1) Forest stands assigned to legal entities or individual entrepreneurs by state authorities for harvesting under a **Forest Stands Purchase Agreement**.
- 2) **State contract**. Grounds for Forest Stands Purchase Agreement is a State Contract for the Performance of Work on Guard, Protection, and Regeneration of Forests (hereinafter – State Contract).
State contracts are legal relationship arising between the Government and legal entities or individual entrepreneurs. These are regulated by the Federal Law of 05.04.2013 N 44-FZ.
- 3) **State assignment**. Grounds for Forest Stands Purchase Agreement is a State Assignment for the Performance of Work on Guard, Protection, and Regeneration of Forests (hereinafter – State Assignment). State Assignments are legal relationship arising between the Government and subordinate institutions. Funds for this assignment are subsidies and amounts are provided in accordance with the Resolution of the Government of the Russian Federation of 02.09.2010 N 671

Land management rights are not allocated under these permits. The timber becomes the property of the permit holder in accordance with the terms of the Forest Stands Purchase Agreement.

Rosimushestvo

Forest areas assigned for the use of forests under the Forest Concession Agreement for the purposes of:

- 1) performance of work on geological study of subsoil, development of mineral deposits;
- 2) construction and operation of reservoirs and other artificial water bodies, as well as hydraulic structures and specialized ports;
- 3) construction, reconstruction, operation of power transmission lines, communication lines, roads, pipelines and other linear objects;
- 4) processing of timber and other forest resources (for example, construction of a sawmill).

The main purpose not for harvesting, but in some cases, timber harvesting is allowed when carrying out works related to the construction, reconstruction and operation of linear facilities without allocation of forest areas. In this case, timber harvesting can be carried out both with and without the registration of an easement. If an easement has been registered, the same permits as for concession shall be in place. In case harvesting is carried without the registration of an easement, no harvesting permits are required by the legislation.

Timber is harvested by contractors and remains the property of the state (Federal Property Management Agency (Rosimushchestvo))

The timber is sold under a Timber Purchase Agreement between the Federal Property Management Agency and buyer.

Permanent (unlimited) use

Forest areas are assigned for an indefinite period on the basis of a **Permanent (Unlimited) Use Agreement** between the Prison Service and an executive authority with a constituent entity of the Russian Federation.

The timber harvested in such areas is the property of the Prison Service.



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Legal Rights to Harvest

Risk	Applicable to	Indicator of legal compliance	Potential mitigation actions
Forest inventory is not carried out within deadlines established by law (1.3)	All sources types	Forest inventory shall be valid and carried out for each harvesting site	<p>Review and verify documents:</p> <ul style="list-style-type: none"> • Forest survey data in the Forest Concession Management Plan (long-term use) or Forest District Management Plan (short-term use). Forest management plans shall be reviewed to identify the date when the last forest inventory has been conducted. • If the forest inventory period exceeds 15 years then: <ul style="list-style-type: none"> ○ Request documents that provide information on forest survey for each harvesting site prior to harvesting. ○ Consult authorities of the forest district (see below) <p>Consult:</p>

			<p>In case the forest survey data exceeds 15 years, the authorities of forest districts should be consulted on the issue of conducting the forest survey for each harvesting site.</p>
<p>Incompliance with legal requirements when planning and conducting salvage logging (1.3)</p>	<p>Salvage logging in all sources types</p>	<p>Salvage logging shall only be conducted if justifiable due to need for sanitary actions (pest, diseases)</p>	<p>Review and verify documents:</p> <ul style="list-style-type: none"> • Review the following documentation to identify whether wood originates from salvage logging: <ul style="list-style-type: none"> ○ Amendments to Forest Concession Management Plan; ○ Forest declaration; ○ Reports on forest use; ○ Forest Pathological Surveys. • Check the documentation listed above and verify that the actual place and area of salvage logging and volumes of harvested timber comply with the Forest Pathological Surveys. • Check the intensity of cut (percentage of the cut). It should be considered whether the intensity of cut and share of commercial timber match. <p>Check online databases:</p> <ul style="list-style-type: none"> • Check the availability of Forest Pathological Surveys on the websites of authorities of the constituent entities of the Russian Federation

			<p>(i.e. https://les.tver.ru/deyatelnost-iogv/zashchita-lesov-ot-vrediteley-i-bolezney/akty_lesopatolog_obsledovaniy.php?print=y, https://dlk.gov35.ru/deyatelnost/akty-proverki-sanitarnogo-i-lesopatologicheskogo-sostoyaniya/, etc.)</p> <ul style="list-style-type: none"> • Check satellite images (i.e. https://www.sentinel-hub.com/, https://earthexplorer.usgs.gov/, etc.) <p>Consult:</p> <p>Request from authorities and check the certificates of inspection of felling sites of dead and damaged forest stands for recorded acts of violation of the law.</p>
<p>1.4 Lack of valid or any harvesting permits</p>	<p>All Source Types, except State assignment</p>	<p>Harvest permits shall be in place and issued through auctions</p>	<p>Review and verify documents:</p> <p>Verify that harvesting permits are in place:</p> <ul style="list-style-type: none"> • Forest Declaration (for long-term use); • Forest Stands Purchase Contract (for short-term use). <p>Forest Declaration has to be approved by relevant competent authority. Verify and compare information on actual composition of supplied timber and harvested volumes with information in the harvesting permit. To verify that the timber purchased could be harvested under the claimed permit, the volumes and species to be harvested shall be possible to cover the supplied material.</p>

			<p>Check online Databases: Verify authenticity and validity of a harvesting permit (Forest Declaration and Forest Stands Purchase Agreement) via the <i>Unified State Automated Information System 'Accounting for Timber and Transactions with it'</i> (https://www.lesegais.ru/open-area/rent or https://www.lesegais.ru/open-area/buysell).</p> <p>Consult: In case of missing information in the database send a request to the relevant competent authority to verify there are no issues with the permit.</p> <p>Conduct onsite verification:</p> <ul style="list-style-type: none"> • Carry out on-site sample checks/verifications with the purpose to assess declared information in the harvesting permit with the actual data. • Carry out sample checks/verifications of the accompanying documents from the logging sites in order to verify information at the point of dispatch with the actual place of timber origin stated in the harvesting permit.
Risk of corruption when procuring	State assignment	Contractors and buyers shall be assigned through actions	<p>Review and verify documents:</p> <ul style="list-style-type: none"> • Search for and analyze the Administrative Regulation of the Subordinate institution of the state from which the timber originates

<p>timber via State assignment (1.4)</p>			<p>on established procedure for determining contractors (conducting harvesting activities) as well as buyers.</p> <ul style="list-style-type: none"> Request documents from the supplier proving that timber procurement procedure is tender-based (for instance, protocol of auction results). <p>Consult: In case Administrative Regulation mentioned above is not available on the Internet it will be necessary to request relevant Regulations directly from the Subordinate institution of the state from which the timber originates.</p>
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Taxes and Fees

Risk	Applicable to	Indicator of legal compliance	Potential mitigation actions
<p>Concession fees for forest concessions are not paid on time (1.5)</p>	<p>Forest concession</p>	<p>Concession fees shall be paid</p>	<p>Review and verify documents:</p> <ul style="list-style-type: none"> Request harvesting fees payment statement from the lessee. Verification of the statement confirms due fees are paid within the timelines stated in the Forest Concession Agreement.

			<ul style="list-style-type: none"> • In case of debts and disputes request documentation confirming implementation of actions by the lessee to resolve the dispute and to pay the arrears (an approved deferral of payments, plan of settlement of the arrears, court's decision, payment order, etc.) <p>Check online Databases:</p> <p>Check information about debts on:</p> <ul style="list-style-type: none"> • The official Federal Forestry Agency website: http://rosleshoz.gov.ru/activity/economy_and_finance/stat or; • Official websites of state and regional executive authorities.
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Timber Harvesting Activities

Risk	Applicable to	Indicator of legal compliance	Potential mitigation actions
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<p>Violation of harvesting regulations (1.8).</p>	<p>All sources types</p>	<p>Harvesting activities shall be conducted in line with technological maps and relevant harvesting regulations</p>	<p>Review and verify documents:</p> <ul style="list-style-type: none"> • Request and analyse <i>Certificate of inspection of harvesting sites</i> to identify potential and most common types of violation. • Technological map <p>Consult: Consultations with representatives of local supervisory authorities regarding the use of forests.</p> <p>Conduct onsite verification: Conducting random field inspections (mainly during the snowless period) of forest users of each supplier to assess the risk of harvesting regulation. When conducting a field inspection, it is necessary to assess the compliance of the actual activities carried out at the harvesting site with the requirements of the Technological Map and the norms of the current legislation.</p>
<p>Unclear boundaries and lack of classification of specially protected natural areas (OOPT) leading to allocation of harvesting rights in protected areas (1.9)</p>	<p>All sources types</p>	<p>Specially protected areas shall be correctly classified and boundaries shall be clearly mapped with coordinates and entered into the State Cadastre of Real Estate</p>	<p>Review and verify documents: Verify the presence and location of OOPT, Wetlands, protective forests, OZU and objects of cultural heritage, and their legally established restrictions through;</p> <ul style="list-style-type: none"> • Forest Plan • Forest District Management Plan, • Forest Concession Management Plan, • regulations on OOPT, • regulations on Wetlands

Compare the information in databases and documents Review

Verification of the places of timber harvesting and the location of protected areas / wetlands / bufferzones, compliance with the regime of restrictions on protected areas / wetlands / bufferzones through;

- Forest declarations
- Reports on the use of forests (1-IL)

Check online Databases:

to collect the most recent available information about OOPT, Wetlands, protective forests, OZU and objects of cultural heritage;

- the HCVF website (<https://hcvf.ru/ru>),
- the Wetlands of Russia website (<http://www.fesk.ru>),
- information and analytical system "Specially Protected Natural Territories of Russia" (<http://oopt.aari.ru>),
- Website of the Unified State Register of Cultural Heritage Objects (Historical and Cultural Monuments) of the peoples of the Russian Federation (<https://opendata.mkrf.ru/opendata/7705851331-egrkn>)

Consult:

Consultations with authorities on the cases of harvesting in the listed protective sites and relevant buffer zones.

- authorized state authorities on the felling in protected areas / wetlands and compliance with the restrictions.

			<ul style="list-style-type: none"> • forest districts on the presence of logging in protective forests and OZU and compliance with the restrictions.
Rare species of wood could be harvested or damaged (1.9)	All sources types	Rare species of wood are not harvested or damaged	<p>Review and verify documents: Review and compare the following documents to identify the presence of identified rare species within a forest plot:</p> <ul style="list-style-type: none"> • Forest Concession Management Plan • Red Book of Russian Federation • Red Books of the corresponding constituent entities of the Russian Federation • The List of species of trees and shrubs, timber harvesting of which is not allowed in places of timber harvesting <p>Onsite verification: Field check to confirm the conservation of rare species at harvesting sites.</p>
Damage of Cultural Heritage Sites (1.9)	All sources types	Cultural Heritage Sites are protected and maintained	<p>Review and verify documents:</p> <ul style="list-style-type: none"> • Review forest declarations and reports on the use of forests (1-IL) to check if cultural heritage sites are located at timber harvesting sites, and whether there is compliance with the restrictions for cultural heritage sites. • Review forest plans, forestry regulations, forest development projects and provisions on protected areas for the presence of cultural heritage sites, their location and restrictions.

			<p>Check online Databases:</p> <ul style="list-style-type: none"> • Check the HCVF website (https://hcvf.ru/ru), • the website of the information and analytical system "Specially Protected Natural Areas of Russia" (http://oopt.aari.ru), • the website of the Unified State Register of Cultural Heritage Objects (Historical Monuments and culture) of the peoples of the Russian Federation (https://opendata.mkrf.ru/opendata/7705851331-egrkn), <p>Consult: Consultations with the authorities of the applicable Forest Districts of cultural heritage objects in places of timber harvesting, compliance with the regime of restrictions for cultural heritage objects.</p>
<p>Risks related to Buffer zones along waterways</p> <ul style="list-style-type: none"> - Not allocated - Not mapped or do not follow allocation requirements or size, 	<p>All Source Types</p>	<p>Buffer zones shall be correctly allocated and approved by Federal Agency for Fishery</p>	<p>Consult:</p> <ul style="list-style-type: none"> • Consultations with Authorities of Forest Districts on the compliance with the restrictions in protective forests Forests of Water Buffer Zones and OZU Coastal Protection Areas of Forests. • Consultations with the Federal Agency for Fisheries (Rosrybolovstvo) on the compliance with the restrictions in water buffer zones. <p>In case of receiving information about a violation of the regime of protective forests "Forests of water protection zones", OZU "Bank</p>

<p>- Lack approval from Federal Agency for Fishery (1.10)</p>			<p>protection areas of forests", water protection zones - refusal to purchase wood from the site in violation.</p>
<p>Risk of waste being left in the forest or transported without correct documentation. (1.10)</p>	<p>All Source Types</p>	<p>Waste passport and contracts for the transfer of waste to specialized organizations shall be in place. The period for temporary accumulation of waste established by law – up to 11 months shall not be surpassed</p>	<p>Review and verify documents:</p> <p>Check the availability of the following documents</p> <ul style="list-style-type: none"> • Industrial waste passports • contracts for the transfer of waste to specialized organizations. • The register of waste generation and movement. • The existence of acceptance certificates by specialized organizations (except for cases when the logging enterprise has been operating for less than 1 year). <p>Onsite verification:</p> <p>Carry out onsite sample checks/verifications of appropriate waste management as well as evaluation relevant documentation onsite.</p> <p>In the absence of required documents, refusal to purchase timber is announced.</p>

<p>Violation of the legislation on land revegetation (1.10)</p>	<p>Rosimushestvo</p>	<p>Land shall be revegetated after end construction, and planned in planning documents</p>	<p>Review and verify documents:</p> <ul style="list-style-type: none"> • Check forest declarations or contracts of sale and purchase of forest stands, or a contract for timber harvesting for the presence of felling of forest stands in forest areas intended for the construction, reconstruction and operation of facilities. • In case of receipt of wood from the site where there was felling for the construction of a road or development of a quarry - check for the availability of information on land reclamation in forest development projects and / or land reclamation projects. <p>Consult: Consultations with representatives of the forestry on violations of the requirements for land reclamation.</p> <p>Onsite verification: Upon receipt of information from representatives of the forestry that there are violations of the requirements for land reclamation - conduct a field check.</p> <p>In case of any violations detected during the on-site checks/verifications then it is recommended not to proceed with the purchase (terminate the purchase).</p>
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<p>Violation of health and safety regulations (1.11)</p>	<p>All source types</p>	<p>Health and Safety regulations shall be in place</p>	<p>Review documents and verify (During onsite verification):</p> <p>Health and Safety documents should be reviewed and verified to confirm requirements on Health and Safety is in place (The list below is not exhaustive):</p> <ul style="list-style-type: none"> • Regulations on the occupational safety management system with all attachments; • A report on a special assessment of working conditions (SAWC) (pages containing the date of approval of the report, a list of workplaces, an expert's opinion based on the results of a SAWC, SAWC cards for workplaces and an action plan to improve working conditions based on the results SAWC); • Certificates of training in 40-hour program (for management and OSH responsible persons); • Training certificates relevant for a certain activity (i.e. certificate for the right to drive lifting machines and mechanisms; certificate of obtaining a working profession, etc.); • Personal accounting cards for issuing PPE; • OSH training logs; • OSH instructions; • Documents on passing preliminary and periodic medical examinations; • Register of accidents at work. <p>The listed above documents should be checked for workers interviewed during onsite verification. It is a necessary condition to assess the OSH implementation and management system from different perspectives.</p>
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<p>Violation of the legal requirements related to labor contracts when hiring, civil law contracts, payments of illegal wages (1.12)</p>	<p>All source types</p>	<p>Compliance with the Labour Law legislation</p>	<p>Conduct onsite verification:</p> <p>Carry out onsite sample checks/verifications. During onsite verification harvesting sites should be observed and interview with the workers intimately involved in forestry operations should be conducted.</p> <p>Interview with staff:</p> <ul style="list-style-type: none"> • Identify whether there are complaint from workers on employers do not respect the terms of a labor contract or a civil law contract. • Identify whether there are complaint from workers on employers do not pay salary or pay salary off the books (gray salary). <p>Review and verify documents:</p> <ul style="list-style-type: none"> • A labor contract shall exist. Content of the labor contract shall meet the requirements prescribed by the Labor Code; • If an employee works by civil law contract, the contract shall exist. <p>The documents listed above should be checked for workers who have been interviewed during onsite verification.</p>



Third Parties' Rights

Risk	Applicable to	Indicator of legal compliance	Potential mitigation actions						
<p>Risk that legal right to preserve and protect the traditional land may be violated (1.15)</p>	<p>All source types. Only in regions of traditional residence of indigenous peoples (See table under Potential mitigation actions)</p>	<p>Traditional land of indigeneous people shall be preserved and protected</p>	<p>Consult: Consultations with stakeholders to identify whether there are controversial situations related to the rights of use with indigenous communities. In the presence of unresolved disputes, the refusal to purchase wood from the disputed forest site (or part of it) is recommended. Relevant stakeholders:</p> <ul style="list-style-type: none"> • Indigenous peoples' public organizations, • Municipal administrations listed below <table border="1" data-bbox="1099 1102 2168 1361"> <thead> <tr> <th data-bbox="1099 1102 1420 1201">The constituent entity of the Russian Federation</th> <th data-bbox="1420 1102 1648 1201">Indigenous minorities</th> <th data-bbox="1648 1102 2168 1201">Places of traditional residence and traditional economic activities</th> </tr> </thead> <tbody> <tr> <td data-bbox="1099 1201 1420 1361">Leningrad region</td> <td data-bbox="1420 1201 1648 1361">Vepsians</td> <td data-bbox="1648 1201 2168 1361"> <ul style="list-style-type: none"> • Podporozhsky municipal district (Voznesenskoe urban settlement, Vinnytsia rural settlement) • Boksitogorsk municipal district (Radogoschinsky rural settlement) </td> </tr> </tbody> </table>	The constituent entity of the Russian Federation	Indigenous minorities	Places of traditional residence and traditional economic activities	Leningrad region	Vepsians	<ul style="list-style-type: none"> • Podporozhsky municipal district (Voznesenskoe urban settlement, Vinnytsia rural settlement) • Boksitogorsk municipal district (Radogoschinsky rural settlement)
The constituent entity of the Russian Federation	Indigenous minorities	Places of traditional residence and traditional economic activities							
Leningrad region	Vepsians	<ul style="list-style-type: none"> • Podporozhsky municipal district (Voznesenskoe urban settlement, Vinnytsia rural settlement) • Boksitogorsk municipal district (Radogoschinsky rural settlement) 							

		<ul style="list-style-type: none"> Lodeynopolsky municipal district (Alekhovschinsky rural settlement) Tikhvin municipal district (Pashozerskoe rural settlement)
	Vod	<ul style="list-style-type: none"> not defined
	Izhorians	<ul style="list-style-type: none"> not defined
Republic of Karelia	Vepsians	<ul style="list-style-type: none"> Prionezhsky municipal district (Shoksha Vepsian, Sheltozersky Vepsian, Ryboretsky Vepsian rural settlements)
Vologodskaya Oblast	Vepsians	<ul style="list-style-type: none"> Babaevsky municipal district (Vepsian national, Pyazhozerskoe rural settlements) Vytegorsky municipal district (Oshta rural settlement)
Pskov region	Setu (seto)	<ul style="list-style-type: none"> de jure: not defined, de facto: Pechora region
Komi Republic	Mansi, Khanty, Nenets	<ul style="list-style-type: none"> Urban districts: Vorkuta, Inta (except for Inta), Usinsk (except for Usinsk) Municipal districts: Izhemsky, Ust Tsilemsky
Arkhangelsk region	Nenets	<ul style="list-style-type: none"> de jure: not defined, de facto: Leshukonsky, Mezensky Primorsky, Pinezhsky municipal districts

			Nenets Autonomous Okrug	Nenets	<ul style="list-style-type: none"> Municipal District Zapolyarny District (except for the urban settlement of the settlement of Seekers)
			Murmansk region	Saami	<ul style="list-style-type: none"> Urban district Kovdorsky district Municipal districts: Kolsky, Lovozersky, Tersky



Trade and Transport

Risk	Applicable to	Indicator of legal compliance	Potential mitigation actions
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<p>Risk that roundwood and sawn timber sales are not declared in the Unified State Automated Information System on timber inventory and trade (ЕГАИС/EGAIS)</p>	<p>All Source Types</p>	<p>Roundwood and sawn timber sales shall be declared accurately in EGAIS</p>	<p>Review and verify documents:</p> <ul style="list-style-type: none"> • Collect information about the concluded contracts for the supply of timber along the entire supply chain from the supplier to the logger; • Collect information by requesting screenshots from the Unified State Automated Information System from each organization, as well as analyze publicly available data in the Unified State Automated Information System and verify the fact and accuracy of the declarations on timber transactions by each organization in the supply chain; <p>Check and compare information on the actual volumes of timber transported for each declaration on a timber deal.</p> <p>Onsite verification: By continued purchase from a supplier it is recommended to carry out onsite sample checks/verifications at forest level to check the Accompanying Documents for completeness and reliability of the information indicated in them and compare with information entered into EGAIS (including: routes, assortment and species composition, volume of timber).</p>
<p>Lack of transport documents (applicable to road and water transport) (1.17)</p>	<p>All Source Types</p>	<p>Timber transport shall be accompanied by valid transport documents</p>	<p>Onsite verification: Carry out onsite sample checks/verifications in order to check the Accompanying Documents for the completeness and reliability of the information indicated in them (including: routes, assortment and species composition, volume of timber).</p>

<p>Transportation of timber from quarantine phytosanitary zones without a valid certificate (1.17)</p>	<p>All Source Types</p>	<p>Timber from quarantine zones shall be accompanied by quarantine phytosanitary certificates.</p>	<p>Check online database:</p> <ul style="list-style-type: none"> Search for the information on the phytosanitary quarantine restrictions in relation to quarantine objects inherent in timber (e.g. fungi, insects), in places where timber is harvested, stored and processed using official websites of legal authorities (i.e. websites of Rosselkhoznadzor https://fsvps.gov.ru/ and its territorial bodies). <p>Consult: In case of lack of information on the official websites, consult with authorities on the phytosanitary quarantine restrictions in relation to quarantine objects inherent in timber, in places where timber is harvested, stored and processed.</p> <p>Review and verify documents:</p> <ul style="list-style-type: none"> Request quarantine certificates from the supplier or sub-supplier; <p>Check the compliance of the timber transportation period with the validity periods of the quarantine certificates, as well as the compliance of the name and volume of products to which the issued quarantine certificates apply.</p>
<p>Risk of timber export bypassing official customs check-points (1.19)</p>	<p>All source types</p>	<p>Timber shall be exported through official customs check-points</p>	<p>Review and verify documents:</p> <ul style="list-style-type: none"> Valid (completed and approved) customs declaration to confirm that timber was exported through official customs check-points; A phytosanitary certificate (If required by the country of destination); Trade and shipping documents.

About LIFE Legal Wood

[LIFE Legal Wood](#) is an initiative that aims at supporting timber-related companies in Europe with knowledge, tools and training in the requirements of the EU Timber Regulation. Knowing your timber's origin is not only good for the forests, but good for business. The initiative is funded by the LIFE Programme of the European Union.



Preferred by Nature (formerly NEPCon) is an international non-profit organisation working to support better land management and business practices that benefit people, nature and the climate.

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