

FSC National Risk Assessment

For Norway

DEVELOPED ACCORDING TO PROCEDURE FSC-PRO-60-002 V3-0

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Risk designations in finalized risk assessments for Norway

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	Low risk
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	Low risk
1.15	Low risk
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	Specified risk: Sea sami rights (Sapmi¹). FPIC implementation (Sapmi except of Finnmark county) Low risk: Norway outside Sapmi¹
Controlled wood category 3: Wood from forests where high conservation values are threatened by management activities	
3.0	Low risk
3.1	Specified risk: Concentrations of near threatened species and near threatened responsibility species Low risk: Protected areas, selected habitat types protected by law, priority species, key habitats, nature type A localities and threatened species
3.2	Specified risk: IFLs in Finnmark Low risk: Rest of the country

¹ The assessment is delimited to the Norwegian part of Sapmi as visualized in Fig. 1 (cat. 1.15).

3.3	<u>Specified risk: Nature type B localities and the ***/A and **/B NARIN core areas</u> <u>Low risk: Protected areas, selected habitat types, priority species, key habitats, nature type A localities and old-age forests.</u>
3.4	<u>Low risk</u>
3.5	<u>Specified risk: Sami reindeer herding districts (Fig. 1, ind. 1.15)</u> <u>Low risk: Norway outside the Sami reindeer herding districts</u>
3.6	<u>Specified risk: Culturally Modified Trees (CMT²) occurring in the counties of Nordland, Troms and Finnmark</u> <u>Low risk: Other protected cultural heritage sites for all counties in Norway</u>
Controlled wood category 4: Wood from forests being converted to plantations or non-forest use	
4.1	<u>Low risk</u>
Controlled wood category 5: Wood from forests in which genetically modified trees are planted	
5.1	<u>Low risk</u>

² CMT is defined in cat. 3.6.

Background information

What is FSC?

The Forest Stewardship Council (FSC) is an international non-profit, multi-stakeholder organization established in 1993 to promote responsible management of the world's forests. The FSC does this by setting standards on forest products, along with certifying and labeling them as eco-friendly. FSC has 10 Principles and associated Criteria (FSC P&C) that form the basis for all FSC forest management standards and certification. FSC International sets the framework for developing and maintaining international, national and sub-national standards. This is intended to ensure that the process for developing FSC policies and standards is transparent, independent and participatory. For more information about FSC, see <https://ic.fsc.org/en/what-is-fsc>.

In 2010 a first Norwegian attempt to create a national standard was initiated, but this process stranded in the end on disagreements about use of exotic tree species in forest plantations. Presently, a number of Norwegian organizations are holders of FSC certificates based on International Generic Indicators (IGI), which is a standard developed for countries not having a national standard. In writing moment organizations in Norway are working in a new Standard Development Group with the aim to establish national FSC standards. The standard developing process happens as a continuum of the Norwegian NRA-process for Controlled Wood.

FSC Controlled Wood

The Controlled Wood system was introduced by FSC in 1997 to avoid material from unacceptable sources in FSC Mix products, i.e. products with materials from FSC-certified forests mixed with uncertified materials or material certified by other labels (e.g. PEFC). In the years after, the Controlled Wood system evolved in several stages into the system used today by companies managing an FSC CoC-certificate (Chain-of-Custody Certificate).

In 2000, a review of the FSC policy led to a more sophisticated approach towards “controversial sources” and an entire section on this subject was added to the policy. The following categories of uncertified raw materials were considered to be unacceptable as part of an FSC-certified product:

- 1) Illegally harvested wood;
- 2) Wood harvested in violation of traditional and human rights;
- 3) Wood from forests in which high conservation values are threatened by management activities;
- 4) Wood from forests being converted to plantations and non-forest use; and
- 5) Wood from forests in which genetically modified trees are planted.

The NRA is organized into five chapters representing an analysis of these five categories.

The 2000 policy further required companies to have a public policy to avoid wood from unacceptable sources as well as a monitoring and tracking system to identify the origin of the uncertified material. In the lack of a national risk assessment (NRA), which has been the situation in Norway, each company was imposed to make a simplified risk assessment for non-FSC certified sources to avoid timber from unacceptable areas. Nearly 70 companies in Norway are holding Controlled Wood certificates.

With the revision of the FSC Controlled System, however, enterprise-based risk assessments will no longer be possible. The FSC is working toward national risk assessments to which companies can resort. During the last years, NRA-processes has been initiated in a series of countries, or alternatively centralized national risk assessments (CNRAs) on behalf of FSC international. A Norwegian CNRA draft was written during 2016 by the non-profit organizations NEPCon (category 1 and 3-5) and Wolfgang Richert Consulting (category 2). In the lack of an NRA, this assessment would have been the only valid risk assessment for Norway from 2018 according to the Controlled Wood requirements (*FSC-STD-40-005 V3-0 EM*). However, the development of a Norwegian NRA will according to the progress plan be finally

approved by FSC in June 2018. The FSC CoC-certified companies then have to incorporate the NRA in a Due Diligence System according to *FSC-STD-40-005 V3-1 EN*.

Companies wishing to declare FSC Controlled Wood material for incorporation in FSC mix products must verify/prove the source of the wood, assess the risk of non-acceptable sources, and where risk is identified, evaluate the supply chain and adopt measures to avoid risk. This risk analysis process is implemented for Norway with this NRA. The risk assessment covers an analysis of the individual risk levels for each category and indicator, and the corresponding implications:

- When the conclusion of the assessment is 'low risk' for a particular region, no further verification is required for controlled wood from this region. Wood from the region can be added as controlled wood for use in the manufacture of FSC mix products.
- When the conclusion of the assessment is 'specified risk', the supply chain must be assessed with respect to this risk and defined control measures must be implemented.

All defined Controlled Wood categories and indicators are assessed, except of indicator 1.2 (concession licenses) which is not applicable in Norway.

What do 'low risk' and 'specified risk' really mean?

An assessment concluding with *Low risk* is not equal to *No risk*. Low risk means that the named indicators of controlled wood are not threatened, either across the forest area or systematically. A low risk of injury of the controlled wood requirements means simply that FSC does not consider possible infringements to be widespread and that an incorporation of the corresponding material in FSC mix products is accepted without a comprehensive auditing of forest enterprises. An assessment concluding with *Specified risk* is used for indicators where more or less systematic unfortunate events are recorded as a consequence of harvesting operations. The Norwegian NRA Working Group is responsible for the risk conclusions based on the FSC standards and procedures (see *references* below), expert sources and chamber-balanced assessments (see composition of the NRA Working Group in table 1).

A short introduction to the Norwegian forestry sector

The Norwegian forestry sector dealing with timber harvesting is completely dominated by about 10 companies. The companies are either local, commercial departments of a forest owner's organization, or they are commercial companies without memberships. In the NRA, the companies are mentioned as *timber buyers*. Each of the timber buyers are holding one PEFC group certificate for the forest owners trading with them. A few forest properties additionally are FSC-certified (2018) and affiliated to a similar pool of certificates held by timber companies. Forest owners with a commercial relationship to more than one timber buyer are covered by each PEFC group certificate, and by 2016 96,3 % of the traded timber in Norway was PEFC-certified. Short administrative distances between the harvesting contractors and the timber buyers are common. Usually the harvest planning is done by the timber buyer and the forest owner in cooperation, and the timber harvest itself is done by a team on working contracts for the timber buyer. The forest owner normally engages the timber buyer, and rarely the harvesting team. Forest owners can also do harvesting themselves but would then need a contractual agreement with the timber buyer who is engaged in planning according to the certification procedures (including compliance to their FSC CoC- or CW certificates) and resale-demands. It is practically impossible for a harvesting team to sell timber without involving a timber buyer from the start. Timber buyers are also mentioned in the NRA as *certificate holders* (usually PEFC standards maintained by ISO 14001). This system ensures a very high proportion of PEFC-certified timber in the market, and some quantum of double-certified timber (PEFC+FSC).

References

FSC-STD-01-002 FSC Glossary of terms

FSC-PRO-01-009 V3-0 EN Processing Policy for Association Complaints in the FSC® Certification Scheme

FSC-PRO-60-002 V3-0 EN The Development and Approval of FSC® National Risk Assessments

FSC-PRO-60-002a Addendum: FSC National Risk Assessment Framework

FSC-PRO-60-002b Addendum: List of FSC approved Controlled Wood documents

FSC-STD-40-005 V3-1 EN Requirements for Sourcing FSC® Controlled Wood

FSC-STD-60-006 Process requirements for the development and maintenance of National Forest Stewardship Standards

Abbreviations and terms

Coordinator: The person authorized by FSC to coordinate the development and approval of the FSC National Risk Assessment, including coordination and management of the NRA Working Group(s). The Coordinator is the main contact for FSC in the NRA development process.

FSC Controlled Wood (FSC CW): Material which has passed assessment for conformance with Controlled Wood requirements according to the standard *FSC-STD-40-005 Requirements for Sourcing FSC Controlled Wood* or *FSC-STD-30-010 Forest management requirements for Controlled Wood certification*.

National decision body: The body that must approve the draft National Risk Assessment at the national level before it is submitted to FSC for final approval. Subject to requirements, it may be the Board of Directors of the relevant FSC Network Partner, the FSC Regional Director, or the members of the authorized National Risk Assessment Working Group that developed the National Risk Assessment.

National Risk Assessment (NRA): A designation of the risk of sourcing from 'unacceptable' sources in a given country or region, developed according to *FSC-PRO-60-002 Development and Approval of FSC National Risk Assessments*.

National Risk Assessment Working Group (NRA-WG): The technical body recognized by FSC and established for the purpose of developing a National Risk Assessment for a given country or region in accordance with FSC requirements. The NRA-WG is not required to be an independent legal entity. It may be a committee or working group, representing the interests of the three FSC chambers: economic, social and environmental.

Responsible body: The entity responsible for NRA development and maintenance. It may be an FSC Network Partner, FSC Regional Office or the Controlled Wood Program of FSC International. The responsible body establishes the NRA-WG and submits the proposal to develop a NRA. The responsible body also collects relevant information on the NRA during its period of validity to assess the need for updating or revising the NRA and amends the NRA when needed.

Purpose of the National Risk Assessment, scope and objective of stakeholder consultation

A Norwegian National Risk Assessment Working Group (NRA-WG) was formed during May - October 2016. The group is organized in accordance with *FSC-PRO-60-002 V3-0 EN*, clause 2.4., similar to a Standard Development Group (SDG) such as described in *FSC-STD-60-006*, clause 4 (three separate chambers representing social, environmental and economic interests), and chaired by a neutral leader

and a secretary appointed by consensus of the group. The aim is that results from the Centralized National Risk Assessment (CNRA) processed by NEPCo and Wolfgang Richert Consulting (on behalf of FSC International Center - Policy and Standards Unit), together with the analysis done by the NRA-WG, will give a proper NRA for Norway.

The objective is an assessment of the risk of sourcing wood from *unacceptable sources* in Norway as outlined by the five Controlled Wood categories, according to the risk assessment requirements specified in *FSC-PRO-60-002a FSC National Risk Assessment Framework*.

The Norwegian NRA-WG is composed of nearly all the largest organizations representing social and environmental interests (i.e. organizations dealing with noncommercial forest use and forest/nature conservation). A broad representation from the economic interests is also present (both industry and forestry organizations / timber buyers). The Working Group members agreed to closely follow the CNRA process, to utilize and improve the results from the CNRA, when developing their NRA. Amongst the stakeholders there is a broad interest for an NRA in Norway, and the group agrees to run the process this way to provide a *maximum ownership* to the results.

The geographical area of the risk assessment is Norway (all regions and areas with forestry activity, i.e. all Norwegian mainland counties). Forest types cover biogeographical regions from the nemoral/supratemperate and boreonemoral/hemiboreal regions in the south and southwest, through the boreal forest regions. The main forest types used for commercial forestry are spruce forest, pine forest, birch forest, and (marginally) oak forest. Boreal deciduous forests, beech forests and thermophilous deciduous forests are currently in minor degree relevant areas for forestry. 96.3 % of the wood products from Norwegian forests are traded as certified products (mainly PEFC, some both PEFC and FSC), which is a large proportion compared to most countries.

The FSC NRA process is financed by the Norwegian Pulp and Paper Association, the Norwegian Wood Industry Federation, Norwegian Forest Owners Association, and NORSKOG (all members of the economic chamber). The organizations behind the members of the NRA-WG have also used large resources in the process by making their employees available for meetings, investigations and expert consultations.

A 60-day public stakeholder consultation was held during September-October 2017 according to the application form (*FSC-PRO-60-002 V3-0 EN - The Development and Approval of FSC National Risk Assessments* – page 18-21). Because Norway does not have a national FSC office, the NRA draft was published for stakeholder consultation on the web page of FSC International (<https://ic.fsc.org/en>), which is our responsible body. Before the consultation the NRA-WG was additionally proactive towards known stakeholders using networks (several umbrella organizations are represented in the NRA-WG covering nearly all relevant stakeholders in the social and environmental chambers). The internet-link to the NRA-draft and a summary in Norwegian simultaneously became available for Norwegian stakeholders in an email. The NRA-WG decided that a second draft consultation was not necessary because of a thoroughly completed first draft process.

Comments on the draft were given to FSC international in an email, with a copy to the Norwegian NRA-WG. Five stakeholders gave comments to the draft focusing on the the specified risk areas and the corresponding Control Measures. A stakeholder analysis was given to FSC in December 2017, and the NRA-WG treated all the comments during January 2018 in a consensus process and minor changes were done in the Control Measures for category 3.5. Justified answers were given to the stakeholders in separate e-mail letters.

The Norwegian NRA Working Group.

The Norwegian NRA-WG consists of six members in each of the chambers (economic, social and environmental chamber). The NRA-WG is coordinated by a leader and a secretary (both neutral). The secretary is the editor of the NRA.

Table 1. Overview of the members of NRA-WG, their qualifications and contact details (including the leadership).

Name	Membership chamber	Qualifications	Contact details
Erling Bergsaker	Economic chamber	NORSKOG represented by Mr. Erling Bergsaker, head of forest consultancy services. Mr. Bergsaker (M.Sc. Forestry) has been working with forest certification in Norway since the very beginning around year 2000. He has more than 30 years of experience with operational forest management in Norway and internationally.	erling.bergsaker@norskog.no +47 915 11 467
Nils Bøhn	Economic chamber	Manager of the forest academic unit of the Norwegian Forest Owners' Federation. He has been working with Norwegian forest certification since the start around year 2000. Education: M. Sc. Forestry.	nils.boehn@skog.no +47 905 44 565
Per Hallgren	Economic chamber	Quality and environmental manager in Viken Skog SA. Work on FSC, PEFC and certification issues since 2010.	ph@viken.skog.no +47 913 87 504
Kjell Messenlien	Economic chamber	Working with raw material supply in Bergene Holm AS since 2014, and responsible for PEFC- and FSC certificate. MD in AØV (timber transport) 2005 – 2014. Before that, long experience in forest management and PEFC (Stangeskovene AS).	Kjell.messenlien@bergeneholm.no +47 982 50 325
Per Nonstad	Economic chamber	MSc Pulp and Paper Technology. HES-manager Norske Skog Skogn. Responsible for security, safety, environmental and quality assurance.	per.nonstad@norskeskog.com +47 906 88 425
Lars Storslett	Economic chamber	MD of Moelven Virke AS, which is responsible for the raw material supply of Moelven's sawmills in Norway. Responsible of Moelven Virke's FSC and PEFC certification. Education: MSc Mech.eng.	lars.storslett@moelven.com +47 907 92 891
Karoline Andaur	Environmental chamber	Karoline Andaur, conservation director WWF-Norway. Andaur has an MSc in social anthropology, focusing on farmed salmon in Chile. She has worked in WWF since 2009, and as conservation director since 2015. Andaur has extensive experience with MSC (marine stewardship council) and certification work on behalf of WWF-Norway.	kandaur@wwf.no +47 928 19 464
Marianne Hansen	Environmental chamber	Marianne Hansen, FSC adviser for the environmental chamber (position shared jointly between Sabima and WWF-Norway). Hansen has an MSc degree in ecology, specializing on insect biodiversity in old-growth forests.	mhansen@wwf.no +47 984 08 551
Sverre Lundemo	Environmental chamber	Lundemo is a biologist (PhD) and a biodiversity advisor at WWF-Norway. He is FSC focal point at WWF-Norway, and works with forestry issues (including certification schemes, alien tree species, forest biodiversity, and more).	slundemo@wwf.no +47 909 89 727
Christian Steel	Environmental chamber	Director of Sabima. Steel has a master's in biology and has taken active part in forest certification schemes in Norway since 2006.	christian.steel@sabima.no +47 943 45 082

Heidi Sørensen	Environmental chamber	Team leader in WWF and followed parts of the last attempt to establish a Norwegian FSC standard from her former position as state secretary in the Ministry of Environment. She has comprehensive experience in negotiations and process development when it comes to environmental issues, and a thorough knowledge of environmental law.	hsorensen@wwf.no +47 959 63 927
Even Woldstad Hanssen	Environmental chamber	Even W. Hanssen, mapping coordinator Sabima (the Norwegian Biodiversity Network). Hanssen is a biologist and expert botanist, and has long-standing knowledge of forestry in Norway, indicators in old-growth forest and status and identification of various forest dwelling species of fungi, lichens and plants.	even.w.hanssen@sabima.no +47 992 56 120
Anders Blom	Social chamber	Chairman of the Foundation Protect Sapmi which was founded by the Sami Reindeer Herders' Association of Norway and the National Union of the Swedish Sami People. Blom is also a member of the Permanent Indigenous Peoples Committee within FSC International (PIPC). In that capacity, Blom is and has been involved in technical work groups within FSC International. Presently Anders Blom is engaged in the technical work group set up to revise the FSC manual for Free Prior and Informed Consent (FPIC). PIPC has been in a continuous dialogue with the International Board and the secretary general concerning the new FSC Strategy – Forest for all forever. Anders Blom is a member of the Swedish FSC board for 8 years, presently as an alternate.	anders.blom@protectsapmi.com +46 705 144 480
Morten Dåsnes	Social chamber	Chairman of the Norwegian Outdoor Board since 1990. Dåsnes have also been working in an Outdoor Board at local level and have been engaged by environmental authorities regarding forest conservation. Education from Institute for Ecology and Nature Management at the Norwegian Univ. of Life Sciences.	morten@friluftsliv.no +47 416 18 459
Arvid Eikeland	Social chamber	Secretary of the socio-political department of the Norwegian United Federation of Trade Unions (Fellesforbundet), with special emphasis on, and long experience in practical forestry and forest management. Eikeland also has the main responsibility for forestry- and agriculture politics and is working with education in the sector. Eikeland has 45 years of prior learning on top of education in forestry.	arvid.eikeland@fellesforbundet.no +47 908 55 978
Hans Erik Lerkelund	Social chamber	Adviser at Norsk Friluftsliv since 1999. Main issues have been Public information, and reviews of new laws and regulatory, research programs, conservation plans and regulation plans. Lerkelund has several years of experience from forest standard development. 1992-1999 he worked at the Norwegian Environment Agency on regional and national levels, mainly with nature- and species conservation. Lerkelund is Cand. Scient. in	hans.erik.lerkelund@norskfriluftsliv.no +47 988 49 397

		zoology and has a bachelor in nature conservation and environmental science.	
Oddvin Lund	Social chamber	Employee of outdoor life NGOs since 1991, working mainly with conservation and access-to-nature issues. The focus has been to promote public interests in sectors operating in the natural environment, including forestry. Lund's education includes biology, social anthropology and an M.Sc in management of natural resources and sustainable agriculture.	oddvin.lund@dnt.no +47 958 79 379
Tore Molteberg	Social chamber	Molteberg takes part in information and education year round, especially on forest-days for school-children. He has also taken part in or is part of the staff of several national and international conferences regarding forest policies. When Norway was chairing MCPFE, he was responsible for making a leaflet on Norwegian Forest Policies. He is responsible for running a service to all Norwegian nurseries, including courses, as well as being in touch with the authorities regarding matters on plant protection chemicals related to the production of seedlings.	tore@skogselskapet.no +47 900 75 893
Steinar Asakskogen	Leader of NRA-WG (neutral)	Graduated in forestry 1978 at the Norwegian University of Life Science, NMBU (In 1978 known as Norwegian College of Agriculture, NLH.). 1978 - 1980: Trainee State Forests. 1980 - 2013: Employee in Norske Skogindustrier ASA in various forest related positions (e.g. responsible for the company's forestry operations in Norway and Sweden, responsible for wood supply to several of the group's paper mills, including all the factories in Norway). This period included board membership in several companies such as Norske Skog AB (Sweden), Moelven Skog AB (Sweden), Wood and Paper (Czech Republic), Sapin SA (Belgium), Skog-Data AS (Norway), Norwegian Virkesmåling (Norway). Since 1995, involved in all major domestic projects on forest environmental management and certification including FSC initiative. (Participated in the previous negotiations for development of a national Norwegian FSC standard.). Overall responsibility for FSC CW and FSC CoC as leader of Norske Skogindustrier ASA's wood purchasing department in Norway. 2013; Early retirement and part-time consultant.	steinar.asakskogen@gmail.com +47 911 66 840
Reidar Haugan	Secretary of NRA-WG (neutral)	Education from University of Oslo 1986-1995. Currently working on a doctorate (PhD) in systematic botany. 1995-1996: Leader of Forest Conservation group Siste Sjanse (NGO). 1996-2016: Consultant for Forestry Companies and forest owners regarding forest operations and environmental considerations (e.g. red list species and forest types, key habitats, forest standard requirements etc.). Consultant for	reidar.haugan2@getmail.no +47 971 95 666

		environmental authorities regarding nature mapping, monitoring of threatened species (botany), establishing forest reserves and National Parks. Consultancy regarding forest certification (DNV-GL, professional auditor). Member of Norwegian Red List expert group (last version 2015). Guest researcher and period employee at University of Oslo on different projects regarding biodiversity, biosystematics and genetics (until 2017).	
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The Norwegian NRA for Controlled Wood vs. the CNRA

The National Risk Assessment for Controlled Wood in Norway was mostly written during winter 2016-2017 as a result of thorough discussions and consensus processes in the Norwegian NRA working group. Later formal corrections were made after a series of reviews administrated by FSC until the first draft consultation was published. The NRA was originally based on the previous Centralized National Risk Assessment (CNRA) delivered to FSC International Center / the Policy and Standards Unit (PSU) during summer and autumn 2016. The CNRA was made by NEPCon (category 1, 3, 4 and 5) and Wolfgang Richert Consulting (category 2). The NRA was pasted into the 2016 NRA template.

The NRA-WG agreed on risk assessments and control measures in a meeting on 28 March 2017. A final agreement was signed 27 April 2017 after a consultation of the NRA (category 1, 3, 4 and 5) by NEPCon. A later review performed by Wolfgang Richert Consulting in June 2017 supported the conclusions on category 2 in the NRA and did not noteworthy change the analyses.

All the five categories became subject to our analysis. Most of the assessment has been more or less revised according to additional knowledge (except of cat. 2.1 and 2.2). Errors in data have been corrected, and language has been tightened up to a certain extent. Some chapters have been almost totally rewritten, i.e. category 1.9, 1.10, 1.13, 1.14, 1.15, 2.3, 3.0, 3.1, 3.2, 3.3, 3.5, 3.6 and 4 because the NRA-WG wished to give a more correct, multifaceted and balanced analysis than was given in the CNRA, and because the internal competence on most of the items is very high (including Norwegian forestry and trade and transport of wooden products, ecology and biodiversity, the Sami people rights, outdoor activities, law and regulations, certification and certificate maintenance, and more (see qualifications of the NRA-WG members in Tab 1, and expert list in Tab 2)). The secretary of the NRA-WG, Reidar Haugan, has edited the document.

Timeline of the NRA development

According to the timeline in the originally approved proposal, the process was planned to finish with an expected approval of the NRA at 30 November 2017. Due to delays in the FSC system, we may expect an approval of the NRA in February 2018 (table 2).

Table 2. Timeline for the FSC NRA for Controlled Wood in Norway.

Main activities	Expected date (Month, Year)
Start of the process	November 2016
First draft development	10 March 2017
First draft review of cat. 1, 3, 4 and 5 from NEPCon	27 March 2017
First draft review of cat. 2 from Wolfgang Richert Consulting	14 June 2017

First draft submission to FSC	July 2017
Public consultation on 1st draft	1 September – 31 October 2017
Stakeholder feedback analysis	15 December 2017
Second draft development and consultation (optional)	-
Final draft development	31 January 2018
Final draft submission to FSC	March 2018
Implementation of required amendments (if any)	July 2018
Expected approval for the NRA	August 2018

Acknowledgements

Norwegian Pulp and Paper Association, Norwegian Wood Industry Federation, Norwegian Forest Owners Association, and NORSKOG have financed the NRA project by granting the technical process and administration costs. A grant was also given from the same actors to make it possible for the environmental chamber to equally participate during the process. The representative for the Sami People was also partly financed by the industry organizations mentioned above. The participating organizations in the NRA process have spent valuable time and internal resources on meetings and expert consultations.

List of experts involved in the risk assessment

A high number of experts have been involved in the NRA, more or less representing the three chambers in addition to government experts in ministries, directorates and agencies. These experts are referred to in the assessment. The list below includes only the experts directly involved in the production of the NRA (authors), and the editor.

Table 3. List of experts.

Experts/ CW category	Organization	Qualifications	Contact details
Erling Bergsaker (Category 1, 2, 3, 4)	NORSKOG	Forestry, legislation and society. Details about qualifications, see table 1.	erling.bergsaker@norskog.no +47 915 11 467
Anders Blom (Category 1, 2 and 3)	Protect Sapmi	Sami rights, reindeer herding and legislation. Details about qualifications, see table 1.	anders.blom@protectsapmi.com +46 705 144 480
Nils Bøhn (Category 1, 2, 3 and 4).	Norwegian Forest Owners' Federation.	Forestry, legislation and society. Details about qualifications, see table 1.	nils.boehn@skog.no +47 905 44 565
Morten Dåsnes (Category 1)	Norwegian Outdoor Board	Outdoor activities, legislation. Details about qualifications, see table 1.	morten@friluftsradd.no +47 416 18 459

Marianne Hansen (Category 1, 3 and 4)	WWF Norway / Sabima - Norwegian Biodiversity Network	Biodiversity, landscape ecology. Details about qualifications, see table 1.	mhansen@wwf.no +47 984 08 551
Reidar Haugan (Category 1, 3, 4 and 5)	Secretary for the NRA-WG (editor of the NRA)	Biodiversity, forestry and legislation. Details about qualifications, see table 1.	reidar.haugan2@gmail.no +47 971 95 666
Hans Erik Lerkelund (Category 1)	Norsk Friluftsliv	Outdoor activities, legislation. Details about qualifications, see table 1.	hans.erik.lerkelund@norskfriluftsliv.no +47 988 49 397
Oddvin Lund (Category 1)	The Norwegian Trekking Association (DNT)	Outdoor activities, legislation. Details about qualifications, see table 1.	oddvin.lund@dnt.no +47 958 79 379
Sverre Lundemo (Category 1 and 3)	WW Norway	Biodiversity, landscape ecology. Details about qualifications, see table 1.	slundemo@wwf.no +47 909 89 727
Christian Steel (Category 3)	Sabima - Norwegian Biodiversity Network	Biodiversity, landscape ecology, legislation. Details about qualifications, see table 1.	christian.steel@sabima.no +47 943 45 082
Trond Svanøe-Hafstad (Category 1, 3 and 4)	SB Skog	T. Svanøe-Hafstad has long experience in many aspects of forestry in Norway and other countries, e.g. in the tropics. His expertise is especially connected to coastal forestry, use of exotic tree species, forestry in Sami areas, and forest certification of companies (including FSC and FSC CW).	tsh@sbskog.no +47 915 67 079

National Risk Assessment maintenance

The responsible body of the NRA is the Controlled Wood Program of FSC International (FSC IC).

Maintenance and revision of the NRA is described in section 9 and 10 in FSC-PRO-60-002 V3-0 EN - *The Development and Approval of FSC National Risk Assessments*. Each updated or revised version will be sent to FSC for approval (with relevant justifications). Updates of the NRA shall be implemented according to needs and at least every 5 years. By no later than 6 months prior to the end of the validity period of the NRA, the body responsible for NRA maintenance shall submit a report summarizing the results and conclusions of the ongoing review process to FSC. The report shall include a recommendation as to whether the NRA merits re-approval by FSC.

Complaints and disputes regarding the approved National Risk Assessment

The documented mechanism of handling complaints on the *finally approved NRA* shall aim to achieve solutions at the national/regional level and shall be based on *FSC-PRO-01-008 Processing formal complaints in the FSC certification scheme*. Norway does not have a national FSC node, and complaints and disputes regarding the NRA must therefore be sent to the responsible body at FSC International, and they must give a first response within two weeks.

In case of complaints, stakeholders may contact the responsible body. The competent authority will deal with the complaint in accordance with section 12 of *FSC-PRO-60-002 V3-0* as follows:

- Receipt of the complaint within two weeks to the relevant stakeholder;
- The competent authority shall review the complaint, which has been drawn up in accordance with the conditions set out below, after the date of receipt for a period of six weeks.

- Conditions under which a complaint should be submitted in accordance with *FSC-PRO-01-008*:
 - contain the name and contact information of the complainant and be signed by the legal representative of the complainant or by the individual in question if the complaint is not filed by an organization (4.3.1);
 - be written in one of the official FSC languages (4.3.2) (the used language is normally English, but complaints may also be written in Norwegian and then translated into English by a competent person if demanded);
 - list the Certificate Holder(s) and all associated companies known to the complainant including their certificate codes, against which the complaint is lodged (4.3.3);
 - specify the events and issues that lead to the complaint (4.3.4);
 - specify to which unacceptable activities of the Policy for Association the issues of the complaint relate (4.3.5);
 - contain evidence to support each element or aspect of the complaint (4.3.6);
 - indicate whether and in what form the issues have been raised with the defendant prior to lodging the complaint and what response was provided (4.3.7);
 - contain an agreement to share the complaint with the defendant and other parties to the complaint (4.3.8);
 - contain an agreement to adhere to the terms and provisions of this procedure (4.3.9).

- The competent authority shall keep a register of complaints, including the recording and filing of all complaints submitted, the measures taken and the results of the complaints assessments;
- The competent authority shall inform the complainant of the status of the complaint no later than six weeks after the date of receipt;
- The competent authority shall deal with all complaints within three months at the latest and shall have informed the complainants of the measures taken or the rejection of their complaint, including any justification.

List of key stakeholders for consultation

In addition to the non-government organizations listed below (table 4), the NRA-WG will inform relevant government organizations of the consultation. These include the ministry of Climate and Environment (with relevant agencies), the ministry of Agriculture and Food (with relevant agencies), and the Sami Parliament (Samidiggi).

The list contains organizations at a national level. The organizations and umbrella organizations (as Sabima and Norsk Friluftsliv) are responsible for distributing the NRA draft to local departments, smaller associations at local or regional level, and to national organizations under the umbrellas (about 25 organizations).

Table 4. Stakeholder contact list. The underlined organizations participated in the NRA development. Organizations written in italics gave their feedback on the first draft of the NRA.

Economic interests	Environmental interests	Social interests
- <i>Allskog</i>	- Forbundet KYSTEN	- 4H Norge
- <i>AT Skog SA</i>	- Fortidsminneforeningen	- <u>Den Norske</u>
- Finnmarkseiendommen	- Fremtiden i Våre	- <u>Turistforening</u>
- <i>Glommen Skog SA</i>	- Hender	- <u>Det Norske</u>
- International Centre for	- Greenpeace	- <u>Skogselskap</u>
Reindeer Husbandry	- Kulturvernforbundet	- <u>Fellesforbundet</u>
- <i>Mjøsen Skog SA</i>	- Miljøstiftelsen Bellona	- <u>Friluftsrådernes</u>
- Maskinentreprenørenes	- Natur og Ungdom	- <u>Landsforbund</u>
forbund	- Naturvernforbundet	- Det Kongelige Selskap
- Norges Bonde og	- Nordisk	for Norges Vel
Småbrukarlag	- Kulturlandskapsforbund	- Kommunenes
- Norges Bondelag	- Norge	sentralforbund
- Norges	- Norges	- KFUK-KFUM-speiderne
Lastebileierforbund	- Miljøvernforbund	- KRIK Kristen
- <u>Norges Skogeierforbund</u>	- Norsk Biologforening	Idrettskontakt
- Norsk	- Norges Sopp- og	- Naturviterne
Almenningsforbund	Nyttevekstforbund	- Norges Bygdekvinnelag
- SB Skog AS	- Norsk Botanisk	- Norges
- Norske Reindriftsamers	Forening	Bygdeungdomslag
Landsforbund	- Norsk Entomologisk	- Norges Jeger- og
- <u>NORSKOG</u>	Forening	fiskerforbund
- Nortømmer AS	- Norsk Kulturarv	- Norges Klatreforbund
- Opplysningsvesenets	- Norsk Limnologisk	- Norges Padleforbund
Fond	Forening	- Norges Røde Kors
- Reiseliv Visit Norway	- Norsk Ornitologisk	- Norges Seilforbund
- Skogfrøverket	Forening	- Norges Speiderforbund
- <u>Skognæringa Kyst</u>	- Norsk Vannforening	- Norges
- Statskog SF	- Norsk Zoologisk	Turmarsjforbund
- <u>Treforedlingsindustriens</u>	Forening	- <u>Norsk Friluftsliv</u>
<u>Bransjeforening</u>	- Norske Havforskere	- Norsk Kennel Klub
- <u>Treindustrien</u>	Forening	- Norsk Orientering
- <i>Vestskog SA</i>	- <u>SABIMA</u>	- <u>Protect Sapmi</u>
- Viken Skog SA	- Stiftelsen Miljømerking i	- Skiforeningen
	Norge	- Syklistenes
	- <u>WWF Norway</u>	Landsforening
	- Zero	- Vellenes
		Fellesorganisasjon

Risk assessments

Controlled wood category 1: Illegally harvested wood

Overview

Mainland Norway (385.252 km²) stretches more than 1800 km from south to north, from 58°N in Vest-Agder county to more than 71°N in Finnmark, and along the west-east gradient from c. 5°E in Hordaland to 31°E in Finnmark county. In the southernmost lowlands, the climate is typical temperate, while the far northeast parts of Finnmark lies in the arctic climate zone. The Norwegian coasts may have annual rainfall like in rain forests (>3.500 mm), while in the rain shadows east of the mountain ranges are similar to deserts, considering the precipitation (down to ca 300 mm). Norway thus provides a huge diversity of land-forms, nature-types and biodiversity, and not at least of forests covering approximately 40 % of the land area. Norway spruce, Scots pine and downy birch are the most important tree species, usually forming one to three species stands. Temperate mixed broad-leaf woodlands (*Fraxinus*, *Ulmus*, *Acer*, *Quercus*, *Corylus*, *Tilia*) are of the most species rich and productive habitats, and are widespread in the lowlands, especially along the southern Norway coasts, although they cover less than 1 % of the productive forests. 3,2 % of all the productive forests are strictly protected within nature reserves and national parks in Norway (2018).

There are ca. 127.500 properties with productive forests in Norway. 231 properties are larger than 2 000 hectares, covering 19 % of these forests, and 90 % of the forest properties are smaller than 100 hectares (<https://www.ssb.no/jord-skog-jakt-og-fiskeri/statistikker/stskog/aar>). Most of the forests are owned by private forest owners (77 %), while the state owns 7 % (Statskog SF). The rest is owned by companies, the church, forest-commons and municipalities.

Norwegian forests are mainly managed as “LNFR-areas” (abbreviation for “Landbruks-, Natur- og Friluftsmål samt Reindrift” = areas for the purpose of agriculture, nature and outdoor activities and reindeer herding) according to each municipality’s masterplan for area classification. In most of the forest areas, no permits are needed before logging. In the *Protective Forests* bordering the mountains, in selected areas along the coast, in the *Oslomarka* forests bordering the Norwegian capital Oslo, and in northern Norway (Nordland, Troms and Finnmark), various notification forms or applications must be sent to, and approved by local forest authorities prior to logging. Most of the logging, thinning and planting is conducted by professional entrepreneurs on contracts for timber buyers.

The Forestry Act was renewed in 2005, and forestry has relatively few regulations in Norway. Each municipality has authorities responsible for the management of forestry and forest-owners. Harvesting is regulated by the Ministry of Agriculture and Food.

In 2016, Norway had a Corruption Perception Index (CPI) of 85 and, according to the World Bank Worldwide Governance Indicators, – on a scale of -2,5 to 2,5 in 2015 – it received a score of 1,86 for Government Effectiveness, 2,02 for Rule of Law and 2,26 for Control of Corruption, indicating that the country has low corruption levels and a high degree of legal compliance. The list of sources provided in FSC-PRO-60-002a, section 3.3.3, has been reviewed for relevance with respect to the national legality risk assessment of Norway. The following sources have been used:

- a) Chatham House: <http://www.illegal-logging.info/>;
- e) Forest Legality Alliance: <http://www.forestlegality.org/>;
- f) Government reports and assessments of compliance with related laws and regulations;
- g) Independent reports and assessments of compliance with related laws and regulations,
- i) Justice tribunal records;

- j) Public summaries of FSC forest management certification reports published at info.fsc.org (information on legal areas where non-compliances have been identified during the certification process and are likely to be common for non-certified operations);
- k) Public summaries of other 3rd party forest legality certification/verification systems;
- n) Transparency International Corruption Perceptions Index: http://www.transparency.org/policy_research/surveys_indices/cpi;
- o) World Bank Worldwide Governance Indicators: <http://data.worldbank.org/datacatalog/worldwide-governance-indicators>;
- p) In cases where other sources of information are not available, consultations with experts within the area were conducted.

Where relevant, these have been specifically referenced under “sources of Information” for each applicable sub-category. The remaining sources were found not to be relevant for the legality risk assessment for Norway.

Sources of legal timber in Norway

Forest classification type	Permit/license type	Main license requirements (forest management plan, harvest plan or similar?)	Clarification
Production Forest	N/A	N/A	N/A
Osломarka	Approval required	N/A	Always given by the local forest authority.
Protective forest	A mandatory notification form is sent to the local forest authority.	N/A	Unless the authority replies, no approval is required
Legally protected areas with some forestry (e.g. landscape protection areas)	According to each individual management plan, a permit or license may be granted.	Management plan (prepared by the environmental authorities)	Authorities will only respond if there are objections or restrictions to the logging.

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			
1.1 Land tenure and management rights	Applicable laws and regulations <ul style="list-style-type: none"> Act on National Register for Land Information 2005 (Cadastre Act, LOV-2005-06-17-101 Matrikkellova): https://www.regjeringen.no/en/dokumenter/cadastre-act/id455530/ 	Government sources Statens Kartverk (N.Y): Se eiendom. Available at: http://www.seeiendom.no/ , [Accessed 1 March 2016]	Overview of Legal Requirements In Norway, each property is registered and filed under a unique number ("gårds- og bruksnummer") with an associated map. Many property borders are also marked in the field, but not systematically. The governments have an accessible public register "Grunnboka" recording all legal rights associated to each property. The legal rights to the land include logging and grazing rights. These two types of rights can be separate, meaning that persons other than the landowner can have grazing rights. Logging

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Legal Authority</p> <ul style="list-style-type: none"> - Ministry of Local Government and Modernization. <p>Legally required documents or records</p> <p>A cadastral certificate.</p>	<p>Non-Government sources</p> <p>Transparency.org (2016): Corruption Perceptions Index 2016. [Online]. Available at: https://www.transparency.org/news/feature/corruption_perceptions_index_2016#map-container [Accessed 24 August 2017].</p> <p>Info.worldbank.org (2015): Worldwide Governance Indicators. [Online]. Available at: http://info.worldbank.org/governance/wgi/index.aspx#reports, [Accessed 14 October 2016].</p>	<p>rights always belong to the owner and can be sold, while grazing rights normally cannot be sold.</p> <p>To sell timber, the owner can either be registered as a joint-stock company or as a self-employed person (sole proprietorship).</p> <p>Most of the productive forests are owned by private persons (77 %) and the State only owns 7 %. The rest is owned by companies, the church, forest-commons and municipalities.</p> <p>Description of Risk</p> <p>In Norway, the land tenure and management rights are well clarified and easily found in land registries with online map-access. Each municipality has a property registry (http://www.seeiendom.no/). Transfer of land rights will be recorded in these registries.</p> <p>In 2016, Norway had a Corruption Perception Index (CPI) of 85 and, according to the World Bank Worldwide Governance Indicators, – on a scale of -2,5 to 2,5 in 2015 – it received a score of 1,86 for Government Effectiveness, 2,02 for Rule of Law and 2,26 for Control of Corruption, indicating that the country has low corruption levels and a high degree of legal compliance.</p> <p>There is no information indicating issues of illegality that are prevalent with respect to land tenure and management rights in Norway.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.2 Concession licenses	<p>Applicable laws and regulations</p> <p>N/A</p> <p>Legal Authority</p> <p>N/A</p> <p>Legally required documents or records</p> <p>N/A</p>	<p>Government sources</p> <p>N/A</p> <p>Non-Government sources</p> <p>N/A</p>	<p>Overview of Legal Requirements</p> <p>N/A</p> <p>Description of Risk</p> <p>N/A</p> <p>Risk Conclusion</p> <p>N/A</p>
1.3 Management and harvesting planning	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> • Forestry Act 2005 (LOV-2005-05-27-31), 2005 § 5 "Forest inventory and forest management plan": https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/ • Regulation for subsidies to forest management planning with environmental survey: https://lovdata.no/dokument/SF/forskrift/2004-02-04-449. • Regulation for sustainable forestry: https://lovdata.no/dokument/SF/forskrift/2006-06-07-593. • The Nature Diversity Act (LOV-2009-06-19-100), 2012. https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/ • Environmental Information Act (Miljøinformasjonsloven LOV-2003-05-09-31). https://www.regjeringen.no/en/dokumenter/environmental-information-act/id173247/ 	<p>Government sources</p> <p>Miljødirektoratet (2014): Rundskriv om forvaltning av verneforskrifter. M106-2014. Available at: http://www.miljodirektoratet.no/Documents/publikasjoner/M106/M106.pdf. [Accessed 14 October 2016].</p> <p>Miljødirektoratet, Norwegian Environmental agency (N.Y): Hvem forvalter verneområdene? Available at: http://www.miljodirektoratet.no/no/Tema/Verneomrader/Forvaltning-av-verneomradene/. [Accessed 14 October 2016].</p>	<p>Overview of Legal Requirements</p> <p>According to § 5 of the Forestry Act (Forest inventory and forest management plan), it is voluntary for a forest owner to order a management plan.</p> <p>The management plans (usually organized as joint planning projects for districts, e.g. municipalities, every 10-15 years), are conducted by commercial actors commissioned by the county forest authorities in cooperation with local forest owners and timber companies. The municipal forest authority organizes bookings and distributes governmental subsidies (which partly finances each management plan). Originally, the management plans focused on forest economy and how to manage and structure the forest for a highest possible income. After the Forestry Act became introduced in 2005, mandatory requirements for environmental surveys was included as a part of the management plan for each property to obtain subsidies (In the Regulation for sustainable forestry 2006). The participation to the planning projects has traditionally been high in areas important for forestry (often 80-95 % of the forest area), and somewhat lower for low importance forestry districts (e.g. in coastal districts and Western Norway). Because of interests in the forest economy, and the mandatory requirements for environmental registrations before harvesting it is highly profitable</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Within legally protected areas where forestry is allowed to a certain degree, specific management plans are established which regulate forestry.</p> <p>Legal Authority</p> <ul style="list-style-type: none"> - Ministry of Agriculture and Food - The Norwegian Agriculture Agency - The Municipal Forest Authorities - Norwegian Environmental agency (protected areas). <p>Legally required documents or records</p> <p>The management plans are economically supported by the forest authorities when they are prepared in accordance with the regulation. The authorities are obliged to offer all forest owners to participate joint planning projects. The forest owner is according to the law required to provide information from the management plan on request, except of explicit business-related data.</p> <p>Some protected areas: A management plan is required in regulations for each area.</p>	<p>Miljødirektoratet, Norwegian Environmental agency (N.Y): Naturbase. Available at: kart.naturbase.no. [Accessed 14 October 2016].</p> <p>Aasland, T. 2017. Skogbruksplanlegging med miljøregistrering. Internal document on statistics of the forestry planning – The Norwegian agriculture Agency.</p> <p>Personal Communication 1: Norwegian Environment Agency</p>	<p>for the forest owners to participate. It is much more expensive for a forest owner to do the needed environmental survey separately.</p> <p>The municipality can legally require a forest owner to conduct an inventory for a management plan, although to date this has never been requested.</p> <p>Protected areas where forestry is allowed are controlled through specific regulations made for each applicable area. These regulations specify whether a management plan or harvesting plan is mandatory for the area in question. Management plans are approved by the Norwegian Environment Agency, and conducted at county-, or municipality level depending on the given authority. Norwegian Nature Inspectorate has the task to ensure that the rules are followed in accordance with regulations and management plans.</p> <p>If management plans are required for protected areas, the plans are available on “Naturbase” (kart.naturbase.no). If the plan has not yet been made public on Naturbase, the corresponding management authority shares plans on request.</p> <p>Description of Risk</p> <p>A high proportion of the active properties have a rather new plan due to the legal requirements of an environmental survey enforced by law in 2006. Revised management plans with environmental surveys covering a productive forest area of 5.4 million hectares on 52.806 properties were made in the period 2001 to 2016. In addition, 1.8 million hectares are presently in the planning process (Aasland 2017). 7.2 million hectares or ca. 84% of the productive forest area in Norway (8.573 million hectares, see tab. 6) are covered with revised plans in near future, and even a higher proportion is expected during coming years due to mandatory environmental surveys before logging. Logging of timber for sale is not possible without an environmental survey in districts with</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>completed planning projects due to legal requirements. Timber byers need to do a precautionally survey in districts that don't yet have finished the planning projects (a few remaining municipalities, mostly in Western and Northern Norway, i.e. areas with low forestry activity). The routines are due to the certification systems (FSC, PEFC). The environmental surveys are further described in cat. 1.9.</p> <p>The environmental authorities are responsible for management plans in protected areas. A major part of these areas are strictly protected, i.e. logging is forbidden, and don't need management plans regarding forestry.</p> <p>Violations by logging in strictly protected areas in general very rarely happens because the investigative cases always are clarified, usually resulting in big fines. Rangers from Norwegian Nature Inspectorate visit all protected areas at least annually to check human activities.</p> <p>Depending on the purpose of the protection, a forest management plan for preserving certain ecological, cultural or landscape qualities may be required. In some protected areas, ordinary forestry also is legal, e.g. within areas of the protection category "landscape protection areas", but, nevertheless, management plans are required because of the protection status. According to personal Communication 1 (Norwegian Environment Agency), 95 landscape protection areas have an approved plan, 62 have no plan, 6 are under revision, 30 are currently being drafted, and 6 areas have no information. It is uncertain how many of these areas are containing productive forests, but probably a large proportion in the lowlands have so.</p> <p>The environmental authorities regard illegal logging to be of very low risk because all the forest management in such areas must be in accordance to the regulations. Management plans are made in agreement with the forest owners, but if the plans are not yet approved, the forest owners need to apply before harvesting.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
<p>1.4 Harvesting permits</p>	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Forestry Act 2005 (LOV-2005-05-27-31, 2005), Section 11 (Obligation to notify), section 12 (Protective forest) and section 13 (applies Oslomarka): https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/ Regulation on logging in the forest areas bordering Oslo and nearby municipalities. Forskrift om skogbehandling og skogsdrift for skogsområder i Oslo og nærliggende kommuner (Oslomarka), 1993 (FOR-1993-04-02-268): https://lovdata.no/dokument/JB/forskrift/1993-04-02-268 Each protected area has specific regulations under the Nature diversity Act (https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/) regulating all forestry operations and requirements. <p>Legal Authority</p> <ul style="list-style-type: none"> Ministry of Agriculture and Food Regional and municipal forest authorities 	<p>Government sources</p> <p>Nordli, T. & Engen, E. (2014). Fylkesmannen i Buskerud. Referat fra møte om skogsdrift i indre vassfaret landskapsvernområde (<i>County Governor of Buskerud. Minutes of the meeting on forestry in inner Vassfaret landscape area</i>).</p> <p>Non-Government sources</p> <p>Mjøsen (2016): Beklager hogst i Hafjell. 08.08.2016. Available at: https://www.mjosen.no/om-oss/nyheter/beklager-hogst-i-vernskog/. [Accessed 1 March 2017].</p> <p>Malmö, E (2015). Ulvig Kiær hogger ulovlig. Namdals Avisa (NA), December 21, 2015. Available at: http://www.namdalsavisa.n</p>	<p>Overview of Legal Requirements</p> <p>In general, in Norway forest owners are not required to obtain permits to conduct forest operations, including logging. Such permits are only needed in areas considered as</p> <p>a) <i>Protective forest</i> (section 12 in the Forestry Act): "The County Agricultural Committee may issue regulations that forest shall be classified as protective forests when the forest serves as protection for other forest or provides protection against natural damage. The same shall apply to areas near mountains or ocean, where the forest is vulnerable and may be damaged by wrong forest management."</p> <p>The forest owner must submit a mandatory notification form to the local forest authorities before timber logging within the Protective Forest areas. Normally, the forest-owner will not receive a document or answer from the local authorities. If the measure is denied, or if the authorities are making certain demands on how the logging can be conducted, the forest owner will receive a written response. The most important areas with protective forest is the mountain forests in southern Norway (above an altitudal border decided by each municipality), all all north Norwegian forest (counties of Nordland, Troms and Finnmark).</p> <p>b) <i>Oslomarka</i>: Forest areas of particular environmental value (§ 13 in the forestry act): "The Ministry may in its regulations impose more stringent restrictions on forest management in forest areas of particular environmental value associated with biodiversity, landscape, outdoor recreation or cultural heritage than those otherwise authorized by the Act when forest</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>- The environmental authorities (protected areas) at several levels.</p> <p>Legally required documents or records</p> <p>Protective forest: The notification formular «Melding om hogst i vernskog» must be submitted to the local forest authority.</p> <p>Oslomarka: Written approval for logging.</p> <p>Protected areas: Harvesting permit if required in accordance to the regulation.</p>	<p>o/nyhet/ulvig-kiar-hogger-ulovlig/s/1-75-1878756_ [Accessed 1 March 2017].</p> <p>Personal Communication 1: Norwegian Environment Agency</p>	<p>management may result in major damage to or adverse effects on these values".</p> <p>Such regulations are only applicable for a geographic area surrounding the Oslo-region (Oslomarka). For the forest category under the scheme (FOR-1993-04-02-268), the forest owner cannot start logging before the forestry authorities have given their approval or not in a letter.</p> <p>c) <i>Protected forests where forestry is allowed to a certain degree:</i> Each area should have a specific management plan for forestry, or simply a legal regulation. In some areas, the forest owners have automatically logging permissions according to plans or regulations. In other areas, applications must be sent to the county environment authorities, and a permit for timber harvesting must be officially issued before logging can start.</p> <p>Beside a) and b), permits for road-building in forests are applicable (§ 7 in forestry act, see cat. 1.8).</p> <p>Description of Risk</p> <p>A complete overview of violations of harvesting rights without required harvesting permits does not exist.</p> <p>a) <i>Protective forest:</i> Logging without submitting the obligatory notification to the local authorities has been recorded (see e.g. Malmo 2015, Mjøsén 2016). However, such events are very limited and there are no indications of this taking place systematically or on a large scale.</p> <p>b) <i>Oslomarka:</i> The risk of logging violations is low, and violations are hardly known to have occurred, maybe because the regime of "application before logging in Oslomarka" has been in place for a long time, and therefore is well known by forest owners. ENGOs are also focused on these forests that are located close to the</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>heaviest populated areas in Norway, making it more likely that violations – had they occurred – would have been noticed (Personal Communication 1).</p> <p>c) <i>Protected areas where forestry is allowed to a certain degree:</i> Violations against management plan requirements is documented from one protected area (Nordli & Engen 2014). We have not found other reports, and there are no indications that this is taking place systematically or on a large scale.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
Taxes and fees			
1.5 Payment of royalties and harvesting fees	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Forestry Act 2005 (LOV-2005-05-27-31): https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/ Regulation on tax for the encouragement of common measures for forestry 2000 (FOR-2000-04-10-351): https://lovdata.no/dokument/SF/forskrift/2000-04-10-351 Regulation on skogfond 2006 (FOR-2006-07-03-881): https://lovdata.no/dokument/SF/forskrift/2006-07-03-881 	<p>Government sources</p> <p>Norwegian Agriculture Agency (2016). Rapportere virkesomsetning. Landbrukdirektoratet. Available at: https://www.slf.dep.no/no/ei/endom-og-skog/forynge-skjotsel-og-hogst/rapportere-virkesomsetning#om-virkesdatabasen, [Accessed 1 March 2017].</p> <p>Personal Communication 7: Rune Nordum, Norwegian</p>	<p>Overview of Legal Requirements</p> <p>There are two types of fees to be paid with respect to Norwegian timber. Norwegian Agriculture Agency (2015).</p> <p>a) <i>Forestry Development Fund (“Skogtiltaksfondet”)</i>: A state-run fund, where buyers of timber pay a fee of NKr 1 - per m³ timber. The secretariate of the Forestry Development Fund is located to the Norwegian Forest Owners' Federation (“Norges Skogeierforbund”), which decides funding in cooperation with a board composed of people also from the government and the other Norwegian forest owner organization, Norskog. The main purpose of this fund is to promote forestry research.</p> <p>b) <i>The Forest Fund (“Skogfond”)</i> is a system in which the forest owner has to pay a fee for the timber sold. Each forest property in Norway has its own Forest Fund, and the fund is to be used for planting, construction of new forest roads, forest-management</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Legal Authority</p> <ul style="list-style-type: none"> - Ministry of Agriculture and Food - Norwegian Agriculture Agency - Regional and municipal forest authorities <p>Legally required documents or records</p> <p>N/A.</p>	<p>Agriculture Agency ("Landbruksdirektoratet")</p>	<p>planning (including environmental survey), payment of fees for attending courses, and physical marking of forest property boundaries. The fee is between 4 and 40 % of the gross value of the timber, and the forest owners decide voluntarily how much to pay. The fee belongs to the property, and when a property changes owner, the money of the fund stays with the property. The forest owner must send a claim to the municipal forest authorities, who decides whether or not the owner can receive payment due to the regulations.</p> <p>According to §3, 9 and 10 of FOR-2006-07-03-881, all timber logged for the purpose of selling has to be measured and registered in the national digital timber database ("Virkesdatabasen"). According to § 9, a large amount of information must be reported under the property number where the timber is logged, including the name and address of the owner, name and address of the buyer, volume of timber bought, the value of the timber measured, how much is paid to the Forest Fund, and the forest certification systems applicable to the property. This kind of information shall be divided into groups for different tree species and qualities.</p> <p>Every year, the regional forest authorities send the tax authorities and the forest owner a report of how many cubic-meters that were logged in each property, their gross-value, and how much money was paid to the Forest Fund. The purpose of Virkesdatabasen is to give the political governments an overview of the amount of timber logged for sale, to ensure that the payments to the Forest Fund meet the regulations, and to document that logging is conducted in compliance with the EU-timber regulation laws.</p> <p>Description of Risk</p> <p>The systems for classification and payments to and from the Forest Fund (Skogfond) are well established (, and very few examples of fraud or misuse are known (Personal Communication 7). The</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>system used to determine when a forest owner can use money from the Forest Fund is also well established and regulated. Most of the money from the Forest Fund is paid to professional entrepreneurs responsible for example of planting, thinning, soil scarification, or road-building. After these companies finish their work, they send an invoice (including receipts) to the forest owner with copy to the municipality, making it easy for the municipal forest authorities to control whether the money from the Skogfond is used according to the law. The system with Virkesdatabasen is also useful to minimize the risk of tax fraud, since it provides registers of the volume of timber logged to be taxed. Each year, the regional forest authorities send a report to the tax authorities and to each forest owner, with information concerning volume logged, gross value, and how much was paid to the Skogfond. Such reports are made individually for each forest owner.</p> <p>There is no available information indicating a specified risk in this category.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.6 Value added taxes and other sales taxes	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Act relating to value added tax (LOV-2009-06-19-58) [VAT Act / merverdiavgiftsloven]. https://lovdata.no/dokument/NL/lov/2009-06-19-58?q=moms Regulation on skogfond 2006 (FOR-2006-07-03-881): 	<p>Government sources Personal Communication 2: Jan Ola Larsen, The Ministry of Finance.</p> <p>Non-Government sources Transparency.org (2016). Corruption Perceptions</p>	<p>Overview of Legal Requirements</p> <p>Businesses/forest owners shall register in the VAT register and pay VAT if sales exceed 50.000 NKK in a period of 12 months.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>https://lovdata.no/dokument/SF/forskrift/2006-07-03-881</p> <p>Legal Authority</p> <ul style="list-style-type: none"> - The Ministry of Finance. <p>Legally required documents or records</p> <p>§ 2-1 in the VAT Act states that self-employed individuals and businesses must be registered in the VAT-register (“Merverdiavgiftsregisteret”) if their annual turnover is > 50.000 kroner within a period of 12 months.</p>	<p>Index 2016. Available at: http://www.transparency.org/cpi2016#map-container, [Accessed 24 August 2017].</p> <p>Info.worldbank.org (2015): Worldwide Governance Indicators. Available at: http://info.worldbank.org/governance/wgi/index.aspx#reports, [Accessed 14 October 2016].</p>	<p>Description of Risk</p> <p>According to §3, 9 and 10 in FOR-2006-07-03-881, all timber logged for the purpose of being sold has to be measured and registered in the national digital timber database (virkesdatabasen).</p> <p>As all taxes shall be registered in a digital database, this provides a good basis for verifying that VAT has been paid. In 2016, Norway had a CPI of 87 (above the threshold of 50) and, according to the World Bank Worldwide Governance Indicators, – on a scale of -2,5 to 2,5 in 2015 – it received a score of 1,81 for Government Effectiveness, 2,05 for Rule of Law and 2,23 for Control of Corruption, indicating that the country has low corruption levels and a high degree of legal compliance.</p> <p>There are no indications of large-scale and systematic tax fraud within the forest sector.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.7 Income and profit taxes	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> • Tax Act, 1999 (LOV-1999-03-26-14) https://lovdata.no/dokument/NL/lov/1999-03-26-14?q=Skatteloven • The Act of December 19, 2014, no. 80 of amendments to the Law of March 26, 1999, no. 14, relating to tax on income and wealth (LOV-2014-12-19-80) (Law on taxes): https://lovdata.no/dokument/NL/lov/2014-12-19-80 	<p>Government sources</p> <p>Personal Communication 2: Jan Ola Larsen, The Finance Department</p> <p>Non-Government sources</p> <p>Transparency.org (2016). Corruption Perceptions</p>	<p>Overview of Legal Requirements</p> <p>In Norway, the requirement for income tax registration is the same for a forest owner, a business, and others (Personal Communication 2).</p> <p>Profits derived from the sale of timber and harvesting activities are reported to tax authorities in the annual tax form.</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"> Regulation for Assessment of wealth, income and deduction items for use in the assessment of fiscal year 2015 (FOR-2015-11-06-1283): https://lovdata.no/dokument/LTI/forskrift/2015-11-06-1283 <p>Legal Authority</p> <ul style="list-style-type: none"> The Ministry of Finance <p>Legally required documents or records</p> <p>Annual tax form</p>	<p>Index 2016. Available at: http://www.transparency.org/cpi2016#map-container, [Accessed 24 August 2017].</p> <p>Info.worldbank.org (2015): Worldwide Governance Indicators. Available at: http://info.worldbank.org/governance/wgi/index.aspx#reports, [Accessed 14 October 2016].</p>	<p>Description of Risk</p> <p>The amount of timber sold, as well as the income received, is registered in “Virkesdatabasen”, providing a good control basis for the amount of timber sold by each forest owner (see 1.5 and 1.6).</p> <p>In 2016, Norway had a CPI of 87 (above the threshold of 50) and, according to the World Bank Worldwide Governance Indicators, – on a scale of -2,5 to 2,5 in 2015 – it received a score of 1,81 for Government Effectiveness, 2,05 for Rule of Law, and 2,23 for Control of Corruption, indicating that the country has low corruption levels and a high degree of legal compliance.</p> <p>There are no indications of large-scale and systematic tax fraud within the forest sector.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
Timber harvesting activities			
1.8 Timber harvesting regulations	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Forestry Act (LOV-2005-05-27-31), 2005, <ul style="list-style-type: none"> § 6 (Regeneration and silviculture of forest), § 7 (Construction of forest roads): https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/. Regulation for sustainable forest management (FOR-2006-06-07-593), 2006 («Forskrift om berekraftig skogbruk»): https://lovdata.no/dokument/SF/forskrift/2006-06-07-593 	<p>Governmental sources</p> <p>Granhus, Eriksen & Moum (2014). Resultatkontroll skogbruk. Rapport 2013. Oppdragsrapport fra Skog og Landskap 08/2014. URL: http://www.skogoglandskap.no/filearchive/Oppdragsrapport_08-2014_Resultatkontroll_sko</p>	<p>Overview of Legal Requirements</p> <p>The forestry legislation doesn't require specific harvesting techniques, except in a few areas. In general, the harvest should be adapted to landscape forms, and stands with suitable conditions, biologically and economically, and with a good stability and sufficient regeneration, shall be harvested by selective logging (FOR-2006-06-07-593). There are no seasonal limitations on logging, or on size of the felling areas, minimum age or diameter for felling.</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"> The Nature Diversity Act (LOV-2009-06-19-100), 2012. https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/ Regulation on logging in the forest areas bordering Oslo and nearby municipalities, 1993. Forskrift om skogsdrift, Oslo m.fl. (Osломарка) (FOR1993-04-02-268). https://lovdata.no/dokument/JB/forskrift/1993-04-02-268 <p>Legal Authority</p> <ul style="list-style-type: none"> Ministry of Agriculture and Food County and municipal forest authorities. <p>Legally required documents or records</p> <ol style="list-style-type: none"> Construction of new roads. Applications are mandatory and treated by municipality authorities. Protective forest (notification), Osломарка (application) and other forest areas with specified required documents prior to logging. Protected areas with management plans administrated by environmental authorities (application). 	<p>gbruk_miljo_rapport_2013.pdf [Accessed 2. December 2016].</p> <p>Granhus, Eriksen & Moum 2015. Resultatkontroll skogbruk/miljø. Rapport 2014. NIBIO rapport 1:32. URL: http://brage.bibsys.no/xmlui/bitstream/handle/11250/2364999/NIBIO%20RAPPORT%201%2832%29.pdf?sequence=1&isAllowed=y [Accessed 2. December 2016].</p> <p>Official courses in forestry: http://www.skogkurs.no/</p> <p>Non-Government sources:</p> <p>Naturvernforbundet (N.Y): Naturvernforbundet anmelder ulovlig bygging av skogsbilvei. Available at: http://naturvernforbundet.no/trondelag/2009/naturvernforbundet-anmelder-ulovlig-bygging-av-skogsbilvei-article15735-1430.html, [Accessed 2 March 2017].</p> <p>Hansen 2015: Da ordfører Ronny Grindstein i</p>	<p>An exception is the protective forest (mostly mountain forests) where harvesting methods can be decided by local authorities, e.g. selective logging due to climatic reasons. Another exception is the Osломарка forest area surrounding densely populated areas of the Oslo-region, with regulations on the harvest-area size. Forestry in the Osломарка area is managed by the affected municipalities according to FOR1993-04-02-268.</p> <p>The regulation concerning sustainable forestry (FOR-2006-06-07-593) imposes forest owners to take certain environmental considerations in forestry. A mandatory environmental mapping is defined in §4 (see cat. 1.9). § 5 has harvesting regulations concerning sustainable forestry requirements (mainly treated under cat. 1.10). Requirements regarding soil damage and tracks after heavy machinery use, and drainage system management belongs here. Damage made from logging-machines must as soon as possible be repaired to avoid erosion and destruction of trails and hinder passages for hikers. It is forbidden to make new trenches and drainage systems for forest production purposes in mire- and swamp-forests.</p> <p>Timber harvesting within protected areas is regulated by the environmental legislation which is treated as a part of category 1.3. (management plans).</p> <p>Construction of roads for forestry purposes is regulated by the Forestry Act. An application for the road-building project is sent to the local forestry authorities. After municipal administration and consultation among stakeholders, the municipality decides the measurement and informs the forest owners and other stakeholders. The municipality can decline an application or define specific terms for construction.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>Gratangen forsøkte å få svar om en gammel og betent veisak, endte den i grøfta. Fremover. Available at: http://www.fremover.no/lokale-nyheter/gratangen/darordforer-ronny-grindstein-i-gratangen-forsokte-a-fa-svar-om-en-gammel-og-betent-veisak-endte-den-i-grofta/s/5-17-21816, [Accessed 2 March 2017]</p> <p>Martinsen, K. (2015): Hogst til Økokrim. Avisa Hemnes. Available at: http://avisahemnes.no/side/47953/art/51956/Hogst+til+kokrim.html, [Accessed 2 March 2017].</p>	<p>Description of Risk</p> <p>Requirements in the law, including the protective forests and Oslomarka, give a large room for interpretations regarding timber harvesting methods. Legal violations are not known, and the risk for violation of this scheme is considered low.</p> <p>The ban of making new ditches is definitive. However, making new drainage systems for forestry purposes is very rarely happening because most of the productive swamps and mires were drained for more than 50 years ago. No drainage has been notified for offence the last years, but unregulated ditching has been recorded (see Granhus et. al below). The risk for violation is therefore considered low.</p> <p>Since 2009 the forest-authorities have, as a part of an annually examination/report of post-logging regeneration of forest, also conducted an annual sample examination of selected environmental requirements (Granhus et al. 2014, 2015). The examinations indicate violation of the requirements to a limited degree.</p> <ul style="list-style-type: none"> • The requirements concerning granting permits before building roads, logging in protective forest, use of herbicides, attention to cultural heritage objects, and logging in the forest areas bordering Oslo, have been evaluated as low risk (see also cat. 1.10). • A few examples show that road construction has happened without permission, as well as ditching for forest production purposes. The extent of such illegal activities is, however, not considered to be systematic or of large scale. • The percentage of felling-sites with unrepaired damages after felling has since 2010 been below 4% and not considered to be a big scale or systematic issue, neither increasing. See table 5. <p>Table 5. <i>Damage of soil/ground made of logging-machines</i> (Calculation of requirement based on Table 6 in Granhus et al. (2015) with additional data from 2009 (Granhus 2014)).</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination															
			<table border="1"> <thead> <tr> <th>Year of control</th> <th>Percentage of felling-sites with serious damages not yet repaired</th> </tr> </thead> <tbody> <tr> <td>2009</td> <td>5,0</td> </tr> <tr> <td>2010</td> <td>3,4</td> </tr> <tr> <td>2011</td> <td>2,5</td> </tr> <tr> <td>2012</td> <td>2,6</td> </tr> <tr> <td>2013</td> <td>2,9</td> </tr> <tr> <td>2014</td> <td>3,7</td> </tr> </tbody> </table>	Year of control	Percentage of felling-sites with serious damages not yet repaired	2009	5,0	2010	3,4	2011	2,5	2012	2,6	2013	2,9	2014	3,7	<p>The construction of new roads without the necessary permits rarely happens (probably far below 1% of the new roads), and not as systematic violences. It is therefore evaluated as low risk in compliance with Granhus et al. (2014, 2015).</p> <p>Even though there have been issues reported of non-compliance with harvesting regulations, in general these seem to be small scale and non-systematic.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where laws and regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities (e.g. courses in sustainable forestry for foresters, forest owners and other stake holders; courses are available at http://www.skogkurs.no/).</p>
Year of control	Percentage of felling-sites with serious damages not yet repaired																	
2009	5,0																	
2010	3,4																	
2011	2,5																	
2012	2,6																	
2013	2,9																	
2014	3,7																	
1.9 Protected sites and species	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Treaties: Norway has ratified all major international conventions regarding biodiversity, such as the Convention on Biological Diversity (CBD), the Convention on the Conservation of European Wildlife and Natural Habitats (Bern), the Convention on Trade in endangered species (CITES). 	<p>Government sources</p> <p>Riksrevisjonen, Office of the Auditor General of Norway 2012: Riksrevisjonens undersøkelse av bærekraftig forvaltning av norske skogressurser. Dokument 3:17. (2011-</p>	<p>Overview of Legal Requirements</p> <p><i>Protected areas:</i> Forestry is illegal in all national parks and most of the nature reserves, while allowed according to management plans in some nature reserves (to enhance conditions for biodiversity) and within the landscape protection areas (see also cat. 1.3). Nature diversity act describes different protection categories, and each protected area is covered by separate regulations (2885 areas per 2018 (Statistics Norway 2018)).</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"> Nature Diversity Act (LOV-2009-06-19-100), 2009 (Lov om forvaltning av naturens mangfold): https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/ or https://lovdata.no/dokument/NL/lov/2009-06-19-100?q=naturmangfoldloven Regulation (FOR-2011-05-13-512): Regulation for selected important nature-types (6 different nature-types where forestry operations may affect more or less directly). https://lovdata.no/dokument/SF/forskrift/2011-05-13-512 Regulation (FOR-2011-05-20-523). Protection of <i>Cephalanthera rubra</i>. https://lovdata.no/dokument/SF/forskrift/2011-05-20-523 Each area protected under the Nature Diversity Act has its own regulation. This regulates what kinds of activities are prohibited or acceptable. Regulation concerning sustainable forestry (FOR 2006-06-07-593): https://lovdata.no/dokument/SF/forskrift/2006-06-07-593 Regulation for subsidies to forest management planning with environmental survey (FOR-2014-09-03-1144): https://lovdata.no/dokument/SF/forskrift/2004-02-04-449. The Environmental Information Act: https://www.regjeringen.no/en/dokumenter/Environmental-information-act/id173247/ 	<p>2012). Overlevert Stortinget 27.09.2012. Available at: https://www.riksrevisjonen.no/rapporter/Sider/Skog.aspx, [Accessed 22. February 2017].</p> <p>Granhus, A., Eriksen, R., Moum, S. O. 2014. Resultatkontroll skogbruk. Rapport 2013. Oppdragsrapport fra Skog og Landskap 08/2014. URL: http://www.skogoglandskap.no/filearchive/Oppdragsrapport_08-2014_Resultatkontroll_skogbruk_miljo_rapport_2013.pdf [Accessed 2. December 2016]</p> <p>Granhus, A., Eriksen, R., Moum, S. O. 2015. Resultatkontroll skogbruk/miljø. Rapport 2014. NIBIO rapport 1:32. URL: http://brage.bibsys.no/xmlui/bitstream/handle/11250/2364999/NIBIO%20RAPPORT%201%2832%29.pdf?sequence=1&isAllowed=y</p> <p>Baumann. C. et.al. 2002: Håndbok i registrering av livsmiljøer i skog. Hefte 4.</p>	<p><i>RTE species</i>, including their habitats: The forest dwelling orchid red helleborine – <i>Cephalanthera rubra</i> is protected by law (FOR-2011-05-13-512). Management activities that harm this species are prohibited, including clear-felling the sites. For all localities, the environmental authorities are required to draft management plans.</p> <p>Regulation for <i>selected important nature-types</i> (FOR-2011-05-13-512) covers six nature types: The regulation initiates management plans for calcareous lime-forest, calcareous lakes, atlantic heath, natural hay meadows, mire-meadows, and hollow oaks in the cultural landscape.</p> <p><i>Key habitats</i>: The key habitats are subjected by forestry legislation. According to §§ 4 and 5 in the regulation concerning sustainable forestry (FOR-2006-06-07-593), Norwegian forest properties are required to implement environmental surveys documenting the key habitats. The ecological value of the key habitats shall be maintained during forestry activities, and according to § 5 the management shall be in compliance to the guidelines given in the PEFC standard (requirement 21). The law itself does not give explicit guidelines, but it refers to this standard for practical execution. The preferred method is the MiS-method (MiS = “Miljøregistrering i Skog” = environmental forest survey).</p> <p>The Regulation for subsidies to forest management planning with environmental survey (FOR-2014-09-03-1144) refers to a handbook for the MiS-method (Baumann et al. 2002), based on results from a research program financed by the Ministry of Agriculture and Food in the late 1990s. The method for mapping and management was presented in 2000, later revised until 2002 and implemented into the forestry planning projects for each municipality (described in cat. 1.3), but it can also be performed independently in surveys of single properties. 12 specific habitat-types are mapped: standing dead wood, fallen dead trees, old trees, deciduous trees, rich ground-vegetation, hollow trees, trees with beard-lichens, forest fire areas, river gorges, ravines, rock</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Legal Authority</p> <ul style="list-style-type: none"> • Norwegian Environment Agency • Ministry of the Environment • Ministry of Agriculture and Food • The Norwegian Agricultural agency <p>Legally required documents or records</p> <p>N/A</p>	<p>Veileder for rangering og utvelgelse 2002. Available at: http://www.skogoglandskap.no/filearchive/mis_hefte4.pdf, [Accessed 22 February 2017].</p> <p>Nordli, T. & Engen. E. (2014). Fylkesmannen i Buskerud. Referat fra møte om skogsdrift i indre vassfaret landskapsvernområde (<i>County Governor of Buskerud. Minutes of the meeting on forestry in inner Vassfaret landscape area</i>).</p> <p>Statistisk Sentralbyrå (Statistics Norway): https://www.ssb.no/arealver n [Accessed 12. June 2018].</p> <p>Non-Government sources</p> <p>Holstad, G. 2003: Regnskog I miljøpapir. Adressavisa. 29.09.2013 Not available on the internet.</p> <p>Dallawara, W. 2005: Statskog kan miste miljøsertifikat. Nationen.</p>	<p>walls, and rich epiphyte flora (<i>Lobarion</i>) for which logging is respectively prohibited or recommended under certain rules.</p> <p>After the survey, a landscape analysis of the combined results (assembly of <i>possible</i> key habitats) is made by a biologist. Each area is labeled on a scale A-C, where A-areas are most important. The areas are presented on maps for each forest owner, which thereafter give their opinions to a council with representatives from the forest owners. The council is facilitated and monitored by forestry authorities, and advised by the biologist. The areas are discussed due to the wish of the forest owner, the reasonableness of the wish, and in light of the landscape analysis. The most important areas (labelled A) are selected as key habitats. Many B-areas, and some C-areas are also selected, while the rest is removed from the list. The key habitats are visible on private management maps for each property and published in the official web map kilden.no (available for all stakeholders).</p> <p>Management instructions are given on base of general advices in Baumann et al. (2002: 37-42) and described for each key habitat in the forestry plan. The intention is that the qualities of the key habitats are maintained, and that RTE-species living there can sustain future populations. Harvesting can be recommended but is <i>not mandatory</i> due to legislation.</p> <p>Further guidelines in the PEFC standard (requirement 21), implicit regulated by the regulation concerning sustainable forestry (FOR-2006-06-07-593) are:</p> <ul style="list-style-type: none"> • An obligatory systematic environmental survey for all properties larger than 10 ha which is documented in a management plan or overview. Smaller properties are also obliged, but they can do the survey in connection to forestry operations. • Forest biology expertise approved by certificate holder must be used when mapping habitats and selecting new key habitats (applies also correction of borders or exchange of key habitat areas).

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>16.08.2005 Not available in the internet.</p> <p>Viken Skog 2014: Miljørapport 2014. Available at: http://www.viken.skog.no/assets/files/pdf/viken_miljorapporter/vikenskog-miljorapport-200x287mm-web.pdf, [22 February 2017].</p> <p>SABIMA 2011: Skognæringen innrømmer brudd på miljøkrav. Available at: http://www.sabima.no/Skogn%C3%A6ringen-innr%C3%B8mmer-brudd-p%C3%A5-milj%C3%B8krav, [Accessed 30 May 2016].</p> <p>Bjørndal, J 2011: Vikens miljøsertifikat i en tynn tråd. Norsk Skogbruk nr. 7/8. 2011. Available at: http://www.norsk-skogbruk.no/userfiles/files/2011/Vikens%20milj%C3%B8sertifikat.pdf. [Accessed 14 october 2016].</p> <p>PEFC Norway 2012: Rapport Kontroll av nøkkelbiotoper 2011-2012.</p>	<ul style="list-style-type: none"> • Under certain conditions the forest owner wishes to change the boundaries of a key habitat or replace one defined key habitat with a new key habitat, this must be documented in the forestry plan or environmental overview and be approved by the certificate holder under advices from the forest biologist. • Key habitats must be reported to the Kilden official database. The same must be done if any key habitat is altered or relocated. • Key habitats must be left untouched or managed in a way which does not reduce, or which actually improves conditions for biodiversity. If key habitats are managed in any manner other than untouched, management measures must be prepared in consultation with a person with forest biology expertise and approved by the certificate holder. Key habitats cannot be reallocated for other purposes unless a public decision is made which permits such reallocation. • In cases where it is documented that the quality of existing key habitats within an area is not satisfying, and a new mapping out or revision is determined, all certified forest owners are obliged to take part in the process. <p>The forest owners are, according to the Environmental Information Act, required to give correct information on important environmental occurrences, including key habitats.</p> <p>Description of Risk</p> <p><i>Protected areas:</i> Owners of properties within protected areas (nature reserves, national parks) are economically compensated for timber resources, and rangers from Norwegian Nature Inspectorate visit all protected areas annually to check human activities. Accidentally prohibited logging inside protected areas exceptionally occurs (see e.g. Avisa Nordland 2010, Nordli & Engen 2014). No sources were found showing large scale illegal</p>

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		<p>PEFC Norge. Available at: http://www.pefcnorge.org/vedl/Rapport_kontroll%20av%20n%C3%B8kkelbiotoper%202011-2012.pdf. [Accessed 14 October 2016].</p> <p>Husum, T 2012: Kontroll av nøkkelbiotoper. Presentation. PEFC Norge. Available at: http://skoginfo.no/userfiles/files/Skogforum/2012/Dag%2020Tomas%20Husum%20PEFC_kontroll%20av%20n%C3%B8kkelbiotoper_presentasjon%20Skogforum.pdf, [Accessed 14 October 2016].</p> <p>Christensen, B. 2012: Har hogd skog de lovet å verne. Natur&Miljø. Naturvernforbundet. 10.04.2012. Available at: http://www.noa.no/naturogmiljo/har-hogd-skog-de-lovet-a-verne-article26837-1024.html. [Accessed 30 May 2016].</p> <p>Naturvernforbundet i Østfold 2016: Nøkkelbiotoper i skog. Kontroll av MiS-figurer i Østfold. Nio rapport 2016:1.</p>	<p>activities. The risk that illegal logging happens inside protected areas is considered to be low.</p> <p><i>RTE species</i>: Applies to one case only, i.e. protection of the red helleborine. The few areas where the red helleborine grows are mapped and well known by the environmental authorities and the forest owners. Violations of the protection scheme are not known (pers. comm. 21), and the risk for violation of this scheme is considered low.</p> <p><i>Selected important nature-types</i>: Some areas can theoretically be affected by forestry activities (e.g. logging, movement of heavy machinery, timber storage or road-construction), although they are mainly located outside forest, or situated within strictly protected nature reserves (e.g. many of the calcareous lime-forests). Violation of the protection scheme due to forestry activity is not known, and the risk for violation of this scheme is considered low.</p> <p><i>Key habitats</i>: The forest owners don't normally need to apply the authorities for a permit before logging. The key habitats are therefore rarely checked by forest authorities before logging. Requirements in the legislation describes the mandatory survey, and both the forest owners and the timber buyers are obliged to hold precise information about the occurrences and management of the key habitats during forestry operations. The key habitats are also required by the authorities to be loaded into the officially available digital map kilden.no.</p> <p>Norwegian Forest owners' associations admitted in 2011-2012 (see e.g. Christensen 2012) that several hundreds of key habitats were affected by logging. Most of these areas were touched by logging activities before 1 July 2006 when the regulation regarding sustainable forestry came into force. After that, infringing logging in key habitats became illegal.</p> <p>ENGOS have also proclaimed illegal harvest in key habitats (e.g. Finnøy Bakken 2016, Naturvernforbundet I Østfold 2016). The</p>

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		<p>Available at: http://www.wkn.no/Publikasjoner/NiO_Rapport_2016_1.pdf, [Accessed 2 March 2017].</p> <p>Finnøy Bakken, L. 2016: Dette er hva som står igjen av den gamle skogen med rike forekomster av hengslav. Bladet. Størdalens Blad. 06.12.2015. Available at: http://www.bladet.no/nyheter/2015/12/06/Dette-er-hva-som-st%C3%A5r-igjen-av-den-gamle-skogen-med-rike-forekomster-av-hengslav-12460177.ece, [Accessed 2 March 2017].</p> <p>Fjellstad, T. 2016. Kommentaar til rapporten fra Naturvernforbundet om nøkkelbiotoper i skog, kontroll av MiS-figurer i Østfold. Notat, Glommen Skog 2016-05-30.</p> <p>Fogelstrand, L. 2015. Raserte vernet skog med hogstmaskin. Glåmdalen. 19. Mars 2015. Available at: http://www.glomdalen.no/glommen-skog/naringsliv/tommernari</p>	<p>number of violations in Østfold county were, according to Friends of the earth Norway, as high as 10,1 %. The forest owner organization, on the other hand (Fjellstad 2016), stated that 1,5 % were in violation. Most of the cases were older than the regulation (2006) and thus not illegal. Most happenings are also caught by routine controls by timber buyers and corrected due to instructions demanding replacement areas of equal quality on the property (Fjellstad 2016).</p> <p>A change in behavior is mainly coinciding with the introduction of law requirements in 2006. The planning procedures for logging were gradually tightened after 2006. A physical marking of the key habitat in the forest before logging was introduced, together with introduction of a safety zone (normally 10 meter), use of two or more GPS receivers, and consultation of a biologist when suspected boundary errors. Today all Norwegian timber buyers have their own digital map systems with necessary data, including the survey status of the properties. The timber buyers also check other sources, including knowledge of the forest owner (obliged to share environmental data), local authorities, local conservationists, and other timber buyers. Key habitats are nowadays very rarely logged due to either withheld information or mistakes. No cases have been found where a forest owner was punished for breaking the law.</p> <p>Violations are still of risk, but illegal harvesting is very critical to business for timber buyers because wood originating from key habitats and other protected areas in principle is not marketable and the fines may be high. A small number of such happenings can be documented after 2012, i.e. the five last years. External revisions of all large Norwegian timber buyers between 2014 and 2016 (revision of PEFC certificates) actually revealed no logging violations. A questionnaire amongst the 10 significant timber buyers, as a part of the documentation for the Norwegian NRA, showed that 30 key habitats were seriously harmed or damaged by logging activity between 2014 and 2016. This means that ca. one key habitat was affected by each company each year in average. The</p>

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		<p>ngen/raserte-vernet-skog-med-hogstmaskin/s/5-19-38026, [Accessed 22 February 2017].</p> <p>PEFC Norway. Norwegian PEFC Forest Standard. PEFC N 02. 22.06.2016. Available at: http://www.pefcnorway.org/side.cfm?ID_kanal=11. [Accessed 2 March 2017].</p> <p>Avisa Nordland 2010. Reineier dømt for hogst. https://www.an.no/nyheter/reineier-domt-for-hogst/s/1-33-5121229?service=print [Accessed 12. June 2018]</p> <p>Personal communication 20: Reidar Haugan (independent forest biologist)</p> <p>Personal communication 21: Even Woldstad Hanssen, Sabima.</p>	<p>damage of key habitats ranges from total damage (a few) to just lesser parts of the habitats. Nevertheless, the amount of violations was considered to be low. This is regarded to be a negligible number, taken the total number of key habitats in account (ca. 75.000 per 2017).</p> <p>96,3 % of the Norwegian timber volume is covered by one or more PEFC group-certificates. The Norwegian forestry legislation demands environmental surveys according to requirement 21 in the PEFC-standard, preferably based on the MiS-method. In practice, the authorities to a large extent give the certificate holders the mandate to ensure that the law about key habitat management is complied within everyday forestry.</p> <p>However, the forestry authorities also follow the development. The official annual report on forest control prepared by the forest authorities (Granhus et al. 2014, 2015) shows that harvesting without the required environmental registrations slowly declines. Measurements from 2014 shows that up to 3,9 % of all harvest operations <i>possibly</i> were in violation of the law (regards measures carried out in 2011 and backwards). Because of the high number of documented key habitats that were logged before 2011 (described above), the percentage of unregulated logging in key habitats is reasonable. This percentage doesn't take into account that several of the affected key habitats may be harvested due to management goals to enhance the biological qualities written in the forestry plan.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where laws /regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.10 Environmental requirements	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Forestry Act (LOV-2005-05-27-31): https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/ Regulation concerning sustainable forestry (FOR 2006-06-07-593) https://lovdata.no/dokument/SF/forskrift/2006-06-07-593 Nature Diversity Act (LOV-2009-06-19-100) https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/ Act relating to river systems and groundwater (LOV-2000-11-24-82): https://lovdata.no/dokument/NL/lov/2000-11-24-82?q=LOV-2000-11-24-82, in English https://www.regjeringen.no/globalassets/upload/od/vedlegg/lover-og-reglement/act_no_82_of_24_november_2000.pdf Cultural Heritage Act (LOV-1978-06-09-50), 1978. https://www.regjeringen.no/en/dokumenter/cultural-heritage-act/id173106/ Regulation for the use of herbicides and pesticides (FOR-2015-05-06-455), section 22: https://lovdata.no/dokument/SF/forskrift/2015-05-06-455/*# <p>Legal Authority</p> <ul style="list-style-type: none"> Ministry of Agriculture and Food Ministry of climate and environment Norwegian Agriculture Agency Norwegian Environment Agency 	<p>Government sources</p> <p>Granhus, A., Eriksen, R., Moum, S. O. 2015. Resultatkontroll skogbruk/miljø. Rapport 2014. NIBIO rapport 1:32. URL: http://brage.bibsys.no/xmlui/bitstream/handle/11250/2364999/NIBIO%20RAPPORT%201%2832%29.pdf?sequence=1&isAllowed=y</p> <p>Granhus, A., Hysten, G. (2016): Hva viser 10. Landskogtaksering om miljøtilstanden i skogen? Landsskogtakseringen. Norsk Institutt for Bioøkonomi. Available at: http://www.skogogtre.no/files/3_%20Aksel%20Granhus_Skog&Tre_2016.pdf, [Accessed 14 October 2016].</p> <p>Stokland, J. N., Eriksen, R., Granhus, A. (2014): Tilstand og utvikling i norsk skog 1994 -2012 for noen utvalgte miljøegenskaper. Oppdragsrapport fra Skog og landskap 03/2014. Norsk Institutt for Skog og Landskap (NIBIO). Available at:</p>	<p>Overview of Legal Requirements</p> <p>The Forestry Act is quite general. Specific environmental requirements are described in the regulation concerning sustainable forestry (FOR 2006-06-07-593) § 5, and shortly summarized here (except for requirements treated under cat. 1.8, 1.9 and 4):</p> <ul style="list-style-type: none"> Minimum 5 old trees shall be left as retention trees. Ecologically functional border zones along watercourses and between forest and other areas shall be left. Minimum of 10 % deciduous trees in regeneration stands. Change of tree species in broadleaved deciduous forest needs an approval from the forestry authorities. Change of tree species in forest areas > 10 ha needs an approval from the forestry authorities (conversion to exotic tree-species – see cat. 4). Cultural heritages shall not be affected by forestry according to the Cultural Heritage Act (see below). <p>The Nature Diversity Act (LOV-2009-06-19-100) describes areas protected from logging, like nature reserves and national parks, as well as areas where logging activities are especially regulated with the purpose of protecting some special habitats, and species. Furthermore, the Act includes a requirement (Section 6) on general duty of care when carrying out activities, to avoid causing damage to biological, geological and landscape diversity.</p> <p>The Act relating to river systems and groundwater (LOV-2000-11-24-82) describes needs for buffer zones to water systems. Along the banks of river systems with a perennial flow, a limited natural belt of vegetation shall be maintained to counteract runoff and provide a habitat for plants and animals.</p> <p>The Cultural Heritage Act (LOV-1978-06-09-50) regulates forestry close to cultural heritages older than 1537 (the Protestant Reformation), or more than 100 years old objects of Sami heritage. No ground disturbing activities are allowed in such areas, including</p>

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	<ul style="list-style-type: none"> - County and municipal forestry and environment authorities - The County Council, regional authorities for cultural heritage - The Norwegian Food Safety Authority <p>Legally required documents or records</p> <p>Use of herbicides: The Norwegian Food Safety Authority can give authorization for dispersal of herbicides and pesticides, giving the applicant (forest owner or company working on behalf of the forest owner) a legal document with specific conditions.</p>	<p>http://www.skogoglandskap.no/publikasjon/tilstand_og_utvikling_i_norsk_skog_1994-2012_for_noen_utvalgte_miljoegenskaper</p>	<p>use of forestry machines and even digging holes for planting of trees. However, the trees are not protected, and can be removed carefully.</p> <p>Use of herbicides is due to the regulation on use of pesticides (FOR-2015-05-06-455). Spraying shall not be carried out on vegetation which is more than 2 metres high on average, not closer than 50 metres from houses, not in protected areas and areas with grazing domestic animals. Pesticides used on areas > 1,5 ha must be approved Norwegian Food Safety Authority for the purpose and area in question. Users of pesticides in forestry must hold spraying certificates (evidence of authorisation). When using pesticides, legal equipment must be used, and the instructions supplied by the manufacturers of the substances shall be followed.</p> <p>Risk description</p> <p>The following factors should be considered when assessing the risk for violation of the relevant legislation:</p> <ul style="list-style-type: none"> a) Norwegian forest policy is based on the principle of freedom under responsibility, unless for protective forests and forests close to Oslo (Osломarka). b) Independent scaling of all wood sold in the market is mandatory according to law. The results are reported to the forest authorities as a part of the system for mandatory provision to the Forest Trust Fund, where the accounts for each forest property are controlled by the municipal forest authorities. This makes it possible for the forest authorities to backtrace forest owners and harvested areas to conduct controls. c) The forest authorities conduct sample-based controls of the harvestings, focusing on silviculture measures, as well as how the harvesting practices are done according to different forest policy objectives. This is a monitoring of the development in general for the measured requirements. Approximately 1.300 plots for field control are randomly

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>selected countrywide, from all harvesting fields each year. Calculated from the average size of a harvesting, approximately 6-8 % of the harvested areas are selected for field control, which should secure a relevant picture of the situation and how the practice is developing. In addition, the municipal forest authorities do specific controls where needed because of e.g. suspected law offences.</p> <p>d) A list (see the overview) of environmental requirements in the law (FOR 2006-06-07-593) is the basis for controls. These are to a certain degree measurable.</p> <p>The national forest inventory (NFI) represents an independent source of information for monitoring the development of the forests. This is a sample plot-based inventory with permanent sample plots systematically spread over the country, and they have data series back to c. 1920 http://www.skogoglandskap.no/artikler/2013/fakta_om_landsskogt_akseringen/newsitem). Data collected from these sample plots are analyzed for the development of environmental parameters, see e.g. Granhus & Hysten (2016). Analyses of data from NFI show improvement for most environmental parameters, like proportion of old forest and amount of dead wood, number of retention trees left after harvesting, and significant reduction in harvesting in border zones to lakes, rivers and creeks.</p> <p><i>Border zones:</i> Granhus & Hysten (2016) classified the control measures taken in the border zones along watercourses. In 2002, the proportion of border zone areas where harvesting had taken place without particular considerations was measured to 24,1 %. In 2010, the similar proportion was 9,5 %. For border zones to swamps a similar development can be seen, but there the proportion of the classification “no particular considerations taken” was only 1,1 % in 2010. What we clearly see regarding border zones along lakes, rivers and creeks and to swamps is a significant improvement for considerations when harvesting in such areas. There is, however, a legal possibility for not to leave a border zone,</p>

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			<p>and rather harvest and re-establish a stable well-functioning border zone if the existing is considered not to be stable.</p> <p>The report from the aggregated data from the sample-based regeneration controls conducted by the forest authorities (Granhus 2015) is also addressing management of border zones. The report describes a quite stable result for the period from 2010 to 2014. Border zones occurred in 25,7 % of the controlled felling areas. In 1,9 % of the areas no particular considerations were taken to the border zones.</p> <p>It is not unlikely that loggings occur where border zones should have been left, but the forestry sector does not consider this to be a significant problem. ENGOs criticizing the forestry for not leaving sufficient border zones are questioning the implementation of the PEFC standard requirements, and rarely the law enforcement.</p> <p>It is difficult to do accurate controls according to law. The Regulation concerning Sustainable Forestry doesn't give any requirements on the width of the zones, the tree species composition, the age, or what is really meant with "ecological function" of the zones. The general conclusion is, however, that border zones mainly are left according to the regulation, and that a significant improvement of the measures probably has developed over several years. Legal violations have not been recorded, and the risk is considered to be low.</p> <p><i>Retention trees:</i> The regulation concerning sustainable forestry states that there should be at least 5 retention trees/ha, primarily among the oldest trees in the stand. According to the national forest inventory (NFI), the average number of retention trees and seed trees has for the period from 1994 to 2012 increased to 25 trees/ha, significantly higher than the legislative demand. The aggregated data from the sample-based regeneration controls (Granhus 2015) indicates, however, that the retention trees are lacking some places. This may be due to the fact of that the surveyors did not have access to the operational plans for the</p>

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			<p>harvesting, where the location of the retention trees is documented. Retention trees could be placed next to, or inside a neighboring stand, and will not appear as retention trees for the field surveyors. A generally high increase of the number of retention trees and a probable low number of lacks in felling areas is together regarded as documentation for the assessment to low risk.</p> <p><i>Other requirements:</i> 10 % deciduous trees are required in rejuvenation areas. The practice is well incorporated into Norwegian forestry during many years. It is also of big interest for keeping a healthy moose population. The requirement is assessed to low risk.</p> <p>A change of tree species in broadleaved forest is regarded as low risk because most of these forest areas (cover less than 1% of the Norwegian productive forest areas) has been given high priority for protection in nature reserves and key habitats. A high portion of the areas are now protected. According to the regulation concerning sustainable forestry, permission from the forest authorities is needed to change species in non-protected areas.</p> <p>Cultural heritage sites are strictly protected by law. Breaking the legislation, that rarely and accidentally happens during forest operations, is punished with very high fines. The requirement is assessed to low risk.</p> <p>Any use of pesticides is strictly regulated. Permissions and certificates given by authorities are needed. No violation of the law is known during the 5 last years. Additionally, the use of pesticides is very low and decreasing due to other methods taken in use against competing weeds in regeneration stands (soil scarification).</p> <p>Risk Conclusion</p> <p>Even though there are some weaknesses in the control and monitoring instruments administered by the forestry authorities, we</p>

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			<p>have not discovered any risks related to systematic and/or large-scale non-compliance with legally required environmental measures that are evident to an extent that threatens the forest resources or other environmental values.</p> <p>The overall conclusion for this indicator is low risk. Threshold (1) is met: Identified laws are upheld. Cases where legislation are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.11 Health and safety	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Working Environment Act (LOV-2005-06-17-62) 2005 (Lov om arbeidsmiljø, arbeidstid og stillingsvern mv.): https://lovdata.no/dokument/NLE/lov/2005-06-17-62 Regulations on environmental health (FOR-2003-04-25-486), 2014 (Forskrift om miljørettet helsevern): https://lovdata.no/dokument/SF/forskrift/2003-04-25-486 Regulations concerning the performance of work, 2011, Chapter 3, art. 10 and 17 (Forskrift om utførelse av arbeid, bruk av arbeidsutstyr og tilhørende tekniske krav): https://lovdata.no/dokument/SFE/forskrift/2011-12-06-1357 Regelhelp.no. Skogbruk og tjenester tilknyttet skogbruk. Veiviser til HMS-regelverket. Web page. http://www.regelhelp.no/Etatenes-sider/Arbeidstilsynet/Kravlister/Skogbruk-og-tjenester-knyttet-til-skogbruk--- (Official manual for the Health, Safety and Environment Regulations concerning the forestry sector). 	<p>Government sources</p> <p>Arbeidstilsynet.no (2016): Færre døde på jobb i 2015. Arbeidstilsynet. Last updated 15.01.2016. Available at: http://www.arbeidstilsynet.no/nyhet.html?tid=255078, [Accessed 14 February 2017].</p> <p>Personal Communication 19: Monica Seem, Arbeidstilsynet (Authority of Work In Norway).</p> <p>Non-Government sources</p> <p>Skogbrukets HMS-utvalg (2011): Veiledninger. Available at: //hms.skogbruk.no/artikkel.cfm?ID_art=3, [Accessed 14 February 2017].</p>	<p>Overview of Legal Requirements</p> <p>Forest operations must ensure safe working conditions and that the employees receive adequate instruction and training.</p> <p>Companies dedicated to forestry and logging are required to be affiliated to an occupational health service (Norwegian: Bedriftshelsetjeneste, BHT) approved by the Labor Inspection Office. This requirement does not apply to forest owners who do not employ people.</p> <p>It is the responsibility of the employer to ensure that the occupational health service assists employers and employees, and the responsibility of the work and safety representatives to create healthy and safe work conditions.</p> <p>The occupational health service has a free and independent position, and the service is not subject to the employer's authority. The employer is responsible for the work conditions in the company. Staff from the approved occupational health service act as advisors.</p> <p>According to the laws cited, the companies are bound to follow the law and to have internal controls to ensure that the rules are followed.</p>

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	<p>Legal Authority</p> <ul style="list-style-type: none"> - The Norwegian Labor Inspection Authority, a Governmental agency under the Ministry of Labor. <p>Legally required documents or records</p> <p>The party responsible for the logging operations must have all the necessary documents proving that the employees or himself have been given both theoretical education and practical training according to Regulations concerning the performance of work, forskrift/2011-12-06-1357/KAPITTEL_3-1 §§10-2.</p>	<p>Ssb.no (2015) Arbeidsulykker, 2014. Statistik Sentralbyrå. Statistics Norway. Last updated 16 June 2016. Available at: http://www.ssb.no/helse/statistikker/arbulykker/aar/2015-06-16#content, [Accessed 14 February 2017].</p> <p>Personal communication 3: Thomas Husum, Norwegian Forest Owners Association (Norges Skogeierforbund).</p>	<p>Description of Risk</p> <p>In Norway, approximately 90 % of the logging operations are conducted by logging companies, while the rest are done by the forest owner, which explains why the use of an approved occupational health service is applicable in most cases of logging. The forestry sector has had its own Health, Safety and Environment group (HMS-group - http://hms.skogbruk.no/) since 1974, making the forestry sector well aware of the need to focus on health, safety and environment through campaigns and guidelines for health and safety (Skogbrukets HMS-utvalg 2011).</p> <p>Traditionally, Norway has not kept good statistic records of work-related accidents (Personal Communication 19). However, statistical data collection is improving. Data from 2014 show that 5,8 out of 1000 workers were injured within the agriculture, forestry and fishery sectors, resulting in more than 3 days' absence from work (SSB 2015).</p> <p>The authorities responsible for enforcing the law conduct random inspections to control if the logging companies and forest owners comply with the law. The Norwegian Forest Association (Norges Skogeierforbund), which covers 75 % of the Norwegian forest production is not aware of any cases of legal violations of health and safety (Personal Communication 3). There are no indications of any accidents due to lack of compliance with this legislation.</p> <p>The law and its practice are considered to be well established.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.12 Legal employment	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Working Environment Act, 2005 (Lov om arbeidsmiljø, arbeidstid og stillingsvern mv., LOV-2005-06-17-62) https://lovdata.no/dokument/NL/lov/2005-06-17-62#§2-1 <p>Legal Authority</p> <ul style="list-style-type: none"> The Norwegian Labor Inspection Authority is a governmental agency under the direction of the Ministry of Labor <p>Legally required documents or records</p> <p>N/A</p>	<p>Government sources</p> <p>N/A</p> <p>Non-Government sources</p> <p>Personal Communication 3: Thomas Husum, Norwegian Forest Owners Association.</p> <p>Skogeierforbundet.no (2016): Forbundet i dag. Available at: http://www.skogeier.no/om-oss/forbundet-i-dag/ [Accessed 4 May 2017].</p>	<p>Overview of Legal Requirements</p> <p>The Working Environment Act describes the rights to a healthy and meaningful working-situation for employees, to ensure labor rights, and to regulate and enhance a good and fair relationship between the employer and the employees.</p> <p>Description of Risk</p> <p>According to the Norwegian Forest Association (Norges Skogeierforbund), which covers 75 % of the Norwegian forest production, there are no reports of any major issues of illegal employment (Personal Communication 3).</p> <p>The risk for violation of the rules is considered to be low due to a well-established system of laws and the work conducted by The Norwegian Labor Inspection Authority with its random control visits to the working places.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
Third parties' rights			
1.13 Customary rights	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Outdoor Recreation Act, 1957 (Lov om friluftslivet- LOV-1957-06-28-16 (revision 01.10.2015). https://www.regjeringen.no/en/dokumenter/outdoor-recreation-act/id172932/ Forskrift om brannforebygging (regulation concerning fire prevention): 	<p>Government sources</p> <p>N/A</p>	<p>Overview of Legal Requirements</p> <p>According to the Outdoor Recreation Act (LOV-1957-06-28-16), any person is entitled to access and passage through uncultivated land at all times of the year, as long as this activity do not cause damage or inconvenience to the owner, user or others, nor damage the environment. Land ownership is irrelevant to this right of access. Reforestation sites are regarded as uncultivated areas</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>https://lovdata.no/dokument/SF/forskrift/2015-12-17-1710</p> <ul style="list-style-type: none"> Nature Diversity Act: https://lovdata.no/dokument/NL/lov/2009-06-19-100?q=naturmangfoldloven The Penal Code (Straffeloven): https://lovdata.no/dokument/NLE/lov/2005-05-20-28 Regulation concerning sustainable forestry (FOR 2006-06-07-593) https://lovdata.no/dokument/SF/forskrift/2006-06-07-593 <p>Legal Authority</p> <ul style="list-style-type: none"> - Ministry of Climate and Environment - Ministry of Agriculture and Food <p>Legally required documents or records</p> <p>N/A</p>	<p>Non-Government sources</p> <p>Personal Communication 3: Thomas Husum, Norwegian Forest Owners Association.</p> <p>Reusch, M. 2016: Friluftsløven med kommentarer. Gyldendal Juridisk.</p> <p>Personal communication 17: Oddvin Lund, DNT (The Norwegian trekking organization).</p>	<p>and are also freely accessible. Fields and meadows can be accessed between October 15th and April 30th as long as the ground is frozen or covered in snow.</p> <p>The municipality can, with the consent of the owner, prohibit access to specified routes if this is found necessary to prevent damage to the environment or considerable disadvantage to the owner. This has to be confirmed by federal authorities. In uncultivated areas, it is not permitted to access and use any site if this unduly hinders or cause inconvenience to others. Picknicking and camping must not take place if this may cause appreciable damage to young forests or to regenerating forests. A tent must not be pitched so close to an inhabited house (cabin) that it disturbs the occupants, and in any case, no closer than 150 meters. Permission for a longer stay is not required in mountain areas or in areas distant from habitation, unless the stay is expected to cause significant damage or inconvenience.</p> <p>Unless they have a special authorization, no person can set up a sign or in any other way announce that access, bathing etc. is prohibited in an area where access is permitted according to this Act.</p> <p>Berries, mushrooms, lichens etc can be harvested legally by anyone on uncultivated land, also for commercial purposes as long as the activity is not to any disadvantage to the forest owner. See Reusch, M (2016, p 181-182) and the Penal Code: https://lovdata.no/lov/2005-05-20-28</p> <p>Twigs and other dead wood in limited amounts can be collected by anyone for campfire use. Campfires are prohibited between April 15th and September 15th, but still allowed in this period when there obviously is no danger of forest fire. See: regulation concerning fire prevention: https://lovdata.no/forskrift/2015-12-17-1710</p> <p>The collecting of plants which are listed as threatened or endangered is regulated by the Nature Diversity Act:</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>https://lovdata.no/dokument/NL/lov/2009-06-19-100?q=naturmangfoldloven</p> <p>The assessment of the customary rights of indigenous people is treated in category 1.15.</p> <p>Description of Risk</p> <p>The right for people to access the forest is generally well respected. According to the Norwegian Forest Association, only one case is known where a forest owner repeatedly placed forest debris on trails thus hindering access to the forest. The forest owner became suspended from the PEFC group certificate for a period. However, there are no indications that this is a general problem (Personal Communication 3).</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.14 Free prior and informed consent	<p>Applicable laws and regulations</p> <p>The concept of Free Prior and Informed Consent is not, as a concept, directly described in national legislation. However, the concept is described in applicable international law.</p> <p>The Norwegian WG decided to assess FPIC in Norwegian legislation due to internationally ratified conventions and treaties.</p>	<p>Government sources</p> <p>N/A</p> <p>Non-Government sources</p> <p>Anaya, J. (2009). Report of Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous Peoples. UN</p>	<p>Overview of Legal Requirements</p> <p>There are no specific regulations in national legislation concerning general rights of the Sami peoples to utilize the FPIC concept and hence, how to treat the rights of the Sami people with respect to logging operations or other forest uses.</p> <p>An exception is when a forest owner applies for permit to build a forest road in areas where the Sami people have traditional land rights (see map, cat 1.15). In these areas, the application is forwarded to the Sami Parliament, granting them the possibility to express their opinion. However, the Sami Parliament cannot</p>

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	<p>Legal Authority</p> <p>The Parliament, Ministry of Agriculture and Food, or county or municipal forest authorities when it comes to national legislation. On the international arena there are authorities such as the UN Human Rights Committee, the UN Committee on the Elimination of Racial Discrimination and the European Court of Human Rights.</p> <p>The Sami Parliament.</p> <p>Legally required documents or records</p> <p>No formal documents required to indicate legality according to national law.</p> <p>According to international law there is a need to verify FPIC through binding agreements between Indigenous Peoples and those who have present interest to use the Indigenous Peoples resources and territories for which they can make a justified claim of long and established use.</p> <p>Engagement and agreements with communities shall be performed and documented in a culturally appropriate way and to recognize and uphold the rights of Indigenous Peoples, as described in UNDRIP and ILO Convention 169.</p> <ul style="list-style-type: none"> <i>States shall consult and cooperate in good faith with the Indigenous Peoples concerned through their own representative institutions in order to obtain their free, prior, and informed consent before adopting and implementing legislative or</i> 	<p>Document A/HRC/12/34, United Nations Human Rights Council, Geneva. (Also available at: https://documents-dds-ny.un.org/doc/UNDOC/GE N/G09/150/32/PDF/G0915 032.pdf?OpenElement, [Accessed 28 July 2016.]</p> <p>Anderson, P. (2011). Free, Prior and Informed Consent in REDD+ Principles and Approaches for Policy and Project Development. RECOFTC – The Center for People and Forests, and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, Sector Network Natural Resources and Rural Development, Asia. (Also available at: http://www.forestpeoples.org/topics/redd-and-related-initiatives/publication/2012/free-prior-and-informed-consent-redd-principles, accessed 28 July 2016.)</p> <p>African Commission (2003). Report of the African Commissions Working Group on Indigenous Population/Communities, DOC/OS(XXXIV)/345.</p>	<p>altogether stop road building they are in opposition of. This procedure does not give the Sami right holders the right to give or withdraw their consent, but it is an obligation for the forest authorities to seriously include the received opinion in the approval process.</p> <p>Compared to the national legislation the international law is clear when it comes to FPIC. FPIC has to be applied in situation where Sami Peoples are adversely impacted by forestry operations - and that is not the case in Norway.</p> <p>Free, Prior and Informed Consent (FPIC): the right of indigenous peoples and others with collective or customary rights to give or withhold their consent, as expressed through their own self-chosen representatives, to measures which may affect their rights. Such consent should be determined freely by the people concerned (without coercion or duress), in an inclusive way, after being furnished full information about the implications of the measure proposed and prior to the measure being taken, through a culturally appropriate decision-making process.</p> <p>International law has now recognized that FPIC is a legal norm imposing clear affirmative duties and obligations on States. Among the participants of the National Risk Assessment Working Group there are some different opinions to what extent the FPIC obligations also are valid for private farmers and forest owners. However, in the relevant FSC standard (FSC-STD-40-005 V3-0 Requirement for Sourcing FSC Controlled Wood) the following criteria is clearly stated: “2.5 The standard does not refer to the ratification of ILO 169 and a risk assessment shall involve an assessment of evidence of violation of ILO requirements, irrespective of whether they have been ratified by the country in which the risk assessment is made”. FPIC is included in the ILO 169 and shall hence be one of the assessment criteria’s in the National Risk Assessment procedure.</p> <p>Traditionally Norwegian courts and authorities apply the principle of dualism when it comes to mechanisms for the implementation of</p>

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	<p><i>administrative measures that may affect them.</i> (UNDRIP, United Nations, 2008).</p> <ul style="list-style-type: none"> <i>In applying the provisions of this Convention, governments shall: (a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly</i> (ILO, ILO 169, 1989) <p>Culturally appropriate processes consider cultural differences, such as preferences for direct or indirect negotiation; attitudes toward competition, cooperation, and conflict; the desire to preserve relationships among complainants; authority, social rank, and status; ways of understanding and interpreting the world; concepts of time management; attitudes toward third parties; and the broader social and institutional environment and established use. Format of the binding agreement should be agreed mutually and can be written, oral (audio or video), a traditional ceremony, or a combination of presentations.</p> <p>The written agreement could be formalized in a legal document that is binding to both parties and, if possible, endorsed by the local government or relevant authority.</p>	<p>Available at: http://www.achpr.org/files/pecial-mechanisms/indigenous-populations/expert_report_on_indigenous_communities.pdf (accessed 29 July 2016). Business & Human Rights Resource Centre (no date).</p> <p>UN Guiding Principles. Available at: http://business-humanrights.org/en/un-guiding-principles (accessed 12 August 2016).</p> <p>Colchester, M. and MacKay, F. (2004). In Search of Middle Ground: Indigenous Peoples, Collective Representation and the Right to Free, Prior and Informed Consent. Paper presented to the 10th Conference of the International Association for the Study of Common Property, Oaxaca. Forest Peoples Programme. (Also available at: http://www.forestpeoples.org/sites/fpp/files/publication/2010/08/fpicipsaug04eng.pdf, accessed 29 July 2016).</p>	<p>international law on the domestic legal order and to create treaty conform interpretation into Norwegian law. According to the dualist theory, national law and international law are two different and separate legal systems operating in different fields. International law is not directly applicable domestically. It must first be translated or transformed into national legislation by the competent political institutions of the legislative or of the executive, before it can be applied by the national courts and existing national law that contradicts international law must be modified, put aside or eliminated in order to conform to international law.</p> <p>Even though it is not explicit in the wording of the Constitution, many constitutional provisions show that the Norwegian legal system calls for dualism: Article 1; The provisions in Part C of the Constitution (§ 49); Part B (§ 3) and Part D (§ 88); art. 93. Traditionally Norwegian courts and authorities apply the principle of presumption of treaty conform interpretation when requested to interpret Norwegian legislation that is based on a treaty that Norway is bound by. They do so that Norwegian law does not conflict with the external obligations of Norway. It is also presumed that the Norwegian authorities do not / did not mean to adopt rules or provisions that come in conflict with Norway's international commitments, nor to maintain them when there now are new international obligations.</p> <p>This legal tradition in Norway constitutes that the concept of FPIC is to be regarded as applicable in Norway.</p> <p>The right to free, prior, and informed consent (FPIC) is seen as one of the key principles of international human rights law. It is intended to protect the legal and customary rights of Indigenous Peoples and prevent further destruction of their lives, cultures, and livelihoods. Increasingly, it is also seen as a right that enables indigenous peoples/ communities to protect themselves against significant adverse impacts on the resources and territories for which they can make a justified claim of long and established use.</p>

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		<p>Colchester, M. (2010). Free, Prior and Informed Consent – Making FPIC work for forests and peoples. The Forests Dialogue Research Paper No. 11, New Haven, CT, USA. (Also available at: http://www.forestpeoples.org/sites/fpp/files/publication/2010/10/tfdpicresearchpapercolchesterhi-res2.pdf, accessed 28 July 2016.)</p> <p>Doyle, C.M. (2015). Indigenous Peoples, Title to Territory, Rights and Resources: The Transformative Role of Free Prior and Informed Consent. Routledge Research in Human Rights Law. Oxford, UK and New York. (Also available at http://samples.sainsburysebooks.co.uk/9781317703181_sample_870658.pdf, accessed 29 July 2016.)</p> <p>Doyle, C. and Cariño, J. (2013). Making Free Prior & Informed Consent a Reality, Indigenous Peoples and the Extractive</p>	<p>Obtaining the FPIC of Indigenous Peoples before undertaking forestry management activities on the lands they legally or customarily own and/or use is therefore necessary. It is also a binding requirement in the Forest Stewardship Council Principles and Criteria for Forest Stewardship (FSC, 2012a).</p> <p>The importance of consent as the basis for relations between states and Indigenous Peoples traces back to early Spanish colonialism (Doyle, 2015). It was observed as long ago as 1975 by the International Court of Justice in its advisory opinion in the Western Sahara case, which stated that entry into the territory of Indigenous Peoples required their freely informed consent as evidenced by an agreement (ICJ, 1975; Janis, 1976). Today, the duty of states to seek free, prior, and informed consent from Indigenous Peoples on decisions affecting them is referenced throughout UNDRIP (United Nations Declaration on the Right of Indigenous People, signed by Norway) in relation to particular concerns, and affirmed as an overarching principle in Article 19. More fundamentally, the right to FPIC derives from substantial underlying rights of Indigenous Peoples, such as the right to self-determination (Article 3), the right to self-government (Article 4), and the right to property (Article 26).</p> <p>FPIC is referenced in the United Nations International Labour Organization (ILO) Convention 169 and the Convention on Biological Diversity, and increasingly in international legal instruments, policies, and jurisprudence, as well as in national legal and administrative frameworks and jurisprudence. These agreements or conventions are basically pointing out FPIC-obligations for the State, but companies have to consider this nevertheless³. Additionally, an increasing number of voluntary standards apply this requirement to companies, including the FSC standard (see Doyle and Cariño, 2013; Chapter 1 for an overview of some of the main provisions on free, prior, and informed consent</p>

³ FSC-STD-40-005 V3-0 Requirement for Sourcing FSC Controlled Wood

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		<p>Sector. Indigenous Peoples Links. (Also available at: http://solutions-network.org/site-fpic/files/2012/09/Making-Free-Prior-Informed-Consent-a-Reality-DoyleCarino.pdf, accessed 29 July 2016.)</p> <p>Development Without Conflict: The Business Case for Community Consent. World Resources Institute, Washington, DC. (Also available at: http://pdf.wri.org/development_without_conflict_fpic.pdf, accessed 28 July 2016.)</p> <p>Hill, C., Lillywhite, S., and Simon, M. (2010). Guide to Free, Prior and Informed Consent. Oxfam Australia, Victoria, Australia. Also available at: http://resources.oxfam.org.au/pages/preview.php?ref=1321&alternative=-1&ext=jpg&k=0edfe94f91&search=%21collection145&offset=0&order_by=relevance&sort=DESC&archive=0&page=1, accessed 28 July 2016.)</p>	<p>and Indigenous Peoples in international legal instruments, policies, jurisprudence, and voluntary standards).</p> <p>The duty to obtain FPIC is based on many universally accepted human rights, including the right to cultural integrity, the right to equality, and the right to property. This is acknowledged in statements and decisions of such authorities as the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, and the Inter-American Court of Human Rights.</p> <p>Description of Risk</p> <p>Reindeer husbandry need extensive, undisturbed areas the whole year round where they can find pasture land. Both reindeer herders and many researchers have stated that intrusions – or loss of pastures – are the primary challenge that reindeer and reindeer herding presently faces. National parks, military activities, mining activities, cottage areas, pipelines, forestry and wind power expansion are examples of common intrusions. All the time, new types of activities occur and the number increases. Intrusions often lead to a massive loss of pastures for all time. This together with high levels of predators and climate changes constitute major negative threats to reindeer herding. In a situation where survival of Sami culture and Sami trade is dependent on the access to grazing land, the importance of practicing FPIC will increase.</p> <p>On the other hand, according to the forestry, agriculture and reindeer husbandry authorities at the county level, there are to a very little degree experienced conflicts between the forestry sector and reindeer husbandry, when it comes to harvesting operations.</p> <p>Much of the above assessment is about the discussions around the implications of the international legislation vs. Norwegian laws, and is further assessed under category 2 and 3.</p>


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		<p>Inter-American Court of Human Rights (2005). <i>Moiwana Village v. Suriname</i>, Judgment of June 15, 2005, pp. 54-55.</p> <p>Inter-American Court of Human Rights (2007). <i>Saramaka People v. Suriname</i>. Available at: https://www.escri-net.org/caselaw/2014/case-saramaka-people-v-suriname (accessed 11 August 2016).</p> <p>Western Sahara: Advisory Opinion of 16 October 1975. International Court of Justice Reports 1975.</p> <p>ILO (1989) C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169) (Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169(Accessed 7 November 2016</p> <p>Lehr, A.K. and Smith, G.A. (2010). <i>Implementing a Corporate Free, Prior, and Informed Consent Policy; Benefits and Challenges</i>. Foley Hoag LLP, Boston</p>	<p>NRA Working Group partly doesn't consider the FPIC-principles as sufficiently covered by legislation. However, Norwegian legislation does not mention the FPIC-concept, but similar mechanisms are described. The procedure of sending the road-building applications to the sami authorities granting them the possibility to express their opinion, is a routine that nearly coincides with FPIC, but it does not give the Sami right holders the right to give or withdraw their consent, which is a central element of FPIC. However, no cases regarding road construction projects for forestry purposes are known to violate the legal procedure described above.</p> <p>Risk Conclusion</p> <p>The existing legislation on road building for forestry, that can be a serious startpoint also for other activities, gives the Sami people an opportunity to influence projects. All such projects are planned and enforced according to the law, and no violations are reported.</p> <p>Low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entity.</p>

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		<p>and Washington, DC. (Also available at: http://www.foleyhoag.com/publications/ebooks-and-white-papers/2010/may/implementing-a-corporate-free-prior-and-informed-consent-policy, accessed 28 July 2016).</p> <p>UNCHR (2004). Preliminary working paper on the principle of free, prior and informed consent of indigenous peoples (...) Document E/CN.4/Sub.2/AC.4/2004/48 (8 July 2004) of the 22nd Session of the United Nations Commission on Human Rights Sub-commission on the Promotion and Protection of Human Rights, Working Group on Indigenous Populations, 19–23 July 2004 (also available at: http://www.ohchr.org/Documents/Issues/IPeoples/WG/4.pdf, accessed 15 August 2016).</p> <p>UN Development Group (2009). Guidelines on Indigenous Peoples Issues. Available at:</p>	

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		<p>http://www.ohchr.org/Documents/Publications/UNDG_training_16EN.pdf (accessed 15 August 2016).</p> <p>UNEP (1992). Rio Declaration on Environment and Development. United Nations Environment Programme. Available at: http://www.unep.org/documents.multilingual/default.asp?documentid=78&articleid=1163 (accessed 29 July 2016).</p> <p>United Nations (1992). United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Available at: http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf (accessed 7 November 2016).</p> <p>Convention on Biological Diversity (CBD) Available at: https://www.cbd.int/doc/legal/cbd-en.pdf (Accessed 7 November 2016)</p> <p>UN Permanent Forum on Indigenous Issues (2005). Report of the International</p>	

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		<p>Workshop on Methodologies regarding Free Prior and Informed Consent and Indigenous Peoples. United Nations Document E/C.19/2005/3. Available at: www.un.org UN Permanent Forum on Indigenous Issues (2007).</p> <p>UN-REDD Programme. 2010. Consultation on FPIC and Resource – Latin America and the Caribbean; Workshop Report. FAO, UNDP and UNEP.</p> <p>UN-REDD Programme. 2010. Asia Regional Consultation with Indigenous Peoples on FPIC and Resource Mechanisms. FAO, UNDP and UNEP. Available at: www.unredd.net</p> <p>UN-REDD Programme (2011). Guidelines on Free, Prior and Informed Consent, Draft for Comment. FAO, UNDP and UNEP. (Also available at: http://www.unclearn.org/sites/default/files/inventory/un-redd05.pdf, accessed 28 July 2016.)</p>	

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		World Bank (2005). Safeguard Policy OP/BP Indigenous Peoples. Available at: http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTSAFE/0,,contentMDK:20543990~menuPK:1286666~pagePK:64168445~piPK:64168309~theSitePK:584435,00.html (accessed 16 August 2016).	
1.15 Indigenous peoples rights	Applicable laws and regulations <ul style="list-style-type: none"> • Reindeer Herding Act (LOV-2007-06-15-40): https://lovdata.no/dokument/NL/lov/2007-06-15-40/ • Plan and Building Act (LOV-2008-06-27-71): https://lovdata.no/dokument/NL/lov/2008-06-27-71/*#* • Forestry Act (LOV-2005-05-27-31, 2005), Section 2: https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/ • Finnmark Act LOV-2005-06-17-85: (Act No. 85 of June 17, 2005 relating to Legal Relations and Management of Land and Natural Resources in the County of Finnmark) https://lovdata.no/dokument/NL/lov/2005-06-17-85?q=finnmarksloven 	Government sources N/A Non-Government sources Written sources are listed in 1.14. <ul style="list-style-type: none"> • Sources within the organization <i>Protect Sapmi</i>, Anders Blom • Personal communication with representative of the National Reindeer Herders Association • Personal communication with representatives of the University of Tromsø 	Overview of Legal Requirements In Norway, there are more forms of traditional Sami land use than traditional herding to consider. Notwithstanding this, however, in Norway legal developments of Sami rights in all essential respects has been driven by the courts considering reindeer herding rights.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Legal Authority</p> <ul style="list-style-type: none"> - Ministry of Agriculture and Food, or county or municipal forest authorities. - Norwegian Agriculture Agency. - Ministry of Justice and Public Security - Ministry of Local Government and Modernization - Sami Parliament - County Councils - Municipalities <p>Legally required documents or records</p> <p>N/A</p>	<ul style="list-style-type: none"> • Personal communication with representatives for the Agriculture and Forestry Authorities at the country level. • Personal communication with representatives for the PEFC certified wood buying companies operating in the Sami reindeer area. 	 <p>Figure 1. Map showing the Norwegian Sami reindeer herding area, that is regarded as the Norwegian part of Sapmi (see also cat. 2.3).</p> <p>Reindeer husbandry in Norway is conducted primarily in the Sami reindeer herding area, which is divided into six regional reindeer herding areas; East-Finnmark, West-Finnmark, Troms, Nordland, Nord-Trøndelag and Sør-Trøndelag/Hedmark. The Reindeer herding area comprises approximately 140,000 km² or close to 50 % of Norway's surface area.</p> <p>Norwegian courts have stated that reindeer herding right is not exhaustive regulated by law, ultimately it is based on traditional customary law (Alders tids bruk). That this is the case was concluded as early as 1968, in Brekken- and Altevann verdicts (Brekken- og Altevann dommene) and has been confirmed in a number of subsequent judgments of which the Selbu verdict (Selbudommen), is of special interest. The Selbu verdict held a number of important principles regarding the requirements in order for the reindeer herding to reprocess rights to land, as well as the</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>responsibility for the burden of proof. Norwegian jurisprudence and legal usage shows that reindeer herding cause to property rights in the form of use rights to land, and that this right is protected in the same way as other user rights in Norway. That the reindeer herding right is a property right is now also reflected explicitly in § 4:1 in the Norwegian Reindeer Herding Act (RDL, Reindriftsloven). As a property right, the reindeer herding rights is protected by Norway's Constitution and by Article 1 of the First Protocol to the European Convention on Human Rights.</p> <p>The Reindeer Herding Act states that interference in reindeer husbandry rights requires expropriation (§ 4:3). In the case that reindeer herding rights is in competition with a proprietorship or to another use right holder, the competing right holder, according to § 63 RDL, has the right to use the land in the usual way, as long as the practice does not cause substantial damage to reindeer herding. Such practice must be announced at least three weeks before exercising. This is also the case in the relation between forestry and reindeer husbandry.</p> <p>Traditional Sami land use can give rise not only to use rights of, but also to property rights to the land. In the Black Forest's Verdict (Svartskogdommen 2001) was adjudged a collective Sami ownership of a topographically clearly delineated mountain valley, the so-called Black Forest, in Manndalen in the county of northern Troms. In its judgment, the Supreme Court customized its assessment of some of the criteria that must be met to establish property rights to the land to the Sami culture. The Black Forest case was not about reindeer herding, but more stationary Sami land use. Notwithstanding this indicates the Norwegian Supreme Court judgment that, even reindeer herding can claim ownership of land, at least in the more central areas of reindeer herding.</p> <p>In Norway, the only local Sami communities by law recognized as legal entities is found in reindeer herding. After changes in the Norwegian Reindeer Herding Act in 2007 the primary carrier of reindeer husbandry property rights to land is the "siidan" (family</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>groups), although a reindeer herding district also represent reindeer husbandry rights in some cases.</p> <p>Although explicit legislative regulation may be missing in Norway also local Sami communities outside the Reindeer herding can established property rights to land, which Black Forest verdict clearly exemplifies. § 5 of the Finnmark Act (Finnmarksloven, FML), regulating the right to land in Finnmark County, also claims that the Sami peoples have collectively and individually through prolonged use of the land and water established rights to the land of Finnmark. (" Samene har kollektivt og individuelt gjennom langvarig bruk av land og vann opparbeidet rettigheter till grunn i Finnmark.»).</p> <p>When it comes to planning of different forms of land use, including forestry and Reindeer husbandry the Norwegian Plan and Building Act from 2008 has an important role.</p> <p>The Planning and Building Act § 3-1 specifies a number of important tasks and considerations to be taken into account in planning by law. According to the law, consultation should be conducted when the planning of different forms of land uses falls into the LNF-category (agriculture-, nature- and the open-air activities area), which reindeer herding and forestry also belongs to. Both parties must find an agreement on operations which have a strong impact or are unsuitable for the reindeer herding.</p> <p>Section 3-1, subsection c, shows that there is a particular task for planners to safe guard natural resource base for Sami culture, commercial activity and social life. Reindeer husbandry is the central Sami industry, and has major importance for the safeguarding and development of Sami culture and society; the provision will have particular significance for planning within reindeer herding areas. Reindeer herding will necessitate large continuous areas. As the reindeer husbandry is closely linked to nature, partly vulnerable nature, it is dependent on good resource management. This means that in the planning and legal preparations affecting reindeer husbandry it is important to pay</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>attention to earlier interventions that have taken place within the individual district and its borders – the cumulative impact. The law points out that it is the combined effects of plans and initiatives within district boundaries to be considered. Beyond the provision of significance in connection with preparation of plans, it will also be important in assessing whether to grant an exemption from approved plans, cf. § 19-2.</p> <p>In addition to § 3-1 first paragraph, letter c, will the fourth paragraph (§4) have particular significance in relation to reindeer husbandry. The fourth paragraph indicates that plans shall contribute to Norwegian implementation of international conventions and agreements within its scope. Norway has international obligations in relation to the Sami population. Some of these obligations encompasses the Planning and Building Act, and must be maintained wholly or partly through the practice of this law. The International rules may be significant in terms of what may be adopted pursuant to Planning and Building Act, and for the interpretation of provisions of law, in relation to land use planning and resource management within reindeer herding areas, the UN Convention of 1966 art 27 on civil and political rights of particular importance. Extensive land encroachment in reindeer areas can be contrary to Article 27. Moreover, the Convention on Biological Diversity of 1992, and ILO Convention No. 169 on Indigenous and Tribal Peoples, is highly relevant on land use planning within reindeer herding areas. ILO Convention no. 169 Article 7 requires impact assessment of consequences of intervention in Sami areas, including areas where reindeer husbandry is exerted, must be adequately investigated before any intervention in nature can be implemented. Decisions of land use plans must be based on reasonable assessments of the effects on reindeer husbandry and take sufficient account of the reindeer husbandry demand for land.</p> <p>The Forestry Act is responsible for regulating all forest and woodland. With woodland is understood land that is forest productive, or after an overall assessment, is best suited for forest production, and who is not useful for other purposes. According to</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>this law any harvesting operation in the mountain forest/forests defined as protective forest, has to be notified to the forest authorities for approval before execution. The consequence of this legislation is that selective felling and smaller clear-felling dominate most harvesting in the protective forest.</p> <p>The Forestry Act cannot be applied in violation of the rights possessed by the Reindeer husbandry concerning the reindeer herding's legitimate use of timber and firewood.</p> <p>There are few specific regulations concerning general rights of indigenous peoples (in Norway the Sami peoples) and how to treat the interest of the Sami people with respect to logging operations or other forest uses. The specific rules that do appear is when a forest owner applies for permit to build a forest road in areas where the Sami people have land rights or where Sami cultural heritage might be present. In these areas, the application has to be sent to the County administration, granting them the possibility to express their opinion with respect to "Regulations relating to planning and approval of agricultural roads" (FOR-2015-05-28-550). A request shall also be sent to the Sami Parliament with reference to the Cultural Heritage Act. The final decision is taken by the municipality where the County Administration and the Sami Parliament lack the right of veto. However, they will be considered as a legal party of the case, with the right to appeal for new assessment of the case at the country level.</p> <p>In general, the Reindeer Herding Act gives the reindeer herders the right to use the forests as herding areas, as well as to harvest firewood and smaller trees they need for buildings and facilities to be used in the reindeer husbandry.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>Description of Risk</p> <p>The rights of herders to harvest forests for firewood, buildings and facilities are well known to both herders and forest owners, and there are limited numbers of conflicts between these groups concerning this issue. Most of the reindeer herding takes place on state-owned land and the Sami-people are allowed to use the forests for fodder and herding. However, this right is not limited to state-owned land; it is equally practiced on private land within the reindeer herding area.</p> <p>The lack of specific regulations concerning the relation between forestry and reindeer husbandry implies a certain risk. However, the risk is diversified and is not equally represented in the total reindeer herding area. In the county of Finnmark the Finnmark Act creates a more solid ground for a sustainable land management of the grazing land. A situation where Sami interests/land rights have a stronger protection than elsewhere in Norway.</p> <p>For all the Sami reindeer herding area no obvious breakage of relevant laws is identified. Most of the forestry activities should be considered as small-scale operations, which rarely imply conflicts. Reports from the county authorities as well as wood buying companies do also confirm very few conflicts between forest operations and the Sami people dealing with reindeer husbandry. It has not been possible to accomplish a similar investigation with affected reindeer herders.</p> <p>Risk Conclusion</p> <p>Based on the enforcement of the existing legislation it is low risk for breaking relevant Norwegian legislation. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entity.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
Trade and transport			
1.16 Classification of species, quantities, qualities	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Regulation of Forest Fund etc. 2006. FOR-2006-07-03-881. https://lovdata.no/dokument/SF/forskrift/2006-07-03-881 <p>Legal Authority</p> <ul style="list-style-type: none"> Municipality <p>Legally required documents or records</p> <p>N/A</p>	<p>Government sources</p> <ul style="list-style-type: none"> Personal Communication: 7; Rune Nordum, Landbruksdirektoratet <p>Non-Government sources</p> <p>N/A</p>	<p>Overview of Legal Requirements</p> <p>According to §3, 9 and 10 in FOR-2006-07-03-881, all timber logged for the purpose of being sold has to be measured and registered in the national digital timber database ("Virkesdatabasen"). According to § 9, information will be reported under the property number: where the timber was logged, name and address of the owner, name and address of the buyer, volume of timber bought, value of the measured timber, how much is paid to the Forest Fund, and which certification-system the forest owner is using. This information is classified into categories for different tree species and qualities.</p> <p>Description of Risk</p> <p>The systems for classification and payment to and from the Forest Fund are well established and very few examples of fraud or misuse are known (Personal Communication 7). Because there is no difference in the fee to be paid depending on tree species and quality, there is low incentive to provide incorrect classifications.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.17 Trade and transport	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Regulation on the use of vehicles 1990. FOR-1990-01-25-92. § 5-5 nr. 1 og 3 (Regulations on further provisions regarding permissible weights and dimensions of public roads) 	<p>Government sources</p> <p>Statens Vegvesen, Norwegian Public Roads Administration (2017): Transport av Tømmer.</p>	<p>Overview of Legal Requirements</p> <p>The transportation of timber is tightly regulated in terms of volume and weights when transported along the Norwegian roads. Only specifically approved roads can be used to carry up to 60 tons. Use class, weights and vehicle dimensions allowed for the specific</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>https://lovdata.no/dokument/SF/forskrift/1990-01-25-92</p> <ul style="list-style-type: none"> Regulations concerning the use class, GVW, and permitted gross combination length for normal transportation, timber transportation and driving with modular trucks on highways 2018. FOR-2018-03-15-353. (list of highways). https://lovdata.no/dokument/SF/forskrift/2018-03-15-353?q=Forskrift%20om%20bruksklasse,%20tillatt%20totalvekt (Forskrift om bruksklasse, tillatt totalvekt.) <p>Legal Authority</p> <ul style="list-style-type: none"> Ministry of Transportation Norwegian Public Roads Administration (Statens Vegvesen) The Directorate of Public Roads <p>Legally required documents or records</p> <p>N/A</p>	<p>Statens vegvesen. Last updated 16 November 2016. Available at: http://www.vegvesen.no/kjo-retoy/Yrkestransport/Veglist-er+og+dispensasjoner/veglist-er-tommer, [Accessed 16 February 2017].</p> <p>Statens Vegvesen, Norwegian Public Roads Administration (2017): Veglister for fylkes- og kommunale veger. Last updated 9 February 2017. Available at: http://www.vegvesen.no/kjo-retoy/yrkestransport/Veglist-er+og+dispensasjoner/veglist-er-for-fylkes-og-kommunale-veger, [Accessed 16 February 2017].</p> <p>Personal Communication 15: Arne Skybak. Norwegian Public Roads Administration</p> <p>Non-Government sources</p> <p>Norsk-skogbruk.no (2016): Halvparten av veiene trenger full opprustning. Norsk Skogbruk. 26.08.2016. Available at:</p>	<p>Norwegian roads are determined in road lists, which are updated twice a year and can be found in FOR-2018-03-15-353 and the maps for country and municipal roads published by the Norwegian Public Roads Administration (Vegvesen 2017).</p> <p>Description of Risk</p> <p>Nearly 100 % of the Norwegian trade of wood raw materials are measured and controlled by the company Norsk Virkesmåling (11,2 million cubic meters in 2016), which is a third party independent scaling organization (Norsk Virkesmåling Annual report 2016). The company Skog-Data AS processes data from these measurements. To initiate transport through the Skog-Data system there must be established and registered a contract between the buyer and the seller. From this contract, the transport documents are issued, and the transport-route described with road specifics. The description of road specifics in this system is according to the official list of highways (FOR-2016-03-14-292) and is updated automatically at the revision points twice a year. The system ensures that the information in the list of highways is transferred to the drivers of the log trucks in an easy-to-understand way.</p> <p>The transporters are obliged to follow strict rules concerning technical requirements for the vehicle, driving- and rest time, and weight and length restriction on each road to be used for the transport. It is the responsibility of the transporters to follow the road list. These items are also usually described in a contract between the transport company and the buyer of the transport services.</p> <p>National authorities (Statens vegvesen) control compliance of these laws and regulations. In 2016 it was conducted approximately 300.000 timber transports in Norway. In Hedmark County (The by far biggest county for forestry operations and wood transport in Norway) the number was approx. 80.000 timber transports in 2016. The exact rate of violations connected to timber</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>http://www.norsk-skogbruk.no/artikkel.cfm?Id_art=1736, [Accessed 31 August 2016].</p> <p>Norsk Virkesmåling, Norwegian Timber Measurement, annual report 2016 (2016). Available at http://www.m3n.no/wp-content/uploads/2017/08/arsrapport-2016.pdf [Accessed 19 March 2018]</p> <p>Personal Communication 8: Dag Skjølaas, Norges Skogeierforbund</p> <p>Personal Communication 11: Lars Storslett, Moelven Virke AS.</p> <p>Personal Communication 12: Kjell Messenlien, Bergene Holm AS.</p> <p>Personal Communication 13: Sigurd Ole Ruud. Professional consultant on timber transport.</p>	<p>transports specifically is not reported, but according to information from the Norwegian Public Roads Administration (Statens Vegvesen Region Øst), it is likely that only 0,03 % of the timber transports in Hedmark in 2016 was subjected to overload (Skybak pers. com. 2017) but the issues may vary some regionally. There have been no recordings of serious accidents due to heavy loads.</p> <p>The problem with overloading of log trucks was previously some bigger (Norsk Skogbruk 2016). The problem is mainly institutional never resulting in greater forest loss or legaslive violations in the forest, i.e. it is not illegal harvested timber transported. Overload problems appears significantly decreased, due to increased control and level of penalties, adjustments of rules for maximum weight for a number of roads and increased focus on this subject by the buyers of transport services (personal communication 8, 11, 12 and 13 from wood processing and wood buying companies as Moelven, Bergene Holm and Viken Skog). According to The Directorate of Public Roads, the level of penalties for overloading in 2016 was increased with approximately 80 %.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.18 Offshore trading and transfer pricing	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> General Tax Act, Section 13-1 (1999) (Lov om skatt av formue og inntekt (skatteloven). LOV-1999-03-26-14: 	<p>Government sources</p> <p>N/A</p>	<p>Overview of Legal Requirements</p> <p>The Tax Act makes reference to the OECD Transfer Pricing Guidelines on the Arm's Length principle, and the OECD transfer</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p data-bbox="353 165 920 220">https://lovdata.no/dokument/NL/lov/1999-03-26-14/*#*</p> <p data-bbox="309 320 506 347">Legal Authority</p> <ul data-bbox="309 384 495 411" style="list-style-type: none"> - Tax agency <p data-bbox="309 480 801 507">Legally required documents or records</p> <p data-bbox="309 544 629 571">Transfer pricing documents</p>	<p data-bbox="976 165 1308 193">Non-Government sources</p> <p data-bbox="976 225 1308 533">Deloitte (2015): 2015 Global Transfer Pricing Country Guide. Available at: https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Tax/dttl-tax-transfer-pricing-country-guide-2015.pdf, [Accessed 14 February 2017].</p> <p data-bbox="976 564 1308 804">PWC (2015): International Transfer Pricing 2015/16. Available at: http://www.pwc.com/gx/en/services/tax/transfer-pricing/itp-download.html, [Accessed 14 October 2016].</p>	<p data-bbox="1330 165 2074 220">pricing methods. Since 2008 there have been requirements on transfer pricing documentation and reporting (PWC 2015).</p> <p data-bbox="1330 256 2143 437">Where the income of a Norwegian taxpayer is reduced due to transactions with a related party, the authorities may estimate the amount of the shortfall in income or wealth. The following three conditions must be met for the tax authorities to adjust a taxpayer's taxable income or assets in accordance with the General Tax Act, Section 13-1:</p> <ul data-bbox="1429 443 2143 836" style="list-style-type: none"> • The parties involved in the transaction must have a direct or indirect community of interest. • There must be an income or wealth reduction (compared to what the situation would have been had the parties not been related). • The income or wealth reduction must have occurred because of the relationship between the parties. Where the related party resides outside the European Economic Area (EEA), the legislation assumes that the relationship is the reason for any deviation from arm's-length income or wealth and puts the onus on the taxpayer to prove otherwise. (PWC, 2015, p. 793) <p data-bbox="1330 874 2092 963">For qualifying companies Transfer Pricing documents must be prepared for each fiscal year and submitted within 45 days upon request from the tax authorities (Deloitte, 2015).</p> <p data-bbox="1330 1027 1581 1054">Description of Risk</p> <p data-bbox="1330 1091 2143 1299">According to PWC 2015, Norwegian tax authorities have resources available and have made a priority of transfer pricing with test cases to scrutinize companies under extensive assessments. The tax authorities have several specialized auditors working specifically with transfer pricing. There have been a high number of court cases concerning transfer pricing due to Norwegian companies challenging the tax authorities (PWC, 2015).</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>Several of the large transfer pricing cases have been linked to petroleum activities and there are no indications of transfer pricing being an area of concern for the forest sector.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.19 Custom regulations	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> • Law on customs and movement of goods (Customs Act) 2007. LOV-2007-12-21-119: https://lovdata.no/dokument/NL/lov/2007-12-21-119. • European Timber Regulation (EUTR) http://ec.europa.eu/environment/forests/timber_regulation.htm . EUs Tømmerforordning: https://www.regjeringen.no/no/tema/klima-og-miljo/naturmangfold/innsiktsartikler-naturmangfold/tommerforordningen/id2339660/ <p>Legal Authority</p> <ul style="list-style-type: none"> • Customs Agency <p>Legally required documents or records</p> <p>Customs Declaration: http://www.toll.no/no/bedrift/eksport/deklarering-ved-eksport/hjelp-til-utfylling-av-utforselsdeklarasjon/</p>	<p>Government sources</p> <p>Toll Customs (2016). Restriksjoner ved inn- og utførsel. Last updated 18.01.2016. Available at: http://www.toll.no/no/verktoy/regelverk/tollabc/1/1-5/restriksjoner/, [Accessed 29 August 2016].</p> <p>Non-Government sources</p> <p>Transparency.org (2016). Corruption Perceptions Index 2016. Available at: http://www.transparency.org/cpi2016#map-container, [Accessed 24 August 2017].</p> <p>World Bank Worldwide Governance Indicators:</p>	<p>Overview of Legal Requirements</p> <p>In order to export products, a customs declaration must be filled out in advance. The customs agency must approve the export declaration before goods can be brought out of the country. There are no restrictions to the export of wood or timber products.</p> <p>Description of Risk</p> <p>There are no indications of violations of export requirements, and as there are no restrictions or fees to be paid for export, the incentive for violating the requirements is low. In 2016, Norway had a CPI of 87 (above the threshold of 50) and, according to the World Bank Worldwide Governance Indicators, – on a scale of -2,5 to 2,5 in 2015 – it received a score of 1,81 for Government Effectiveness, 2,05 for Rule of Law and 2,23 for Control of Corruption, indicating that the country has low corruption levels and a high degree of legal compliance.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		Indicators for Norway (2016): http://info.worldbank.org/governance/wgi/index.aspx#reports Accessed 12.06.2018	violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.
1.20 CITES	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> • Law regulating import and export (LOV-1997-06-06-32) https://lovdata.no/dokument/NL/lov/1997-06-06-32?q Lov om innførsle- og utførslerregulering. • Regulation for the implementation of the convention of 3 March 1973 on international trade of wild flora and fauna (CITES). FOR-2002-11-15-1276. https://lovdata.no/dokument/SF/forskrift/2002-11-15-1276 <p>Legal Authority</p> <ul style="list-style-type: none"> - Ministry of Foreign Affairs <p>Legally required documents or records</p> <p>There are no legally required documents because there are no Norwegian tree species in the Cites list.</p>	<p>Government sources</p> <p>http://www.miljodirektoratet.no/no/Tema/Arter-og-naturtyper/Handel-med-trua-arter-CITES/</p> <p>Non-Government sources</p> <p>CITES (N.Y) Checklist of CITES Species. Norway. Available at: http://checklist.cites.org/#/en/search/country_ids%5B%5D=111&output_layout=alphabetical&level_of_listing=0&show_synonyms=1&show_author=1&show_english=1&show_spanish=1&show_french=1&scientific_name=Plantae&page=1&per_page=20, [Accessed 15 June 2016].</p>	<p>Overview of Legal Requirements</p> <p>There are no Norwegian tree species or by-products on the CITES-list, which is why the risk of violating the legislation is considered low.</p> <p>Description of Risk</p> <p>No Norwegian tree species are on the CITES-list. The risk of violating Norwegian legislation in forestry operations is not applicable.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
Diligence/due care procedures			
<p>1.21 Legislation requiring due diligence/due care procedures</p>	<p>Applicable laws and regulations</p> <ul style="list-style-type: none"> Forestry Act (LOV-2005-05-27-31), 2005. https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/ Regulations for sale of timber and timber products of Norwegian origin (Forskrift om omsetning av tømmer og treprodukter med opprinnelse i Norge - FOR-2015-04-24-403) https://lovdata.no/dokument/SF/forskrift/2015-04-24-403 <p>European Timber Regulation (EUTR) http://ec.europa.eu/environment/forests/timber_regulation.htm . EUs Tømmerforordning: https://www.regjeringen.no/no/tema/klima-og-miljo/naturmangfold/innsiktsartikler-naturmangfold/tommerforordningen/id2339660/</p> <p>Legal Authority</p> <ul style="list-style-type: none"> Ministry of Agriculture and Food. Norwegian Agriculture Agency <p>Legally required documents or records</p> <p>Due Diligence System</p>	<p>Government sources</p> <p>Personal Communication 6: Torleif Terum, Norwegian Agriculture Agency (Landbruksdirektoratet, Eanandoalldirektoráhtta)</p> <p>Non-Government sources</p> <p>Personal Communication 10: Per Kristian Stokke, Skogkonsult ("Forest consult")</p>	<p>Overview of Legal Requirements</p> <p>In May 2015, Norway introduced requirements of Due Diligence for forest owners equal to those set by the European Timber Regulation, and thus to place a party of timber on the Norwegian market it is required to disclose information on origin, species and certification status, and have a due diligence system in place to avoid illegal harvesting of timber. In severe cases, sanctions may be issued in the form of fines or police reports issued in accordance with the Forestry Law.</p> <p>Description of Risk</p> <p>The Ministry of Agriculture and Food has started conducting controls of timber harvested in Norway.</p> <p>Relevant information from forest properties greater than 1 ha is being collected by the Forest Fund (Skogfondsordningen), where information on seller, buyer, volumes, species, quality, certification and an assurance that Due Diligence has been conducted for each trade conducted is stored. The CA controls whether the due diligence system lives up to the requirements set out in the legislation though procedures and document control. The document provided is most often a form or database showing which information has been collected, how the information has been assessed, and what actions have been conducted for every single harvest. As of June 2016, 9 operators (timber buyers) have been controlled (Personal Communication 6). 96,3 % of the Norwegian timber turnover is currently (2016) certified by PEFC. The whole volume of Norwegian FSC-certified timber is double-certified (PEFC+FSC).</p> <p>The Norwegian "timber buyers", as the term is used in the NRA (see the NRA Introduction chapter), consists of all the timber companies buying harvested timber in Norway. These are the</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>companies handling the 96,3 % of the timber turnover in first trade after the forest owner. The timber is sold to them directly from the forest owner and not sold via intermediary. The timber is harvested by the forest owner or by contractors working for the timber buyers. The contractors never trade timber. Each timber buyers are holding a PEFC group certificate, and the forest owners commits itself to comply with the standard in connection with each forest harvesting, and at property level. In planning of the forestry operations, the timber buyers are documenting in detail the exact origin of the timber, and that the measures always are in compliance with laws and certification requirements, both regarding the harvesting, the regeneration of the area, and the transport system. Every operation is figured into digital map systems, and all information about origin, forest owner, species, volume, accounting and transport. Contractors are obliged to make tracklogs, mark areas for retention trees, border zones, cultural heritage sites etc. with GPS systems with the possibility to load the data into digital maps. Key habitats and borders of other legally protected areas are physically marked in the forest by a person from the forest buyer company. All required data is collected into digital maps and databases that are interactive and continuously updated. There is a risk that the database systems or maps are collapsing, but regular backup routines are used. There is also a risk that the harvester makes mistakes, but they must have courses in sustainable forestry. To make mistakes is also critical for their business because they are not the certificate holders.</p> <p>All commercially harvested volumes have to be measured by a third party independent scaling organization (Norsk Virkesmåling, explained in cat. 1.17) before it goes into further production of materials or industrial products. The FSC and PEFC standard systems are used as a tool to fulfill the legal requirements.</p> <p>Required information on origin, volume and species etc. is therefore easily collected from the timber buyers and can be well implemented due to the Forest Fund (see cat. 1.5). However, the European timber regulation has only been applicable since May</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>2015 and by September 2016 9 operators had been checked by the authorities. The controls showed positive results of the implementation of the Due Diligence Systems for all of them. However, there are indications that the forest owners in general are not aware of the requirements of having a Due Diligence System in place (Personal Communication 10), but on the other side, the supply units (i.e. the forest owners) as primary vendors are always subjected by the next units (i.e. the timber buyers) due to their Due Diligence Systems, which are professional.</p> <p>Risk Conclusion</p> <p>This indicator has been evaluated as low risk. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

Control measures

N/A

Expert Consultation

	Name	Email	Job title	Organisation	Area of expertise (category/sub- category)	Contact made	Meeting time/date
1	Gunnar Kjørstad	gunnar.kjarstad@miljodir.no	Senior consultant	Environmental Agency	3	email	Email, August 3, 2016
2	Jan Ola Larsen	jan-ola.larsen@fin.dep.no	Senior consultant	Norwegian Ministry of Finance	6, 7	phone	August 9, 2016
3	Thomas Husum	thomas.husum@skog.no	Consultant	Norwegian Forest Owners Association / Det Norske Skogeierforbund	11, 12, 13	email	August 16, 2016
4	Andreas Stångberg	andreas.stangberg@samediggi.no	Consultant	Sami Parliament	15	email	June 29, 2016
5	Torvald Falch	Torvald.falch@samediggi.no	Consultant	Sami Parliament	15	email	April 28, 2016
6	Torleif Terum	Torleif.Terum@landbruksdirektoratet.no	Senior consultant	Norwegian Agricultural Agency	21	email/phone	June 20 and August 15, 2016 / August 30, 2016
7	Rune Nordum	Rune.Nordrum@landbruksdirektoratet.no	Senior consultant	Norwegian Agricultural Agency	5, 16	email	July 8, 2016
8	Dag Skjølaas	dag.skjolaas@skog.no	Consultant	Norwegian Forest Owners Association / Det Norske Skogeierforbund	17	email/phone	August 30, 2016
9	Gjermund Andersen	gjermund@noa.no	Chairman	Naturvernforbundet i Oslo og Akershus FoE-Norway	10	email/phone	July 2016
10	Per Krisian Stokke	per@skogkult.no	Consultant	Skogkonsult	8, 9, 10, 21	email/phone	Oktober 2016
11	Lars Storslett	Lars.storslett@moelven.com	MD	Moelven Virke AS	17	email	February 2017
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13	Sigurd Ole Ruud	soleruud@online.no	Consultant	Viken Skog SA	17	email	February 2017
14	Svein Søgne	svein.soegnen@skog.no	Senior consultant	Norges Skogeierforbund	9	email	July 2016

15	Arne Skybak	Arne.skybak@vegvesen.no	Consultant	Statens Vegvesen	17	email	February 2017
16	Aksel Granhus	aksel.granhus@nibio.no	Research manager	NIBIO	8, 9, 10	email	December 2016
17	Oddvin Lund	oddvin@dnt.no	Consultant	DNT (The Norwegian trekking organization)	13	personal contact	December 2016
18	Anders Blom	Anders.blom@protectsapmi.com	Chairman	Protect Sapmi	14, 15	personal contact	January 2017
19	Monica Seem		Chairman	Arbeidstilsynet	11	personal contact	February 2017
20	Reidar Haugan	Reidar.haugan2@gmail.no	Consultant	Independent	9	personal contact	March 2018
21	Even Woldstad-Hanssen	even@sabima.no	Consultant	Sabima	9	email	April 2018

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 Justification: All 'low risk thresholds' (1, 2, 3, 4 and 5) are met. 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 Justification: Low risk thresholds (10) and (12) apply.
2.3. The rights of Indigenous and Traditional Peoples are upheld.	See detailed analysis below.	Sapmi (see fig. 1, cat. 1.15) Norway outside Sapmi	Specified risk for sea sami rights, FPIC implementation in Sapmi, except of Finnmark county. Justification: Specified risk threshold (22) applies: FPIC implementation (low risk in Finnmark), and the sea sami rights. For further details, read the conclusions of 2.3. Low risk Low risk for FPIC implementation in Finnmark county and all other parts of Norway. Justification: Low risk thresholds (16), (19) and (21) apply.

Control measures

Indicator	Control measures (M – mandatory / R – recommended)
2.1	N/A
2.2	N/A
2.3	CM coordinated with, and identical to CM in category 3.5.

Detailed analysis

Sources of information	Evidence	Scale of risk assessment	Risk indication ⁴
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 1996–2014), 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 2014 (latest available year) Norway scores between 90 (for Political Stability and Absence of Violence/Terrorism and 52.40 (for Voice and Accountability) 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:	Norway does not feature in 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.	Norway does not feature in 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 (Select Country Ranking Table)	http://www4.carleton.ca/cifp/app/serve.php/1419.pdf Norway scores 'low' on State fragility map 2011.	Country	
Human Rights Watch: http://www.hrw.org	No information found that indicates specified risk after searching Norway + 'human rights' 'conflicts' 'timber conflicts'	Country	
US AID: www.usaid.gov Search on website for [country] + 'human rights'	No information found that indicates specified risk after searching Norway + 'human rights'	Country	

⁴ 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.

Global Witness: www.globalwitness.org Search on website for [country] + 'human rights'	No information found that indicates specified risk after searching Norway + 'human rights'	Country	
WWF Global: http://www.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/	http://www.panda.org/about_our_earth/deforestation/deforestation_causes/illegal_logging/ Norway is not reported as a source for illegal timber. http://indicators.chathamhouse.org/sites/files/reports/Tackling%20Illegal%20Logging%20and%20Related%20Trade_0.pdf <i>Tackling Illegal Logging and the Related Trade</i> “‘Sensitive’ markets are those in which there is a strong preference for legal timber owing to the existence of legislation or other policies and/or consumer choice. This assessment identifies the following as such markets: Australia, Canada, the EU, New Zealand, Norway, Switzerland and the US. All other markets are considered ‘non sensitive’” Norway is not reported as a source for illegal timber or a market for illegal timber.	Country	
Chatham House Illegal Logging Indicators Country Report Card http://www.illegal-logging.info	Norway is not reported as a source for illegal timber.	Country	
Transparency International Corruption Perceptions Index	https://www.transparency.org/news/feature/corruption_perceptions_index_2016 Norway scores 85 points on the Corruption Perceptions Index 2016 on a scale from 0 (highly corrupt) to 100 (very clean). Norway ranks 6 out of 176 with rank nr. 1 being the cleanest country.	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	https://www.amnesty.org/en/documents/pol10/0001/2015/en/ <i>State of the Human Rights Report 2014/15</i> A few minor negative issues are reported on Norway in the country chapter of the <i>State of the Human Rights Report 2014/15</i> (pages 279, 162). Most are related to refugees, LGBT rights and violence against woman and girls.	Country	
Freedom House http://www.freedomhouse.org/	https://index.rsf.org/#!/ <i>2015 World Press Freedom Index</i> http://www.freedomhouse.org/report-types/freedom-world#.U-3g5fl_sVc The status of Norway on the Freedom in the World index 2015 is 'free'. https://freedomhouse.org/report/freedom-net/freedom-net-2015 Norway does not feature on this map. https://freedomhouse.org/report/freedom-press/freedom-press-2015#.VoJLcVmkaf4 The status of Norway on the Freedom of the press is 'free'.	Country	
Reporters without Borders: Press Freedom Index https://index.rsf.org/#!/	https://index.rsf.org/#!/ <i>2015 World Press Freedom Index</i>	Country	

	In 2015, Norway is ranked no. 2 out of 180 countries on World Press Freedom Index.		
Fund for Peace - Fragile States Index - the Fund for Peace is a US-based non-profit research and educational organization that works to prevent violent conflict and promote security. The Fragile States Index is an annual ranking, first published in 2005 with the name Failed States Index, of 177 nations based on their levels of stability and capacity http://fsi.fundforpeace.org/	<i>Fragile States Index 2015</i> http://fsi.fundforpeace.org/ <i>Fragile States Index 2015</i> Norway is ranked no. 176 out of 178 countries on the Fragile States Index 2015. (No. 1 being the most failed state). This ranks Norway in the category 'sustainable'	Country	
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	http://static.visionofhumanity.org/sites/default/files/Global%20Peace%20Index%20Report%202015_0.pdf <i>2015 Global Peace Index</i> The state of Peace in Norway is labeled 'High' with Norway ranking number 17 out of 162 countries (nr. 1 being the most peaceful country) with a score of 1.438.	Country	
Additional sources of information (These sources were partly found by Googling the terms '[country]', 'timber', 'Nor'conflict', 'illegal logging')	Evidence	Scale of risk assessment	Risk indication
Nordic Labour Journal	http://www.nordiclabourjournal.org/nyheter/news-2015/article.2015-02-06.9105681718 <i>Norway: strike against labour law reform, tough conflicts ahead</i> "Will more short term contracts lead to more jobs for more people? Will it make it easier to access the labour market? Would it create more jobs or just more temporary staff? These questions are at the core of Norwegian workers' fight against changes to the working environment act." A few minor negative issues are reported on Norway.	Country	
Student Pulse	http://www.studentpulse.com/articles/758/4/the-barents-sea-conflict-russia-and-norway-competing-over-fossil-fuel-riches-in-the-arctic?ab=X36&utm_expid=22625156-1.VZwscEejTzuo7s-RuUaKqw.2&utm_referrer=https%3A%2F%2Fwww.google.nl%2F <i>The Barents Sea Conflict: Russia and Norway Competing Over Fossil Fuel Riches in the Arctic</i> "Conflict / Cooperation. The Media frequently portray a picture of conflict with MacAlister (2010) stating that the peaceful equilibrium in the arctic could be altered by climate change in a 'race of temptation for exploitation of natural resources.' Sparking news of a military conflict emerging was the successful attempt by Russia to plant a Russian flag at the bottom of the Barents Sea in	Country	

	<p>2007 using a submarine, while Vladimir Putin stated that the Arctic is an 'area for cooperation and dialogue' (MacAlister, 2010). The concern for military conflict is not completely unfounded as Bannon and Collier (2003) note that approximately '50 current armed conflicts have strong links to natural resource exploitation.' More recently Nicola (2010) provides evidence that 'relations between both nations are nevertheless strong, with Moscow inviting Norway's StatoilHydro to join Gazprom in tapping... fossil fuel depots....'"</p> <p>A few minor negative issues are reported on Norway.</p>		
<p>From national CW RA: Draft prepared by NEPCo, for guidance only. Last update 10th April 2013</p> <p>Info on illegal logging</p>	<p>1.1 Evidence of enforcement of logging related laws in the district: Low risk Justification: There is legislation in place to regulate forestry activities, and there is no evidence that illegal logging is a wide scale problem in Norway. The indicator has been evaluated to be of low risk due to lack of evidence of illegal activities in the country. However almost all enforcement is delegated to municipality level. According to some key environmental stakeholders (WWF Norway and SABIMA), the municipal level forestry officers are performing only very limited control over the forestry operations with the possible exception of reforestation. Lack of illegal logging may be partly thus due to relatively weak law enforcement. Also on national level, the public sector relies heavily on the industry's own internal control systems rather than public sector control. Due to these factors it is claimed that the level of law enforcement by official authorities is rather low in Norway, which in turn constitutes a legal challenge Source: www.illegal-logging.info ; www.eia-international.org, SABIMA http://www.sabima.no/, WWF http://www.panda.org/</p> <p>1.2 There is evidence in the district demonstrating the legality of harvests and wood purchases that includes robust and effective system for granting licenses and harvest permits: Low risk Justification: Harvesting without required permit or felling license is not known to be a problem in the country based on international sources and reports in relation to illegal logging. Source: www.illegal-logging.info ; www.eia-international.org</p> <p>1.3 There is little or no evidence or reporting of illegal harvesting in the district of origin: Low risk Justification: There are no reports or information about significant levels of illegal harvesting in the country. Source: www.illegal-logging.info ; www.eia-international.org</p> <p>1.4 There is a low perception of corruption related to the granting or issuing of harvesting permits and other areas of law enforcement related to harvesting and wood trade: Low risk Justification: According to FSC directive (FSC-DIR-40-005) this indicator can be considered as low risk only if the Corruption Perception Index (CPI) for the</p>	Country	

	given country is equal to or above 50. According to the latest (2014) evaluation results from Transparency International, the CPI for this country is EQUAL TO or ABOVE 50. The indicator is thus considered as low risk. Exact CPI values for all countries and more information about the survey can be found at http://www.transparency.org/cpi2016#map-container , Source: Transparency International maintains regularly updated information on perceptions of corruption at the national level (http://www.transparency.org/)		
Conclusion on country context: Norway scores very positive on all indicators reviewed in this context section. It is a stable country, with a strong democratic system and good governance, and it is a free country for all its citizens with a good justice system.		Country	
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.			
Guidance			
<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? 			
Compendium of United Nations Security Council Sanctions Lists: www.un.org	https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/consolidated.pdf There is no UN Security Council ban on timber exports from Norway.	Country	Low risk
US AID: www.usaid.gov	Norway is not covered by any other international ban on timber export.		
Global Witness: www.globalwitness.org	There are no individuals or entities involved in the forest sector in Norway that are facing UN sanctions.		
From national CW RA: Draft prepared by NEPCo, for guidance only. Last update 10th April 2013	2.1 There is no UN Security Council ban on timber exports from the country concerned: Low risk Justification: There is no UN Security Council export ban in the country. Source: Global Witness http://www.globalwitness.org/pages/en/forests.html	Country	Low risk
Guidance			
<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? 			
www.usaid.gov Conflict Timber is defined by US AID as: - 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	No information on conflict timber in Norway found.	Country	Low risk
www.globalwitness.org/campaigns/environment/forests	No information on conflict timber in Norway found.	Country	Low risk
Human Rights Watch: http://www.hrw.org/	No information on conflict timber in Norway found.	Country	Low risk

	http://www.hrw.org/world-report/2015 No information found on conflict timber in Norway in the World Report 2015		
World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) http://www.wri.org/sites/default/files/gfi_tenure_indicators_sep_09.pdf Now: PROFOR http://www.profor.info/node/1998	No information found on conflict timber in Norway.	Country	Low risk
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	No information in the Amnesty International Report 2014/2015 on conflict timber in Norway found.	Country	Low risk
World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for 213 economies (most recently for 1996–2014), 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	http://info.worldbank.org/governance/wgi/index.aspx#reports In 2014 (latest available year) Norway scores on the indicator <i>Political Stability and Absence of Violence/Terrorism</i> 90.29 on the percentile rank among all countries (ranges from 0 (lowest) to 100 (highest rank) with higher values corresponding to better outcomes. No evidence found that this rank has a relationship with conflict timber.	Country	Low risk
Greenpeace: www.greenpeace.org Search for 'conflict timber [country]'	No information on conflict timber or illegal logging in Norway found.	Country	Low risk
CIFOR: http://www.cifor.org/ http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm	No information on conflict timber or illegal logging in Norway found.	Country	Low risk
Google the terms '[country]' and one of following terms or in combination 'conflict timber', 'illegal logging'	No information on conflict timber or illegal logging in Norway found.	Country	Low risk
From national CW RA: Draft prepared by NEPCo, for guidance only. Last update 10th April 2013	2.2 The country or district is not designated a source of conflict timber (e.g. USAID Type 1 conflict timber): Low risk Justification: The country is not associated with or designated as source of conflict timber according to latest available research. Source: Conflict Timber: Dimensions of the Problem in Asia and Africa Volume I Synthesis Report (available at www.usaid.gov)	Country	Low risk
Conclusion on indicator 2.1: No information was found on Norway as a source of conflict timber and the forest sector is not associated with any violent armed conflict. The following low risk thresholds apply:		Country	Low risk

	<p>limited participation of women in top management positions in both the public and private sectors. Other measures are aimed at ensuring more information and transparency with respect to wages and wages differences. In this connection, the Committee notes the amendments to section 1(a) of the Gender Equality Act with regard to the obligation of employers to promote equality in relation to all aspects of employment, including remuneration and wage transparency. The Government also indicates that as a substantial part of the gender pay gap is linked to work–family responsibilities, a number of steps have been taken, including amendments to the Gender Equality Act and the Working Environment Act aimed at improving maternity benefits, paid parental leave, as well as the equal sharing of parental leave between mothers and fathers. The Committee notes further from the observations submitted by LO that, as a result of the confederation’s involvement in the promotion of part-time workers’ rights, changes to the Working Environment Act were adopted so as to ensure greater legal protection to this category of workers. <i>The Committee requests the Government to continue to provide information on the practical implementation of the measures set out in the action plan to promote the principle of equal remuneration, to address gender segregation in the labour market and to narrow the gender pay gap, as well as on the role of the social partners in this process, and the results achieved. Please also provide information on the practical application of section 1(a) of the Gender Equality Act, as well as on any proactive measures taken or envisaged to strengthen the enforcement of the duty to promote gender equality at the enterprise level, including through training and awareness raising.</i></p> <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:3143815:NO <i>Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014) Equal Remuneration Convention, 1951 (No. 100) - Norway</i> “Articles 2 and 4 of the Convention. Collective agreements and cooperation with workers’ and employers’ organizations. The Committee previously noted the recommendations of the Equal Pay Commission regarding the need to implement wage increases in female-dominated occupations in the public sector. The Committee notes from the comments submitted by the LO that, in the 2012 national negotiations on wages, it was agreed by the social partners that women and/or female-dominated groups in the public sector would be entitled to 60 per cent of the sum negotiated at the central level. (..) Article 3. Objective job evaluation. The Committee notes the Government’s indication that job evaluation is not extensively used. It also notes the Government’s indication that, in the context of equal pay cases lodged before the Equality and Anti-Discrimination Ombud, equal remuneration for work of equal value is ensured through an overall assessment of the expertise necessary to perform the work. The Committee notes, in this regard, the observations made by the UNIO and NHO with respect to the gender</p>	Country	Low risk on gender wage discrimination
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	<p>order to analyse gender-segregation in the labour market. The Government indicates further that the Ministry of Education and Research will study new measures to address gender disparities in educational choices. The Committee notes further the statistical information provided by the Government regarding the number of male employees in kindergartens, as well as the rates of men and women in part-time employment.” (..)</p> <p>“Equality of opportunity irrespective of race, colour and national extraction. The Committee notes the information provided by the Government regarding measures to increase the employment rates of the immigrant population, in particular inactive migrant women and immigrants with limited work experience. It also notes the statistical information on the employment rate of immigrants. In this connection, the Committee notes that, in its concluding observations of 11 March 2011, the UN Committee on the Elimination of Racial Discrimination expressed concern about the discrimination faced by immigrants, asylum-seekers, and refugees, as well as the Roma community, and recommended, among others, that the Government take active measures to improve their access to the labour market (CERD/C/NOR/CO/19-20, paragraphs 9 and 20). <i>The Committee asks the Government to continue to provide detailed information on the measures taken, in collaboration with workers’ and employers’ organizations, to address discrimination based on race, colour or national extraction, and to promote equality, including with regard to the Roma and those with an immigrant background, in employment and occupation. The Government requests the Government to provide detailed statistical information on the labour market situation of the Roma, as well as men and women with an immigrant background.”</i></p>	Country	Specified risk on discrimination of immigrants
<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>	No additional information found that indicates specified risk in Norway.	Country	Low risk
<p>ILO Child Labour Country Dashboard: http://www.ilo.org/ipec/Regionsandcountries/lang--en/index.htm</p>	Norway does not feature in the Child Labour Country Dashboard	Country	Low risk on child labour
<p>Global March Against Child Labour: http://www.globalmarch.org/</p>	No references to Norway regarding child labour or child trafficking.	Country	Low risk on child labour
<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%2fNOR%2fCO%2f4&Lang=en <i>Committee on the Rights of the Child Consideration of reports submitted by States parties under article 44 of the Convention Concluding observations: Norway. 3 March 2010.</i></p>		

	<p>“8. The Committee takes note of the ongoing activities of the Government to amend laws or to adopt new one’s in order to bring legislation in full harmony with the Convention and welcomes the Government’s initiative to order an expert review of the relation between the Convention and Norwegian law (the Søvig report).”</p> <p>“10. While the Committee recognizes the value attributed to the autonomy of municipalities in Norway, it is concerned that efforts to achieve improved coordination between government and municipalities, among municipalities and within municipalities have not become effective and consequently, availability, easy access, coordination of different services and adaptability to new challenges are not guaranteed across the country in a comparable manner. The Committee notes with concern that the services of municipalities implementing the rights of the child differ widely with regard to the extent such services are provided and agreed frameworks of delivery observed. The Committee is also concerned that the lack of coordination exposes groups of vulnerable children whose rights tend to be neglected to the risk of particular shortcomings in the implementation of their rights.”</p> <p>“Non-discrimination</p> <p>19. (..) However, it is concerned at information, including from children, that minority and indigenous children feel stigmatized and maltreated, including by other children, and that children with disabilities complain that their rights are not respected.</p> <p>20. The Committee urges the State party to take all necessary steps to combat discrimination against children from minority groups, indigenous children and children with disabilities and to familiarize children from an early age with the right of every child to be protected against discrimination. The Committee also recommends that the State party carefully examine the possibility of expanding legislation to provide protection of children against discrimination on the grounds of their age.”</p> <p>No information in this report on specified risk on child labour.</p>	Country	Low risk for child rights
		Country	Specified risk for child rights
		Country	Specified risk for child rights
		Country	Low risk on child labour
<p>Committee on the Elimination of Discrimination against Women</p> <p>http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx</p> <p>(Use the link to ‘Key documents’ on the left hand side. Go to ‘observations’ and search for country.) (Refer to CW Cat. 1)</p> <p>Or:</p> <p>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=CEDAW%2fC%2fNOR%2fCO%2f8&Lang=en</p> <p><i>Committee on the Elimination of Discrimination against Women</i></p> <p><i>Concluding observations of the Committee on the Elimination of Discrimination against Women: Norway. 23 March 2012.</i></p> <p>“Positive aspects</p> <p>5. The Committee welcomes the progress achieved since the adoption of its last concluding observations in 2007, including the legislative reforms that have been undertaken and the adoption of a range of legislative measures and policies. Specific reference is made to the:</p>	Country	Low risk on discriminati

	<p>(c) Implement policies targeted at women, including the adoption of temporary special measures to curb women's unemployment and involuntary part-time employment, to create more opportunities for women to extend their working hours including by mandating reduction of the scope of part-time posts especially in the governmental and public service, to gain priority access to full-time employment and guarantee all women employees with the right to choose full-time work and to strengthen its measures to promote women's entry into growth sectors of the economy;</p> <p>(d) Adopt more vigorous measures to accelerate the eradication of pay discrimination against women, including job evaluations across market sectors, the collection of data, the organization of a nationwide equal pay campaign and the provision of increased assistance to social partners in collective wage bargaining, in particular in determining wage structures in sectors dominated by women;</p> <p>(e) Re-evaluate the new pension reform both under the state pension system and the employer-related pension system, with a view to identifying its potential disparate impact on women and men and rectify any disparities to ensure an equal impact on women and men;</p> <p>(f) Improve the access and participation of women from a minority background in the labour market by providing adequate information and training and by facilitating the accreditation and approval of prior education and work experience, as well as by conducting research on the impact of institutional regulations that limit women, in particular migrant women of ethnic and minority communities, on the basis of their way of dressing, such as wearing a headscarf, with a view to ensure their full enjoyment of rights enshrined under the Convention; and</p> <p>(g) Ensure that the implementation of a gender-equality policy, including pay equity guarantees and the use of special temporary measures, when necessary, constitutes a legal requirement for granting public procurement contracts."</p>		
Human Rights Watch: http://www.hrw.org/	No information that indicates specified risk in Norway found on this website.	Country	Low risk
Child Labour Index 2014 produced by Maplecroft. http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/	Norway scores 'low risk' on the Child Labour Index.	Country	Low risk on child labour
http://www.verite.org/Commodities/Timber (useful, specific on timber)	Norway is not mentioned on this site. The page was not accessible 13.06.2018	Country	Low risk on forced labour
The ITUC Global Rights Index ranks 139 countries against 97 internationally recognised indicators to assess where workers' rights are best protected, in law and in practice. The Survey provides information on violations of the rights to freedom of	Norway is classified in category 1: "Irregular Violation of Rights" which is the category with the least violations. "Collective labour rights are generally guaranteed. Workers can freely associate and defend their rights collectively with the	Country	Low risk on violations of the rights to freedom

association, collective bargaining and strike as defined by ILO Conventions, in particular ILO Convention Nos. 87 and 98 as well as jurisprudence developed by the ILO supervisory mechanisms. There are 5 ratings with 1 being the best rating and 5 being the worst rating a country could get. http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en	government and/or companies and can improve their working conditions through collective bargaining. Violations against workers are not absent but do not occur on a regular basis.”		of association , collective bargaining and strike
Gender wage gap (in OECD countries) http://www.oecd.org/gender/data/genderwagegap.htm	The gender wage gap in Norway in 2014 (latest year) was 7,01 %. The OECD average was 18,52 %. (Full-time employees. The gender wage gap is unadjusted and defined as the difference between male and female wages divided by the male median wages.)	Country	Low risk on gender wage discrimination
World Economic Forum: Global Gender Gap Index 2014 http://reports.weforum.org/global-gender-gap-report-2014/rankings/ Search for country rankings for the adjusted and the unadjusted pay gap	<i>Global Gender Gap Index 2014.</i> The highest possible score is 1 (equality) and the lowest possible score is 0 (inequality) http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=NOR Norway ranks no. 3 out of 142 countries for the overall Gender Gap Index with a score of 0,837. Norway ranks no. 2 for the more specific sub-index on Economic participation and opportunity out of the 142 countries that were included. Within that index, the most specific and most relevant indicator is the Wage equality for similar work . Here Norway ranks no. 8 out of 142 countries the with a score of 0.79.	Country	Low risk on gender wage discrimination
use, if applicable: http://www.ilo.org/global/publications/books/WCMS_324678/lang-en/index.htm <i>Global Wage Report 2014/15</i> “The Global Wage Report 2014/15 analyses the evolution of real wages around the world, giving a unique picture of wage trends and relative purchasing power globally and by region.”	The actual gender wage gap minus the explained gender wage gap (taking into account i.e. education, experience, economic activity, location, work intensity and occupation) for Norway is 29 % (25 % plus (minus minus) 4 %). This percentage represents the unexplained gender wage gap which may capture discriminatory practices. The average unexplained gender wage gap for Europe is 20 %. (Figure 37, p. 49)	Country	Low risk on gender wage discrimination
Google the terms [country] and one of following terms 'violation of labour rights', 'child labour', 'forced labour', 'slave labour', 'discrimination', 'gender pay/wage gap, 'violation of labour union rights' 'violation of freedom of association and collective bargaining'	http://ec.europa.eu/eurostat/documents/2995521/6729998/3-05032015-AP-EN.pdf Eurostat <i>8 March 2015: International Women's Day</i> <i>Women earned on average 16 % less than men in 2013 in the EU</i> The (unexplained) gender pay gap in Norway in table on page 2 is 16 %.	Country	Low risk on gender wage discrimination
	http://beta.globalmarch.org/worstformsreport/world/norway.html Global March (The URL was not accessible 13.06.2018) <i>Worst Forms of Child Labour Data: Norway</i> “Total Child Labour. NATIONAL STATISTICS:	Country	Low risk on child labour

	<p>* For the year 2000, the ILO projects that there will be 0 economically active children between the ages of 10-14. (ILO, International Labour Office - Bureau of Statistics, Economically Active Population 1950-2010, STAT Working Paper, ILO 1997)</p> <p>* For the year 2000, 110.000 children between 15-19 years were economically active. (ILO, Yearbook of Labour Statistics, 2001)</p> <p>* 104,000 teenagers between 16-19 years are economically active. (ILO, Yearbook of Labour Statistics, 1999)”</p> <p>GENERAL NOTES AND OBSERVATIONS</p> <p>* The law of the country allows children between the ages of 13-18 to take up light work in certain conditions. (US Dept of State, Human Rights Report, 1998)</p> <p>* Agriculture and fishing provide occasional work for many children. (EFCW, Children Who Work in Europe, June 1998)”</p>		
Additional general sources	Additional specific sources		
United Nations. International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	<p>https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/217/25/PDF/G1521725.pdf?OpenElement <i>Committee on the Elimination of Racial Discrimination Concluding observations on the combined twenty-first and twenty-second periodic reports of Norway. 25 September 2015</i> “Discrimination in access to the labour market 21. The Committee is concerned about the high unemployment rate of persons belonging to ethnic minorities or with a migrant background. It is particularly concerned at reports that such persons face barriers to access to the labour market, both in the public and private sectors, owing to prejudices based on stereotypes of their ethnic or national origin and to their level of Norwegian language skills. The Committee is also concerned about the low level of compliance with the activity and reporting duties set out in the antidiscrimination act, which require employers to make active, targeted and systematic efforts to promote equality irrespective of the ethnic or national origin of the applicants. Moreover, it is concerned about the low impact the action plan to promote equality and prevent discrimination (2009-2013) has had on preventing discrimination in the labour market (arts. 2 and 5). 22. Recalling its general recommendation No. 30, the Committee recommends that the State party, as a matter of priority, adopt more concrete and preventive measures to combat racial discrimination in the labour market against ethnic minorities and persons with a migrant background. (..)”</p>	Country	Specified risk on racial discrimination
US Department of State	<p>http://www.state.gov/j/drl/rls/hrrpt/2010/eur/154443.htm 2010 Human Rights Report: Norway “The law prohibits forced or compulsory labor, including by children, and the government enforced these provisions in practice. However, there were reports that persons were trafficked for labor.”</p>	Country	Low risk on forced labour
From national CW RA: Draft prepared by NEPCon, for guidance only.	2.3 There is no evidence of child labor or violation of ILO Fundamental Principles and Rights at work taking place in forest areas in the district	Country	Low risk on child labour

Last update 10th April 2013	<p>Concerned: Low risk Justification: No evidence of child labor or violation of ILO fundamental principles on a remarkable scale is known to occur. Source: Global Child labor trends 2000 to 2004. ILO (International Labour Office). (available at: http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=2299)</p>		
<p>Conclusion on Indicator 2.2:</p> <ul style="list-style-type: none"> - There is evidence that the rights like freedom of association and collective bargaining are upheld in Norway. - There is no evidence for cases of child labour nor of forced labour in Norway. No evidence found of cases of child labour nor of forced labour in the forest sector. - All sources, except one, report a gender wage gap that is one of the smallest in the developed world. The OECD for example reports a gender wage gap of 7 % in Norway. Although this is an <i>unadjusted</i> wage gap, it differs enormously from the Global Wage Report from the ILO which concludes a much higher gender wage gap: 29 %. This is an adjusted figure that may capture discriminatory practices. One may therefore conclude that there is evidence for gender pay discrimination in Norway. However, equal wages have been a political theme for decades. It is monitored by labor organizations and the national equality ombudsman, and it is therefore regarded as only a theoretical problem in Norway. Gender equality is a strong common goal and equal wages is the normal situation in all sectors including forestry. - There is limited evidence of racial discrimination on the labour market against persons belonging to ethnic minorities or with a migrant background. No link to the forest sector is found. <p><u>The following 'Low risk' thresholds apply:</u> (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'). AND (12) Other available evidence do not challenge a 'low risk' designation.</p>		Country	Low risk

Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.

Guidance:

- 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?

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:102785 Norway signed ILO Convention 169. The status of the convention is 'in force'.	Country	Low risk
Survival International: http://www.survivalinternational.org/	http://www.survivalinternational.org/galleries/reindeer#8 <i>'Our souls touch': Sami reindeer herders</i> "The Sami are the indigenous reindeer herders of Scandinavia."	Country	Low risk
Human Rights Watch: http://www.hrw.org/	No information found that indicates specified risk in Norway.	Country	Low risk
Amnesty International http://amnesty.org	No information found that indicates specified risk in Norway.	Country	Low risk
National Institution for Human rights: http://www.nhri.no	On 1 July 2015, the National Institution for Human Rights was re-established in Oslo, Norway. It is an independent organization reporting to Parliament. "The primary function of the Norwegian National Human Rights Institution is to promote and protect human rights in accordance with the Constitution, the	Country	Low risk

	<p>Human Rights Act and other legislation, international treaties and other international law. The national institution shall contribute to strengthening the implementation of human rights, in particular by:</p> <p>a) monitoring and reporting on the human rights situation in Norway, including making recommendations to ensure that Norway's human rights obligations are fulfilled, b) advising the Storting, the Government, the Sami parliament and other public bodies and private parties on the implementation of human rights, c) disseminating information about human rights, including providing guidance to individuals about national and international complaints mechanisms, d) promoting the teaching, education and research in human rights, e) facilitating cooperation with relevant public bodies and other parties engaged in human rights work, f) participating in international cooperation to promote and protect human rights.</p> <p>The national institution shall not hear individual cases concerning violations of human rights.”</p>		
<p>The Indigenous World http://www.iwgia.org/regions</p>	<p>http://www.iwgia.org/regions/arctic/sapmi In the 2016 Yearbook there is a chapter on Sapmi and Norway.</p> <p>“Sapmi is the Sami people’s own name for their traditional living territory. The Sami people are the indigenous people of the northern part of the Scandinavian Peninsula and large parts of the Kola Peninsula. The Sami people therefore live in the four countries of Sweden, Norway, Finland and Russia.</p> <p>There is no reliable information as to how many Sami people there are. It is, however, estimated that they number between 50.000 –100.000 in all.</p> <ul style="list-style-type: none"> • In Sweden, there are around 20.000. This is approximately 0.22 % of Sweden’s total population of around 9 million. The north-west part of the Swedish territory is the Sami people’s traditional territory. These lands are traditionally used by the Sami for reindeer herding, small farming, hunting, fishing and gathering. • In Norway, there are around 50-65.000. This is between 1.06 and 1.38 % of the Norwegian total population of approx. 4.7 million. • On the Finnish side of Sapmi, there is around 8.000. This is approx. 0.16 % of the Finnish total population of around 5 million. • On the Russian side of Sapmi, there is around 2.000. This is a very small proportion of the total population of Russia. <p>Politically, the Sami people are represented by three Sami parliaments</p>	<p>Country</p>	<p>IP presence</p>

	<p>There is a Sami Parliament in Sweden, one in Norway and one in Finland. On the Russian side, the Samis are organized into NGOs. In 2000, the three Sami parliaments established a joint council of representatives, called the Sami Parliamentary Council.</p> <p>The Sami Parliamentary Council should not be confused with the Sami Council, which is a central Sami NGO representing large national Sami associations (NGOs) in all four countries.”</p> <p>In the IWGIA yearbook for 2016 was referred to a number of issues:</p> <ul style="list-style-type: none"> • The provision concerning the Sami people’s constitutional protection has been moved from §110a to §108 but the parties in the Norwegian Parliament did not reach any agreement on what the new wording of §108 should be • The Ministry of Local Government and Regional Development (KMD) has, after consulting the Sámediggi, appointed a Sami Language Committee. The task of the committee is to assess the current arrangements, measures and legislation related to the Sami languages and consider how to adapt these to the present organization of the public sector and ensure functional and equal public services in Sami • Threats to Sami rights: <p>“Reindeer herding is one of the main traditional Sami livelihoods in Norway. The 2007 Reindeer Husbandry Act¹⁰ imposed on reindeer herding districts a requirement to adapt to so-called ecologically sustainable resource management by developing usage rules, including determination of a maximum number of reindeer for each district. The work on the usage rules started in 2008 and, by the end of 2011, the National Board for Reindeer Herding (Reindrifststyret) had come up with its decision. Some Sami reindeer owners are now going through a difficult process of reducing the number of reindeer in line with this decision. In their opinion, their own perception of the sustainable management of reindeer herds based on Sami traditional knowledge has not been taken into account. Herders experience the process as a violation of their human rights, including the violation of their property rights in accordance with the European Convention on Human Rights, Additional Protocol 1 Article 1, as well as a violation of their right to internal self-governance, which the 2007 Reindeer Herding Act was intended to safeguard.</p> <p>In 2011, the national mining company NUSSIR applied for permission to deposit the tailings from a planned copper mining site in Kvalsund municipality (Finnmark) in the Repparfjord. In December 2015, the Ministry of Environment gave its permission to start underground copper mining in the area of Nussir</p>	Sapmi	Specified risk for IP rights on land and resources
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and Ulveryggen and to deposit the tailings in the Repparfjord. This case is controversial because of the impacts that this mining project will have on traditional Sami reindeer herding in several reindeer herding districts. Secondly, the case is also highly controversial seen from a Sea-Sami and an environmental perspective, as submarine tailing deposits are considered an environmental hazard. Repparfjord is vital for the local Sami fisheries, and is also a "National Salmon Fjord" leading to the Repparfjord River, which is one of the few remaining rivers where wild salmon are still found. During the UPR examination of Norway in 2014, Norway was questioned on intensified mining activities in the north and their impact on indigenous peoples. The Ministry stated that mining permissions were issued with strict conditions that made the operations environmentally acceptable. Reindeer herders in the area claim the permission is violating their human rights, and are preparing legal steps to stop the NUSSIR mining operations. Among those who have responded negatively to the permission are the national environmental organizations, the Sámediggi and the Norwegian Fishermen's Association.

Reindeer herding in Norway has also faced challenges in relation to the establishment of wind farms. In 2014, the Norwegian Water Resources and Energy Directorate (NVE) allocated a concession to a wind farm in the middle of summer pastures belonging to Voengelh-Njaarke (Vestre Namdal) and Áarjel-Njaarke (Cape Mountain / Bindal) reindeer herding districts. Environmental organizations, together with the affected reindeer herding districts, submitted a joint complaint claiming that this was in violation of the national Nature Diversity Act, ILO Convention No. 169 and several UN Human Rights Conventions. The case is now under consideration by the Ministry of Oil and Energy. The same Ministry rejected the expansion of a wind farm on Fálesrášša, in Kvalsund municipality in Finnmark in 2015. This was the result of strong protests from inter alia the local Sami reindeer herders of district 21 Gearretnjárga and the Sámediggi."

http://www.iwgia.org/images/stories/sections/regions/arctic/documents/IW2011/sapmi_iw_2011.pdf

The Indigenous World 2011, Sapmi (pages 29-37).

"The Sami parliaments are 100 % dependent on state funding. They are, to some extent, free to determine how that funding is to be spent; however, a large proportion of the funding is earmarked by the state for specific purposes, such as support to Sami languages, culture, etc. When it comes to land and resource management, the Sami parliaments have no role apart from being able to raise whatever issues they want. The Sami Parliament in Norway does appoint half of the board of the Finnmark Estate and draws up applicable guidelines on changes in land use in Finnmark. These guidelines for land-use changes (utmark) outline the central Sami interests that are to be considered

by the Finnmark Estate and public authorities when taking decisions that change, or notably affect, the traditional use of lands. The Sami Parliament in Norway has the most staff and the biggest budget, and perhaps the biggest influence, of the three Sami Parliaments.”

“The draft Nordic Sami Convention

The governments of Sweden, Norway and Finland, together with representatives from each Sami Parliament, began new negotiations on the draft Nordic Sami Convention during 2010. This draft convention is considered to be a consolidation of applicable international law, consolidating the rights of the Sami people and the obligations of the states.

The UN Special Rapporteur’s inquiry

The UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, Professor James Anaya, examined the situation of the Sami people in the Sapmi region of Norway, Sweden and Finland during 2010. The Sami Parliament Council held a conference in Rovaniemi (Finland) from 14 to 16 April in order to provide the Special Rapporteur with input to his inquiry as a basis for his report.”

“Developments in Sapmi Norway

The Tana River (Deatnu in the Sami language) is a very long river in the northernmost part of Norway which, for much of its length, forms the border between Norway and Finland. In the Sami language, the name, Deatnu, means a huge river, bigger than normal rivers. The Tana River, together with its tributaries, is 1.100 km long, and salmon fisheries, in particular, have been very important for the Sami livelihood since time immemorial in the Tana river valley. The Tana River has the highest yearly catch of Atlantic salmon in the world and, in some years, the river has provided up to 20 % of all Atlantic salmon caught in Europe’s rivers. Unique to the Tana River is the extensive use of traditional fishing methods such as fences and different kinds of nets, drift nets and seine nets. Sport fishing also accounts for a considerable amount of fish, especially on the Finnish side of the river. Since the river forms much of the border between the two countries, the Norwegian and Finnish states administer the salmon fisheries together, and differing opinions between the two have contributed to problems in managing the salmon fisheries in a way that will be ecologically sustainable in the long term. In 2008, a Norwegian public investigation into fisheries administration in the Tana River, the Tanautvalget, was set up to look into local people’s rights to manage the fisheries, as had been set out in the Finnmark Act in 2005 and as called for by Sami. Tanautvalget submitted its report in December 2009, suggesting a new local administration for the fisheries in the Tana River. During 2010, the Norwegian Government consulted the Norwegian Sami Parliament on the issue and an agreement was reached to establish a new local administration

	for the Tana River and its fisheries. This new administration is expected to come into force during 2011.”		
United Nations Special Rapporteur on the rights of indigenous peoples http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx	<p>http://www.ohchr.org/Documents/Issues/IPeoples/SR/A-HRC-18-35-Add2_en.pdf <i>Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya. Addendum. The situation of the Sami people in the Sapmi region of Norway, Sweden and Finland. 6 June 2011</i> “The present report, which was originally made public in an advanced unedited version on 12 January 2011, examines the human rights situation of the Sami people of Norway, Sweden and Finland.”</p> <p>The Sami people “3. The Sami people traditionally inhabit a territory known as Sapmi, which spans the northern parts of Norway, Sweden and Finland, and the Russian Kola Peninsula. Although the Sami are divided by the formal boundaries of these four States, they continue to exist as one people, united by cultural and linguistic bonds and a common identity. The Sami have the oldest languages and cultures of these countries, long pre-dating the present-day States, and today there are nine language groups divided across the national borders of the Nordic and Russian States.</p> <p>4. The Sami population is estimated to be between 70.000 and 100.000, with about 40.000-60.000 in Norway, about 15.000-20.000 in Sweden, about 9.000 in Finland and about 2.000 in Russia. Sami people constitute a numerical minority in most of the Sapmi region, except in the interior of Finnmark County in Norway and in the Utsjoki municipality in Finland.</p> <p>5. The Sami people have traditionally relied on hunting, fishing, gathering and trapping and have a deep knowledge of the far north region that has been handed down for many generations. Reindeer herding, in particular, is of central importance to the Sami people. Many Sami communities historically practised a semi-nomadic lifestyle, moving reindeer between the mountain areas and coastal areas according to the season. Other groups practised reindeer herding in forested areas, particularly within certain parts of the Västerbotten and Norrbotten counties in Sweden and in northern and central Finland. Some Sami communities, referred to as the “Sea Sami” or “Coastal Sami”, settled in the coastal areas, especially within what is now Norway. It was also not uncommon to combine reindeer herding with hunting, fishing and farming.”</p> <p>“6. The traditional form of organization of Sami people is structured around the siida, a local organization that plays an important role in the distribution of lands, water and natural resources. Within the siida, members had individual</p>	Norwegian Sapmi	IP presence

	<p>rights to resources but helped each other with the management of reindeer herds, hunting and fishing. On the basis of these structures, the Sami developed sophisticated systems for land distribution, inheritance and dispute resolution among siida. Although historical developments have weakened the Sami people's traditional patterns of association, the siida system continues to be an important part of Sami society.”</p> <p>“8. Today, Sami people in the Nordic countries do not have to deal with many of the socio-economic concerns that commonly face indigenous peoples throughout the world, such as serious health concerns, extreme poverty or hunger. Norway, Sweden and Finland are among the wealthiest and most developed countries in the world and consistently rank toward the top of human development indicators. Nordic countries are thus well-positioned to tackle outstanding concerns related to the Sami people and to set examples for the advancement of the rights of indigenous peoples.”</p> <p>B. Norway</p> <p>“14. The principal foundation for Sami policy in Norway is article 110a of the Constitution and the Act concerning the Sami Parliament (the Sámediggi) and other legal matters pertaining to the Sami (“the Sami Act”). The amendment of 1988 to the Norwegian Constitution explicitly calls upon authorities to protect the Sami and their culture and traditional livelihoods, stating that “it is the responsibility of the authorities of the State to create conditions enabling the Sami people to preserve and develop its language, culture and way of life.” Furthermore, the Government has recognized the discrimination and imposed assimilation the Sami people have suffered, and has apologized for the poor treatment of Sami people in the past.</p> <p>15. The Sami Act, the first key contemporary legislation addressing Sami issues in Norway, was established to enable the Sami people in Norway to safeguard and develop their language, culture and way of life. The Act establishes the Norway Sami Parliament, or Sámediggi, with the dual function of serving as an elected political body for the Sami and carrying out administrative duties delegated by law or according to agreements with relevant national authorities, within various areas affecting Sami people. It has 39 representatives elected from seven Sami constituencies.</p> <p>16. In 2005, the Sámediggi and the Government entered into an agreement concerning consultation procedures which, according to the agreement, “apply in matters that may directly affect Sami interests” and require that State authorities “provide full information concerning relevant matters that may directly affect the Sami, and concerning relevant concerns at all stages of dealing with such matters.” The agreement outlines consultation requirements, which are generally in line with the consultation provisions of International</p>	Sapmi	Low risk
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	<p>Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention No. 169), and advises that consultations shall not be discontinued as long as the Sami Parliament and State authorities consider that it is possible to achieve an agreement.</p> <p>17. The Special Rapporteur considers this agreement to represent good practice with respect to implementation of the duty of States to consult with indigenous peoples, which provides an important example for the other Nordic countries as well as for countries in other regions of the world. A few specific concerns related to this mechanism and consultation in general are addressed in section IV (A) (2) below.</p> <p>18. Until recently, the central Government was responsible for the management of lands and resources in Norway, in cooperation with the municipalities, and Norwegian law did not recognize special Sami rights, including collective rights, to land and resources. In 2005, Norway passed the Finnmark Act, which was a response to many years of struggle by the Sami and, in part, to the conflict surrounding the development of the Alta-Kautokeino watercourse in the 1970s. Importantly, the Finnmark Act was developed in close cooperation between the Norwegian and Sami parliaments. However, the Finnmark Act remains in certain respects controversial among the Sami, as discussed in section IV (A) (3) below.</p> <p>19. The Reindeer Herding Act of 1978, as amended in 2007, recognizes that Sami have an exclusive right to herd reindeer within pasture areas, but in order to benefit from the right Sami individuals must meet the required familial linkage to a reindeer-herding family. The right to reindeer husbandry is a usufruct right that applies over certain land areas regardless of the ownership of those lands. Importantly, the 2007 amendments sought to re-establish the siida as an important management tool for reindeer husbandry, thereby bringing Norwegian law into closer conformity with traditional Sami land management. The Sami reindeer grazing area covers approximately 40 % of Norway and provides pasture for more than 200.000 reindeer, and about 2.800 Sami take part in reindeer husbandry in Norway.</p> <p>20. In addition to being the first country to ratify ILO Convention No. 169 and voting in favour of adoption of the Declaration on the Rights of Indigenous Peoples in 2007, Norway has incorporated the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights into its domestic law. In the event of any conflict between these instruments and other Norwegian legislation, the provisions of the Covenants shall take precedence. Finally, Norway is also party to the Council of Europe's Framework Convention for the Protection of National Minorities (1995) and its Charter for Regional and Minority Languages (1992)."</p>	Sapmi	Low risk
		Sapmi	Low risk
		Sapmi	Low risk

	<p>IV. Areas of concern A. Self-determination “32. While the laws and policies of Nordic countries with respect to the Sami people are relatively advanced, there are still ongoing barriers to the full realization of the right of Sami people to self-determination, both at the cross-border and national levels.” (..)</p> <p>2. Sami self-determination at the national level: the Sami parliaments “37. The Sami parliaments are the principal vehicles for Sami self-determination in Norway, Sweden and Finland, and they represent an important model for indigenous self-governance and participation in decision-making that could inspire the development of similar institutions elsewhere in the world. Despite this, there is an ongoing need to increase the Sami parliaments’ autonomy and self-governance authority, as well as to strengthen their ability to participate in and genuinely influence decision-making in matters that affect Sami people within the Nordic countries.”</p> <p>“38. The Sami parliaments expressed concern to the Special Rapporteur about the degree to which the parliaments can genuinely participate in and influence decisions that affect the Sami people, noting that they are generally regarded as bodies through which the Sami can express their voice to Government authorities, without any guaranteed genuine influence or decision-making power. In Finland, in particular, the statutory mandate of the Sami Parliament is limited to matters concerning Sami languages, culture and indigenous status. Even within these areas, the Sami Parliament’s input is restricted; for example, language planning is carried out by a Finnish Government research institute, and there are plans to transfer these duties to universities. Also, as a general matter, with a few exceptions, Sami parliaments lack specific decision-making powers in matters pertaining to the use of lands, waters and natural resources.”</p> <p>“40. Unlike Norway, Sweden and Finland do not have an agreement with the respective Sami parliaments that establishes how and under what circumstances consultations should be carried out. In Finland, under the relevant legislation, the Finnish Parliament is required to consult with the Finnish Sami Parliament in matters that affect Sami concerns, although representatives of the Finnish Sami Parliament reported to the Special Rapporteur that most of their proposals and comments to the State, even on matters within the Parliament’s recognized sphere of competency, remain unanswered by the Finnish Government. (..)Such mutually agreed-upon frameworks would be important, and would alleviate some Sami concerns about a lack of participation in decision-making.</p>	<p>Sapmi</p> <p>Sapmi</p> <p>Sapmi</p> <p>Sapmi</p>	<p>Specified risk for the right to self-determination</p> <p>Low risk</p> <p>Specified risk</p> <p>Low risk</p>
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	<p>Discrimination recommended that Norway take further steps to adopt special and concrete measures to ensure the adequate development and protection of certain highly vulnerable indigenous groups, namely the East Sami people. The Special Rapporteur notes that Norway has indicated that “measures will be considered in close consultation with the Sami Parliament and representatives from the East Sami” and that the mandate of the Finnmark Commission includes investigating the rights of all inhabitants of Finnmark to lands and natural resources, including those of the East Sami.</p> <p>B. Rights to lands, waters and natural resources 1. Recognition of land and resource rights “46. The history of Sami people in the Nordic region is marked by the progressive loss of their lands and natural resources, especially lands that are essential to reindeer herding.</p> <p>47. The Nordic States have gradually developed some protections for Sami lands and reindeer herding activities, and today significant tracts of land are continuously used for reindeer herding. Under each of the Nordic countries’ reindeer herding legislation, Sami people have rights to use lands and resources for reindeer herding activities, although as noted above, in Finland reindeer husbandry is not specifically reserved for Sami. Also, although Sami usufruct rights to land are legally recognized, in practice, these rights often yield to competing interests. Finally, while Norwegian, Swedish and Finnish law recognize in principle that Sami land use can result in ownership rights to land, it has been difficult for the Sami people to realize such rights in practice.</p> <p>48. In Norway, the Finnmark Act provides a potential foundation and mechanism for the identification and effective protection of Sami land and resource rights in Finnmark County. The Act establishes the Finnmark Commission, which has a mandate to identify rights to lands and water that have not yet been recognized. After its investigation, the Commission is to issue a report containing information concerning: “(a) who, in the view of the Commission, are owners of the land; (b) what rights of use exist in the Commission’s view; and (c) the circumstances on which the Commission bases its conclusions.” The Act also establishes the Uncultivated Land Tribunal for Finnmark, which is a special land rights court mandated to consider disputes about land rights related to the conclusions of the Finnmark Commission.</p> <p>49. Given that the process for identifying rights to land under the Finnmark Act is currently under way, the adequacy of the established procedure is not yet known. Nonetheless, the Finnmark Act is undeniably an important development and is potentially a good practice for securing indigenous land rights. However, while rights to ownership and rights to use for Sami</p>	<p>Sapmi</p> <p>Finnmark</p> <p>Northern coast</p>	<p>Low risk</p> <p>Low risk</p>
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	<p>individuals and groups on occasion have been identified and recognized in the regular court system in Norway, there are currently no specialized mechanisms in place to identify Sami land and resource rights outside Finnmark County, which remains an outstanding concern.”</p> <p>2. Rights to marine resources</p> <p>53. The issue of Sami rights to fish in coastal waters is principally a matter for concern in Norway. According to reports, in recent years Sami fishing off the northern coast of Norway has been impeded greatly due to mismanagement of fisheries by non-Sami actors and environmental factors. Furthermore, the increased industrialization of fishing in Norway over the last two decades has led to a deterioration of local control over and use of marine resources. An additional concern is that fishing regulations are determined at the national level, without local participation, and without taking into consideration customary decision-making regarding marine resources or the local knowledge regarding the management of these resources.</p> <p>54. The Finnmark Act in Norway does not include provisions related to marine resources. However, comments on the Finnmark Act by the Standing Committee on Justice of the Norwegian Parliament recognize that fishing is an important aspect of Sami culture, and the Norwegian Parliament issued a resolution instructing the Government to clarify rights along the coast of Finnmark. In response, and following consultation with the Sami Parliament, the Coastal Fishing Committee was formed. The Committee recommended that “it will be established as a principle that people living along the fjords and coast of Finnmark have the right to fish in the ocean off Finnmark based on historical use and the rules of international law regarding indigenous peoples and minorities.” Possible followup to the report of the Coastal Fishing Committee is currently the subject of consultations between the Ministry of Fisheries and Coastal Affairs and the Sámediggi. Local Sami fishing groups have also emphasized the need for a law to secure local participation in fisheries and the administration of marine resources.”</p> <p>“3. Continued threats to Sami lands and livelihoods</p> <p>55. The Sami way of life, especially in relation to reindeer husbandry, is threatened significantly by competing usage of land, often promoted by the Governments themselves through natural resource extraction or other development projects. In all three Nordic countries, various natural resource extraction and development projects threaten to diminish areas available for grazing. Already, the construction of buildings and roads, as well as hydroelectric dams, mining, forestry projects and tourism activities have resulted in loss and fragmentation of pasture lands, with detrimental effects on reindeer movement and, consequently, on their reproductive levels and survival.</p>	<p>Sapmi outside Finnmark county</p> <p>Sapmi</p> <p>Sapmi</p>	<p>Specified risk</p> <p>Specified risk</p> <p>Specified risk for right to land</p>
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	<p>56. Some laws related to natural resource extraction in the Nordic States include provisions requiring, to varying degrees, special consideration of Sami people, their livelihoods or their lands. However, in general, laws and policies in the Nordic States with respect to natural resource extraction and development do not provide sufficient protections for Sami rights and livelihoods, and do not involve Sami people and the Sami parliaments sufficiently in the development processes. There is often no compensation for loss of pasture areas from natural resource extraction or other development projects, although in Norway the Reindeer Herding Act does require that compensation be given to reindeer herders for expropriation of the right to use lands for reindeer husbandry. Additionally, benefit sharing opportunities are rare, especially with respect to mining and oil and gas development.</p> <p>57. In Norway, reindeer husbandry is potentially threatened by oil and gas development in the far north. The Mineral Act of 2009 requires that Sami cultural life be safeguarded under the Act and also requires, in Finnmark County, that the Sami Parliament and the landowner have the opportunity to comment during the process of authorizing a permit. Nevertheless, the Norwegian Sami Parliament has expressed concern that the Act does not provide an adequate level of consultation with the Sami Parliament on applications for permits within Finnmark County.”</p> <p>“61. At the same time, responses to the global climate change problem should not themselves pose threats to Sami livelihoods. For example, demand for sustainable energy has resulted in a potential windmill construction boom on the coast of Troms and Finnmark in Norway, severely affecting reindeer calving grounds.”</p> <p>“64. In Norway, the right of Sami people to preserve and develop their languages in various contexts is recognized in the Constitution and in numerous laws, including the Sami Act of 1987. Further, work is being carried out in Norway, including through the Sami Parliament, to revitalize the Sami languages within the Sapmi region, and the Government is developing an extensive “Action Plan to Strengthen Sami Languages” towards this end.”</p> <p>V. Conclusions and recommendations A. General legal and policy framework “72. Overall, Norway, Sweden, and Finland each pay a relatively high level of attention to indigenous issues, in comparison to other countries. In many respects, plans and programmes related to the Sami people in the Nordic countries set important examples for securing the rights of indigenous peoples. However, more remains to be done to ensure that the Sami people can pursue their self-determination and develop their common goals as a people living</p>	<p>Sapmi</p> <p>Northern Sapmi</p> <p>Sapmi</p> <p>Country</p> <p>Country</p> <p>Country</p>	<p>Specified risk</p> <p>Specified risk Low risk</p> <p>Specified risk</p> <p>Low risk</p> <p>Low risk</p> <p>Specified risk</p>
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	<p>across more than one State, as well as enjoy within each of the States in which they live the full range of rights that are guaranteed for indigenous peoples in contemporary international instruments.</p> <p>73. The Special Rapporteur commends Norway for being the first State to ratify International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. He urges Finland to complete steps to ratify that instrument and urges Sweden to consider ratification, in consultation with Sami people.”</p> <p>C. Rights to lands, waters and natural resources</p> <p>79. For the Sami people, as with other indigenous peoples throughout the world, securing rights over land and natural resources is fundamental to their self-determination, and is considered a prerequisite for the Sami people to be able to continue to exist as a distinct people.</p> <p>80. The Special Rapporteur recognizes the efforts of the Nordic Governments in recent decades to advance the rights of Sami people to their lands, territories and resources. These efforts should be redoubled in order to guarantee the Sami people a sustainable basis for their economic, social and cultural development.</p> <p>81. The Special Rapporteur recommends that Norway finalize the process of clarifying and securing Sami land and resource rights both within and outside of Finnmark County. He further recommends that Norway give close consideration to the findings of the Coastal Fishing Committee and take effective measures to secure fishing rights for the Sami coastal population.”</p>	Country	Specified risk
	<p>http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/33/42/Add.3</p> <p><i>Report of the Special Rapporteur on the rights of indigenous peoples on the human rights situation of the Sami people in the Sapmi region of Norway, Sweden and Finland.</i> 9 August 2016</p> <p>Note by the Secretariat</p> <p>The present report examines the situation on the basis of research and investigation carried out, including during a conference organized by the Sami Parliamentary Council in Bierke/Hemavan, Sweden, from 25 to 27 August 2015. During her visit, the Special Rapporteur heard repeated and insistent concerns over the increase in natural resource investments in the Sapmi region and the States’ balancing of interests in that context. The balance, which is rarely free of conflict, is a primary focus of the present report. The Special Rapporteur concludes that there are still challenges that the Governments must meet, in particular with respect to adequately defining and</p>	Sapmi	Specified risk

	<p>recognizing the Sami people's rights over their land and related resources, and that further efforts are needed to advance and strengthen Sami rights, particularly in the face of increased natural resource investments in the Sapmi region.</p> <p>V. Country analysis</p> <p>A. Norway</p> <p>1. General legal and policy framework</p> <p>18. In addition of being the first country to ratify the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), Norway voted in favour of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Norway has incorporated the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination into its domestic law. (See the Human Rights Act (1999), sect. 2, and the Anti-Discrimination Act (2005), sect. 2.) The obligation of Norway to secure the rights of the Sami people also arises under the International Convention on the Elimination of All Forms of Racial Discrimination. In addition, Norway has endorsed the Guiding Principles on Business and Human Rights and in November 2015, it adopted a national action plan to give practical effect to that endorsement, (See www.regjeringen.no/en/aktuelt/business_hr/id2457726/.) although the plan appears to focus on Norwegian companies operating abroad rather than on business activities and their impact on human rights within Norway.</p> <p>19. Following an amendment adopted in 1988, the Norwegian Constitution establishes an obligation on the authorities to protect the Sami, their culture and traditional livelihoods. The Sami Act of 1987 establishes the Sami Parliament, giving it the dual function of serving as an elected political body for the Sami and carrying out administrative duties in various areas affecting Sami people.</p> <p>2. Self-determination</p> <p>20. In 2005, the Sami Parliament and the Government entered into an agreement concerning consultation procedures in matters that might affect Sami interests directly (See the procedures for consultations between State authorities and the Sami Parliament [Norway], signed 11 May 2005, sect. 2.) agreeing that consultations should continue as long as the Sami Parliament and State authorities considered it possible to achieve agreement. While representatives of the Sami Parliament indicate that the agreement has</p>	Sapmi	Specified risk
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24. The Special Rapporteur is of the view that the State's earlier dispositions as the claimant of property rights in Finnmark cannot be considered to create law in order to support its continued ownership of land. The importance of that point can be further underscored by the fact that in many cases, the Sami communities' severed connection to their lands and resources is a result of earlier government policies and assimilation efforts towards the Sami. A starting point for any measures to identify and recognize indigenous peoples' land and resource rights should be their own customary use and tenure systems. That is also clear in the United Nations Declaration on the Rights of Indigenous Peoples, article 26 (3) of which indicates that States are obligated to provide legal recognition and protection to those lands, territories and resources that indigenous peoples have traditionally owned, occupied or otherwise used or acquired "with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned". Likewise, article 8 (1) of the ILO Indigenous and Tribal Peoples Convention, 1989 (No.169) provides that due regard must be paid to customs and customary law of the indigenous peoples concerned in applying national laws and regulations.

25. The dual role of the Finnmark Estate as both a resource management agency and commercial entity has also been cause for concern. According to information received, the Estate is currently processing applications for land encroachments in Finnmark County that may have long-standing adverse impacts on the possibilities of Sami communities to pursue their traditional livelihoods. In the Special Rapporteur's view, the ability of the Estate to handle the dual role will be essential for its legitimacy and for the Finnmark Act to genuinely advance Sami land and resource rights.

26. Another outstanding concern is the lack of specialized mechanisms in place to identify Sami land and resource rights outside Finnmark outside the ordinary court system, despite the previous Special Rapporteur's recommendation in 2011 that Norway finalize the process of clarifying and securing Sami land and resource rights both within and outside Finnmark County (see A/HRC/18/35/Add.2, para. 81). The Committee on the Elimination of Racial Discrimination has recommended that Norway follow up on the proposals of the Sami Rights Committee, including by establishing an appropriate mechanism and legal framework, and identify and recognize Sami land and resource rights outside Finnmark (see CERD/C/NOR/CO/21-22, para. 30 (b)).

27. The Special Rapporteur heard explanations from Sami representatives that resource areas, the diversity of nature, cultural monuments, the landscape and the fjords comprise an important part of the basis for their culture. The management of areas, nature and cultural heritage is therefore important to

ensure the basis for preserving and developing Sami culture. It is important to find good solutions for the management of the use and conservation of natural resources that secure the reindeer husbandry, fresh and seawater fishing, small-scale farming, hunting and gathering that are important to Sami culture. The Special Rapporteur noted disagreement between State authorities and the Sami people on the current regulations on sea salmon fishing and spring duck hunting in the municipality of Guovdageaidnu/Kautokeino.

28. A major concern of Sami representatives relates to the Mineral Act (Act of 19 June 2009 No. 101 relating to the acquisition and extraction of mineral resources) and its limited recognition of the rights of the Sami people. Despite objections from the Sami Parliament, the Mineral Act was adopted in 2009, and was the subject of an exchange of correspondence between the former Special Rapporteur and the Government of Norway. In 2015, the Committee on the Elimination of Racial Discrimination raised concerns over the Act's limited safeguards for the Sami people and recommended that it be revised (see CERD/C/NOR/CO/21-22, para. 30).

29. A central concern is that the Mineral Act differentiates between the Sami in Finnmark and those outside Finnmark, who have no specific rights or safeguards. The distinction is particularly problematic as there are currently no legal frameworks or specialized mechanisms in place to identify Sami land and resource rights outside Finnmark County, and it may in practice jeopardize future recognition of Sami claims to their traditional lands and resources. Another concern expressed to the Special Rapporteur relates to the absence of a requirement to consult and obtain consent for proposed measures. While the Act provides the Sami Parliament with an opportunity to comment on applications for licences in Finnmark and attributes some weight to Sami culture when assessing the applications (See the Mineral Act, sect. 17), the Special Rapporteur does not consider that international standards are met when consultation consists of a mere opportunity to comment on proposed measures that may have a significant impact on the Sami people and their rights. Another way in which the Mineral Act does not meet international standards is the lack of specific consultation or consent requirements with respect to the particular Sami communities that will be directly affected by the proposed measures.

30. While the Special Rapporteur notes that the procedures for consultations between the Norwegian and Sami Parliaments apply to the whole central government administration and are said to embrace mineral activities, there appears to be a lack of common understanding between the Government and the Sami Parliament about how the consultation agreement is to be complied with in practice. Sami representatives have suggested that the implementation of the procedures for consultation remains particularly challenging in relation to

	<p>energy development projects and reindeer husbandry. That, together with a regulatory regime that does not adequately protect Sami interests and rights, makes it difficult to ensure predictability and to allow for coexistence between traditional and new industries. In the view of the Special Rapporteur, the criticism frequently directed at the consultation procedures is a strong impetus for their evaluation, with the participation of the Sami Parliament, to ensure their effectiveness.</p> <p>31. Attention has also been drawn to the absence of provisions for benefit-sharing with Sami communities when mines are located on traditional Sami lands, and to the absence of any frameworks for dispute resolution between mining companies and affected Sami communities. Sami representatives have also shared their concerns that applications for exploration and exploitation concessions are considered in a piecemeal fashion, with little consideration given to the interaction of the proposed measure with already existing projects and the accumulated impact that they have on the affected Sami communities.</p> <p>32. In the light of the international human rights obligations and commitments that Norway has assumed with respect to the Sami people, including the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), the Mineral Act raises doubts about the State's ability to respect, protect and fulfil human rights in the context of extractive activities. It also raises doubts as to whether the State is setting out clearly the expectation that all business enterprises respect human rights throughout their operations. From a business perspective, a deficient regulatory framework also creates barriers for businesses to carry out their operations in a manner consistent with international expectations regarding the rights of indigenous peoples. As much has also been made clear by the Norwegian mineral industry which, in an open letter addressed to the Government in December 2014, requested that the Mineral Act be revised and clarified with respect to the Sami people and their rights.</p> <p>VI. Conclusions and recommendations</p> <p>A. Norway</p> <p>76. The Special Rapporteur recommends that Norway enhance efforts to implement the right of the Sami people to self-determination and to more genuinely influence decision-making in areas of concern to them. That may to some extent be achieved through a more effective consultation arrangement, which should be extended to clearly cover budgetary decisions.</p> <p>77. The Special Rapporteur recommends that Norway, together with the Sami Parliament and Sami communities, assess the adequacy of the Finnmark Act in advancing the Sami people's self-determination and land and resource rights. She calls on Norway to finalize the process of clarifying and securing</p>	<p>Country</p> <p>Country</p>	<p>Specified risk</p> <p>Specified Risk</p>
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	<p>Sami land and resource rights outside Finnmark County, and to ensure that due respect is paid to the customs, traditions and land tenure systems of the Sami people in implementing the Finnmark Act and in designing and implementing measures for recognition of land and resources outside Finnmark County.</p> <p>78. Noting that sea salmon fishing and spring duck hunting in the municipality of Guovdageaidnu/Kautokeino form an important part of Sami cultural heritage and should be protected by special measures to ensure they can be pursued and maintained according to Sami tradition in a culturally and ecologically sustainable way, the Special Rapporteur urges the Government of Norway and the Sami Parliament to find solutions on regulations related to sea salmon fishing and spring duck hunting.</p> <p>79. The Special Rapporteur calls on Norway to revise the Mineral Act to ensure that it conforms to relevant international standards, including those requiring adequate consultations with the affected indigenous communities and their free, prior and informed consent, mitigation measures, compensation and fair and equitable benefit-sharing. In addition, applications for exploration and exploitation permits should be evaluated against already existing projects and the cumulative impact that they have on the affected Sami communities.</p> <p>80. The Special Rapporteur commends Norway for the adoption of the Action Plan for Sami Languages, which contains a number of good initiatives. In order to ensure that the plan is effective, relevant ministries should follow up and assess whether and to what extent all the measures have been completed and publicize the information in a final report that includes a follow-up plan for measures yet to be completed. In addition, the Government should enter into dialogue with the Sami Parliament on measures needed to ensure that government departments are better informed about Sami conditions and Sami languages and the development of a more comprehensive language policy. With respect to education, the Sami Parliament should be ensured a role in the oversight and evaluation of Sami educational programmes and their quality.</p>	Sapmi Country Country	Specified risk Specified risk Specified risk
<p>UN Human Rights Council Universal Periodic Review http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx</p>	<p>https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/075/36/PDF/G1407536.pdf?OpenElement <i>Report of the Working Group on the Universal Periodic Review*. Norway. 7 July 2014</i> No information that indicates specified risk in Norway.</p>	Country	Low risk
<p>UN Human Rights Committee http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx search for country</p>	<p>https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/217/25/PDF/G1521725.pdf?OpenElement <i>Committee on the Elimination of Racial Discrimination Concluding observations on the combined twenty-first and twenty-second periodic reports of Norway. 25 September 2015.</i></p>		

<p>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>“Definition of racial discrimination 9. The Committee is concerned about the absence of the term “race” as a ground for discrimination in the Anti-Discrimination Act adopted in 2013 (art. 2). 10. The Committee reiterates its recommendation that the State party include in its anti-discrimination legislation all grounds of discrimination specified in article 1 of the Convention or find other effective ways to ensure that all those grounds are taken into account by the authorities.” Discrimination in access to the labour market 21. The Committee is concerned about the high unemployment rate of persons belonging to ethnic minorities or with a migrant background. It is particularly concerned at reports that such persons face barriers to access to the labour market, both in the public and private sectors, owing to prejudices based on stereotypes of their ethnic or national origin and to their level of Norwegian language skills. The Committee is also concerned about the low level of compliance with the activity and reporting duties set out in the antidiscrimination act, which require employers to make active, targeted and systematic efforts to promote equality irrespective of the ethnic or national origin of the applicants. Moreover, it is concerned about the low impact the action plan to promote equality and prevent discrimination (2009-2013) has had on preventing discrimination in the labour market (arts. 2 and 5). 22. Recalling its general recommendation No. 30, the Committee recommends that the State party, as a matter of priority, adopt more concrete and preventive measures to combat racial discrimination in the labour market against ethnic minorities and persons with a migrant background. It recommends that the State party ensure follow-up measures on the activity and reporting duties set out in the Anti-Discrimination Act and implement measures to guarantee equal recruitment processes in the public and private sectors, irrespective of the ethnic background of the applicants. It also recommends that the State party ensure the effective application of its anti-discrimination legislation, consider adding a penalty for non-compliance with the activity and reporting duties, specify more clearly the content of those duties, and monitor effectively the implementation of the action plan entitled “We need the skills of immigrants”. Moreover, the Committee recommends that the State party continue to develop integration measures and ensure that migrants are able to acquire Norwegian language skills without facing unnecessary barriers.” “The situation of Sami 27. While taking note of the Action Plan for Sami Languages adopted by the State party, the Committee remains concerned at reports that mother-tongue instruction for Sami students is not adequately protected and that schools do not always fulfil the requirements for mother-tongue instruction owing to a lack of sufficient teaching materials, financing and staffing. The Committee is also</p>	<p>Country</p> <p>Country</p> <p>Country</p> <p>Sapmi</p>	<p>Specified risk on racial discrimination</p> <p>Specified risk on racial discrimination</p> <p>Specified risk on racial discrimination</p> <p>Specified risk on racial discrimination, land rights and culture</p>
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	<p>concerned about the vulnerable situation of the Eastern Sami culture, due in particular to the restrictive regulation of reindeer herding, fishing and hunting, which constitute an important part of the culture, and about the insufficiency of measures to preserve the culture. (art. 5).</p> <p>28. Recalling its general recommendation No. 23 (1997) on the rights of indigenous peoples, the Committee recommends that the State party reinforce its measures to effectively ensure the promotion and preservation of the Sami languages, in particular those under threat, by ensuring that mother-tongue teaching requirements are fulfilled and by securing teaching materials and financial and staffing resources for schools, and that it guarantee the effective implementation of the Action Plan for Sami Languages. The Committee also recommends that the State party increase its efforts to effectively apply the Finnmark Act and preserve the land rights and culture of Eastern Sami, including by finding an appropriate solution to secure the reindeer herding, fishing and hunting that is important to their culture.</p> <p>29. The Committee is concerned that, while the Finnmark Act recognizes that Sami have acquired collective and individual rights in Finnmark through long-term usage of land and resources, there remain significant gaps in translating the legal recognition into practice, thus resulting, in reality, in limited recognition and protection of Sami rights over their lands. The Committee is also concerned that:</p> <p>(a) Little progress has been made in establishing legal frameworks or specialized mechanisms to identify Sami land and resource rights outside Finnmark, despite the proposals contained in the Sami Rights Committee report regarding the clarification of those rights;</p> <p>(b) Legislation, in particular the Finnmark Act, the Mineral Act and the Reindeer Husbandry Act, does not provide sufficient safeguards regarding the obligation to consult with Sami, in particular the right to free, prior and informed consent, on all projects and concessions granted to companies for extractive activities, among others, and on other development projects that have an impact on reindeer herding and other Sami livelihoods;</p> <p>(c) The funds used to provide legal aid to those seeking recourse before the Uncultivated Land Tribunal for Finnmark come out of the budget of the Tribunal, thus limiting the work of the Tribunal;</p> <p>(d) The 2012 amendments to legislation relating to fisheries, namely, the Marine Resources Act, the Participation Act and the Finnmark Act, did not include a recognition that Sami have established rights to fisheries and other renewable marine resources in the Sami coastal area, and that the legal frameworks may therefore require future reform.</p> <p>30. The Committee recommends that the State party:</p> <p>(a) Take concrete steps to give full effect in practice of the legal recognition</p>	<p>Sapmi</p> <p>Sapmi</p> <p>Sapmi outside Finnmark</p> <p>Sapmi</p>	<p>Specified risk on racial discrimination, land rights and culture</p> <p>Specified risk for rights to land and resources</p> <p>Specified risk for rights to land and resources</p> <p>Specified risk for rights to resources</p>
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	<p>of the Sami rights to their lands and resources as provided for in the Finnmark Act to enable Sami to maintain and sustain their livelihoods;</p> <p>(b) Follow up on the proposals of the Sami Rights Committee, including by establishing an appropriate mechanism and legal framework, and identify and recognize Sami land and resource rights outside Finnmark;</p> <p>(c) Put in place consultation procedures for the establishment of necessary economic parameters for the Sami Parliament, and ensure that the Sami Parliament is consulted on financial initiatives and budgetary measures that may have a direct impact on the Sami community;</p> <p>(d) Guarantee that all administrative and legislative mechanisms under the Finnmark Act, the Mineral Act and the Reindeer Husbandry Act, among others, that allow for extractive activities in Sami lands be reviewed in order to guarantee adequate consultation with the affected Sami communities, in particular with respect to the right to free, prior and informed consent, mitigation measures, compensation and benefit sharing;</p> <p>(e) Follow up on the allocations for the survey and recognition work of the Finnmark Commission and the Uncultivated Land Tribunal for Finnmark and ensure that the Commission and Tribunal have adequate financial resources at their disposal, including for providing legal aid to those seeking recourse before the Tribunal;</p> <p>(f) Review the fisheries legislation and ensure that it fully recognizes the Sami fishing rights based on immemorial usage and local customs.”</p>		
<p>International Convention on the Elimination of All Forms of Racial Discrimination CERD/C/NOR/CO/21-22/Add.1</p> <p>CERD/C/NOR/CO/21-22/ADD.1 - Treaty bodies Download - ohchr</p>	<p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2FCO%2FNOR%2FCO%2F21-22%2FADD.1&Lang=en</p> <p>Committee on the Elimination of Racial Discrimination <i>Concluding observations on the combined twenty-first and twenty-second reports of Norway</i> <i>Addendum</i> <i>Information received from Norway on follow-up to the concluding observations</i> 17 October 2016</p> <p>Situation of the Sami</p> <p>Follow-up to recommendation in paragraph 30 (a)</p> <p>6. The work to identify and recognise ownership and usage rights in Finnmark is underway. In pursuance of the Finnmark Act a commission and a special court have been appointed to examine these matters, the Finnmark Commission and the Uncultivated Land Tribunal for Finnmark respectively. The Finnmark Commission examines ownership and usage rights for land that</p>	<p>Finnmark</p>	<p>Low risk</p>

	<p>forms part of the Finnmark Estate. The Commission has examined six areas and has commenced work on two other areas. The Uncultivated Land Tribunal took up work in September 2014 and hears disputes relating to rights which the Commission has examined in its reports.</p> <p>Follow-up to recommendation in paragraph 30 (b)</p> <p>7. As noted in Norway's report, the Government is currently following up the proposal submitted by the Sami Rights Commission to establish by law the obligation for the authorities to consult with the Sami in matters that could affect them directly. The Commission's proposal regarding identification and recognition of existing land rights in traditional Sami areas outside of Finnmark is being considered by the relevant ministries.</p> <p>8. Furthermore, the Government notes the Sámi Rights Commission's view that the rights of the Sámi to land and natural resources in areas they traditionally occupy, must be assessed on the basis of current Norwegian property law relating to the acquisition of ownership and usage rights to fixed property. This includes acquisition through use since time immemorial, common usage and custom. However, these general principles of property law, must be adapted to characteristics of Sámi culture and land use. This is reflected in two decisions by the Supreme Court from 2001.</p> <p>Follow-up to recommendation in paragraph 30 (c)</p> <p>9. Every year the Norwegian Parliament appropriates just under 500 million NOK as block grants, from 7 different budget line items, to the Sami Parliament. The objective is to support the Sami in preserving and developing their culture, language and community life. These grants are in addition to appropriations from the central government and municipal allocations for services benefiting everyone in the population, regardless of ethnic, linguistic or cultural affiliation.</p> <p>10. Norway has established consultation procedures between the Government and the Sami Parliament in matters that could directly affect Sami interests. These procedures have been drawn up in line with Norway's obligation under Article 6 of ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. For further details on the consultation procedures, please refer to our previous reports.</p> <p>11. Budgetary processes raise a number of specific questions and issues, and are not covered by the aforementioned consultation procedures.</p>	<p>Country</p> <p>Sapmi</p> <p>Sapmi</p>	<p>Specified risk for rights to land and resources</p> <p>Specified risk for rights to land and resources</p> <p>Low risk</p>
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	<p>12. Prior to the Government's first annual budget conference, a meeting is held every year between the president of the Sami Parliament, the Minister of Finance and the Minister for Local Government and Modernisation. The Sami Parliament explains the budgetary needs of the Sami society in the meeting.</p> <p>13. The Ministry of Local Government and Modernisation is working on an evaluation of the advantages and disadvantages of aggregating the appropriations to the Sami Parliament into one, overall budget item, and considering related issues regarding dialogue and procedures. The work is done in consultation with the Sami Parliament. We will also mention that the Government of Norway is of the opinion that the current arrangements for the preparation of the government's annual budget proposal is in line with Norway's obligations under the ICERD.</p> <p>https://www.sametinget.se/13407 (Conference with the UN Special Rapporteur Professor James Anaya in Rovaniemi 2010-04-14):</p> <p>The agreement on consultation procedures does not cover budget-setting. The government and the Sami Parliament agree that a duty to consult also applies in relation to budget-setting, and that procedures for the setting of Sami Parliament budgets must be clarified through a separate process. An inter-ministerial working group was established in 2006. Its members were drawn from the ministries and the Sami Parliament, and it was to consider the formal position of the 4 Sami Parliament and prepare a proposal regarding budget procedures. The working group submitted its unanimous proposal in March 2007, after evaluating various models. In 2008, the government put forward a proposal that was not based on the working group's unanimous proposal. Instead, the government chose to base its proposal on the current situation, in which an input meeting is held with state secretaries from various ministries. The Sami Parliament has rejected this solution. Even though the process has stopped for a period, the Sami Parliament believes that further consultation on the matter will enable a solution to be found that satisfies indisputable international-law provisions. The 2006 working group also made a joint proposal regarding revision of the Sami Act in order to clarify that the Sami Parliament is a self-contained body that is independent of the Norwegian authorities, on the basis that this is already the factual and legal position of the Sami Parliament. The Norwegian authorities have signalled that they wish to consult further with the Sami Parliament on this matter.</p> <p>General points on consultation and Sámi interests</p> <p>14. The Government is following up the Sámi Rights Committee's proposal to establish in law the right to consultation in matters that could directly affect</p>	<p>Sapmi</p> <p>Sapmi</p> <p>Sapmi</p>	<p>The process concerning the consultation procedures is still not finalized, a risk designation cannot be made at the moment. The source just provides informative background</p> <p>Specified risk for rights to</p>
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	<p>Sámi interests. The Committee has proposed adoption of a separate act on administrative procedure and consultations; the Government is consulting with the Sámi Parliament on how to follow up these proposals. The Committee has also proposed amendments to several other acts, including the former Mining Act (currently the Mineral Act) and the Reindeer Herding Act. These proposals are now being reviewed by the relevant ministries.</p> <p>15. When drafting the Mineral Act, the authorities and the Sami Parliament held consultations with a view to reaching an agreement, though agreement was not reached regarding the totality of the proposal. The Mineral Act includes general provisions intended to safeguard Sami culture and interests. In addition, a number of particular rules on administrative procedure have been laid down in order to safeguard Sami interests in matters relating to exploration and extraction of minerals in Finnmark. On the Finnmark Estate there is also a higher landowner fee for mineral extraction. The Finnmark Estate is a landowner and land management body where the Sami Parliament appoints half of the board.</p> <p>16. The Sami Rights Committee has proposed special rules to safeguard Sami interests also outside of Finnmark. The Government will consider these proposals in its further work in the follow-up of the Sami Rights Committee.</p> <p>On Reindeer Herding</p> <p>17. The Government is preparing a White Paper to the Norwegian Parliament on reindeer husbandry with submission to the Norwegian Parliament planned in the spring 2017. The report will among other things highlight some of the legal and administrative mechanisms that follow from existing regulations and any related problems. The consultation process in connection with the planned White Paper has begun and will continue through the autumn of 2016.</p> <p>Follow-up to recommendation in paragraph 30 (e)</p> <p>18. The Government has proposed to the Norwegian Parliament a legislative amendment concerning the state's obligation to cover the parties' legal costs in cases brought before the Uncultivated Land Tribunal for Finnmark. This is to be combined with an amendment to the regulations which will entail that the Government's coverage of the parties' legal costs will no longer be met over the Uncultivated Land Tribunal's own budget. The Sami Parliament has, following consultations on the matter, given its consent on the proposed amendments.</p> <p>Follow-up to recommendation in paragraph 30 (f)</p>	<p>Sapmi</p> <p>Sapmi</p> <p>Finmark</p>	<p>land and resources</p> <p>Specified risk for rights to land and resources</p> <p>Specified risk for rights to land and resources</p> <p>Low risk</p>
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Intercontinental Cry http://intercontinentalcry.org/	<p>No information on Norway in this website.</p> <p>http://www.scribd.com/doc/216154458/Indigenous-Struggles-2013 No information on Norway in this report.</p> <p>http://intercontinentalcry.org/wp-content/uploads/2013/01/Indigenous-Struggles-2012.pdf No information on Norway in this report.</p>	Country Country Country	Low risk Low risk Low risk
The Guardian	<p>https://www.theguardian.com/global-development/2016/feb/21/Sami-people-reindeer-herders-arctic-culture</p> <p><i>Sami reindeer herders battle conservationists and miners to cling on to Arctic culture (21/2 2016).</i></p> <p>When Europe's indigenous Arctic people want to find their reindeer in a snowstorm and temperatures of -30C, they turn to their £10,000 snowmobiles and an app that is also used by British sheep farmers. In seconds, the satellite tracking device linked to their phone tells them if the animals are on a frozen lake, up a mountain or, in the worst case, have fallen prey to wolves or lynx.</p> <p>So far, so simple, thanks to new technology. But when the Sami people of northern Norway want to complain about traditional grazing land being taken by the government, or the mining industry dumping waste in their pristine fjords, communication, they say, is not so easy.</p> <p>"Our way of life and culture is threatened by the rush for Arctic development, and by conservationists wanting to protect reindeer predators, like eagles and lynx," says Daniel Oskal, a young reindeer herder who works in the mountains close to Tromsø.</p> <p>His colleague, Aslak Eira, adds: "The problem is land grabbing. Government expropriates land for roads and tunnels, windfarms and mines. Our land is being eroded by development. Almost half of our winter lands have gone. I fear that in future there will be nowhere left for the reindeer."</p>	Sapmi	Specified risk

	<p>The two Sami herders have lit a small fire in a shelter above a frozen lake. Together with a relation, Johan Oskal, they own 2,000 semi-domesticated reindeer, which are grazing among the bare trees in the snowy mountains near Tromsø. Last month temperatures were below -30C for three weeks – cold enough to freeze reindeer urine as soon as it hits the ground – but the sun has started to come over the mountains again after months of darkness and last week it was a balmy -10C.</p> <p>The three families have traditional grazing rights on 2,800 sq km of what most people would call wilderness, but which they see as prime winter pasture for reindeer. In summer they trek 200 miles to the coast, where the reindeer can gorge themselves on sweet grasses, putting back on the weight they lost over winter.</p> <p>The Oskal family have spent years resisting plans by the Norwegian army to expand the Mauken-Blafjell military area for anti-terrorism training. They lost one case, with the result that there are now roads and huts dotted across their pastures. Daniel Oskal's reindeer are now the only ones in the world accustomed to machine-gun fire.</p> <p>Well-meaning conservationists are as unpopular with the Sami as the army, says Eira. "They give us problems. The eagles, lynx and wolverines eat our animals, but the conservationists think only about protecting the predators. One lynx can kill 100 reindeer in a year. We lose one in 10 of our animals sometimes, but you don't hear anything about the pain of the reindeer. Many times I have found a reindeer killed in an ugly way. Once I found a lynx eating a reindeer as it was giving birth."</p> <p>Given their immediate problems, climate change is not at the forefront of Sami concerns, according to Nicholas Tyler, a British ecologist at UiT, the Arctic University of Norway, who studies reindeer populations in mainland Norway and the Svalbard archipelago.</p> <p>"Encroachment and bureaucracy are more serious," he says. "The Sami are like pastoralists all over the world. Their future is definitely under threat. Many marginal encroachments together make up a disaster. The reduced freedom of action resulting from loss of habitat, predation and legal constraints potentially dwarfs the effects of projected climate change on reindeer pastoralism."</p> <p>Tyler says Norwegian law works against the Sami herders. "There is an urban, European way of thinking about their activity. Pastoralism is aimed at using barren land, but the law is not set up for the movement of animals in the</p>		
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natural environment and Norwegian laws can criminalise herder activity. The authorities want to manage reindeer as if they were sheep.”

The Sami’s rights to traditional lands, natural resources and cultural heritage are, theoretically, protected under Norwegian law, but the people actually have little control over their own future, says Aili Keskitalo, president of the Sami parliament, based in the eastern town of Karasjok.

She fears that Norway’s dominant business and political elites are subverting Sami culture and that the 60,000 to 100,000 remaining Sami are being steadily “Norwegianised”. These days, only 10% of Sami people – who stretch across Norway, Sweden, Finland and Russia – are herders. In general they are as likely to be bank managers as farmers.

The latest assault on the Sami way of life comes, says Keskitalo, from companies which have been allowed to dig massive open-cast mines on Sami land, and then dump toxic mineral waste in fjords with the best salmon fishing.

“Waste dumping is horrific,” she says. “Norway is one of very few countries doing this. It affects reindeer and fishing. I don’t understand why they do it. These are some of the most important places in the Arctic for salmon, and they want to destroy them.

“We, the Sami, face similar challenges to all indigenous peoples – climate change, industrial development and mining. The government is inviting the world’s industries to our territory. They are even moving towns in Sami lands to make way for more industry.

“Colonisation and pillaging of resources, followed by suppression of indigenous peoples, has been taking place all over the world. Here too. No one can take advantage of all the economic possibilities in the Arctic. This would destroy all that we cherish – nature, climate, communities.”

Ironically, Keskitalo adds, it is Norway’s response to climate change that may threaten the Sami more than the phenomenon itself. “The government is planning a huge wind park in the heart of our reindeer territory. It is too much. We endure holiday communities, power lines, road construction and mines, and now we face wind energy as well.

	<p>“We are the most blessed indigenous people in the world. We are lucky to have been born into a world with democracy and prosperity. We have good living standards, but we are struggling to keep our culture. We are told we must adjust to changing times, but we say the government and business should change what they do.”</p> <p>Out in the mountains, Daniel Oskal takes consolation from an unusually cold winter. “This winter is very good for the reindeer,” he says. “There’s lots of food for them under the snow. But its also good for the predators, so I have to herd my reindeer almost 24 hours a day. As an animal owner, that is my duty. That’s just how it is. I hear a lot of people saying this is a strange winter. I actually think this is the first normal winter since 2000. This is how winter time should be, how we know it from the 1960s, 70s, 80s and 90s. But people seem to forget that.”</p> <p>It’s likely to be family, rather than predators or climate change, that brings Daniel in from the cold. “I love being up in the hills herding my reindeer. But now that I have my girlfriend and my daughter, it’s harder to stay away.”</p>		
<p>Forest Peoples Programme: www.forestpeoples.org FPP’s focus is on Africa, Asia/Pacific and South and Central America.</p>	<p>No reference found to Sami or Norway.</p>	<p>Country</p>	<p>Low risk</p>
<p>Society for Threatened Peoples: http://www.gfbv.de/index.php?change_lang=english</p>	<p>http://www.gfbv.it/3dossier/eu-min/Sami-en.html Bozen, Berlin, 22. October 2006. Last Update: 11.5.2011 <i>Norway and Sweden struggle about Sami rights. Merely a conflict on reindeer pasture or deliberate discrimination of the indigenous people?</i></p> <p>“Reindeer breeding, and everything connected to it, continues to be a strong source of cultural identification for Swedish Sami. Until today Sami reindeer herders drive their herds to the summer pastures in the mountains and tundras, and return to the forests of the low mountain range and lowlands in winter. In doing so, they inevitably cross the Swedish-Norwegian border but this matters neither to the reindeers nor their herdsman. The right of Swedish Sami to migrate to the summer pastures in Norway (and the Norwegian Samis' right to migrate to the winter pastures in Sweden) is regulated in the Lappkodicillen since 1751 - a treaty between both kingdoms that is still valid today. Accordingly, the marking of calves in Norway in the summer, slaughtering in autumn, and the division of herds in winter are oldestablished occasions for gathering in the course of a reindeer breeders' year - social cornerstones that enjoy a long and rich tradition.</p>	<p>Areas of Altevattn, Bardu, and Dividal/Anjav Areas of Altevattn, Bardu, and Dividal/Anjav ass in Troms Fylke</p>	<p>Specified risk for IP rights</p>

Encroachments by the Norwegian state - "Norwegianisation" and "welfare politics"

Yet Norway is undermining the existing contracts. In July 2006, when Swedish Sami of the Sarivouma Sameby cooperative arrived at lake Altevatn in Norway for calf marking and gathering of their herds, they searched in vain for their reindeer enclosures: Norwegian police had taken away the fences by helicopter on behalf of the Authority of Reindeer Pastures. For the Sami this is more than just a conflict about reindeer pastures. Says reindeer breeder Nils Torbjörn Nutti:

"I am a Sami from Sarivouma Sameby. We are breeding reindeers in the areas of Altevatn, Bardu, and Dividal/Anjavass in Troms Fylke in Norway. We use these lands as summer pastures. The conflict is about those areas in which Norwegian and Swedish Sami are breeding reindeers across the borders. In winter our homes and herds are located in the Soppero area in Sweden. But Sami families from Sarivouma and other cooperatives ("samebyar") in Sweden have ever been settling on the Norwegian side of the border also, and down to the Atlantic coast, using the land as reindeer pastures, for hunting and fishing". The Norwegian state has now confiscated this land, driving us ever further to the east and closer to the Swedish border. This was done methodically, by means of political resolutions and the Norwegianisation of these areas. Despite our protests, we were robbed of our land by conventions in which we had no say and which deprived us of our rights. With its passive stance and by neglecting to represent the rights of the Sami in the dispute over our pastures between Norway and Sweden, the Swedish state has clearly contributed to our expulsion. The acquired lands were repopulated with Norwegians from the south. Other sectors of the economy were promoted, and during the last 30 to 40 years Norwegian Sami from other pasture regions (Finnmarken) were resettled to these areas. The intention of such measures is quite clear: The land is to be developed and industrialized, to be "blessed" with modern civilization, so that Norwegian regional welfare politics can be practised there as well.

"These encroachments must stop now!"

Reindeer breeder Nils Torbjoern Nutti with his wife Carina: 'Reindeer breeding is part of our identity as Sami'. The conflict further escalated during the last years due to chicaneries, provocations, and continued encroachments on the part of the Norwegian state. The tearing down of reindeer enclosures, new political resolutions in violation of the Lappcodisillen, illegal seizure of fishing nets, the obstruction of our work, as well as high fines for the allegedly illegal use of pastures are just a few examples. All this is happening in the year 2006, in supposedly modern times, and in a constitutional state that claims to respects human rights. We Sami feel that enough is enough, and that these encroachments on our rights must stop. We ask both states to come to reason

	<p>and assume their responsibility, and especially call on Norway to acknowledge our right to the territory and to contribute to a solution of the conflict. Has the old treaty of 1751, the Lappcodisillen, that was once signed by both kings for the protection and safeguarding of Sami rights, been lost and forgotten? This treaty can neither be repealed one-sidedly nor with the consent of both states without trampling the rights of the Sami. We fought for a very long time in order to reclaim the land that was stolen from us. Our situation is difficult enough as it is. Should we lose further territory survival on the basis of reindeer breeding will no longer be possible. Part of our identity as Sami would be lost.” (..)</p> <p>http://www.kuriren.nu/nyheter/kiruna/samebymedlemmar-kan-tvingas-riva-sina-renvaktarstugor-8557448.aspx</p> <p>https://www.thelocal.se/20070621/7676</p> <p>http://reindeerherding.org/blog/reindeer-blog/Sami-reindeer-herders-protest-in-stockholm/</p>		
<p>Speech from Carsten Smith concerning the Norwegian Sea Sami's</p>	<p>Carsten Smith the former Dean of the Faculty of Law, University of Oslo (1977–1979) and Chief Justice of the Supreme Court of Norway (1991–2002). Stated at a seminar, May 25 2016, at the Sami Parliament in Norway:</p> <p>http://protectsapmi.com/assets/Artikler/Protect-Sapmi-Rapport-KONFERANSE-OM-SJOSAMENES-RETTIGHETSSITUASJON-25-5-16-rev111116.pdf</p> <p>“The right to fish is based on the customary right to use of the sea for centuries, but for the Saami's the right has a newer and clearer basis in the Constitution and international conventions. The Constitution paragraph for Sami rights, page 2014 § 108, expresses a basic principle of cultural protection. As ethnic minority Sami's, have the special rights arising from cultural protection in UN Human Rights Article 27 on Civil and Political Rights (CP convention), as an indigenous people, the Coastal sea Sami's fjords and coastal traditional fishing also have support, protected by ILO Convention Article.</p> <p>The Supreme Court has assumed that the Sami are the subject of these two conventions, and with Constitution they form a trio of legal protection for Sami culture.</p> <p>The Sea Sami is the part of the Sami people who were hardest hit by Norwegianization policy through a hundred years. The legal situation changed gradually, among other reforms when the CP convention in 1972 was ratified by Norway. Throughout the following period, there has been a change in the</p>	<p>Sapmi</p>	<p>Specified risk for Sea Sami rights</p>

	States general Sami policy. One can also find small elements of cultural revitalization. However, for the Sea Sami population there is , seen in an overall perspective, a continuous decline in population, decline in business related to traditional fisheries, and a decline in the use of the Sami language.”		
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	http://echr.coe.int/Pages/home.aspx?p=home European Court of Human Rights No information found that indicates specified risk in Norway	Country	Low risk
Article by Steinar Pedersen in Arctic Review on Law and Politics	http://site.uit.no/arcticreview/files/2013/04/The-Coastal-S%C3%A1mi-of-Norway-and-their-rights-to-traditional-marine-livelihood.pdf Arctic Review on Law and Politics, vol. 3, 1/2012 p. 51–80. ISSN 1891-6252 <i>The Coastal Sami of Norway and their rights to traditional marine livelihood.</i> Steinar Pedersen, Historian. PhD, Associate Professor, Sami University College, Kautokeino, Norway. “Abstract: The coastal Sami of Norway have, for thousands of years and long before the Norwegian state was established, relied on a wide range of marine and terrestrial resources. Due to increased public regulations over the past few decades, it has become difficult to continue their traditional livelihood, combining ,shery in local seawaters with husbandry or other local industries on land. Fish quotas have been made tradable, and so to a large extent transferred outside the local communities. This article presents a short historical background, and discusses two legal documents from the 18th century, which are relevant for coastal ,shery rights in northernmost Norway. The first is the Lapp Codicil of 1751, which may pertain to the coastal Sami today when its founding principle – the preservation of the “Lappish Nation” (Sami Nation) – is duly considered. The other document is the Land Acquisition Decree of 1775, which included a formalization of the sea-,shing rights of the inhabitants of Finnmark. fishing rights of the inhabitants of Finnmark.”	Sapmi	Specified risk for the Sea Sami population
Data provided by National Indigenous Peoples’, Traditional Peoples organizations;	http://arcticcircle.uconn.edu/HistoryCulture/Sami/Samisf.html <i>Territoriality and State-Sami Relations</i> Scott Forrest, University of Northern British Columbia		

The Sami, like other indigenous peoples living in the Arctic, are feeling the dual pressures of climate change and global interest in natural resource development in the regions that they have traditionally called home.

“Resources are now more accessible due to climate change,” Aili Keskitalo, the president of the Sami Parliament of Norway, said during the opening plenary of the Arctic Frontiers conference in Tromsø, Norway, last week. She cautioned that “historical blunders have been carried out in the name of economy and development” and that “such development would destroy what we cherish.”

Sapmi, the traditional homeland of the Sami, stretches deep into Norway, across the northern parts of Sweden and Finland, and to the Kola Peninsula in Russia, covering about 388,000 square kilometers (150,000 square miles). Conflicts between the Sami in Norway and the federal government have erupted over hydroelectric projects, wind turbine parks and, most recently, plans for a copper mine in northern Norway.

In her address, Keskitalo added that the Sami are not against development, but they expect to have a key role in shaping the future. Arctic Deeply sat down with Keskitalo to talk about Sami perspectives on climate change and development in Norway.

Arctic Deeply: How has climate change affected the Sami in Norway?

Aili Keskitalo: There are at least three ways that we’ve been affected by climate change. We are an indigenous people of the Arctic and many of our traditional livelihoods are nature based, like reindeer herding and fjord fishing. For example, reindeer herding is affected by climate change because the changes to vegetation and because of the instability in the climate, in the wintertime especially. If it rains in the middle of the winter and then freezes, the grazing plants will be locked under a layer of ice, and it will be more difficult for reindeer to get to the food.

For the fjord fisheries, when the seawater warms up, the fish that we traditionally have fished on near the coastline will migrate further north and away from the coastline. New species are coming in from the south, and we get an imbalance of the ecosystem. We don’t know what that will lead to. But these new species that we are not used to fishing and eating, like mackerel, shouldn’t be up in the north.

We also have the indirect impacts of climate change. The Arctic is opening up and that means that natural resources – oil, gas, minerals – are more accessible to the industry, and that impacts on us because they want to extract it in our territories.

	<p>When the Norwegian government would like to change the energy mix and move into renewable energy because it would be good for the climate, they are building big wind-parks in core reindeer-herding districts. The reindeer are disturbed by the construction, the power lines and roads. And when the windmills operate in the wintertime, they throw packs of ice and snow around, because it freezes on them, so it scares the reindeer away. That is the third impact, the impact of mitigation.</p> <p>Altogether, it is a heavy burden to carry.</p> <p>Arctic Deeply: Governments and industry are increasingly interested in developing natural resources in the north. Can you tell me more about your position?</p> <p>Aili Keskitalo: The Norwegian government sees that the end of the oil age is coming closer, so they want to change the Norwegian economy, and one of the ways they want to change it is to open it up for mineral extraction in the High North, which is in Sami territory, our homelands.</p> <p>Of course, this could be done in some places, but probably not everywhere they want to do it. For now, the Sami Parliament in Norway has not accepted the Mineral Act because it does not take our rights into consideration and there are not good benefit-sharing mechanisms in place.</p> <p>Arctic Deeply: What role does the Sami Parliament have in determining whether or not those projects go ahead. Can you say no? Is there a negotiation?</p> <p>Aili Keskitalo: We have two roles to take. One is through the Planning Act. Any construction has to be done according to the Planning and Building Act, and we have the right to voice our opinion on any plan, but we do not have the right to take a decision. The other is through the Mining Act, but it's only restricted to a small part of of the Sami territory, not over all the areas where the Sami have traditionally lived. We can't accept any new mining when the Mineral Act doesn't take our rights into consideration.</p> <p>Arctic Deeply: How would you like to see that Mineral Act change?</p> <p>Aili Keskitalo: There are three core problems. One is the territory: it should cover all of the Sami homelands. The second is that we should get to at least consult on the mining permissions; that we should be able to consent to new mines in the Sami lands. Third, a mechanism of benefit sharing should be in place for the local Sami communities that are affected. But we also have</p>	Sapmi	Specified risk
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	<p>issues with waste disposal and the clean up after the mines are closed. It's not good enough. When the mine fails, there is no one left. The company goes bankrupt and there is no one left to clean up.</p> <p>Arctic Deeply: What is the legal structure surrounding the lands traditionally used by the Sami?</p> <p>Aili Keskitalo: We have the Finnmark Act that says that the Sami people have been living in Finnmark, the northernmost county in Norway and have rights to the land. That is a Norwegian act of Parliament. The Sami Parliament and the Finnmark county council co-manage the county of Finnmark, and we are in the process of determining land-rights recognition there.</p> <p>But for all the Sami areas south of Finnmark – they cover approximately half of the Norwegian territory – we are still not getting there. The last government waited us out, and this government has been saying for almost two years that it is too difficult a matter, and they don't know what to do about it. But now they are starting a process. Hopefully, that will lead up to land recognition for the rest of the Sami territory and land rights. Hopefully, in the future, we will be able to co-manage more of our homelands.</p> <p>Arctic Deeply: How does the Sami Parliament interact with the national government on issues of policy?</p> <p>Aili Keskitalo: We are a part of the Norwegian democracy and we are established by a Norwegian law in the national parliament, a special Sami Act. We are funded through the national budget. We also have some authority when it comes to cultural heritage protection, including culture, language and school materials, and so on.</p> <p>We have certain areas of authority and we have the right to be consulted on issues that we define as being of concern to the Sami people. That is rooted in the International Labour Organization (ILO) Convention 169 for indigenous peoples and tribal peoples. Norway has ratified the ILO Convention, and that obligates them to consult with us, and they do. It's not perfect, but it is a good example on how to organize a minority or an indigenous people within a national state, and how to structure the interaction between an indigenous parliament and a national state.</p> <p>Arctic Deeply: You have called for new leadership on development on the Arctic. What would you like to see?</p> <p>Aili Keskitalo: I would like a balanced view of the Arctic in the future. At conferences like this [Arctic Frontiers] we often hear Norwegian politicians</p>	Sapmi	Specified risk
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	<p>inviting all of the world's industry to get their piece of the Arctic cake or the Sami cake and I find it really provoking. From the southern part of Norway, they invite others to come up to the north and say, "Look at this, nobody has touched this. Come and get it."</p> <p>That is not how it should be. They should ask us for our concerns, and we should be the ones to make invitations if we decide that we want that kind of development in our homelands, because we live here, and we have been here always, and we will be here in the future when the miners go bankrupt and go away. We will be here with their waste in the future.</p> <p>I would like to see less romanticizing of the mining industry or other extractive industries, and I would like our leaders to open their eyes and see the state of the climate, the state of the Arctic environment and of the Arctic community, and to acknowledge that we are vulnerable and that we already have something to give here.</p> <p>The Norwegian fisheries are a story of success, with good healthy products. I think that we could build other kinds of industries, more renewable resources like tourism. We have wonderful nature, really spectacular seasons and seasonal changes, and we have distinct cultures in the north. That could be another source of development that is more eco-friendly, more climate friendly and more human rights friendly than the plans today.</p> <p>Arctic Deeply: Do you find that having interaction with groups from around the circumpolar north at the Arctic Council helps you move forward on policy issues?</p> <p>Aili Keskitalo: Absolutely. We exchange information, we exchange best practices, good ideas, and we exchange the bad experiences as well. I find that in parts of North America, indigenous rights have been acknowledged, and you have some really interesting examples of both self-determination and self-governance. It is really good to see examples of how it should be done. They're not all perfect, those examples, but they are really experiences for us to learn from.</p>	Sapmi	Specified risk
Data provided by Governmental institutions in charge of Indigenous Peoples affairs	<p>https://www.regjeringen.no/en/topics/indigenous-peoples-and-minorities/id929/ <i>"Indigenous peoples and minorities</i> It is the Ministry of Local Government and Modernisation that is responsible for the Government's policy towards the Sami people and national minorities."</p> <p>https://www.regjeringen.no/en/topics/indigenous-peoples-and-minorities/Sami-people/id1403/ <i>The Sami people</i> No information that indicates specified risk found.</p>	Country	Low risk

	<p>https://www.regjeringen.no/en/topics/indigenous-peoples-and-minorities/Sami-people/midtspalte/PROCEDURES-FOR-CONSULTATIONS-BETWEEN-STA/id450743/ <i>Procedures for Consultations between State Authorities and The Sami Parliament [Norway]</i></p> <p>“As an indigenous people, the Sami have the right to be consulted in matters that may affect them directly. In order to ensure that work on matters that may directly affect the Sami is carried out in a satisfactory manner, the Government and the Sami Parliament agree that consultations between State authorities and the Sami Parliament shall be conducted in accordance to the annexed procedural guidelines.”</p> <p>No information that indicates specified risk found.</p>		
<p>Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing);</p>	<p>No additional data or cases found.</p>		
<p>NRLs KRAV TIL REINDRIFSAVTALEN 2017 – 2018 Sami Reindeer Herders' Association of Norway demands in the yearly governmental reindeer herding agreements</p>	<p>https://www.regjeringen.no/no/aktuelt/forhandlingene-om-reindrifstavtalen-20172018---krav-fra-norske-reindrifstamers-landsforbund/id2526934/</p> <p>Translated from Norwegian by the Norwegian NRA-WG:</p> <p>“NRL (Sami Reindeer Herders' Association of Norway) is yearly negotiating with government of the so called Reindeer herding agreements. In the last demands from NRL the issue of competing land interest was of a central importance:</p> <p>Area encroachment is today the biggest threat to a sustainable reindeer husbandry's. This applies not only to physical intervention, but also disturbances cause that the reindeer's natural use of areas is reduced. The Reindeer Husbandry area are gradually being curtailed because of competing land interests as mining, power development, infrastructure, building cabins, motorized traffic - steadily gaining at the expense of reindeer husbandry. N R L believes that governments have a clear legal responsibility and obligations under national and international law to ensure husbandry/pasture areas, and to ensure sufficient resources to the reindeer husbandry in order to follow up processes of conflict in this area. NRL emphasizes that the right to stable and predictable grazing areas is an absolute prerequisite for the reindeer industry to continue with its nomadic lifestyle in a sustainable manner. The present legislation is not fully protecting the reindeer herding rights – the rights also have to be considered in a perspective encompassing customary laws. It is also important that the obligations following from international law is followed. There is good evidence that the impact of development activities is affecting reindeer behavior and their use of pasture land up to several kilometers from</p>	<p>Sapmi</p>	<p>Specified risk for loss of grazing land</p>

	<p>the interference source. This reduces the reindeer choices in relation to pasture crops, forcing the animals to graze on less nutritive plants. This affects the reindeer's growth and fitness, and it may lead to overgrazing of the important lichen areas. This situation influence the reindeer herders economy by creating additional costs resulting from additional work.</p> <p>NRL believes it must be a critical assessment of the cumulative effects of developing activities in reindeer grazing areas and that measures must be taken to stop the negative development of reindeer herding. An important tool in connection with this work is digital land use maps</p> <p>NRL has on several occasions required to put in place government planning guidelines for land use planning. Most municipalities have neither the knowledge nor expertise on reindeer husbandry, which means that the reindeer herding interests are not taken into account in land-planning matters. NRL therefore believes that the work of government planning guidelines must be continued and be initiated promptly. According to Planning and Building Act § 6-2."</p>		
Tråante 2017	<p>http://www.xn--trante2017-25a.no/en/about-traante-2017/</p> <p>"Tråante 2017 is a celebration marking the 100 years that have passed since the first congress for the Sami people. That meeting was held in Trondheim between February 6th and 9th in 1917.</p> <p>Tråante 2017 is both a national celebration in Norway and a jubilee for Sami people from Sweden, Finland and Russia as well.</p> <p>During the celebration there will be a certain focus on democracy, justice and diversity.</p> <p>One of the side conferences during the Tråante week is a joint conference between the Sami Reindeer Herders' Association of Norway and the governmental Directorate of Agriculture. The conference is planned to reflect important issues of today for reindeer husbandry. Challenges with conflict of areas is one of two main topics on the conference. Forestry is not mentioned in particular but is a part in the cumulative burden for reindeer husbandry."</p>	Sapmi	Low risk
National land bureau tenure records, maps, titles and registration (Google)	Not found.		
Relevant census data	<p>www.ssb.no</p> <p>The website from the official bureau Statistics Norway shows population data: http://www.ssb.no/en/befolkning/statistikker/folkemengde/kvartal; https://www.ssb.no/statistikkbanken/selecttable/hovedtabellHjem.asp?KortNavnWeb=folkemengde&CMSSubjectArea=befolkning&PLanguage=1&checked=true</p>	Country	IP presence

	https://www.ssb.no/en/befolkning/statistikker/Samisk		
- 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)	See above for information on the Sami Parliament in Norway and on the legal system regarding consultations. No additional information found.	Country	Specified risk for IP rights
National/regional records of claims on lands, negotiations in progress or concluded etc.	No national/regional records were found with overviews or summaries of claims.		
Nordic Sami Convention	https://www.sametinget.se/111445 Translated from Swedish by the Norwegian NRA-WG: “Nordic Sami Convention is a joint Nordic proposal to the strengthen the Sami people's right to decide on their economic, social and cultural development and the self-exploitation of their natural resources. The Convention shall maintain and strength existing international legal standards for indigenous rights, and harmonize laws in the three countries. The proposal for a new Sami Convention is drafted by a Nordic expert committee on behalf of the governments and the Sami parliaments in Sweden, Norway and Finland. The draft Convention has provided a framework for the negotiations in the three Nordic countries. Each country has had a negotiating delegation with representatives from governments and the three Sami Parliaments. The basic principles of the Sami's right to self-determination should be seen as a minimum standard. Even the articles that deal with land and resource rights must be seen as mini standards both international law and national law. The Convention does not create new rights but to guarantee the rights of the Sami have already. The proposal is based on the conventions Sweden, Finland and Norway already committed to follow and be bound by. In February 2017, the text of the Convention will be submitted to the three Sami parliaments gathered in Trondheim.”	Sapmi	The process concerning the convention is still not finalized, a risk designation cannot be made at the moment. The source just provides informative background.
Cases of IP and TP conflicts (historic or ongoing). Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes)	Anders Blom, Protect Sapmi. Reindeer husbandry in Norway is conducted primarily in the Sami reindeer herding area, which is divided into six regional reindeer herding areas; East-Finmark, West-Finmark, Troms, Nordland, Nord-Trøndelag and Sør-Trøndelag/Hedmark. The Reindeer herding area comprises approximately 140,000 km ² or close to 50 % of Norway's surface area.	Sapmi	Specified risk for IP rights

Norwegian courts has stated that reindeer herding right is not exhaustive regulated by law ultimately it is based on traditional customary law (Alders tids bruk). That this is the case was concluded as early as 1968, in Brekken- and Altevann verdicts (Brekken- og Altevanndommene), and has been confirmed in a number of subsequent judgments of which the Selbu verdict (Selbudommen) is of special interest. The Selbu verdict held a number of important principles regarding the requirements in order for the reindeer herding to reprocess rights to land, as well as the responsibility for the burden of proof. Norwegian jurisprudence and legal usage shows that reindeer herding cause to property rights in the form of use rights to land, and that this right is protected in the same way as other user rights in Norway. That the reindeer herding right is a property right is now also reflected explicitly in § 4:1 in the Reindeer Herding Act (RDL, Reindriftsloven). As a property right, the reindeer herding rights is protected by Norway's Constitution and by Article 1 of the First Protocol to the European Convention on Human Rights.

The Reindeer Herding Act states that interference in reindeer husbandry rights requires expropriation (§ 4:3). In the case that reindeer herding rights is in competition with a proprietorship or to another use right holder, the competing right holder, according to § 63 RDL, has the right to use the land in the usual way, as long as the practice does not cause substantial damage to reindeer herding. This is also the case in the relation between forestry and reindeer husbandry.

Traditional Sami land use can give rise not only to use rights of, but also to property rights to the land. In the Black Forest's Verdict (Svaskogsdomen 2001) was adjudged a collective Sami ownership of a topographically clearly delineated mountain valley, the so-called Black Forest, in Manndalen in the county of northern Troms. In its judgment, the Supreme Court customized its assessment of some of the criteria that must be met to establish property rights to the land to the Sami culture. The Black Forest case was not about reindeer herding, but more stationary Sami land use. Notwithstanding this indicates the Norwegian Supreme Court judgment that, even reindeer herding can claim ownership of land, at least in the more central areas of reindeer herding. In Norway, the only local Sami communities by law recognized as legal entities are found in reindeer herding. After changes in the Reindeer Herding Act in 2007 the primary carrier of reindeer husbandry property rights to land is the "siidan" (family groups), although a reindeer herding district also represent reindeer husbandry rights in some cases.

Although explicit legislative regulation may be missing in Norway also local Sami communities outside the Reindeer herding can established property rights to land, which Black Forest verdict clearly exemplifies. § 5 of the Finnmark Act (Finnmarksloven, FML), regulating the right to land in Finnmark

	<p>County, also claims that the Sami peoples have collectively and individually through prolonged use of the land and water established rights to the land of Finnmark. (" Samene har kollektivt og individuelt gjennom langvarig bruk av land og vann opparbeidet rettigheter till grunn i Finnmark.»)</p> <p>The development of Sami rights over the past 30 years illustrates how political compromise and legal decisions further self-determination. On the one hand, courts (re)interpret evidence on important issues, like land rights, problematizing former understandings, policies, and approaches. For instance, the Selbu and Svartskog Supreme Court cases from 2001 both ruled in favour of the Sami when disagreements arose over land use (Eriksen 2002; Ravna 2011). Such outcomes put pressure on the political system, which typically strives for compatibility between law and political practice. Particularly in common law contexts, Supreme Court decisions have played an important role in changing government policies on land claims. On the other hand, political solutions can be the driving force, modifying legal and political institutional arrangements. This was the case when the Norwegian Parliament adopted the Finnmark Act in 2005, which gave Sami additional rights in Norway's northernmost county. Rights of land disposition were conferred to a new landowning body, the Finnmark Estate (Finnmarkseiendommen), which administers land and natural resources in Finnmark on behalf of all inhabitants of the county.</p>		
<p>Social Responsibility Contracts (<i>Cahier des Charges</i>) established according to FPIC (Free Prior Informed Consent) principles where available</p>	<p>According to information from the Norwegian experts of the NRA-WG there are several contracts concerning FPIC agreements in Norway, to the best of our knowledge none of them are within the forestry sector.</p>		
<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'</p>	<p>http://www.state.gov/j/drl/rls/hrrpt/2010/eur/154443.htm US Department of State 2010 Human Rights Report: Norway</p> <p>"Indigenous People The Sami are Norway's indigenous people; there are approximately 50,000 Sami living in the northern part of the country. In addition to participating freely in the national political process, the country's Sami elect their own parliament, the Samediggi. The law establishing the Sami parliament stipulates that this 39-seat consultative group meet regularly to deal with "all matters, which in [its] opinion are of special importance to the Sami people."</p> <p>http://www.iwgia.org/news/search-news?news_id=370 Norway could lose lead in the recognition and protection of indigenous peoples' rights – UN expert; November 1 2011.</p> <p>"The United Nations Special Rapporteur on the rights of indigenous peoples, James Anaya, warned Friday that a proposal to repeal key laws and policies</p>	<p>Sapmi</p> <p>Sapmi</p>	<p>Low risk (IP presence)</p> <p>Specified risk</p>

	<p>related to Sami people in Norway could “constitute an enormous setback for the recognition and protection of human rights in the country.” The Sami are an indigenous people living in the northern parts of Norway, Sweden, Finland and Russia.</p> <p>“Norway could cease to be the world leader it has become in the recognition and protection of the rights of indigenous peoples if the Norwegian National Parliament approves the proposal of one of the largest political parties in the country, the Progress Party (Fremskrittspartiet),” Mr. Anaya said. The proposal tabled by members of the Progress Party recommends that the National Parliament denounce the International Labour Organisation Convention on indigenous and tribal peoples in independent countries, abolish the Sami Parliament, repeal the key Finnmark Act, and do away with the administrative area for the Sami language.</p> <p>“If approved, the proposal will reverse the many advances Norway has made towards recognizing and securing the rights of the Sami people in accordance to international standards, despite significant challenges,” the human rights expert said. “I am further concerned that the ensuing debate on the proposal could perpetuate negative views of the Sami people and encourage discrimination against them.”</p> <p>“I am pleased that the Government of Norway has taken a firm position against the proposal,” Mr. Anaya stressed. “I appeal to the members of the Standing Committee on Local Government and Public Administration, members of the Norwegian National Parliament, and to the Norwegian people as a whole, to likewise strongly reject the proposal of the Progress Party, as well as any future proposals that may undermine the human rights and fundamental freedoms of Sami people in Norway.”</p> <p>Last year, the UN Special Rapporteur met with indigenous and State representatives to discuss key issues affecting Sami people across the Sapmi region, including their right to self-determination; rights to land, water, and natural resources; and issues involving children and youth, specially education and language.</p> <p>In January 2011, the rights expert issued his report* on the situation of Sami people living in the Sapmi region of Norway, Sweden, and Finland. In it, he pays particular attention to Sami self-determination at the national level, especially as exercised through the Sami parliaments; the rights of Sami to their lands, territories and resources; and efforts to revitalize Sami languages and provide Sami children and youth with culturally appropriate education. In his report, Mr. Anaya emphasized that he is pleased that, overall, Norway, Sweden, and Finland each pay a high level of attention to indigenous issues,</p>	Sapmi	Low Risk
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	<p>relative to other countries. However, he noted, more remains to be done to ensure that the Sami people can pursue their self-determination and develop their common goals as a people living across more than one State. Source: www. ohchr.org, 28 October 2011”.</p> <p>http://www.newsinenglish.no/2010/04/23/prospects-bright-for-arctic-mining/ News in English <i>Prospects bright for Arctic mining.</i> 23 April 2010.</p> <p>“State officials are seeing gold in the Arctic wilderness. New mining ventures could employ more people in northern Norway’s Finnmark County than the area’s budding oil and gas industry, but lots of conflicting interests are at stake. Newspaper <i>Aftenposten</i> recently reported that rising metal prices may lead to the re-opening of old mines. Mining could contribute more to Finnmark’s economy in the long term, claim some industry observers, than the petroleum industry.”</p> <p>“The Finnmark plateau is our pasture,” said reindeer herder Alf Johansen during a recent conference with Labour Party deputy leader, Helga Pedersen. He thinks that reindeer grazing areas should have as much legal protection as a crop farmer’s fields.”</p>	Finnmark	Specified risk for IP rights and conflicts
Additional general sources for 2.3	Additional specific sources	scale of risk assessment	risk indication
<p>http://www.eng.samer.se/servlet/GetDoc?meta_id=1001 This is the website from the Sami Information Centre which is under the control of the Sami Parliament in Sweden.</p>	<p>“One people in four countries Since time immemorial the Sami have lived in an area that now extends across four countries. It comprises the Kola Peninsula in Russia, northernmost Finland, the coastal and inland region of northern Norway and parts of Sweden from Idre northwards. This region is called Sapmi (Samiland). The original Sami area of settlement was even larger, but they have gradually been forced back. (see map at (not available 13.06.2018)): http://www.eng.samer.se/servlet/GetDoc?meta_id=1032 This map shows the area now known as Sapmi. The area has varied over the centuries. It was probably larger before colonisation. Sapmi makes up 35 percent of Sweden’s land area. In total, Sapmi measures 157,487 square kilometres.”</p> <p>“How many? No census of the number of Sami living in Sapmi has been carried out for a very long time, and the figures that are generally given are therefore approximate. There are a total of around 70,000 Sami in the four countries, with 2,000 in Russia, 6,000 in Finland, 40,000 in Norway and 20,000 in Sweden.”</p>	Sapmi	IP presence

	<p>“Indigenous population The Sami are one of the world's indigenous peoples. The common denominator for such people is that they have always lived in the same place, before the country was invaded or colonised. They have their own culture, language and customs that differ from those of the rest of society.”</p> <p>“Language The Sami have their own language, or in actual fact three: Eastern Sami, Central Sami and Southern Sami. These are also known as the main dialects.”</p> <p>“History Two thousand years ago, the Roman Tacitus wrote for the first time about a people in the north that he called the Fenni. However, the history of the Sami goes back much further than this, and archaeological finds mean that their history is constantly being rewritten. The Sami's history also tells of the colonisation by the state authorities, taxation and forced conversion of the Sami to Christianity.”</p>		
<p>The Sami Parliament, Sweden http://www.sametinget.se/english</p>	<p>“According to international law, the Sami are an indigenous people. The Sami people have their own culture, own language, own livelihoods and above all, a clear connection to their traditional land and water areas.</p> <p>The Right to Land and Water The Sami right to land and water is a heated and much-debated question. That this question has not been granted a satisfying solution results in regular international criticism from, among others, UN, OECD and the Council of Europe. It is also the reason for Sweden not yet having ratified the ILO (International Labour Organization) Convention 169 concerning the rights of indigenous peoples. The questions are about, among other things, the land areas referred to, which rights follow and who the rights shall include.”</p>	<p>Sapmi</p> <p>Sapmi</p>	<p>Low risk</p> <p>Specified risk for IP rights to land and water</p>
<p>From national CW RA: Draft prepared by NEPCon, for guidance only. Last update 10th April 2013</p>	<p>2.4 There are recognized and equitable processes in place to resolve conflicts of substantial magnitude pertaining to traditional rights including use rights, cultural interests or traditional cultural identity in the district concerned: Low risk.</p> <p>Justification: The legal system in the country is generally considered fair and efficient in resolving conflicts pertaining to traditional rights including use rights, cultural interests or traditional cultural identity. Based on review of international sources and reports it can be concluded that conflicts or violation of traditional rights of substantial magnitude is not a significant problem in the country. Source: -</p>	<p>Country</p>	<p>Low risk</p>

	<p>2.5 There is no evidence of violation of the ILO Convention 169 on Indigenous and Tribal Peoples taking place in the forest areas in the district concerned: Low risk Justification: Violation of ILO Convention 169 and the rights of Indigenous and Tribal people is not known to be a problem in the country based on international sources and reports. Convention is ratified by this country. Source: -</p> <p>2.6 The rights of herders to harvest forests for firewood, buildings and facilities are well known to both herders and forest owners, and there are limited numbers of conflicts between these groups concerning this issue. Most of the reindeer herding takes place on state-owned land and the Sami-people are allowed to use the forests for fodder and herding. However, this right is not limited to state-owned land; it is equally practiced on private land within the reindeer herding area.</p> <p>The lack of specific regulations concerning the relation between forestry and reindeer husbandry implies a certain risk. However, the risk is diversified and is not equally represented in the total reindeer herding area. In the county of Finnmark the Finnmark Act creates a more solid ground for a sustainable land management of the grazing land. A situation where Sami interests/land rights are better protected than elsewhere.</p> <p>Risk conclusion This indicator has been evaluated as low risk within the Finnmark County and specified risk in the remaining part of the traditional reindeer herding area.</p> <p>Identified laws are upheld to some extent. The implementation of international conventions and declarations is not obvious in national legislation and the national legislation to certain extent lack specific regulations concerning the relation between indigenous rights and forestry. This entails a significant risk. Cases where law/regulations are violated are not always followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>		
<p>Conclusion on Indicator 2.3:</p> <ul style="list-style-type: none"> - The Sami people traditionally inhabit a territory known as Sapmi, which spans the northern parts of Norway, Sweden and Finland, and the Russian Kola Peninsula. Although the Sami are divided by the formal boundaries of these four States, they continue to exist as one people, united by cultural and linguistic bonds and a common identity. The Sami have the oldest languages and cultures of these countries, long pre-dating the present-day States, and today there are nine language groups divided across the national borders of the Nordic and Russian States. - The Sami in Norway are an indigenous people with customary rights, according to themselves, according to Norwegian and international law. The Sami live in the Northern part of Norway. There is no reliable information as to how many Sami people there are. In Norway, there are around 50-65,000. This is between 1.06 and 1.38 % of the Norwegian total population of approx. 4.7 million. The interior of Finnmark County in Norway is the only region in Norway where the Sami people constitute a numerical majority. 		<p>Sapmi</p> <p>Norway outside Sapmi, and Finnmark county</p>	<p>Specified risk for sea sami rights, FPIC implementation (Sapmi except for Finnmark County)</p> <p>Low risk for Norway</p>

<ul style="list-style-type: none"> - Norway was the first State to ratify International Labour Organization Convention No. 169. - The Sami people have traditionally relied on hunting, fishing, gathering and trapping and have a deep knowledge of the far north region that has been handed down for many generations. Reindeer herding, in particular, is of central importance to the Sami people. Many Sami communities historically practiced a semi-nomadic lifestyle, moving reindeer between the mountain areas and coastal areas according to the season. Other groups practiced reindeer herding in forested areas, although that applies mainly to certain parts of the Västerbotten and Norrbotten counties in Sweden and in northern and central Finland. Some Sami communities, referred to as the “Sea Sami” or “Coastal Sami”, settled in the coastal areas, especially within Norway.” - There is a Sami Parliament in Sweden, one in Finland and one in Norway: The Norway Sami Parliament, or Sámediggi, According the UN Special Rapporteur (2011) “The Sami parliaments are the principal vehicles for Sami self-determination in Norway, Sweden and Finland, and they represent an important model for indigenous self-governance and participation in decision-making that could inspire the development of similar institutions elsewhere in the world. Despite this, there is an ongoing need to increase the Sami parliaments’ autonomy and self-governance authority, as well as to strengthen their ability to participate in and genuinely influence decision-making in matters that affect Sami people within the Nordic countries.” There is criticism on the fact that the Sami parliaments are 100 % dependent on state funding. When it comes to land and resource management, the Sami parliaments have no role apart from being able to raise whatever issues they want. The Sami Parliament in Norway does appoint half of the board of the Finnmark Estate, and draws up applicable guidelines on changes in land use in Finnmark. These guidelines for land-use changes (utmark) outline the central Sami interests that are to be considered by the Finnmark Estate and public authorities when taking decisions that change, or notably affect, the traditional use of lands. The Sami Parliament in Norway has the most staff and the biggest budget, and perhaps the biggest influence, of the three Sami Parliaments. - Norway, Sweden and Finland are among the wealthiest and most developed countries in the world and the Sami people in all three countries do not have to deal with many of the socio-economic concerns that commonly face indigenous peoples throughout the world, such as serious health concerns, extreme poverty or hunger. - Although the legal systems and protection of IP rights is comparable in all three Nordic states there is evidence that it is better in Norway than in Sweden and in Finland. In Norway it is the legal responsibility of the authorities of the State to create conditions enabling the Sami people to preserve and develop its language, culture and way of life. In 2005, the Sámediggi and the Government entered into an agreement concerning consultation procedures which, according to the agreement, “apply in matters that may directly affect Sami interests” and require that State authorities “provide full information concerning relevant matters that may directly affect the Sami, and concerning relevant concerns at all stages of dealing with such matters.” The agreement outlines consultation requirements, which are generally in line with the consultation provisions of International Labour Organization Convention No. 169 and advises that consultations shall not be discontinued as long as the Sami Parliament and State authorities consider that it is possible to achieve an agreement. The UN Special Rapporteur “considers this agreement to represent good practice with respect to implementation of the duty of States to consult with indigenous peoples, which provides an important example for the other Nordic countries as well as for countries in other regions of the world.” - Nevertheless, there are also specific concerns about the protection of IP rights in Norway. The UN Special Rapporteur concludes (2011) that “while the laws and policies of Nordic countries with respect to the Sami people are relatively advanced, there are still ongoing barriers to the full realization of the right of Sami people to self-determination, both at the cross-border and national levels.” One of these concerns is the limited ability of the Sami parliaments to act independently and to make autonomous decisions over matters that concern Sami people due to the statutory parameters of their powers and functions. While the Finnmark Act of 2005 is recognized to be an important step towards advancing Sami self-determination and control over lands and resources, the Un Special Rapporteur considers that “some Sami representatives have characterized the law as not being fully protective of Sami self-determination and land and resource rights, principally for reasons to do with the make-up of the board of the Finnmark Estate, whose members are appointed both by the Finnmark County Council and the Norwegian Sami Parliament.” In addition, there is evidence that the Finnmark Act does not adequately address the particularly vulnerable situation of the East Sami people, a Sami sub-group that is small in number and whose distinct language and cultural characteristics are threatened, that there are currently no specialized mechanisms in place to identify Sami land and resource rights outside 	<p>outside Sapmi and in Finnmark County</p>
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<p>Finnmark County and that the issue of Sami rights to fish in coastal waters is principally a matter for concern, partly because fishing regulations are determined at the national level, without local participation, and without taking into consideration customary decision-making regarding marine resources or the local knowledge regarding the management of these resources.</p> <ul style="list-style-type: none"> - In all three Nordic countries, the Sami way of life, especially in relation to reindeer husbandry, is threatened significantly by competing usage of land, often promoted by the Governments themselves through natural resource extraction or other development projects. Forestry is one of the sectors projects resulting in loss and fragmentation of pasture lands. - There is evidence that laws and policies in the Nordic States including Norway with respect to natural resource extraction and development do not provide sufficient protections for Sami rights and livelihoods, and do not involve Sami people and the Sami parliaments sufficiently in the development processes. Nevertheless, in Norway the Reindeer Herding Act does requires that compensation be given to reindeer herders for expropriation of the right to use lands for reindeer husbandry. In Norway, reindeer husbandry is potentially threatened by industrial development such as oil, and gas and mining projects, especially in the north. The UN Special Rapporteur concludes that “the Norway Mineral Act of 2009 requires that Sami cultural life be safeguarded under the Act and also requires, in Finnmark County, that the Sami Parliament and the landowner have the opportunity to comment during the process of authorizing a permit. Nevertheless, the Norwegian Sami Parliament has expressed concern that the Act does not provide an adequate level of consultation with the Sami Parliament on applications for permits within Finnmark County.” - The UN CERD is “concerned about the high unemployment rate of persons belonging to ethnic minorities or with a migrant background. It is particularly concerned at reports that such persons face barriers to access to the labour market, both in the public and private sectors, owing to prejudices based on stereotypes of their ethnic or national origin and to their level of Norwegian language skills.” “The Committee remains concerned at reports that mother-tongue instruction for Sami students is not adequately protected.” - No evidence could be found for conflicts of substantial magnitude. - In conclusion, Norway recognizes the rights of the Sami as indigenous peoples and it is a country that has laws and policies with respects to the Sami people that are relatively advanced. The agreement between Sami Parliament and State authorities represents good practice with respect to implementation of the duty of States to consult with indigenous peoples. Although there is clear evidence that also in Norway there are still ongoing barriers to the full realization of the right of Sami people to self-determination, to land and to resources, there is not sufficient evidence to conclude that there are conflicts of substantial magnitude. - The special rapporteur, in the 2016 report: - Sami representatives have suggested that the implementation of the procedures for consultation remains particularly challenging in relation to energy development projects and reindeer husbandry. That, together with a regulatory regime that does not adequately protect Sami interests and rights, makes it difficult to ensure predictability and to allow for coexistence between traditional and new industries. In the view of the Special Rapporteur, the criticism frequently directed at the consultation procedures is a strong impetus for their evaluation, with the participation of the Sami Parliament, to ensure their effectiveness. - A central concern is that the Mineral Act differentiates between the Sami in Finnmark and those outside Finnmark, who have no specific rights or safeguards. The distinction is particularly problematic as there are currently no legal frameworks or specialized mechanisms in place to identify Sami land and resource rights outside Finnmark County, and it may in practice jeopardize future recognition of Sami claims to their traditional lands and resources. Another concern expressed to the Special Rapporteur relates to the absence of a requirement to consult and obtain consent for proposed measures. - The Special Rapporteur recommends that Norway enhance efforts to implement the right of the Sami people to self-determination and to more genuinely influence decision-making in areas of concern to them. That may to some extent be achieved through a more effective consultation arrangement, which should be extended to clearly cover budgetary decisions. <p>1. Are there Indigenous Peoples (IP), and/or Traditional Peoples (TP) present in the area under assessment?</p> <p>a. Yes</p>		
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<p>2. Are the regulations included in the ILO Convention 169 and is UNDRIP enforced in the area concerned? (refer to category 1)</p> <p>a. Partly yes. The ILO 169 convention is ratified and the UNDRIP convention is signed by the Norwegian Government. However, FPIC as a key element in UNDRIP/ILO 169 is not fully implemented. Both the Special Rapporteur and other UN bodies like CERD point out the importance of improving consultations in various legislations – the Forestry Act lacks that kind of recommendations/obligations. The conclusion hence leads to <i>specified risk</i> when it comes to FPIC implementation and practice.</p> <p>3. Is there evidence of violations of legal and customary rights of IP/TP?</p> <p>a. On a general level: In communication with CERD (CERD/C/NOR/CO/21-22/Add.1) the Norwegian Government notes the Sami Rights Commission’s view (Samerettsutvalget) that the rights of the Sami to land and natural resources in areas they traditionally occupy, must be assessed on the basis of current Norwegian property law relating to the acquisition of ownership and usage rights to fixed property. This includes acquisition through use since time immemorial, common usage and custom. However, states CERD, these general principles of property law, must be adapted to characteristics of Sami culture and land use. This is reflected in two decisions by the Supreme Court from 2001. This and other indicators point out that there is a risk for violation of legal and customary right. Identified laws are upheld to some extent. The implementation of international conventions and declarations is not obvious in national legislation and the national legislation to certain extent lack specific regulations concerning the relation between indigenous rights and forestry. This entails a significant risk. Cases where law/regulations are violated are not always followed up via preventive actions taken by the authorities and/or by the relevant entities. However, the risk is diversified and is not equally represented in the total reindeer herding area. In the county of Finnmark, the Finnmark Act creates a more solid ground for a sustainable land management of the grazing land. A situation where Sami interests/land rights are better protected than elsewhere.</p> <p>b. On a specific forestry level: There are few specific regulations concerning general rights of indigenous peoples (in Norway the Sami peoples) and how to treat the interest of the Sami people with respect to logging operations or other forest uses. The specific rules that do appear is when a forest owner applies for permit to build a forest road in areas where the Sami people have land rights or where Sami cultural heritage might be present. In these areas, the application has to be sent to the County administration, granting them the possibility to express their opinion with respect to “Regulations relating to planning and approval of agricultural roads” (FOR-2015-05-28-550). A request shall also be sent to the Sami Parliament with reference to the Cultural Heritage Act. The final decision is taken by the municipality where the County Administration and the Sami Parliament lack the right of veto. The rights of herders to harvest forests for firewood, buildings and facilities are well known to both herders and forest owners, and there are limited numbers of conflicts between these groups concerning this issue. Most of the reindeer herding takes place on state-owned land and the Sami-people are allowed to use the forests for fodder and herding. However, this right is not limited to state-owned land; it is equally practiced on private land within the reindeer herding area. This indicator has been evaluated as <i>low risk</i> for Finnmark County and <i>specified risk</i> for the rest of Sapmi (for Norway this means Sør-Trøndelag, Nord-Trøndelag, Nordland and Troms).</p> <p>4. Are there any conflicts of substantial magnitude pertaining to the rights of Indigenous and/or Traditional Peoples and/or local communities with traditional rights?</p> <p>a. There are no conflict of substantial magnitude pertaining to the rights of Indigenous peoples in relation to forestry. However, there are conflicts in relation to other Sami rights, e.g. Sami fishing rights. In general <i>low risk</i>.</p> <p>5. 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?</p> <p>a. In Norway, there are more forms of traditional Sami land use than traditional herding to consider. Notwithstanding this, however, in Norway legal developments of Sami rights in all essential respects have been driven by the courts considering</p>		
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reindeer herding rights. In a number of court cases the traditional rights have been verified. There are mechanisms in place in order to resolve conflicts of substantial magnitude through the legal court system when regarding reindeer husbandry. In general *low risk*

6. What evidence can demonstrate the enforcement of the laws and regulations identified above? (refer to category 1)

a. Several court cases.

7. Is the conflict resolution broadly accepted by affected stakeholders as being fair and equitable?

a. Not when it comes to the Sea Sami rights – *Specified risk*.

For FPIC implementation in Sapmi, except of Finnmark county, specified risk threshold (22) applies:

(22) The presence of indigenous and/or traditional peoples is confirmed or likely within the area. The applicable legislation for the area under assessment covers ILO provisions governing the identification and rights of indigenous and traditional peoples and UNDRIP but risk assessment for relevant indicators of Category 1 confirms 'specified risk'. **The following 'specified risk' thresholds apply:**

For Norway outside Sapmi, and Finnmark county, 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

19) There is no evidence of conflict(s) of substantial magnitude pertaining to rights of indigenous and/or traditional peoples;

AND

(21) Other available evidence do not challenge a 'low risk' designation.

Controlled wood category 3: Wood from forests in which high conservation values are threatened by management activities

Summary of risk assessment methodology

The methodology follows the procedures described in “Methodology for conducting the CNRA for controlled wood category 3 – High Conservation Values”, a description of the practical implementation of FSC-PRO-60-002a V1-0 for National Risk Assessment Framework (FSC 2014). Best practices in HCV identification are based on the HCV Resource Network Common Guidance for the identification of High Conservation Values (HCV 2013).

The objective of Controlled Wood Category 3 is to identify the presence of High Conservation Values (HCVs) in the country under assessment, and to evaluate the threats to HCVs caused by forest management activities. This is done to assess and designate the risk (low or specified) of sourcing “unacceptable” material from forest sources at national or at subnational level. Areas described as low risk are areas where there is a negligible risk that materials come from unacceptable sources. Areas of specified risk are areas where there is a certain risk that material from unacceptable sources may be sourced or enter the supply chain. Control measures can be described for areas with specified risk to mitigate the described risk of sourcing materials from “unacceptable” sources.

Step 1: Overview of the Norwegian forests

Norway has a large territory (mainland: 323.781 km²) stretching more than 2000 km from south to north. The geographic, climatic and altitude gradients are very long, which gives a high diversity of ecosystems, nature types, and species diversity.

The country is dominated by mountain areas, but under the tree line, the landscapes are dominated by forest, which cover 12 million hectares (37 %) of the land area (NIBIO 2017b). Norwegian forests occur in the nemoral, boreonemoral, southern boreal, middle boreal and northern boreal zone, and cover both some of the most arid and humid forested areas in Europe (Moen 1999, DellaSala 2011). 8,6 mio hectares of the forests are classified as productive forests (annual growth rate >1m³/hectare) and approximately 6 mio hectares of the productive forests are evaluated as economical viable for the use in forestry. The distribution of total forest area and productive forest area on the different counties can be seen in table 6.

Table 6. Overview of the amount of forest covered land area, divided on all counties in Norway (including all forest categories as defined in indicator 1.9). The numbers are given in 1000 hectares. The total forest area is divided into the productive forest area (forest stands annually producing more than 1 cubic metres wood in average per ha) and the unproductive forest area (annual production < 1 cubic meters per ha). Definitions: <http://www.ssb.no/a/metadata/conceptvariable/vardok/1703/nb> (Statistics Norway 2017).

County	Total forest	Productive forest	Unproductive forest
Østfold	270.6	244.7	25.9
Oslo & Akershus	345.2	331.6	13.6
Hedmark	1 697.2	1432.2	265.0
Oppland	987.1	846.2	140.9
Buskerud	758.8	600.1	158.7
Vestfold	139.8	131.7	8.1
Telemark	808.1	580.2	227.9
Aust-Agder	481.9	339.2	142.7
Vest-Agder	402.7	301.4	101.3
Rogaland	257.7	178.3	79.4
Hordaland	451.0	281.1	169.9

Sogn & Fjordane	441.5	286.1	155.4
Møre & Romsdal	448.8	333.6	115.2
Sør-Trøndelag	692.1	468.9	223.2
Nord-Trøndelag	954.5	659.2	295.3
Nordland	1 156.4	708.8	447.6
Troms	734.1	471.7	262.4
Finnmark	1 063.4	378.4	685.0
Sum	12 090.9	8 573.4	3 517.5

Norway spruce (*Picea abies*), Scots pine (*Pinus sylvestris*) and downy birch (*Betula pubescens*) are the most common forest forming tree species. Broadleaf forests are frequent along the coast and in the lowlands extending from the southernmost Norway up to Bodø (Nordland county), although they only amount to less than 1 % of the total forest areas (Larsson and Søgne 2003). These forests are mainly composed of Norway maple (*Acer platanoides*), Scots elm (*Ulmus glabra*), European ash (*Fraxinus excelsior*), small-leaved lime (*Tilia cordata*), common hazel (*Corylus gvellana*) and oak (*Quercus petraea* and *Q. robur*), but only the oak dominated forest types are currently of commercial interest.

The influence of human activities goes back many centuries. The earliest influences were mainly through forest fires, livestock grazing and agriculture. It was first during the 1500's that logging of forests lead to a larger effect on the forest landscape. The increase of harvesting was caused by population growth, new technology and the establishment of industry, including the forest industry with big export of timber to Central Europe. Because of rapid growth of energy intensive industry, e.g. mining, there was also a high demand for firewood in many areas before electricity was produced by water-power. Of these reasons the forests became heavily utilized over vast areas between c. 1500 and 1900. The forestry in the period before 1900 was focusing on selective logging of large dimensions which led to sparsely covered forests with few large trees and a poor regeneration (Kålås et al. 2010). In average, there were less than 100 trees per hectare with a diameter above 20 cm (DBH – diameter at breast height) in the early 1900 (Storaunet & Gjerde 2010). This led to an intensive debate about how to sustainably manage the forest resources. The National Forest Inventory (Landsskogtakseringen) was therefore founded in 1919 to monitor the development of the forest resources (NIBIO 2016a).

After the Second World War, the forestry has been dominated by modern methods with use of heavy machinery (e.g. harvesters), clear felling and replanting of logged areas. Forestry practice and forestry policy has focused on sustainability in the use of resources in the last 80-90 years, and this has led to an average felling below the annual growth rate of the forests. The increase of wooden biomass in the production forests has changed from an average decrease, to an average annual increase (Vennesland et al. 2006).

Because of the economic development in the forest sector, the forested areas that are not actively managed for timber production are increasing. Approximately half of the forest areas that was logged before 1900 (Kålås et al. 2010), and approximately 75 % of the productive forests (Sverdrup-Thygeson et al. 2016) has been clear felled and regrown (naturally or planted) today. The forests that have not been actively managed since the introduction of modern forestry (50-100 years) have developed into mature and old age stands with near-natural forest characteristics. These forests have a more natural distribution of different age classes, a higher proportion of older trees and a higher amount of dead wood than actively managed forests. But, on the other side, they have a different age distribution, less old trees (100-150 and >200 years) and less diversity and amounts of dead wood compared to real old-growth forests and primary forests with no traces of human influences (Kålås et al. 2010).

The Nature Index managed by the Norwegian Environmental Agency has rated the biodiversity of all major ecosystems in Norway on a scale from 0-1 (NI = 0-1), with 0 indicating the lowest status of biodiversity and 1 indicating a very good status of biodiversity (Nybø et al. 2011). In the latest version (2015) of the index, forests were given a score of NI=0,37. This is an increase from the calculated NI for forests in 1990 (NI=0,33), but unchanged from the previous version (2010; NI=0,37). The NI is lowest in

Eastern (Østlandet) and Western (Vestlandet) Norway (NI = 0,35), and highest in the Southern part of Norway (Sørlandet) (NI = 0.4) (Storaunet & Framstad 2015). The conditions of Norwegian forests are at 37 % of the reference stage. The reference stage is described as a near-natural forest with limited human disturbances, where natural disturbance regimes and the following successional stages are present on forested land (Pedersen et al. 2016).

It is the increase in the amount of dead wood, deer and blueberries which contributes to a small development in the NI over the last 25 years, while the status of the key indicators; old successional broadleaf forest, standing dead trees, fallen dead trees, large carnivores and decomposers, are contributing to the general low score (Storaunet & Framstad 2015). Forestry is the most important human factor impacting forests today, together with road construction, power lines and supply infrastructure. The status of some of the key indicators is a direct result of our long history of forestry (Nybø et al. 2011, p. 8; CBD.int 2017; Storaunet & Framstad 2015).

There are 2355 species classified as threatened according to the latest version (2015) of the Norwegian Red List for species (Henriksen & Hilmo 2015d). Of these, 241 species are categorized as Critically Endangered (CR), 879 are Endangered (EN), and 1237 are Vulnerable (VU). 1122 threatened species (47,6 % of all threatened species) live fully or partly in forest habitats (Henriksen & Hilmo 2015a).

Norway is a signatory to the Convention on Biological Diversity (CBD) and is committed to meet the Aichi targets. Almost 17 % of the Norwegian mainland is protected (Norwegian Ministry of Climate and Environment 2014). Most of the protected areas are however in mountainous areas, and ecological representativeness in conservation is yet to be achieved. As of December 2016, 3 % of the productive forests, and 4,3 % of the total forest area, were protected in nature reserves or national parks. These legally protected forests do not cover all forest areas with High Conservation Values (HCV 1 to HCV 6) present in the Norwegian forests (Regjeringen.no 2016). In 2016, the Norwegian Parliament set as a political target to have 10 % of forests protected as nature reserves or national parks, but there is no commitment as to the year when this will be achieved. The forest-owners and the forestry authorities have accepted 0,5-1 % of the productive forests to be set aside as key habitats, in addition to the legally protected forest areas. An evaluation of the protection of forests in Norway (Framstad, et al. 2002, 108-110), stated the need for protecting between 4,6 and 9,3 % of the productive forests to reach the political goals related to the protection of species diversity. The amount of demanded protection depends on how well the forest management scheme takes into consideration biodiversity values in its practices. The increase in the amount of legally protected forest areas towards the 10 % governmental target is mainly going to be based on voluntarily protection. This is a process where the forest owners themselves offer certain forest areas to the State as possible nature reserves. The biological qualities are then checked by professional ecologists on the cost of the authorities. Only forest areas that fulfill certain requirement for legal protection are selected. The forest owner gets a reasonable compensation for the loss of the economical values from forestry activities (Frivilligvern.no 2017). The amount of forest areas selected for voluntarily protection each year depends on the amount of money available for the compensation fee. The state budget for 2017 set aside 442 million NOK to forest conservation,

Four Norwegian «Intact Forest Landscapes» are known by the World Resource Institute (Globalforestwatch.org 2016, Intactforests.org 2016). They are located to Pasvik (the municipality of Sør-Varanger, Finnmark county), Øvre Anarjohka, (the municipality of Karasjok, Finnmark county), Hestkjølen (the municipality of Lierne, Nord-Trøndelag county) and Kvisleflået-Smoldalen (the municipalities of Engerdal and Trysil, Hedmark county). The four Norwegian IFLs extends across the borders to Finland (Pasvik and Øvre Anarjohka) and Sweden (Hestkjølen and Kvisleflået-Smoldalen). All the IFLs contain both legally protected forest areas and non-protected forest areas, as well as vaste mountains and marshlands (Midteng 2013).

There are both PEFC and FSC certified forests in the Norwegian forestry. 96,3 % of the Norwegian timber turnover is currently (2016) certified by PEFC (Personal Communication 6). FSC-certified timber is double certified (PEFC+FSC) and constitutes a little over 4 % (FSC 2017; PEFC 2016; FAO 2016). The environmental work of the forest sector is based on recognition of certain forest structures and forest areas as more important for the forest biodiversity than other forest areas (Evju 2011). These types of important forest areas are set aside during forest management activities and/or harvests or managed in a way that is not harmful for the environmental values that are present. Different types of set-asides include key habitats, boarder-zones and retention trees. There are also other specific considerations described for different types of important forest types, like broadleaf forests, swamp-forests, fire affected forests and mountain forests (See indicators 1,9 and 1,10 for further information). The high level of PEFC certification does not, according to WWF Int. (2015), equate to automatic safeguard of all HCVs from forest management threats.

The Sami people is the indigenous people resident in Sapmi (the land of Sami) in Norway, Sweden, Finland and Russia. The Sami people is acknowledged as equal to the rest of the Norwegian people, and there are several laws and regulations compiled to secure the Sami peoples right to continue and develop their unique languages, cultures and traditions. These laws and regulations are also described under cat. 1.14 (Free prior and informed consent), and 1.15 (Indigenous people's rights). The Indigenous and Tribal People's Convention (ILO-Convention no 169) was ratified by Norway in 1990, as the first country of today 22 countries.

Between 1,06 and 1,38 % of the Norwegian total population are Sami. Traditionally there are two main industries maintained by the Sami: The Sea-Sami who settled along the arctic coasts and performed fisheries, and the nomadic reindeer herders. Reindeer herding is still today an important part of the Sami culture, ranging back to at least medieval time, and is an important part of the cultural identity of many Sami communities. The reindeer herding is altering between summer, autumn, spring and winter pastures, and requires vast foraging areas. Access to the pastures is a basic need for the reindeer herders. The Sami people have a right to use the foraging areas that have been traditionally used for reindeer herding by the Sami people in Norway ("alders tids bruk"), as described in the Reindeer Herding Act, chapter 1, paragraph 4 (LOV-2016-09-16-81). This herding area stretches through almost 50 % of the land area of Norway (see Figure 1, ind. 1.15), from the countys of Finnmark in far north to Hedmark in the south. The areas also cover vaste forested areas.

In Norway, all categories of HCVs are present. The HCV-areas in this risk assessment are defined directly (mapped with contours), or via proxies.

Step 2: Determining a scale for homogenous risk designation

There is a need to determine the scale of the risk assessment, with the aim of finding a functional and operational scale for the risk designation and for the description of control measures. The mandatory maximum scale of risk assessment for HCV 1-6 is given in table 3.1 in FSC-PRO-60-002a V1-0 (FSC 2014).

Geographical scale

Using terrestrial ecoregions to subdivide forested land could be a possible scale for risk assessment in Norway. Five ecoregions are represented in Norway, three of which are forest types; temperate broadleaf and mixed forests, temperate coniferous forests, and boreal forests/taiga.

Forest and forestry data are usually provided on a county-based scale, which makes this scale more suitable to use in a risk assessment. This would also provide a finer scale than the use of ecoregions. The use of county as the spatial scale for the risk assessment is used where the data quality allows it.

Functional scale

In addition to county level, it is possible to divide further into different types of functional scales, related to for example different types of ownership categories (state/private), the size of forest properties (small/large), naturalness, or timber harvest threshold in HCV occurrences.

There are few differences in the legal requirements and forest management practice between private and state-owned land. There are some differences regarded to the requirements for the management of large (> 10 hectare) and small forest properties, but these differences are thought to be of little practical significance as a functional scale. The forests could also be divided into forest types, based on their naturalness, historical use and human influence. Today Norway has no official definition of natural forests, near-natural forests, semi-natural forests or plantation forests. There are discussions among experts/researchers, forestry organizations and environmentalists on a good definition on e.g. plantations, but agreements are still rather far away (se also NRA category 4).

For the the HCV asesments we have used both functional and geographical scales depending on the occurrences and the nature of the proxies used. This is further explained in detail in the assessment table.

Step 3: HCV occurrence

There is no predefined interpretation of the six different types of High Conservation Values (HCV) in Norway. The description and evaluation of HCV's in this assessment are therefore partly based on proxies (direct and indirect proxies). Direct proxies are e.g. vegetation types or other identifiable areas/categories that overlap with the definitions of one or more of the six HCVs. Indirect proxy areas are areas which are mapped, or easy-to-map (based on existing data), that serve as adequate and reliable indicators of the presence of HCVs. The proxies used to cover the different HCV's and HCV-elements are defined and evaluated under each HCV category, and the data availability and quality for these elements are evaluated under indicator 3.0.

Step 4: Sources of the material

It can be distinguished between the following forestry management regimes in Norway which all contain both productive and unproductive forests (see also cat. 1: "Sources of legal timber in Norway"; and tab. 6).

- National Parks – strict protected (Nature Diversity Act)
- Nature Reserves – mainly strict protected (Nature Diversity Act)
- Landscape Protection Areas – forestry is regulated by specific regulation for each area (Nature Diversity Act).
- Forest areas (Osломarka) with special regulations to ensure recreation and environmental values (Forestry Act §13)
- Forest areas (Protective Forests) with special regulations of climatical or geomorphological reasons (Forestry Act §12)
- Forestry areas with the aim to ensure a sustainable forest management (Forestry Act)

It is the same regulations on all types of ownership categories in Norway. It is also small differences in the Scale, Intensity and Risk (SIR) related to various ownership or size of the properties. Therefore, it is no purpose to use ownership categories or size of the properties as criteria in the risk assessment.

Step 5: HCV threat assessment

The threat assessment is done separately for each of the different HCV-categories by evaluating whether forest management activities represent a threat towards the different High Conservation Values in the Norwegian forests as specified by table 7.

The threat is assessed either as low or specified risk as described for each of the HCVs in table 3.2 in the FSC National Risk Assessment Framework (FSC 2014, p. 33-36). Areas with specified risks are further discussed under step 6, Risk mitigation.

Table 7. Specific categories of threat to assess for each HCV in the analysis of risk to HCV areas from Controlled Wood, according to the National Risk Assessment Framework (FSC-PRO-60-002a). Copied from FSC (2016b), p.16.

HCV	Specific threat categories
	Habitat removal
HCV1	Habitat fragmentation
	Introduction of alien/invasive species

HCV2	Fragmentation, including access (roads) Logging (applies to IFL)
HCV3	Lack of effective protection of HCV 3
HCV4	Reduction of water quality/quantity Negative impact on human health (e.g. polluting water etc. – see HCVCG)
HCV5	Compromising (impacting) fundamental needs of local communities by management activities
HCV6	Destruction and/or disturbance of rights/values determining HCV 6 presence

Step 6: Risk mitigation

For each HCV element where a specific risk has been designated, verifiers may be used to evaluate if whether or not the specific risk is present within the actual supply source, and what control measurements may be effective in order to mitigate and manage the risks.

Some control measures and verifiers are mentioned in this risk assessment, but it might also be necessary for the organization to implement additional ones. The control measurements and verifiers should be implemented in a way that ensure that material does not enter the supply chain, if it originates from areas where HCVs are negatively impacted by forest management activities.

Sources

6, 151, 152, 153, 154, 157, 159, 160, 161, 169, 171, 174, 182, 184, 198, 203, 206, 212, 214, 217, 218, 220, 230, 233, 243.

Personal Communication: 6

Experts consulted

	Name	Organization	Area of expertise (category/sub-category)
1	Geir Gaarder	Miljøfaglig Utredning (biological consulting company)	HCV 1, 2, 3, 4
2	Jostein Lorås	Nord University	HCV 5, 6
3	Egil Bendiksen	Norwegian Institute for Nature Research	HCV 3
4	Ola Isak Eira	Country Administration Finnmark	HCV 5
5	John Osvald Grønmo	Sami Parliament	HCV 5
6	Thomas Husum	PEFC Norway	Overview
7	Heidrun Miller	Allskog (Regional forest owners association and timber buyer)	HCV 2

Risk assessment

Indicator	Sources of Information	HCV occurrence and threat assessment	Geographical/ Functional scale	Risk designation and determination
3.0	10, 11, 24, 25, 26, 31, 35, 40, 74, 80, 83	<p>Occurrence of sufficient data</p> <p>Both the Nature Index and the Norwegian Red List of species were updated in 2015 (Henriksen & Hilmo 2015d). A Red List of Ecosystems and Habitat Types was developed in 2011, and a revised version will be completed in 2018 (Bendiksen 2011). The Norwegian Government has initiated several national programs to increase research, mapping, and monitoring of biodiversity. However, there is still no completed mapping of HCVs areas in Norway (SABIMA 2013). Despite this, Norway has open, dynamic and regularly updated publicly accessible and free database- and map-systems showing relevant data.</p> <p>List of Norwegian and international databases with available data on species and habitats used to describe the presence of HCV or HCV proxies, and/or used in the assessment of the threats to HCVs from forest management activities:</p> <ul style="list-style-type: none"> • Naturbase.no: Map with data from different agencies in different layers: legally protected areas, wilderness areas (INON), woodland key habitats (MiS), nature type localities, selected habitat types, priority species and records of red listed species (CR, EN, VU and NT). http://www.miljodirektoratet.no/no/Tjenester-og-verktoy/Database/Naturbase/ • Miljøstatus.no (environment.no): The aim of the database is to provide up-to-date information about the state and development of the environment. Both as data and maps. http://www.miljostatus.no/ • Naturindeks.no: The Nature Index gives an estimate of the ecological status and development of the status for ecosystems using selected species or species groups as indicators to measure status and change. http://www.naturindeks.no/ • Artsdatabanken.no: A national database with up-to-date knowledge about species and nature types in Norway. Norwegian red list of species and Norwegian red list of Ecosystems and Habitats. Norway's Species Map Service, showing detailed distribution of all Norwegian species, including the red listed species (daily updated). http://data.artsdatabanken.no/Rodliste/sok, http://www.artsdatabanken.no/artskart and http://www.artsportalen.artsdatabanken.no/#/RodlisteNaturtyper/Vurderinger/ • Kilden: Map with data from different agencies in different layers: legally protected areas (national parks and nature reserves), selected habitat types, priority species, key habitats (MiS localities), nature type A localities, records threatened species (CR, EN and VU), and reindeer herding areas. http://kilden.nibio.no/ 	Geographical scale: Country	<p>Low risk for the country:</p> <ul style="list-style-type: none"> - (1) Available data is sufficient for determining HCV presence within the area under assessment. <p>AND</p> <ul style="list-style-type: none"> - (2) Available data is sufficient for assessing threats to HCVs caused by forest management activities. <p>(Met thresholds in parentheses according to the framework (FSC 2014)).</p>

		<ul style="list-style-type: none"> NARIN: Information about forest area inventories (e.g. evaluations of possible nature reserves, results from inventory programs for certain nature types ect.). http://borchbio.no/narin/ Globalforestwatch.org: An interactive online forest monitoring and alert system that provides precise information about the status of forest landscapes worldwide. http://www.globalforestwatch.org/ National forest Inventory (NFI) Landsskogstakseringen. Collects and collates data on national and regional forest statistics, like status and development of forests and forest resources (Landsskogstakseringen). Askeladden: The Directorate for Cultural Heritages database to be used by governmental agency and in cultural heritage conservation work. Can be used to identify sites and objects of cultural value. http://www.riksantikvaren.no/Veiledning/Data-og-tjenester/Askeladden kulturminnesok.no: Database for the public can be used to identify sites of cultural value. https://kulturminnesok.no <p>Threats and Safeguards identification and evaluation</p> <p>Data is available to define HCVs, or proxies for areas that might contain HCVs, based on data from government resources, research institutes and NGO reports. There is always a risk that databases are not updated as often and efficiently as needed to capture changes and qualities registered in the field. Even if this is the case, it is evaluated that the data available is sufficient for assessing the threats to HCV, as the risks are well-known. The specific risks and information used is found under each sub-category.</p>		
3.1 HCV 1	14, 24, 25, 26, 29, 30, 35, 37, 38, 40, 48, 51, 59, 71, 74, 77, 78, 80, 81, 84 Personal Communication 1	<p>Concentrations of biological diversity including endemic species, and rare, threatened or endangered species that are significant at global, regional or national levels.</p> <p>The Norwegian Red list gives an overview of the rare, threatened and endangered species (RTE-species), and known occurrences can be found using the database Artskart (Henriksen & Hilmo 2015d). Forestry activities is a potential threat to concentrations of biodiversity in forests when forest structure or other needed ecological conditions is critical for the occurrence and viability of species. The occurrence of suitable forest habitats in the landscape is essential for species diversity and species composition (Kålås et al. 2010).</p> <p>Occurrence of HCV 1</p> <p>There is today no definition of HCV in Norway, so the occurrence of HCV1 is identified using different proxies that cover different types of areas that might contain HCV 1 qualities. The method is described in the introduction of category 3.</p>	Geographical scale: Country Functional scale: Specific proxies: - Protected areas - Selected habitat types - Priority species - Key habitats - Nature type localities - Priority species - Endemic species - RTE species	Low Risk: The existing legal requirements, and/or the existing forestry practice (the PEFC-standard), related to the HCV 1 proxies protected areas (national parks and nature reserves), selected habitat types, priority species, key habitats, nature type

	<p>Protected forest areas 4,3 % of the total forest cover and 3 % of the productive forest in Norway is situated in strictly protected areas such as national parks and nature reserves. During the ongoing process of protecting additional areas, care is taken to cover particularly high conservation values for species diversity, and especially threatened species. Protected areas are also described under indicator 1.9 Protected sites and species. Many of these areas would qualify as HCV covering HCV 1 qualities. For example, broadleaved deciduous forests, calcareous forests and hyper-oceanic forests have particularly high concentrations of RTE species of national or global significance.</p> <p>Selected habitat types (protected areas) Six defined habitat-types fulfill the criteria in section 52, chapter IV, of the Nature Diversity Act (LOV-2009-06-19-100; see cat. 1.9). An action plan for each of the selected habitat-types is compiled, with objectives and measures for their protection and management (FOR-2011-05-13-512).</p> <p>Calcareous lime forest is the only selected forest type for protection due to Norwegian law. Despite covering very small areas, these forests contain several threatened mykorrhiza fungi, including <i>Cortinarius osloensis</i> (osloslørsopp – “oslo webcap”), which is endemic to Norway (Norwegian Environmental agency 2011). The selected habitats hollow oaks, natural hay meadows and calcareous lakes also occur near forests or along forest edges and may therefore be affected by forestry measures. Permission is required for management measures in border zones to calcareous lakes.</p> <p>Some other forest types, like different types of hyper-oceanic forests (Gaarder et al. 2013, DellaSala 2011) have been assessed as candidates for becoming selected habitats according to law, but the proposals are still not decided by the Parliament.</p> <p>Key habitats (legally protected areas) Key habitats (= selected MiS-localities) are set-aside areas, used in forestry sector to secure important habitats for threatened forest dwelling species in Norway. Many of the red listed forest species are dependent of certain forest structures, and it is common to find higher concentrations of threatened species in areas with higher concentrations of such structures. The MiS-methodology is based on field surveys, where twelve different forest structures are recorded (see ind. 1.9). These forest structures are further classified into 29 different habitats dependent on placement in the richness and moisture content gradients (Gjerde & Baumann 2002). The selection process of key habitats by the MiS method is further described under indicator 1.9. At the end of 2017, there were approximately 75.000 key habitats covering a total of more than 75.000 hectares productive forest.</p>	<p>A localities and threatened species are found to mitigate the potential risk to a sufficiently level.</p> <p>(6) There is low/negligible threat to HCV 1 proxies caused by management activities in the area under assessment</p> <p>Specified Risk:</p> <p>Concentrations of near threatened species and occurrences of near threatened responsibility species as defined proxies on national scale are assessed to be vulnerable to forestry because of lacking protective routines. The precautionary approach has been applied, thus this indicator is considered as specified risk.</p> <p>(8) Specified risk; Proxies for forest areas that might contain HCV 1 is</p>
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	<p>Nature type localities (not legally protected) The forest areas referred to as Nature type localities are registered according to the guidelines in DN-handbook 13, which describes a method to map and valorize Norwegian nature (Norwegian Environmental Agency 2007). Knowledge of mapped nature types is used by authorities for spatial planning and regulation. The nature types are ranked to three categories, A (localities of national importance), B (regional importance) or C (local importance).</p> <p>Concentrations of RTE-species usually occur within A-localities (RTE-species presence is crucial for designating an area as A). Many A-localities are still not captured by protected areas or key habitats. HCV 1 qualities might occur in nature type A localities, and these areas are regarded as proxy areas for HCV 1.</p> <p>Priority species (legally protected) Twelve species and one subspecies are designated as priority species according criteria given in § 23 of the Nature Diversity Act (LOV-2009-06-19-100). Regulations and action plans are compiled for each species, and known localities are legally protected. <i>Osmoderma eremita</i> (hermit beetle), <i>Cephalanthera rubra</i> (red helleborine) and <i>Sphagnum troendelagicum</i> (trøndertorvmose - "trønder peat moss") can be regarded as dwelling within or close to forests, and <i>Cephalanthera rubra</i> is the only real forest species (see also indicator 1.9). <i>Sphagnum troendelagicum</i> is regarded as a Norwegian endemic, and grows in five treeless marshlands in forest landscapes of Nord-Trøndelag county.</p> <p>The forests with national significant concentrations of priority species would be regarded as HCV containing HCV 1 qualities. Areas containing priority species are therefore regarded as a proxy for HCV 1.</p> <p>Endemic species (partly legally protected) Endemic species should per definition be well known species with a clearly defined taxonomic status. There are e.g. many species which are only known from their Norwegian type-locality, but most of these are of taxonomic uncertain status, and embedded into the Red List as Data Deficient. There are very few endemic species that is for sure known only from Norway. Endemism in forest ecosystems are even rarer. The boreal rain-forests of central Norway are sometimes mentioned as a potential endemism centres because they are extremely characteristic and species-rich. Researchers have many times described new lichen species from the area. However, history has repeatedly shown that these species are after some time found in other parts of the world, especially in western North America. Known endemisms among forest dwelling species in Norway are:</p>		<p>identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p> <p>(Met thresholds in parentheses according to the framework (FSC 2014)).</p>
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		<ul style="list-style-type: none"> • <i>Cortinarius osloensis</i> (“oslo webcap” - osloslørsopp), which is a mycorrhizal fungus growing in calcareous lime forests (that is a “Selected nature type” protected by law (FOR-2011-05-13-512)). • <i>Sphagnum troendelagicum</i> (“trønder peat moss”- trøndertorvmose) is a peat moss growing in treeless marshlands in forest landscapes of Nord-Trøndelag county. It is a “Priority species” protected by law (FOR-2015-05-29-563). • 7 apomictic species of the tree genus <i>Sorbus</i> (<i>S. lancifolia</i>, <i>S. neglecta</i>, <i>S. subpinnata</i>, <i>S. meinichii</i>, <i>S. subarranensis</i>, <i>S. sognensis</i>, <i>S. subsimilis</i>). The species are threatened or near threatened in the Red List, and Norwegian responsibility species. They are of coastal distribution, and grow in different types of mixed forests, often in rocky areas and forest edges. <p>All occurrences of endemic species are covered as HCV 1 areas through other assessed categories, see Selected habitat types, Priority species, RTE-species and Responsibility species.</p> <p>Rare, threatened and endangered species (RTE-species – not legally protected)</p> <p>Threatened species are classified as critically endangered (CR), endangered (EN) or vulnerable (VU) in the Norwegian Red List, while ‘rare species’ in accordance to FSC principals (FSC 2016a) are classified as near threatened (NT), The Norwegian Red List of Species is updated each 5th year, with latest version in 2015. Habitat requirements and known impact factors is important information due to the IUCN methodology, and included for every species.</p> <p>It is impossible to give a complete overview of all RTE species in Norway because many occurrences still are unknown. But continuously there are ongoing comprehensive mapping projects conducted by government institutes, organizations and consulting firms. The occurrences are officially available in the internet map Artskart which is daily updated. The threatened species (VU, EN, CR) are also loaded into the map service Kilden which is commonly used by the forestry actors.</p> <p>As there is no national interpretation of which of the concentrations of RTE-species that are of national, regional or global significance, and no targeted mapping of such areas, it should be evaluated which category of occurrences of these species qualifies as proxies for possible HCV 1.</p> <p>Threatened species</p> <p>The occurrence of any locality of a threatened species (CR, EN or VU), would not alone qualify an area as HCV, as these forests should have certain concentrations of threatened species to be of a national significance. However, it is also true that the occurrence of threatened species could indicate the presence of important habitats and possible</p>		
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		<p>concentrations of RTE-species and HCV 1 qualities. The occurrence of threatened species is thus regarded as a proxy for areas containing HCV 1.</p> <p>Near threatened species Near threatened species in the 2015 Norwegian red list encompass both rather common species that are significantly declining, and rarer species. This makes it to a diverse group in the meaning of <i>rarity</i> and <i>degree of threat</i> (see above). Forest dwelling NT-species often have similar habitat requirements as the threatened species. A forest area with concentrations of NT species may therefore indicate important habitats for other RTE species as well. Limited forest areas with several near threatened forest species should qualify as indicator for presence of important habitats and possible concentrations of RTE-species, i.e. HCV 1 qualities.</p> <p>Forest areas with at least four different near threatened (NT) forest dwelling species within any 1 ha forest area, and where the four species are known to be negatively affected by forestry activities, is regarded as a proxy for areas containing HCV 1.</p> <p>Responsibility species (not legally protected) Species known to have more than 25 % of their European population in Norway are defined as responsibility species. 61 threatened and 37 near threatened species are listed as responsibility species (Henriksen & Hilmo 2015b).</p> <p>These species should have an additional conservation priority in Norway compared to other red listed species when looking at conservation value at supranational levels (Henriksen & Hilmo 2015b; Norwegian Environmental Agency 2016).</p> <p>Occurrences of responsibility species describes possible concentration of RTE-species that have a higher than national significance and represent HCV 1 values. The proxy should describe areas where there might be concentrations of responsibility species that qualify as HCV.</p> <p>The proxy covering threatened species would also cover the threatened responsibility species, as this proxy cover all registered threatened species. Forest areas where there are registered near threatened, forest dependent, responsibility species according to tab.3, is regarded as a proxy for areas containing HCV 1. 27 forest species qualify under this set of criteria (Table 3).</p>		
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Table 8. List of near threatened forest dependent responsibility species. Search performed in the 2015 Norwegian red list of species restricted to NT-species > responsibility species >, habitat «Fastmarksskogsmark», «Våtmarkssystemer», and «Flomsonesystemer» >, impact factor «Forestry (commercial)» (Henriksen & Hilmo 2015d).

SPECIES GROUP	SPECIES	NORWEGIAN NAME
VASCULAR PLANTS	<i>Cinna latifolia</i>	Huldregas
VASCULAR PLANTS	<i>Clematis sibirica</i>	Skogranke
VASCULAR PLANTS	<i>Sorbus meinichii</i>	Fagerrogn
VASCULAR PLANTS	<i>Sorbus subarranensis</i>	Småasal
VASCULAR PLANTS	<i>Sorbus subsimilis</i>	Sørlandsasal
LICHEN	<i>Biatora hypophaea</i>	Blåknopplav
LICHEN	<i>Bunodophoron melanocarpum</i>	Kystkorallav
LICHEN	<i>Cladonia callosa</i>	Skjørbeger
LICHEN	<i>Gyalecta friesii</i>	Huldrelav
LICHEN	<i>Lichinodium ahlneri</i>	Trøndertustlav
LICHEN	<i>Pectenien atlantica</i>	Kystblåfittlav
LICHEN	<i>Pectenien cyanoloma</i>	Praktfittlav
LICHEN	<i>Rinodina sheardii</i>	Fosseringlav
LICHEN	<i>Szczawinskia leucopoda</i>	Hvitfotlav
MUSHROOMS	<i>Cortinarius mussivus</i>	Stor bananslørsopp
MUSHROOMS	<i>Sarcodon leucopus</i>	Glattstorpigg
MUSHROOMS	<i>Tricholoma olivaceotinctum</i>	Oliven skjellmusserong
DIPTERA	<i>Boletina atridentata</i>	
DIPTERA	<i>Brachyopa cinerea</i>	Arktisk sevjeblomsterflue
DIPTERA	<i>Melangyna ericarum</i>	Lyngkrattblomsterflue
DIPTERA	<i>Mycetophila boreocruciator</i>	
DIPTERA	<i>Ptiolina oculata</i>	Nordlig småsnipeflue
DIPTERA	<i>Sciophila distincta</i>	
DIPTERA	<i>Xylota suecica</i>	Svart vedblomsterflue
COLEOPTERA	<i>Quedius pseudolimbatus</i>	

		SPIDERS SPIDERS	<i>Pardosa lasciva</i> <i>Syarinus strandi</i> Bergskorpion		
<p>Threats and Safeguards identification and evaluation</p> <p>Legally protected forest areas and species according to the Nature Diversity Act Protected areas (national parks and nature reserves), selected habitat types and forest areas with known localities of priority species are protected against ordinary forestry activities (Nature Diversity Act). No sources could be found that show systematic violations and lead to a loss of legally protected areas and species. In practice it has happened accidentally because of ordinary timber harvest close to the boundaries (crossing of borders). The risk for illegal harvests is in general very low and is decreasing due to the improvement of GPS-technology (see the assessments of indicators 1.4 and 1.9).</p> <p>Key habitats</p> <p>The Norwegian PEFC-standard has requirements that are referred to in the Regulation concerning sustainable forestry (FOR-2006-06-07-593). The tight linkage between this regulation and the PEFC standard is explained in indicator 1.9. Logging shall only be conducted on properties with proper environmental registrations in accordance to the requirements in the PEFC standard (§ 4). The forest owner is obliged to maintain the ecological values in key habitats (§ 5). The existing routines to safeguard the key habitats were strengthened after 2011 after disclosures of several logging incidents that affected key habitats (see indicator 1.9). GPS receivers and PDAs, both for mapping of key habitats and as a tool in the harvester, have been especially important for the increasing accuracy of harvest operations. A rapid increase in the awareness towards violations has been crucial because it became very critical for business after the key habitats became legally protected (2006). A systematic review of PEFC revision reports for the years 2014-2016 revealed very few recorded breaches with regarding key habitats (see ind. 1.9).</p> <p>The annual forest controls prepared by the forest authorities (Granhus 2015) shows that the amount of logging taking place without the required environmental registrations is slowly declining. Measurements from 2014 shows that up to 3,9 % of all harvest operations <i>possibly</i> were in violation of the law (loggings carried out in 2011 and backwards). Because of the high number of documented key habitats affected by forestry operations before 2011, the percentage of logging in key habitats may be reasonable. However, there are several objections to the measurements behind the forest controls reported by Granhus, why they should be carefully used.</p>					

		<p>First it is important to clarify that the forest controls are not measurements for compliance with the Forestry Act (letter from the Norwegian Agriculture Agency (Torleif Terum, pers. com. 6) to NEPCon 17 January 2017). Secondly, the control methods behind the Granhus reports doesn't describe how to collect enough information from the management plans, the forest owners, and the timber buyers, to be completely sure about the status of the key habitats at moment of measurement. This is summarized as follows:</p> <ul style="list-style-type: none"> • Key habitats visible on the official map (Kilden.no) are included into the control. However, this map is never completely up-to-date. Sometimes key habitats are changed to a different place due to previously wrong mapping, or because of enhanced environmental qualities in another area on the property (which is possible according to the PEFC standard under certain conditions – se cat. 1.9). Updating the map service often have a long processing time, and the field control staff may not possess enough information about changes. Therefore, the results from external controls can be exposed to missing information. • Logging for improvement of the habitat is, according to the MiS-method, recommended in about 1/3 of the key habitats. This information is unequivocally, but unfortunately only published in the management plans, and not in the official digital map (Kilden.no). Thus, the measurements can end up with wrong results and conclusions if the management plans are not checked. • Confusions with interpretation of the law itself can affect measurements of the forest control. The regulation on sustainable forestry states that the forest owner shall take into account <i>both</i> the key habitats and <i>other</i> important habitats (can e.g. include areas with bird nests (birds of pray), threatened species). • According to Axel Granhus (pers. com. 16), there may also be uncertainties in the measurements in Granhus et al. (2014, 2015) due to scarce calibration and no schooling of the field crew. <p>The WG considered the Granhus reports but came to the conclusion that the routines implemented by the forestry sectors are highly efficient for protecting key habitats, and it does not seem to be any large or systematic threat to the HCV 1 values within key habitats as the procedures and the map technology has improved significantly the past five years. Other stakeholders did not object this conclusion.</p> <p>Nature type localities Nature type localities that are not covered by any legal protection (nature reserves, key habitats etc). In the forestry sector, the nature types are clearly visualised by online map-tools during established planning routines. If forestry activities may affect nationally important</p>		
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		<p>nature type localities (value A), further inventories are needed. Establishment of additional key habitats must then be evaluated by a forest biologist.</p> <p>HCV 1 qualities within nature type A localities are thought to be captured and safeguarded within the current forest management routines according to the Norwegian PEFC-standard (96,3 % of the timber flow).</p> <p>RTE-species and responsibility species Forests have the highest amount of threatened species (48 % according to Henriksen & Hilmo 2015a). RTE-species and responsibility species are not protected by Norwegian legislation, but the forestry sector follows routines regarding consultative check of areas known to house threatened species (requirements in FSC-FM/FSC-CoC and PEFC standards). The PEFC standard (comprises 96,3 % of the timber flow) requires a forest biologist to assess the measure if forestry activities conflict with biological values of high value and propose how to solve the conflict. When harvesting might affect known occurrences of threatened species, sometimes new key habitats are established to take care of the species in question. Other times it can be sufficient to e.g. avoid use of heavy machineries in particular areas, not to repair trenches or just protect particular groups of trees from logging. Routines and considerations in the forestry sector due to threatened species thus safeguards areas with nationally significant concentrations of threatened species. The threatened responsibility species are also covered by this PEFC-routine.</p> <p>Practical routines covering the occurrence of threatened species might also cover areas with significant concentrations of near threatened species and near threatened responsibility species. This because the threatened species and near threatened species often have the same habitat requirements. There are presently a lack of consultation routines covering these species and a strengthening of safeguard routines are needed. Occurrences of near threatened species are presently not shown in the official map-tools used for forestry planning (NIBIO 2015), but plans for refreshing the cited internet map is in progress after a initiative taken from the NRA-WG toward the Norwegian forestry authorities due to the NRA control measurers for this theme.</p> <p>The proxy areas described for the near threatened and near threatened responsibility species might contain HCV 1 values that are currently not covered by any management schemes, and they could therefore be threatened by management activities.</p>		
3.2 HCV 2	19, 20, 24, 25, 26, 31, 35, 46,	Large landscape-level ecosystems and ecosystem mosaics that are significant at global, regional or national levels, and that contain viable populations of the great	Geographical scale: - Counties	Specified risk for Finnmark county:

63, 64, 69, 70, 79, 83, 97	<p>majority of the naturally occurring species in natural patterns of distribution and abundance.</p> <p>Norwegian landscapes are characterized by huge variations in topography and climate, which causes a mosaic-like pattern of different forest types, mires and mountains. This pattern naturally breaks up nearly all large, continuous tracts of forests. The fragmentation of large forest areas is also caused by human activity and technical interventions, like roads, railroads, hydroelectric development and power lines. The Norwegian Environmental Agency developed the database INON for monitoring the areas that is more than 1 km away from heavy technical interventions. Few large forested areas with landscape-level ecosystems and ecosystem mosaics qualifying as HCV 2 forests are left in Norway. Construction of forest roads could potentially cause a threat towards HCV 2.</p> <p>Occurrence of HCV 2</p> <p>Four Intact Forest Landscapes (IFL) are recorded in Norway. The occurrence of additional forest areas with HCV 2 qualities are identified using different proxies.</p> <p>Intact Forest Landscapes (IFL)</p> <p>Four Norwegian IFL are known by the World Resource Institute (Globalforestwatch.org 2016, Intactforests.org 2016). They are located to Pasvik (the municipality of Sør-Varanger, Finnmark county), Øvre Anarjohka, (the municipality of Karasjok, Finnmark county), Hestkjølen (the municipality of Lierne, Nord-Trøndelag county) and Kvisleflået-Smoldalen (the municipalities of Engerdal and Trysil, Hedmark county). The four Norwegian IFLs extends across the borders to Finland (Pasvik and Øvre Anarjohka) and Sweden (Hestkjølen and Kvisleflået-Smoldalen). All the IFLs contain both legally protected forest areas and non-protected forest areas, as well as vaste mountains and marshlands (Midteng 2013).</p> <p>The productive forest areas in Pasvik, Øvre Anarjohka, Hestkjølen and Kvisleflået-Smoldalen constitute approximately 16.000 hectares (ca. 6.300 ha protected), 1.600 hectares (all protected or planned to be protected), 5.300 hectares (>95 % protected) and 3.400 hectares (near all protected), respectively. A significant proportion of these areas thus are legally protected as either national parks or nature reserves (naturbase.no).</p> <p>Large forest areas which are more natural and intact than most other such areas</p> <p>An evaluation of protected areas in Norway concluded with uncertainty whether productive forests landscapes of 10 km² would be able to secure viable populations of particularly sensitive species. This is mainly big-range species and species dependent of big scale naturally occurring forest dynamics (catastrophes like big fires and massive insect attacks). Areas above 50 km² should be of a particular High Conservation Value in this regard (Framstad et. al 2002, Framstad et. al 2003). This report also underlined the importance of</p>	<p>Functional scale:</p> <ul style="list-style-type: none"> - Protected areas - Other areas 	<p>The timber volume of IFL found outside of legally protected areas is considerable in the County of Finnmark.</p> <p>Threshold (12) is met: HCV 2 is identified, and/or its occurrence is likely in the area under assessment, and it is threatened by management activities.</p> <p>Low risk for Nord-Trøndelag and Hedmark counties:</p> <p>The timber volume of IFL found outside of legally protected areas is negligible in Nord-Trøndelag and Hedmark counties.</p> <p>Threshold (10) is met: There is low/negligible threats to HCV 2 caused by management activities in the area under assessment.</p> <p>Low risk for the rest of the country</p>
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	<p>protecting the few remaining extra-large forest areas (>50 km²). The process with establishing national parks has focused on including large continuous forest tracts with few traces of modern human influence. There are today eleven Norwegian national parks and nature reserves containing more than 50 km² of forest covered areas. Additionally, four national parks contain approximately 50 km² of forest areas.</p> <p>Large productive forests (>50km²) with a near-natural forest structure would qualify as proxy areas for HCV, as these might contain HCV 2 values. These areas represent “large areas that are more natural and intact than most other such areas and which provide habitats of top predators or species with large range requirements” (HCV 2013, p.31).</p> <p>The only presently known unprotected area that might have a continuous cover of productive forest larger than 50km² in Norway is Eldå dalen (the municipality of Stor-Elvdal, Hedmark county). This valley covers 58 km², but it is not evaluated whether the forested area is larger than 50km² (Myhre 2012). The evaluation of the protected forest areas in 2002 found only one such area, Trillemarka-Rollagsfjell, and this area has since then been protected as a nature reserve (Framstad et al. 2002). Additionally, two forest areas have been registered after the evaluation in 2002 and are now legally protected as nature reserves.</p> <p>Forests that provide regionally significant habitat connectivity According to the Common Guidance for the identification of High Conservation Values, smaller areas that provide key landscape functions such as connectivity, buffering and climate gradients, and have a role in maintaining larger areas in wider landscapes, would qualify as HCV 2. There is today no common definition of such HCV 2 areas in Norway, and there exist no commonly agreed proxies for describing areas that provide regionally significant habitat connectivity.</p> <p>Threats and Safeguards identification and evaluation Intact Forest Landscapes (IFL) IFL is threatened by management activities, since they are not protected against logging, construction of roads and building of cottages in popular areas for outdoor activities (Skogsvei.no 2015), which are activities that might cause fragmentation of the areas.</p> <p>There has been a recorded reduction of the IFL areas Hestkjølen and Kvisleflået-Smoldalen in the period 2000-2013, and further reduction has taken place between 2013 and 2014 in Hestkjølen (Globalforestwatch.org 2016). However, it has not been possible to identify the cause for the tree loss using satellite images from Google earth or alternative sources. All the four intact forest landscapes are at different degrees covered by legally protected areas as nature reserves or national parks (strictly protected, i.e. forestry is illegal, see also explanations in cat. 1.9), but they are not fully protected (Globalforestwatch.org 2016, Midteng</p>	<p>Threshold (9) is met: There is no HCV 2 identified and its occurrence is unlikely in the area under assessment.</p> <p>(Met thresholds in parentheses according to the framework (FSC 2014)).</p>
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		<p>2010b). 2.4 % of the timber volume of the Pasvik IFL (Finnmark) is not protected, while it is not enough data to calculate this for Anarjohka IFL (Finnmark), although plans for strict protection covers the whole of this IFL (Naturbase.no). Both for Hestkjølen (Nord-Trøndelag) and Kvisleflået-Smoldalen (Hedmark) only 0.2 % of the timber volume of the IFL occurred outside of legally protected areas (Personal communication 8).</p> <p>Large forest areas which are more natural and intact than most other such areas With a possible exception of Eldådalen (the municipality of Stor-Elvdal, Hedmark), there are today no known occurrences of large (>50 km²) forested areas outside legally protected areas (national parks or nature reserves). A small but very rich part of Eldådalen became protected in June 2017. Additionally, tracts of 38 km² will be strictly protected as nature reserve during 2018.</p>		
3.3 HCV 3	<p>6, 10, 11, 15, 18, 21, 22, 24, 25, 26, 28, 29, 30, 35, 39, 44, 45, 49, 51, 59, 61, 63, 71, 78, 80, 82, 84, 91, 93, 103, 106, 113, 115</p> <p>Personal communication 1 and 3</p>	<p>Rare, threatened, or endangered ecosystems, habitats or refugia The Norwegian red list of Ecosystems and Habitat types gives an overview of the rare, threatened and endangered (RTE) ecosystems and habitats in Norway. It is a total of 18 different RTE forest types on this list (Bendiksen 2011). The RTE ecosystems and habitats are captured by various accepted methods used to describe and manage environmental values in forests.</p> <p>Occurrence of HCV 3 The proxies used to describe possible occurrence of HCV 3 qualities is many of the same proxies as was used to describe the possible occurrence of HCV 1 qualities. This is because the description of different habitat types was used as proxies for HCV 1.</p> <p>Threatened forest types A Norwegian red list of Ecosystems and Habitat types was developed by the Norwegian Biodiversity information center in 2010 (Bendiksen 2011; will be revised in 2018). The types with status critically endangered (CR) endangered (EN) and vulnerable (VU) describes threatened nature types, while the near threatened (NT) describes rare nature types, following the same definitions used to describe the RTE-species (see HCV 1).</p> <p>A new scientific method named Nature in Norway (NiN) is still at the testing-stage (2016-17), and limited number of areas have been mapped using the method. The current areas registered as threatened according to Bendiksen (2011) are not evaluated according to the method. The method does not take into consideration the level of human impact. However, nor old-growth-forests were considered for the red-list in 2010 (pers. comm. 3). The threatened (CR, EN and VU) nature types might contain HCV 3 qualities and should be considered as possible HCV.</p>	<p>Geographical scale: Country</p> <p>Functional scale: Specific proxies: - Protected areas - Selected habitat types - Priority species - Key habitats - Nature type localities - Old-age forests - NARIN core areas - Aichi biodiversity targets</p>	<p>Low risk:</p> <p>The existing legal requirements, and/or the existing forestry practice related to the HCV 3 proxies protected areas (national parks and nature reserves), selected habitat types, priority species, key habitats, nature type A localities and old-age forests are found to mitigate the potential risk to a sufficiently level.</p> <p>(15) Low risk; Proxies for forest areas that might contain HCV 3 is identified and/or its occurrence is likely</p>

	<p>Generally other proxies used to describe the possible presence of HCV 3 qualities in Norwegian forests will cover the HCV 3 qualities described by this proxy. Such proxies are legally protected areas (national parks and nature reserves), selected habitat types, key habitats, nature type A and B localities, Narin-areas and old age forests.</p> <p>Protected forest areas, selected habitat types, and key habitats As described under HCV 1</p> <p>Nature type localities The Nature type localities are registered according to the guidelines in DN-handbook 13, which describes a method to map and valorize important nature-areas (Norwegian Environmental Agency 2007). The nature types are ranked in the categories A (national importance), B (regional importance) or C (local importance). Knowledge of mapped nature types of value A and B shall be used by authorities for spatial planning (FOR 2006-06-07-593). Nature type A localities contain habitats of national importance. Nevertheless, after investigations, some B localities also have been found to contain qualities of higher importance. Examples of such qualities are threatened habitat types according the 2011 Norwegian red list of Ecosystems and Habitat types (Larsen et al. 2016) or additional recordings of threatened species.</p> <p>The proxy for areas that may contain HCV 3 qualities should therefore include both Nature type A and B localities. This proxy covers 0,31 mill hectares of forested areas in Norway.</p> <p>NARIN-areas The NARIN database (Borchbio.no 2017) contains an evaluation of the conservation value of different forest areas, with the purpose to document areas that might be protected as nature reserves. The website gives an overview of areas scientifically assessed as potential nature reserves.</p> <p>The different NARIN areas are classified with the use of stars and numbers that represent the quality of the area, and the conservation value on a national scale. For each NARIN area, core areas have been defined. Such core areas are evaluated using the same principles and criteria as for Nature type localities (DN-handbook 13). The core areas are ranked into the ***/A (national importance), **/B (regional importance) or */C (local importance).</p> <p>The NARIN core areas with ***/A or **/B are particularly important forest areas and may contain rare, threatened or endangered ecosystems, habitats and species (see Nature type localities). The proxy for areas that may contain HCV 3 qualities should therefore include NARIN core areas of ***/A or **/B value.</p>		<p>in the area under assessment, but it is effectively protected from threats caused by management activities.</p> <p>Specified risk:</p> <p>The nature type B localities, and the ***/A and **/B NARIN core areas are set as specified risk at a national scale.</p> <p>(17) Specified risk; Proxies for forest areas that might contain HCV 3 is identified and/or its occurrence is likely in the area under assessment and it is threatened by forest management activities.</p> <p>(Met thresholds in parentheses according to the framework (FSC 2014)).</p>
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Old-age forests

Old-age Forests are forests of high biological age and with limited disturbances from human forest management activities (some historical selective logging, but no clear fellings). Old-age forests usually have a tree species composition and stratification that is close to a natural situation. This definition of old-age forest is commonly used in governmental reports and databases (Framstad & Sverdrup-Thygeson 2015, Søggaard et al. 2012, Pedersen et al. 2016, Dalen 2016), and describes similar forests as the concept of near-natural forests (naturskog) does. Near-natural forests usually have additional forest structures like larger amounts of dead wood (Rolstad et. al 2002).

The definition of when a forest is an old-age forest is adjusted in accordance to low, medium-high and high-very high site productivity and tree species (table 1). Thus, an old age forest varies in age from 80 years in a highly productive broadleaved forest to 180 years in a low production pine-dominated forest (Søggaard et al. 2012). Old-age forest covers approximately 9.4 % (767 000 ha) of the Norwegian productive forest, and approximately the same amount of the non-productive forests (Framstad & Sverdrup-Thygeson 2015).

Table 9. Age threshold for old-age forest, divided on three different site productivity classes and forest types (as described by Søggaard et al. 2012).

Site productivity	Broadleaved forest	Spruce forest	Pine forest
Low	120 yr	160 yr	180 yr
Medium-high	100 yr	140 yr	160 yr
High-very high	80 yr	120 yr	140 yr

84 % of the 1074 threatened forest-dependent species are found in old age forests, as defined here. While in mature production forest (development class IV/V) 61 % of the threatened forest dependent species are found, and only 15 % occur in young production forests (development class III) (Henriksen & Hilmo 2015c). The old-age forests are often highlighted as forest areas with high conservation values, as these should be close to natural ecological condition, and with high biodiversity (Søggaard et al. 2012).

The old-age forest describes a forest type that may contain HCV 3 qualities that are not covered by other proxies in this risk assessment.

Old-age forests are registered in the Norwegian National Forest Inventory (NFI) (NIBIO 2008), which gives an overview of the distribution of these forests. There are today no complete register or maps showing the occurrence of these areas, but there are governmental incentives to map the old-age forest areas in the near future (White paper; Meld. st. 6 2016-2017).

	<p>Threats and Safeguards identification and evaluation</p> <p>Any forestry activity could generally be a threat against rare, threatened or endangered ecosystems, habitats or refugia, where the condition of the forest is important for the function of the ecosystem and the quality of the habitat and/or refugia. The threats related to protected forests (national parks and nature reserves), selected habitats, key habitats and Nature type A localities were discussed prior, in HCV 1, and are used here as well.</p> <p>Protected forest areas, selected habitat types, and key habitats As described under HCV 1</p> <p>Nature type localities Applies nature type localities that are not covered by any legal protection (nature reserves, key habitats etc). The nature types are routinely loaded into the online maps that are used by forest owners and timber buyers for planning prior to the harvest. If forestry activities affect nationally important nature type localities (value A), further assessments are needed and establishment of additional key habitats is evaluated by a forest biologist. These routines are presently not covering the Nature type B localities. The procedure is in accordance to the PEFC-standard.</p> <p>The possible HCV 3 qualities within nature type A localities are thought to be captured and safeguarded within current forest management routines. The possible HCV 3 qualities within nature type B localities are not captured and safeguarded (Fylkesmannen.no 2016).</p> <p>NARIN-areas NARIN-areas included in the described proxy are the ***/A and **/B valued NARIN core areas that are still not protected as nature reserves. There are currently no consultation routines within the forestry sector according to NARIN core areas if they are not embedded into the Naturbase map service as they are not yet digitalized. Thus, the areas are even not visible in the map-tools used by commercial actors and forest owners. The process of adding the NARIN core areas to Naturbase is delayed because of slow proceedings in bureaucracy.</p> <p>When added to Naturbase, NARIN core areas with ***/A values will be covered by existing routines within the forestry sector similar to A naturtype localities (explained above). The routines do not cover non-digitalized ***/A localities, and all ***/B localities. Possible HCV 3 qualities present in the NARIN-areas (core-areas) are not effectively protected.</p> <p>Old-age forests No management schemes focus directly on old-age forests as defined in this risk assessment, but a large part of the old-age forests is covered by different legal protection schemes (Sverdrup-Thygeson et al. 2014). The forest habitat inventory with the selection of</p>		
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		<p>key habitats also captures some of the forest areas of old-age. Even with this overlap, approximately half of the old-age productive forests do not have any form of protection or restrictions (Framstad & Sverdrup-Thygeson 2015, table 7 and 9, p. 37).</p> <p>Data from the Norwegian Forest Inventory show that the stipulated amount of forests that falls under the old age category, have increased from 384 000 hectares in 1996 to 760 000 hectares in 2012. This indicates a positive trend in the amount of old age forests (Dalen 2016, Sjøgaard et al. 2012). At the same time, old age forests which have never been clear cut is being reduced.</p> <p>Data collected by the Norwegian Forest Inventory is based on a fixed set of sample plots, and the development and quality of the forest within these sample plots is then used to stipulate the development and quality of the Norwegian forests in general. In the white paper on forestry (Meld. St. 6 S 2016-2017), the Government decided to adopt the decision to start mapping the old age forests (Innst. 162 S 2016-2017).</p> <p>There is little documentation that proxies for HCV 3 qualities present in the old age forests are threatened by management activities. However, there might be a need for a new evaluation of threats when our knowledge about the areas, and a precise localization of the oldest forests, is available.</p> <p>Reaching the Aichi target Norway is signatory of the Convention on Biological Diversity (CBD) and has committed to its Aichi targets. 3 % of the productive forest area (4,3 % forest coverage including unproductive forest) is protected, and forest protection increases with 0,1-0,2 % per year (CBD.int 2017, Norwegian Ministry of Climate and Environment 2014), and the annual acreage increases. The Norwegian government has decided that 10 % of the Norwegian forests are to be protected as nature reserves or national parks (WWF.no 2016; Innst. 294 S 2015-2016). Even if there is set no timeline to reach this political target, it demonstrates a will and intention to reach international commitments. The economical capital for forest conservation in the state budget (2017) was 442 mill NOK, and this amount has been increasing since 2012.</p>		
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		<p style="text-align: center;">Funding for forest conservation 2002-2017</p> <table border="1"> <caption>Data for Figure 2: Funding for forest conservation (Million NOK)</caption> <thead> <tr> <th>Year</th> <th>Funding (Million NOK)</th> </tr> </thead> <tbody> <tr><td>2002</td><td>105</td></tr> <tr><td>2003</td><td>110</td></tr> <tr><td>2004</td><td>120</td></tr> <tr><td>2005</td><td>175</td></tr> <tr><td>2006</td><td>110</td></tr> <tr><td>2007</td><td>105</td></tr> <tr><td>2008</td><td>195</td></tr> <tr><td>2009</td><td>200</td></tr> <tr><td>2010</td><td>195</td></tr> <tr><td>2011</td><td>135</td></tr> <tr><td>2012</td><td>120</td></tr> <tr><td>2013</td><td>240</td></tr> <tr><td>2014</td><td>330</td></tr> <tr><td>2015</td><td>330</td></tr> <tr><td>2016</td><td>390</td></tr> <tr><td>2017</td><td>440</td></tr> </tbody> </table> <p>Figure 2. Funding for forest conservation in the State budget from 2002 until 2017. Values in million NOK.</p>	Year	Funding (Million NOK)	2002	105	2003	110	2004	120	2005	175	2006	110	2007	105	2008	195	2009	200	2010	195	2011	135	2012	120	2013	240	2014	330	2015	330	2016	390	2017	440			
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2017	440																																						
3.4 HCV 4	<p>12, 21, 24, 25, 26, 35, 41, 47, 68, 74, 76, 83, 92, 94</p> <p>Personal communication: 1</p>	<p>Basic ecosystem services in critical situations including protection of water catchments and control of erosion of vulnerable soils and slopes.</p> <p>Occurrence of HCV 4 In Norway, mires and swamp forests play an important role in limiting floods and erosion. Due to artificial draining, mostly between ca. 1900 and 1990 (e.g. Dalen 2010, SABIMA 2016), a relatively large amount of mires and swamp forests have been lost or reduced their natural function as flood protection. Approximately 1/3 (7.000 km² of a total of 22.000 km²) of the Norwegian mires and swamps below the mountain tree border have been drained. More than half of these areas (approximately 4.100 km²), especially those on nutrient rich grounds, have been converted into drier forest types (Moen et. al. 2011). The same is true for forested zones bordering rivers and creeks. Such forests covered large areas of the river valleys far back in history, whereas today, due to human infrastructure, agriculture and logging, such border zones are often lacking or very small in river valleys with human settlements.</p> <p>In the slopes and plateaus above the river valleys, one finds a much larger amount of intact mires and swamp forests, and generally more intact vegetation zones along rivers and creeks</p>	<p>Geographical scale: Country</p> <p>Functional scale: SIR of forest management operations</p>	<p>Low risk for the country:</p> <p>Forestry requirements ensures mires, swamp forests, mire forests and border zones. Pollution of water, especially drinking water is forbidden. Reduction of water quantity is generally not a problem in Norway.</p> <p>Threshold (20) is met: There is</p>																																			

	<p>(Evju 2011). Such natural areas are important for conserving and delaying water, and thus have an important role in reducing damage caused by flooding and erosion (Rusch 2012).</p> <p>Norway is dependent on surface water for drinking water. Only 10 % originates from groundwater (Norsk vann.no 2016). Forests constitute an important role for ensuring surface water quality in Norway (Henrikson 2000). The right to clean drinking water is covered by the "Drinking Water Regulation".</p> <p>Norway has large extensions of steep terrain, especially along the coast, which is why forests play an important role here, limiting damage from erosion and landslides. Landslides generally occur on slopes steeper than 25-30 degrees (NOU 2013). Each municipality has plans and maps indicating which areas are susceptible to landslides and avalanches (NIBIO 2017a), and which have established rules for human activities that can be conducted in such areas.</p> <p>Forests in river valleys and steep slopes of more than 25-30 degrees, and with deep and unstable soils or loose rocks, as well as forests surrounding surface drinking water resources, are considered HCV 4 forests.</p> <p>Threats and Safeguards identification and evaluation</p> <p>Every year, forests along river valleys and remnants of mires and swamps are being reduced, due both to ditching for agricultural purposes and, perhaps mostly, to public works to protect human infrastructure by "plastering" the river edges with boulders or walls. This kind of work has been expedited in recent years due to the increased frequency of larger floods in populated areas. This effort can reduce flooding, but when the water rises above the constructed flood protection, buffer vegetation can be inefficient or absent.</p> <p>In ordinary forest areas the Norwegian PEFC-standard requires protective border zones (further assessed in ind. 1.9). The standard, and equally the legislation, states that there must be no new draining of wetlands, bogs and swamp forests. PEFC (requirement 25) has furthermore specific descriptions than the forest act. Trenches may be cleaned, and supplementary draining may be carried out, unless there is a need to restore habitats on the property. Concerning stability and rejuvenation of existing tree species, selective felling must to a high degree be used in swampy and wetland forests, as well as in the border-zone to firm ground. It is desirable to preserve and develop a multi-layer buffer zone along all wetlands. The requirements limit the destruction of wetlands, bogs, and swamp forests.</p> <p>Heavy logging machines are commonly used and can reduce the capacity of impacted logging areas to absorb water from flooding. However, there is no indication that this is being done at a scale that may lead to major flooding and threaten human health. Illegal draining</p>		<p>low/negligible threat to HCV 4 caused by management activities in the area under assessment</p> <p>(Met thresholds in parentheses according to the framework (FSC 2014)).</p>
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		<p>does not constitute an issue, and current forest practices are not considered to be a major reason for flooding.</p> <p>Additionally, harvesting can affect water quality through changed hydrology, light, temperature, leakage of nutrients and erosion. As for protection of drinking water reservoirs the harvesting of the forests does not seem to have a major effect on the drinking water quality at a large scale. It is required during harvest to leave buffer zones to streams and other land-use types. Despite the buffer zone requirement is not always sufficiently implemented (see indicator 1.9), there has been found no reporting of forestry leading to large scale and consistent damage of drinking water resources. The drinking water resources is defined by the Norwegian Food Safety Authority as sources supporting more than 50 houses (www.mattilsynet.no), and the wells or lakes/streams are available in the databases of the National Mapping Authority (www.kartverket.no) and implemented into the digital maps used by commercial forestry. Large scale and consistent damage is defined as damage of one or more of the drinking water resources for short periods (hours or maximum a week depending on the degree of seriousness). Even smaller drinking water resources supporting one or a few families are critical elements to business for the timber buyers, and efforts and instructions are strictly protecting these. Destruction of drinking water is illegal and the fees and fines and compensation claims are high.</p> <p>In the steep fjord landscapes, relatively large areas previously dominated by pine or deciduous forests have been transformed into single-species spruce stands since the 1930s. These forests are very dense, hence the vegetation on the ground is often lacking. When they lack ground-level vegetation, such areas can be more exposed to erosion and landslides (pers. comm. 1) since lower substrata of vegetation required to hold the soil are lacking. However, conversion of pine or deciduous forests to spruce plantations is taking place at a lower scale today. Clear-cut areas with spruce plantations are, according to law, densely replanted with spruce. This can make the areas susceptible to erosion in the future. Therefore, clear-cut plantations may pose a threat in terms of soil erosion, but this is not considered to produce large scale erosion.</p> <p>While the forests in river valleys are important to flood management, the current risk from flooding is not related to forest management. Erosion and destruction of drinking water sources is not considered to be at a large-scale risk.</p>		
3.5 HCV 5	25, 25, 26, 33, 35, 53, 73, 89	Sites and resources fundamental for satisfying the basic necessities of local communities or indigenous peoples (for example for livelihoods, health, nutrition, water), identified through engagement with these communities or indigenous peoples.	Geographical scale: - Districts Functional scale:	Specified risk for Sami reindeer herding districts (Fig. 1).

<p>Personal communication: 2, 4 and 5</p>	<p>Occurrence of HCV 5 Grazing areas of sufficient quantity and quality are the basic resource for reindeer herding. Reindeer husbandry is a nomadic, area dependent industry with different requirements for grazing during different seasons.</p> <p>Traditional reindeer herding is exercised by Sami people - the indigenous peoples of Norway. Access to pasture is a basic human need for the reindeer herders in Norway, a resource on which they are critically dependent. HCV 5 occurs in the whole land area where reindeer husbandry takes place (figure 1).</p> <p>HCV 5 occurs in the Counties of Hedmark (Northern parts), parts of Trøndelag, Nordland, Troms and Finnmark. The economy of most Sami people does not depend directly on reindeer herding, although this still is an important supplementary income and is still the only economical income for several thousand Sami peoples.</p> <p>The Norwegian Ministry of Agriculture and Food estimates that around 3000 people are involved in reindeer herding in Norway, and about 2200 of these live in Finnmark, which amounts to almost 75 % of all reindeer herding in Norway (Regeringen.no 2014). Furthermore, this is an important part of the cultural identity of many Sami communities, and reindeer herding has been an important part of the Sami culture ranging back to at least medieval time, when hunting wild reindeer was replaced by domesticating and herding. Reindeer herding is nomadic, and reindeers are altering between summer, autumn, spring and winter pastures, which requires large foraging areas. Winter pastures are generally to be found inland, while the summer pastures are on the coast. A map of the areas used for pasture throughout the year is accessible at the Kilden webpage (NIBIO 2016b).</p> <p>The winter is usually the most critical period for the survival of reindeer, during which reindeers in the mountain forests sometimes graze exclusively on ground- or tree-living lichens. Tree-living lichens are a crucial factor during the winter, with periods of shifting thaw and frost.</p> <p>A great part of the reindeer herding areas are parts of the Arctic. The Arctic is on average warming at a rate twice the global average. The main reason is that for much of the year, Arctic land and water has been wrapped in a protective blanket of ice and snow that reflects back a lot of the sun's energy. As the Arctic warms, it loses that protective blanket, and the land and sea absorb more heat. This has a direct impact on the grazing conditions in Sapmi (the land of the Sami). There has been a gradually weather change the last 10 years creating more vulnerable conditions. Periods of shifting between thaw and frost has become more common in the wintertime. During such periods, the melting water will freeze into an icecap, hindering access of the reindeer to the ground-living lichens, thus making them dependent on</p>	<p>- Scope of management: Hunting regime</p>	<p>Forestry can potentially have a big impact on reindeer herding, the areas where it is present are part of the total fodder sources. The current forestry practices, especially in combination with pressure from other types of land use (cumulative impact) could threatening the basic fodder needs for reindeer herding.</p> <p>Threshold (26) is met: HCV 5 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p> <p>Low risk for Norway outside the sami reindeer herding districts (Fig. 1).</p> <p>Sami herding doesn't occur.</p> <p>Threshold (23) is met: There is no</p>
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old growth forests, where tree living lichens are found. Reindeers often avoid clear-cut areas in winter due to hard packed snow and less available food, and in young forests planted after logging, tree-lichens hardly ever occur. Thus, intact old growth and mature forest constitutes an important and necessary food source for the reindeer.

Those old natural forests are to some extent subject of final felling. The possibility of satisfying the necessities of the indigenous peoples of Norway is impacted by this development.

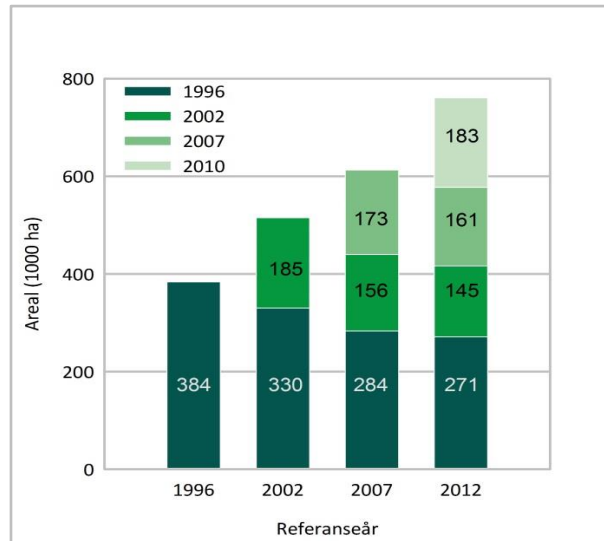


Figure 3. Status for old age forest in Norway in 1996, and development through the next 16 years, showing loss and gain of old age area. Source [NIBIO/NFI](#). The figure shows the share of old age forests is increasing (see also cat. 4), although there is a loss of the oldest part. Approximately 50 % of the loss of the oldest part is due to natural processes, the rest is due to logging. The same development should be expected for the forest used for reindeer grazing.

Threats and Safeguards identification and evaluation

As part of their cultural rights, Norwegian laws as well as Norway's obligations according to international law, grants the Sami people the right to conduct reindeer herding, as well as access to uncultivated land for fodder for their animals (see ind. 1.15).

HCV 5 identified and its occurrence is unlikely in the area under assessment

(Met thresholds in parentheses according to the framework (FSC 2014)).

	<p>Over time, the areas suitable for reindeer herding have been reduced due to human infrastructure, agriculture, road-building, clear-cutting old growth forests, extractive industry and hydroelectric exploitation, which grants greater importance to the remaining areas. Business activities like hydroelectric power plants, forestry and agriculture, recreation and reindeer herding often have conflicting interests (regjeringen.no 2014).</p> <p>The situation in Sapmi has been recognized by the United Nations Special Rapporteur on the rights of indigenous peoples, Victoria Tauli Corpuz. In August 2016 she addressed to the UN Human Rights Council a report of the human rights situation of the Sami people in the Sapmi region of Norway, Sweden and Finland. The report examines the situation on the basis of research and investigations carried out, including during a conference organized by the Sami Parliamentary Council in Bierke/Hemavan, Sweden, from 25 to 27 August 2015. During her visit, the Special Rapporteur heard repeated and insistent concerns over the increase in natural resource investments in the Sapmi region and the States' balancing of interests in that context. The balance, which is rarely free of conflict, is a primary focus of the report. The Special Rapporteur concludes that there are still challenges that the Governments must meet, particular with respect to adequately defining and recognizing the Sami people's rights over their land and related resources, and that further efforts are needed to advance and strengthen Sami rights, particularly in the face of increased natural resource investments in Sapmi.</p> <p>"The Special Rapporteur heard explanations from Sami representatives that resource areas, the diversity of nature, cultural monuments, the landscape and the fjords comprise an important part of the basis for their culture. The management of areas, nature and cultural heritage is therefore important to ensure the basis for preserving and developing Sami culture. It is important to find good solutions for the management of the use and conservation of natural resources that secure the reindeer husbandry, fresh and seawater fishing, small-scale farming, hunting and gathering that are important to Sami culture."</p> <p>During cold winters, reindeer can cause damage to the trees by cracking young saplings, and because there is less land available, there is an increasing pressure from reindeer herding, which can lead to an increasing number of conflicts with other types of land uses. Industrial forestry, which uses clear-cutting, fertilizing, and planting, can lead to the destruction of reindeer-feeding areas in the long run (Gundersen & Rysstad 2013). However, bigger clear-fellings and fertilizing or soil scarification is not common in northern Norway, especially not in the mountain forest and areas with groundlichen dominated vegetation types. Logging often involves clear-cutting, which results in the disappearance of entire areas of lichen-bearing tress. In addition, clear-cutting is making the snow layer covering the ground heavier, which makes it harder for the reindeer to access the lichen living in the ground. Construction of forest roads is also affecting reindeer herding and creating more disturbances for the animals,</p>		
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	<p>but, at the same time, it can make the forest areas more accessible, having thus both a positive and a negative influence on reindeer (Gundersen & Rysstad 2013). There are no specific regulations in national legislation concerning general rights of the Sami peoples to be included in consultation processes seeking their consent for forest operations, utilize the FPIC concept, and hence, how to treat the rights of the Sami people with respect to logging operations or other forest uses.</p> <p>A minor exception is when a forest owner applies for permit to build a forest road in areas where the Sami people have traditional land rights (Fig. 1). In these areas, the application has to be sent to the Sami Parliament, granting them the possibility to express their opinion. However, the Sami Parliament cannot altogether stop road building they are in opposition of. This procedure does not give the Sami right holders the right to give or withdraw their consent.</p> <p>Compared to the national legislation the international law is very clear when it comes to FPIC. FPIC has to be applied in situation where Sami Peoples are adversely impacted by forestry operations - and that is not the case in Norway. The opinion of this statement is not completely unified inside the NRA Working Group (see ind. 1.14). About 75 % of the people involved in reindeer herding are found in the county of Finnmark. According to the office of the Country Governor in Finnmark, very little commercial forestry is taking place in the county, and the forestry sector is assumed to have a good communication with the Sami people. But as mentioned above, there are no specific regulations in national legislation concerning general rights of the Sami peoples to be included in consultation processes seeking their consent for forest operations, utilize the FPIC concept, and hence, how to treat the rights of the Sami people with respect to logging operations or other forest uses.</p> <p>A study from Sør-Trøndelag on reindeer herding and related conflicts did not show logging of forests to be a major risk for the destruction of fodder for reindeer in the areas under study. This study presents evidence of a general pressure from other types of land use, where forestry is involved in some, but not in most of the conflicts (Gundersen & Rysstad 2013). However, the increased cumulative pressure on the reindeer herding pastures indicates that forestry, together with other land competing interest, can be a major threat in some areas. There are today reindeer herding districts in Norway where more than 80 % of the total pastures are impacted of a variety of competing land interests such as roads, cabins, hydropower, windmill farms, army activities etc. (Protect Sapmi 2016). In a situation like that even a minor forestry activity can create a severe situation.</p> <p>There is a need for tools to facilitate the relations between forestry companies and Sami right holders. A common access to interactive digital maps (GIS maps), showing important areas for the reindeer herding as well as forestry should be developed by national authorities, for improved communication between the forestry company and the Sami right holders - using</p>		
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		<p>the same forest areas. When such maps exist, the forest managers could more easily adapt the forest operations to the needs of the reindeer herders and vice versa. An initiative toward the responsible authorities to start a process to develop such mapping tools is taken by Protect Sapmi and the two largest forest owner organizations is on the agenda. It is a common goal for these stakeholders that the authorities start a mapping-project during 2018.</p>		
3.6 HCV 6	<p>1, 2, 3, 4, 5, 7, 8, 9, 17, 25, 26, 32, 34, 35, 36, 42, 43, 51, 52, 54, 55, 56, 57, 58, 60, 62, 65, 66, 85, 86, 95, 98, 102, 105, 107, 108, 109, 110, 111, 112, 116, 117, 118</p> <p>Personal communication: 2</p>	<p>Sites, resources, habitats and landscapes of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or indigenous peoples, identified through engagement with these local communities or indigenous peoples.</p> <p>Occurrence of HCV 6 Digital maps showing occurrence of cultural heritage sites are available (https://kulturminnesok.no/).</p> <p>Written sources trace reindeer husbandry back to the 1500s, while archaeological studies show that it may be far older (Olaus Magnus 1976, Storli 1994, Andersen 2011).</p> <p>Reindeer herding, which includes various forms of pastoralism and nomadism in space and time, has its own dynamic and practise, its own history, memories, knowledge and way of life. The history of the effects of reindeer herding, with its distinctive management, is defined and identified in the form of cultural remains and use of the landscape.</p> <p>Earlier research within the fields of archaeology, history, ethnology and anthropology has usually concluded that the transition from wild reindeer hunting to reindeer pastoralism has led to considerable changes in Sami society, leading to the more extensive nomadic pastoralism we know today. The origin of reindeer pastoralism is currently debated, and the initial stage is centred around two periods covering several hundred years. According to one line of argument, reindeer pastoralism, also understood as reindeer husbandry, developed between the 14th and 17th centuries (Vorren 1980, Lundmark 1982, 2007, Olsen 1984, Hansen 1990, Mulk 1994, 2005, Fjellheim 1999, Wallerström 2000, Hansen & Olsen 2004, Sommerseth 2005, 2009a, 2009b). Other researchers suggest that the Sami kept tame reindeer as a form of reindeer herding subsistence or reindeer pastoralism in a much earlier phase, during the period between AD 200-1000 (Aronsson 1991, 2005, Odner 1992, Storli 1994, Hedman 2003, 2005, Bergman et al. 2008, Andersen 2011). The causes of these developments have been discussed in different interpretations, and the emphasis has often been placed on a variety of conditions such as trade, taxation, foreign politics and legal decisions, as well as progressive agricultural colonization (Tegengren 1952, Hultblad 1968,</p>	<p>Geographical scale: Counties (consistent with indicator 2.3 as the counties are subareas of the Sapmi region).</p>	<p>Specified risk for Culturally Modified Trees (CMT) occurring in the counties of Nordland, Troms and Finnmark:</p> <p>CMT: The knowledge about and mapping status of automatically protected CMTs according to legislation is incomplete and partly lacking. CMT can therefore be affected by harvest operations. The proxy occurs in old pine forests in the inner parts of the counties Nordland, Troms and Finnmark, and it is not possible to measure percentage of total timber volume in each of the counties. The assessment is</p>

	<p>Vorren 1980, Lundmark 1982, 2007; Hansen 1984, 1990). Some researchers have explained the transition in light of a decimation and extinction of the wild reindeer population (Vorren 1980, Lundmark 1982, 2007, Fjellheim 1999, Bjørnstad et al., 2011). Other researchers have also focused on the internal changes within Sami reindeer society, and they point to the late Middle Ages as the period in which these changes become visible.</p> <p>During the second half of the 19th century, Norwegian archaeological and culture historical research was strongly affected by the nation-building project, with a focus on a unified Norwegian history and heritage. Both in political and historical terms the Sami represented an anomaly and a disturbance in relation to the homogeneous aspirations of this project. In fact, throughout much of the 20th century the Sami past was deemed of little interest to archaeology (Schanche & Olsen 1983, Hesjedal 2000, Hansen & Olsen 2004).</p> <p>Today, the authorities' political aims and responsibility regarding Norway's cultural heritage are clearly expressed. The Cultural Heritage Act (LOV-1978-06-09-50) specifies that it is a national responsibility to safeguard cultural heritage as scientific source material and as an enduring basis for the experience of present and future generations and their selfawareness, enjoyment and activities. Further, the Directorate for Cultural Heritage (Riksantikvaren) has made it clear that the protection of cultural heritage and cultural environments is to be based on good source data and justifiable methods; the Directorate will contribute to the establishment and implementation of national and regional registration projects and further contribute to the devolvement of predicative methods. In 1994, responsibility for regional management of Sami cultural heritage was transferred to the Sami Parliament (Samediggi), which emphasizes a sustainable and long-term perspective in all allocations of land and resources in traditional Sami territories (Stina Barlinhaug, 2013).⁶</p> <p>The Sami cultural remains bear witness to a rich and varied history, with an emphasis on fishing and hunting in older times – and later with the addition of reindeer husbandry and domestic animals. Examples of Sami cultural remains are burial sites, milking and branding sites for reindeer, sites with traditional stories attached to them, as well as different buildings, such as farm houses, sheds, barns, turf houses (gamme) and storage houses (stabbur). Culturally modified trees have been recorded in Scandinavia by archaeologists and are still valuable for many indigenouse peoples (Mobley & Eldridge 1992, Blackstock 2001). The ethnological backgrounds have been carefully analysed and many reports have been written on trees peeled for inner bark used for food and other purposes (e.g. White 1954, Swetnam 1984, Mobley 1999, Östlund 2004). The importance of bark products in native economies has</p>		<p>therefore precautionary.</p> <p>Threshold (30) is met: HCV 6 is identified, and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p> <p>Low risk for all protected cultural heritage sites (except of CMTs) in all counties.</p> <p>Accidental violations to cultural heritage sites happens but is regarded to be negligible. Monuments, remnants and artefacts older than 1537 and sami cultural traces older than 100 years are strictly protected by law. Comprehensive coursing of personal (Skogkurs.no 2013), professional</p>
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⁶ 5 The Directorate's strategy plan for management of cultural sites and environments 2010–2012. http://www.riksantikvaren.no/Norsk/Om_Riksantikvaren/Strategisk_plan/ 6 The Sami Parliament's plan for environment and heritage. <http://www.sametinget.no/Miljoe-areal-ogkulturver>

	<p>also been studied (Gottesfeld 1992, Östlund et al. 2004, Bergman et al. 2004), as have CMTs on a regional scale (Arcas Associates 1986, Zackrisson et al. 2000, Östlund et al. 2003). Culturally Modified Trees in Sapmi (CMTs), which are modified <i>Pinus sylvestries</i>, can be found particularly in the Counties of Nordland- Troms and Finnmark, where <i>Pinus sylvestris</i> is present (Lorås 2013; Lorås & Storaunet 2008; Lorås & Eidissen 2013). These CMTs are also protected against negative impact by the Cultural Heritage Act. They are quite easy to identify in the field, but the awareness about these special cultural monuments has been quite low among foresters.</p> <p>Sami cultural remains are found over a wide area – at least from Hedmark county in south Norway to Finnmark county in the north. Since most of the Sami buildings in the Sami core areas of Finnmark and North Troms were burnt down during the end of the Second World War, the composition of Sami buildings will vary according to history and geography. Where Sami settlements and usage are still intact today, many of the Sami remains are part of a living tradition that may have very deep roots.</p> <p>Sami cultural remains are automatically protected by law when they are more than 100 years old. The goal of the preservation programme for Sami remains includes establishing a register of all Sami buildings that are automatically protected by law by 2017 and developing a plan for preserving and maintaining these buildings. One question to be considered by the programme is whether to preserve and maintain all Sami buildings older than 100 years. It will also contribute towards a discussion of whether the 100 year-limit for automatic protection of Sami remains is suitable.</p> <p>The Askeladden database (or kulturminnesok.no) can be used to identify sites of cultural value. However, the database is not complete, as many cultural heritage sites are not yet identified and mapped and may therefore be affected by forestry activities. In most of the country, where there are or have been Sami people populations, the occurrence of such historical and/or cultural sites is poorly mapped. There are for the Sami peoples significant HCV 6 sites present in the whole area of Sapmi (Skogkurs.no 2013).</p> <p>Threats and Safeguards identification and evaluation</p> <p>Norwegian and Sami monuments, remnants and artefacts older than 1537 or more than 100 years old, respectively, are protected by the Cultural Heritage Act (LOV-1978-06-09-50). There are generally three forestry measures that can damage cultural heritage sites and monuments: construction of forest roads, soil damage and scarification, as well as careless driving of heavy forestry machinery (Skogkurs.no 2013). If there is a possibility of cultural sites being affected by building of forest roads, the construction project shall be sent to a hearing at either the county's cultural heritage administration or the Sami parliament, which today is a</p>		<p>planning and general awareness during forestry operations mitigates violations.</p> <p>Threshold (29) is met: 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>(Met tresholds in parentheses according to the framework (FSC 2014)).</p>
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		<p>well-established practice. There is no full overview of the destruction of cultural heritage sites. As the locations are not fully mapped, the forest owner has to identify the sites before harvesting (Skogkurs.no 2013). The forest owners usually aware of the need to protect cultural heritage sites. Quite often forest contractors and forest owners identify new cultural sites.</p> <p>World Heritage and other nationally significant cultural sites are protected though the Cultural Heritage Act. The west Norwegian fjords is an example of areas protected as an IUCN Category V “Protected Landscape”, and several small areas within this are Category I “Strict Nature Reserves”. The legal regulations embodied in the Norwegian Nature Diversity Act provide long term protection for the full range of natural values (whc.unesco.org 2016). These areas are considered well protected, and forest activities are not considered to be a threat to their cultural status.</p> <p>Culturally Modified Trees (CMTs) are in general not mapped, although they are automatically protected against negative impacts by the Cultural Heritage Act. There is documentation that CMTs have been logged (Midteng 2010; Lorås 2013). For the untrained eye, the cultural markings can look similar to fire damage, and there have been cases of trees felled due to this lack of distinction (Midteng 2010a).</p> <p>Following the precautionary approach, Culturally Modified Trees are considered under specified risk in areas of <i>Pinus sylvestris</i> that have not been clear-cut in Nordland, Troms and Finnmark. These old trees can be found in pine forests in logging stands IV or V of the forestry stand system, or in forests not classified in stands due to low productivity or difficult access but dominated by mature forests (trees older than 100 years).</p>		
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Control measures

Indicator	Recommended control measures
3.0	No control measures (indicator serves for risk assessment purpose only).
3.1 HCV 1	<p>Recommended Country Specific control measures</p> <p>In addition to the already commonly implemented control measures in operational forestry, the following <u>control measures</u> need to be implemented and documented to mitigate the identified risk:</p> <p>Routines for planning of harvesting operations should be adjusted to also control if the planned activities possibly will conflict with:</p> <ul style="list-style-type: none"> - Occurrence of at least 4 different identified and mapped species of forest living near threatened (NT) species within an area of 1 ha (100x100 m). - Identified occurrence of known sites of forest living near threatened (NT) responsibility species. <p>If such possible conflicts are identified by examination of relevant net-based mapping services like Kilden or Artskart, a qualified forest biologist have to be consulted, to determine if parts of the planned area really qualify as HCV, and which considerations that eventually have to be taken.</p>

3.2 HCV 2	<p>Recommended Country Specific control measures In addition to the already commonly implemented control measures in operational forestry, the following <u>control measures</u> need to be implemented and documented to mitigate the identified risk for Finnmark county:</p> <p>Identification from available digital maps whether the planned harvesting activities are inside identified areas of any Intact Forest Landscapes (IFL). When this is the case, only careful small-scale harvesting adapted to natural regeneration and which avoid fragmentation of the area should be conducted.</p>
3.3 HCV 3	<p>Recommended Country Specific control measures In addition to the already commonly implemented control measures in operational forestry, the following measures need to be implemented and documented to mitigate the identified risk: Routines for planning of harvesting operations should be adjusted to also control if the planned activities could conflict with:</p> <ul style="list-style-type: none"> - Category B of identified nature types. - NARIN core areas of ***/A or **/B value identified in the NARIN database. <p>If such possible conflicts are identified by examination of relevant net-based mapping services like Borchbio, Kilden or Artskart, a qualified forest biologist have to be consulted, to determine if parts of the planned area really qualify as HCV, and which considerations that eventually have to be taken.</p>
3.4 HCV 4	Not applicable
3.5 HCV 5	<p>Recommended Country Specific control measures It is especially important for reindeer herders to, in a consultation process, have the possibility to give their opinion, influence and consent on plans for forestry activities which might have an adverse impact on the traditional practices and livelihood in connection to their reindeer husbandry rights, e.g. grazing conditions, trails, logistic conditions, gathering places, sites of cultural importance etc.</p> <p>Fertilizing and soil scarification is not common in the relevant areas, but might occur. Bigger clear felling does to some extent take place. Plans for clear felling, fertilizing and soil scarification on surfaces covering more than 10 ha per site should be distributed to the local Sami right holders/reindeer-herding district, with at least one-month notice in order to seek their consent for the planned forestry activities. The right holder/reindeer-herding district should then have the possibility to give their opinion to the forestry plan, which should be taken into consideration and implemented when finalizing the plan. Procedures for this consultation process shall be implemented by January 1st 2019.</p> <p>The consultation process will encompass several steps where the forestry company has the following responsibility:</p> <p>Step 1: Identify Sami rights holders and their reindeer herding rights through engagement. Step 2: Prepare for further engagement and agree on the scope of the consultation process Step 3: Inform affected right holders Step 4: Negotiate and allow right holders to respond/react on the proposed forestry activity Step 5: Verify and formalize the result of the consultation Step 6: Implement and monitor the agreement based on the consultation Step 7: In cases where the parties do not succeed in reaching any mutual acceptable conclusion, solving through mediation should be considered using an independent mediator as a facilitator.</p>
3.6 HCV 6	<p>Country Specific Verifiers: Identification of the Culturally Modified Trees, where the bark from younger pine trees formerly has been used for additional food for people, is quite easy. The economic value of the trees is rather low, and the pressure for harvesting such trees is accordingly low. The challenge of saving these cultural sites should be solved by spreading information about these cultural values to forest managers and wood buying companies operating in the counties of Nordland, Troms and Finnmark.</p>

	It is also important that Forestry companies seek information concerning cultural sites, resources, habitats and landscapes of cultural, spiritual, archaeological or historical significance in the Consultation process as described under 3.5.
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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>Statistics Norway (2015): Arealbruk og arealressurser, 1. Januar 2015. Available at: https://www.ssb.no/natur-og-miljo/statistikker/arealstat/aar/2015-09-11#content, [Accessed 14 October 2016].</p> <p>Øyen, Bernt-Håvard (2008): skogreisningen på kysten – et streiftog gjennom historien. Oppdragsrapport fra Skog og landskap 01/18 2008, Pp. 69-80. Available at: http://www.skogoglandskap.no/filearchive/9-or_1-2008-6.pdf, [Accessed 14 October 2016].</p> <p>Skogsnorge.no (2010). Lære med Skogen. Chapter 4. Skogen og samfunnet. Available at: http://www.skogsnorge.no/userfiles/files/SkogsNorge-nytt%20vedlegg/Skogen%20og%20samfunnet.pdf, [Accessed 31 August 2016].</p> <p>Axel Granhus, the National Forest Inventory, Personal Communication</p> <p>Breidenbach, J., Eiter, S., Eriksen, R., Bjørkelo, K., Taff, G.N., Søgaard, G., Tomter, S.,</p>	-	<p><u>Assessment based on legality</u></p> <p>Legislation</p> <ul style="list-style-type: none"> • Regulation relating to planting of alien tree species for forestry purposes (2012) - FOR-2012-05-25-460. https://lovdata.no/dokument/SF/forskrift/2012-05-25-460?q=treslag. • Planning and building act (2008) - LOV-2008-06-27-71. https://www.regjeringen.no/en/dokumenter/planning-building-act/id570450/ • Regulation concerning impact assessments (FOR-2017-06-21-854): https://lovdata.no/dokument/SF/forskrift/2017-06-21-854/KAPITTEL_1#KAPITTEL_1 • Regulation on sustainable forestry (2006) - https://lovdata.no/dokument/SF/forskrift/2006-06-07-593?q=forskrift om berekraftig skogbruk <p>Content of the law</p> <p>Regulation relating to the use of alien tree species for forestry purposes aims to prevent negative consequences for biodiversity. The forest owner has to apply to the environmental authorities at least two months before planting is planned to be done. The tree species, number of plants, a map showing the planting area, a plan for preventing dispersal of the species used, and an analysis of how planting affects the local biodiversity, is some of the information demanded from the forest owner. If permission is given, the forest owner is required to have a control system to monitor possible dispersal into heathers or forests consisting of indigenous tree-species, and routines for ensuring knowledge about details in the regulation among the forest workers. The regulation does not distinguish between planting in areas also formerly used for alien tree species and conversion areas.</p> <p>The Planning and Building Act regulates conversion of land use. This law describes the official planning process for conversion of i.e. forest into other land use. The law requires that conversion of forest-areas into non-forest use demands an official regulation plan and a risk assessment according to the Regulations on environmental impact assessment for plans under the Planning and Building Act. This plan is usually approved by the authorities of the municipality, but sometimes at county or national level (big projects of national importance). When areas are expropriated by the state, compensations are calculated due to the value of the forest and the area and paid to the owner.</p>

	<p>Dalsgaard, L., Granhus, A. & Astrup, R. (2017). Analyse av størrelse, årsaker til og reduksjonsmuligheter for avskoging i Norge. Nibio rapport 3/152/2017. Available at: http://www.miljodirektoratet.no/Documents/publikasjoner/M935/M935.pdf</p>	<p>The only exception is conversion of forest into grazing land for domestic animals which doesn't need an approved regulation. In these cases, the timber is felled according to the forestry legislation, meaning that key biotopes and other legally protected areas shall be left untouched.</p> <p>According to the regulation on sustainable forestry, it is mandatory to inform the municipal authorities about change of tree species on areas exceeding 10 hectares (e.g. change from birch to spruce), and the authorities may stop it. It is forbidden to change tree species in broadleaved deciduous forest, except of oak forest on low or medium site productivity classes.</p> <p>Is the law enforced? Conversion of indigenous forest systems into plantations with alien (extra-Norwegian) tree species is strictly regulated by the environmental authorities. Violations has not been reported. Conversion of forests into non-forestry use is mainly regulated by the Plan and Building Act and needs a regulation plan made by the authorities. According to accessible information, violations rarely happen, e.g. building of private dirt roads without permits, but violations are easy to discover and the consequences are economically heavy (high fines). Reports are made on municipality level. Prosecutions of violations are also done by local authorities and not centrally collected into statistics. The exception is conversion of forest into livestock grazing land which doesn't need an approved regulation due to the Planning and Building Act. This comprises approximately 18 % of the conversion, i.e. ca.1040 ha annually, or ca. 0,01 % of the productive forest. The forestry legislation protects the key habitats and other protected areas from logging in these areas.</p> <p>In 2016, Norway had a Corruption Perception Index (CPI) of 85 and, according to the World Bank Worldwide Governance Indicators, – on a scale of -2,5 to 2,5 in 2015 – it received a score of 1,86 for Government Effectiveness, 2,02 for Rule of Law and 2,26 for Control of Corruption, indicating that the country has low corruption levels and a high degree of legal compliance. Applicable sources or reports of violations, as well as the assessment of relevant indicators for Cat. 1 do not challenge a low risk designation.</p> <p>Is it possible to conclude that the spatial threshold can be met by assessing the enforcement of legislation? No.</p> <p><u>Assessment based on spatial data</u> The actual situation of conversion The National Forest Inventory is based on permanent sample areas for monitoring Norwegian forests. A detailed overview of the Norwegian forest area according to NFI is presented in table 6.</p>
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		<p>The NFI monitors the development of a series of parameters, amongst them the degree of conversion to non-forest use, or on the other hand, the relative positive change in the forest area, i.e. other categories of nature that changes by succession into real forests per definition. These measurements show that total forested areas in Norway (exclusive Finnmark county where long term monitoring lacks) increased from 11.33 to 12.10 million hectares in the 7 years period from 2008-2015 (Axel Granhus, the National Forest Inventory, Personal Communication, Breidenbach et al. 2017). This is equivalent to an average increase of forest areas of 110.000 hectares annually, i.e. an 0,9 % average annually increase (according to the 2015-area). The increase is in natural forest.</p> <p>The natural increase of the forest areas consists of two main types of forests. A large quantity of this forest is young, but naturally developing forests with a mix of native tree species. Another category is woods growing into forests per definition. These “new forests” often have very old trees and e.g. dead wood of biological interest, easily categorized as natural forests. Even if the NIBIO (Norwegian Institute of Bioeconomy Research) definition of old forest is not directly linked to a definition of nature forest, such forests increased from 0.61 to 0.76 million hectares between 2007 and 2012. It is expected that a substantial quantity of these forests is open woodland growing into forests per definition. The measures are estimated on data provided by the National Forest Inventory based on long term monitoring of Norwegian forests.</p> <p>The increased forest area is mainly connected to abandoned cultural landscapes in the lowlands and the expansion of montane forests due to the global climate change and ceased livestock grazing. This constitutes of naturally developing successions growing into natural forests with indigenous species. The increase of forest land due to afforestation on treeless areas constitutes less than 100 hectares annually.</p> <p>The forest significantly increases even though the annual reallocation of forest areas into other use are taken into account. The conversion is about 5.800 hectares a year, or at level of about 0,05 % conversion. Most of this conversion happens close to heavy populated areas, where the forests in a high degree have been subjected to intensive forestry. National Forest Inventory recently measured more exactly the causes for conversion using their network of 22.000 forest sample plots. The causes were grouped into construction and development (68 %), livestock grazing (18 %), new farmland for food production (13 %). However, 57 % of the sample plots affected by conversion still partly contained forest, and in 49 % of these less than 0,1 ha were affected (Breidenbach et al. 2017), indicating that the conversion area is less than 5.000 hectars annually. There are no indications showing that the annually forest loss have increased in the period 1990-2015.</p> <p>All conversion of indigenous forest systems into plantations with alien (extra-Norwegian) tree species is regulated by the environmental authorities. Alien tree-species (mostly <i>Picea sitchensis</i> and <i>Picea x lutzii</i>) were frequently planted in coastal areas before 2012, when the regulation was</p>
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		<p>introduced, more rarely in inland areas (then mainly <i>Pinus contorta</i> or <i>Larix</i> spp.). Planting of alien tree species has been reduced radically after 2012. Today, only a minor part of the use of alien tree species can be linked to conversion. In 2016, 34 hectares were planted with alien conifer species for timber production aims nationwide (The Norwegian Agriculture Agency). Most of this area is reused sitka or lutz plantations after logging, and a minor part is conversion of natural forest into plantations. However, exact statistics are not available.</p> <p>It is a continuous discussion among stakeholders if the plantation term also should be used for areas converted from pine- or birch dominated forests into Norway spruce forest outside the distribution area of the species (that's parts of Western and Northern Norway). By using that definition, the plantations cover a significant area of the productive forests in the mentioned regions. In 2016, 1580 hectares was planted with Norway spruce, to a very large extent on already converted areas (after harvesting). Definitions will be solved in the on-going Norwegian FSC-standard process. Since the old and ambiguous conversion project already has taken place for about 100 years, most of the potential areas are already converted. At least two thirds of the planted areas are therefore already converted to spruce forests. Earlier sitka and lutz plantations are also in a large degree converted to Norwegian spruce plantations because of strict requirements.</p> <p>Assessment based on national statistics The annual conversion of natural forests into plantations with alien tree species is negligible at national level. The annually average between 2012 and 2016 was 75 ha, and it decreases (34 ha in 2016).</p> <p>Data provided by the National Forest Inventory based on long term monitoring of Norwegian forests shows that the increase of natural forest areas in Norway is significantly higher than the loss of forests (110.000 ha annually increased forest area). The conversion is annually 0,05 % and 5.800 ha, and it has therefore been higher than the threshold for the past 5 years (threshold). The conversion is annually 0,05 % and 5.800 ha, and it has therefore been higher than the threshold for the past 5 years (threshold). Near 100 % of the conversion is due to non-forest purposes. It happens mainly trough the mandatory planning tools due to the Planning and Building act, and violations rarely occurs. The conversion of natural forest into plantations is negligible.</p> <p>The annually increase of the natural forests containing native species is 110.000 hectares, and significantly higher than the conversion area (5.800 hectares). Total increase of natural forest is calculated to be 104.200 hectares when the average net loss is subtracted. Therefore, the average annual net loss is below the thresholds and the indicator is designated as low risk.</p>
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			<p>We consider the violations to be negligible, and the law is enforced. The themes are given low risk in category 1 of this assessment.</p> <p>Risk designation</p> <p>Low risk. The following thresholds are met:</p> <p>(1) Thresholds provided in the indicator are not exceeded; AND (3) Other available evidence does not challenge a 'low risk' designation. (FSC 2014)</p>
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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 There is no commercial use of genetically modified trees.	<ul style="list-style-type: none"> - Gene Technology Act 1993, LOV, -1993-04-02-38; https://lovdata.no/dokument/NL/lov/1993-04-02-38/KAPITTEL_3#§10 - The Food Act (https://lovdata.no/dokument/NL/lov/2003-12-19-124?q=matloven) - The Norwegian Biotechnology Advisory Board (http://www.bioteknologiradet.no/english/) - GMO-free zones. Webpage. Available at: http://www.gmo-free-regions.org/gmo-free-regions/norway.html, [Accessed 24 May 2016]. - Library of Congress. Webpage: Restrictions on Genetically Modified Organisms: Norway. Last updated 06/09/2015. Available at: https://www.loc.gov/law/help/restrictions-on-gmos/norway.php, [Accessed 24 May 2016]. - The Ministry of Climate and Environment, pages regarding GMO (http://www.miljodirektoratet.no/no/Regelverk/Lov/Genteknologiloven/) - The EEA Act (https://lovdata.no/dokument/NL/lov/1992-11-27-109) 	-	<p>Low risk</p> <p>GMO trees have never been used in Norwegian forestry.</p> <p>According to Gene Technology Act, development and use of GM trees are forbidden. GMO in general is forbidden unless permits are given.</p> <p>The following thresholds are met:</p> <p>(2) There is no commercial use of GMO (tree) species in the area under assessment, AND</p> <p>(3) Other available evidence does not challenge a 'low risk' designation (FSC 2014).</p>

	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
1	Is there any legislation covering GMO (trees)?	<p>The production and use of GMOs is regulated by the Gene Technology Act and derived products of the Food Act.</p> <p>The purpose of the Gene Technology Act is to ensure that the production and use of genetically modified organisms takes place in an ethically and socially sound manner. This must be in accordance with the principle of sustainable development and without health and environmental harm.</p> <p>The law draws a line between gene technology and other technologies. Cell technology and traditional breeding technology not involving GMO in the parent generation is legal according to the law, including production of plant clones.</p> <p>The Norwegian Environmental Directorate has a central position in Norwegian GMO management. They are responsible for making professional assessments of environmental risk when releasing GMOs pursuant to the Gene Technology Act. They also coordinate the Norwegian processing of applications for approval of the release of genetically modified organisms, or</p>	<p>The Gene Technology Act (https://lovdata.no/dokument/NL/lov/1993-04-02-38) The Food Act (https://lovdata.no/dokument/NL/lov/2003-12-19-124?q=matloven) The Norwegian Biotechnology Advisory Board (http://www.bioteknologiradet.no/english/)</p>

		<p>products that is a part of or contain them. Rules related to derived products, ie processed products made from GMOs, but which do not consist of or contain GMOs, are managed by the Norwegian Food Safety Authority.</p> <p>Implementation of The Gene Technology Law is ethical and scientifically advised by a council of experts (The Norwegian Biotechnology Advisory Board).</p>	
2	<p>Does applicable legislation for the area under assessment include a ban for commercial use of GMO (trees)?</p>	<p>In general, use of all GMOs in nature are banned unless a special permit is granted for a specific species under specific circumstances, independent of the purpose (commercial, scientific or non-commercial). GMO trees are treated equally to other organisms, and not specifically mentioned.</p> <p>Applications for release of GMOs must be sent to the Ministry of Climate and Environment, including a detailed scientific assessment of the measure.</p> <p>Norway is through the EEA Agreement attached to the EU system for the approval of genetically modified organisms and products from these.</p> <p>Permits for use of GMO trees have never been applied for in Norway.</p>	<p>The Ministry of Climate and Environment, pages regarding GMO (http://www.miljodirektoratet.no/no/Regelverk/Lov/Genteknologiloven/) The EEA Act (https://lovdata.no/dokument/NL/lov/1992-11-27-109)</p>

3	Is there evidence of unauthorized use of GM trees?	The authorities have evidently not recorded any unauthorized use of GM trees in Norway.	Absence of any report or other type of information, contradicting this conclusion.
4	Is there any commercial use of GM trees in the country or region?	GM trees have never been used for commercial, scientific or non-commercial purpose Norway.	Absence of any report or other type of information, contradicting this conclusion.
5	Are there any trials of GM trees in the country or region?	No	Absence of any report or other type of information, contradicting this conclusion.
6	Are licenses required for commercial use of GM trees?	Yes, a permit must be granted for such use to take place. No licenses have yet been in question.	Absence of any report or other type of information, contradicting this conclusion.
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?)	Licenses issued for GM trees have never been applied for in the area under assessment (for commercial, scientific or non-commercial purpose). No applications are in process, and no future applicants are currently known.	Absence of any report or other type of information, contradicting this conclusion.
8	What GM 'species' are used?	N/A	N/A
9	Can it be clearly determined in which MUs the GM trees are used?	N/A	N/A

Control measures

N/A

Annex C1 List of information sources

No.	Source of information	Relevant indicator(s) or CW category
1.	Chatham House, the illegal logging portal: http://www.illegal-logging.info/ Accessed 12.06.2018	1, 2, 3, 4, 5
2.	Forest Legality Alliance: http://www.forestlegality.org/ ; Accessed 12.06.2018	1
3.	Transparency International Corruption Perceptions Index: http://www.transparency.org/policy_research/surveys_indices/cpi ; Country ranking 2017: https://www.transparency.org/country/NOR Accessed 12.06.2018	1, 2, 3, 4, 5
4.	World Bank Worldwide Governance Indicators: Indicators for Norway (2016): http://info.worldbank.org/governance/wgi/index.aspx#reports Accessed 12.06.2018	1, 2, 3, 4, 5
5.	The Norwegian PEFC standard for forestry: http://www.pefcnorway.org/side.cfm?ID_kanal=11	1, 2, 3
6.	Statistisk Sentralbyrå, Statistics Norway: - size of Norwegian forest properties: https://www.ssb.no/en/jord-skog-jakt-og-fiskeri/statistikker/stskog/aar - Productive forest areas: http://www.ssb.no/a/metadatas/conceptvariable/vardok/1703/nb - Area resources: https://www.ssb.no/natur-og-miljo/statistikker/arealstat/aar/2015-09-11#content - Protected areas in Norway: https://www.ssb.no/arealvern - Working accidents (1.11): http://www.ssb.no/helse/statistikker/arbulykker/aar/2015-06-16#content - Sami population: https://www.ssb.no/en/befolkning/statistikker/Samisk Accessed 12.06.2018	1, 2.3, 3.6, 4
7.	Statens Kartverk (The National Map Service): Se eiendom. Database/maps showing properties in Norway: http://www.seeiendom.no/ Accessed 1 March 2016	1.1

No.	Source of information	Relevant indicator(s) or CW category
8.	Miljødirektoratet, Norwegian Environmental agency (2014): Rundskriv om forvaltning av verneforskrifter. M106-2014. In Norwegian; about management of protected areas. Available at: http://www.miljodirektoratet.no/Documents/publikasjoner/M106/M106.pdf . Accessed 14 October 2016	1.3
9.	Miljødirektoratet, Norwegian Environmental agency (N.Y): Hvem forvalter verneområdene? In Norwegian; about the official management levels of protected areas. Available at: http://www.miljodirektoratet.no/no/Tema/Verneomrader/Forvaltning-av-verneomradene/ . Accessed 14 October 2016	1.3
10.	Miljødirektoratet (N.Y): Naturbase. Public available internet maps/databases showing e.g. protected areas in Norway, and important unprotected areas. Available at: kart.naturbase.no . Accessed 14 October 2016	1.3, 3.2
11.	Aasland, T. 2017. Skogbruksplanlegging med miljøregistrering. Internal document on statistics of the forestry planning – The Norwegian Agriculture Agency.	1.3
12.	Nordli, T. & Engen, E. (2014). Fylkesmannen i Buskerud. Referat fra møte om skogsdrift i indre vassfaret landskapsvernområde (County Governor of Buskerud. Minutes of the meeting on forestry in inner Vassfaret landscape area).	1.4, 1.9
13.	Mjosen.no (2016). Beklager hogst i Hafjell. 08.08.2016. (About a possible illegal harvest in Oppland). Available at: https://www.mjosen.no/om-oss/nyheter/beklager-hogst-i-vernskog/ . Accessed 1 March 2017	1.4
14.	Malmö, E (2015). Ulvig Kiær hogger ulovlig. Namdals Avis (NA), December 21, 2015. (About a possible illegal harvest in Namdalen). Available at: http://www.namdalsavisa.no/nyhet/ulvig-kiar-hogger-ulovlig/s/1-75-1878756 , Accessed 1 March 2017	1.4
15.	Norwegian Agriculture Agency (2016). Rapportere virkesomsetning (how to pay fees to the Forest Fund and the Forestry Development Fund). Landbruksdirektoratet. Available at: https://www.slf.dep.no/no/eiendom-og-skog/foryngelse-skjotsel-og-hogst/rapportere-virkesomsetning#om-virkesdatabasen . Accessed 1 March 2017	1.5
16.	Granhus, Eriksen & Moum (2014). Resultatkontroll skogbruk. Rapport 2013. Oppdragsrapport fra Skog og Landskap 08/2014. Official report regarding controls of legal requirements in forestry. http://www.skogoglandskap.no/filearchive/Oppdragsrapport_08-2014_Resultatkontroll_skogbruk_miljo_rapport_2013.pdf Accessed 2. December 2016.	1.8, 1.9
17.	Granhus, Eriksen & Moum (2015). Resultatkontroll skogbruk/miljø. Rapport 2014. NIBIO rapport 1:32. Official report regarding controls of legal requirements in forestry. http://brage.bibsys.no/xmlui/bitstream/handle/11250/2364999/NIBIO%20RAPPORT%201%2832%29.pdf?sequence=1&isAllowed=y Accessed 2. December 2016.	1.8, 1.9, 1.10

No.	Source of information	Relevant indicator(s) or CW category
18.	Official courses in different aspects of Norwegian forestry: http://www.skogkurs.no/ Accessed 12.06.2018	1.8
19.	Naturvernforbundet, Friends of the Earth Norway (N.Y): Naturvernforbundet anmelder ulovlig bygging av skogsbilvei (about a report of illegal construction of a forest road). Available at: http://naturvernforbundet.no/trondelag/2009/naturvernforbundet-anmelder-ulovlig-bygging-av-skogsbilvei-article15735-1430.html Accessed 2 March 2017.	1.8
20.	Hansen (2015). Da ordfører Ronny Grindstein i Gratangen forsøkte å få svar om en gammel og betent veisak, endte den i grøfta. Fremover. (Newspaper article about another possibly illegal road). Available at: http://www.fremover.no/lokale-nyheter/gratangen/da-ordforer-ronny-grindstein-i-gratangen-forsokte-a-fa-svar-om-en-gammel-og-betent-veisak-endte-den-i-grofta/s/5-17-21816 . Accessed 2 March 2017.	1.8
21.	Martinsen, K. (2015). Hogst til Økokrim. Avisa Hemnes. (Police investigation of a possible illegal harvest; newspaper article). Available at: http://avisahemnes.no/side/47953/art/51956/Hogst+til+kokrim.html Accessed 2 March 2017	1.8
22.	Riksrevisjonen, Office of the Auditor General of Norway (2012). Riksrevisjonens undersøkelse av bærekraftig forvaltning av norske skogressurser. Investigation of sustainable forestry management in Norway. Dokument 3:17. (2011-2012). Overlevert Stortinget 27.09.2012. Available at: https://www.riksrevisjonen.no/rapporter/Sider/Skog.aspx Accessed 22. February 2017.	1.9
23.	Baumann, C. et.al. (2002). Håndbok i registrering av livsmiljøer i skog. Hefte 4. Veileder for rangering og utvalgelse 2002. Description of the method used for selection of key habitats from the environmental surveys (the MiS-method). Available at: http://www.skogoglandskap.no/filearchive/mis_hefte4.pdf Accessed 22 February 2017.	1.9
24.	Holstad, G. (2003): Regnskog i miljøpapir. Adressavisa. 29.09.2013. (Critical newspaper article about using timber from coastal forest in paper production.) Not available on the internet.	1.9
25.	Dallawara, W. (2005). Statskog kan miste miljøsertifikat. Nationen. 16.08.2005. (Critical newspaper article about logging operation conducted by the State Forest). Not available on the internet.	1.9
26.	Viken Skog (2014). Miljørapport 2014. Environmental report for 2014 from the forest byer organization Viken Skog. Available at: http://www.viken.skog.no/assets/files/pdf/viken_miljorapporter/vikenskog-miljorapport-200x287mm-web.pdf . Accessed 22 February 2017.	1.9
27.	SABIMA (2011). Skognæringen innrømmer brudd på miljøkrav. The forestry sector admits breakages of environmental requirements.	1.9

No.	Source of information	Relevant indicator(s) or CW category
	Available at: http://www.sabima.no/Skogn%C3%A6ringen-innr%C3%B8mmer-brudd-p%C3%A5-milj%C3%B8krav . Accessed 30 May 2016.	
28.	Bjørndal, J (2011). Vikens miljøsertifikat i en tynn tråd. (Article about Viken Skog and their threatened PEFC certificate). Norsk Skogbruk nr. 7/8. 2011. Available at: http://www.norsk-skogbruk.no/userfiles/files/2011/Vikens%20milj%C3%B8sertifikat.pdf Accessed 14 October 2016.	1.9
29.	PEFC Norway (2012). Rapport Kontroll av nøkkelbiotoper 2011-2012. PEFC Norge. PEFC report about control of key habitats. Available at: http://www.pefc norge.org/vedl/Rapport_kontroll%20av%20n%C3%B8kkelbiotoper%202011-2012.pdf . Accessed 14 October 2016.	1.9
30.	Husum, T (2012). Kontroll av nøkkelbiotoper. Presentation. PEFC Norge. Available at: http://skoginfo.no/userfiles/files/Skogforum/2012/Dag%20%20Tomas%20Husum%20PEFC_kontroll%20av%20n%C3%B8kkelbiotoper_presentasjon%20Skogforum.pdf Accessed 14 October 2016.	1.9
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211.	Norwegian Environmental Agency (2016). Om Arter av nasjonal forvaltningsinteresse / about species of national management interest. Miljødirektoratet. Last updated 5 April 2016. Available at: http://www.miljodirektoratet.no/no/Tema/Arter-og-naturtyper/Arter-av-nasjonal-forvaltningsinteresse/Om-Arter-av-nasjonal-forvaltningsinteresse/ . Accessed September 14, 2016	3.0, 3.1, 3.3
212.	Norwegian Ministry of Climate and Environment Published (2014). Norway's Fifth National Report to the Convention on Biological Diversity. Published April 07, 2014.07.04. Available at: https://www.cbd.int/doc/world/no/no-nr-05-en.pdf Accessed 13.06.2018	3.1
213.	White paper to the Norwegian Parliament about the value of ecosystem services. NOU (2013):10.. NOU 2013:10, Naturens goder – om verdien av økosystemtjenester. Norges Offentlige utredninger. Available at: https://www.regjeringen.no/contentassets/c7ffd2c437bf4dcb9880ceeb8b03b3d5/no/pdfs/nou201320130010000dddpdfs.pdf Accessed 13.06.2018.	3 (Overview), 3.3
214.	Nybø, S., Certain, G. & Skarpaas, O. (2011). The Norwegian Nature Index 2010. DN-report 2011-1. Available at: http://www.miljodirektoratet.no/old/dirnat/attachment/2246/DN-Report-1-2011.pdf , and http://www.naturindeks.no/Ecosystems/skog . Accessed 13.06.2018	3.0, 3.2, 3.4
215.	Olsen, B. R. (1987). Stability and change in Sami Band structure in the Varanger area of Arctic Norway, AD 1300–1700. <i>Norwegian Archaeological Review</i> , 20(2), 65-80.	3 (Overview), 3.1, 3.3
216.	Odner, K. (1992). The Varanger Sami: Habitation and Economy AD 1200–1900. Instituttet for sammenlignende kulturforskning, Serie B, Skrifter 86.	3.6
217.	Pedersen, B., Nybø, S., Sæther, S. A. (eds.) (2016). Nature Index for Norway 2015. Ecological framework, computational methods, database and information systems. – NINA Report 1226. 84 pp.	3.6
218.	PEFC (2016): PEFC Global Statistics. SFM & CoC Certification. June 2016. Available at: https://www.scribd.com/document/147379606/PEFC-Global-Certificates#fullscreen&from_embed Accessed 13.06.2018	3 (Overview)

No.	Source of information	Relevant indicator(s) or CW category
219.	Regjeringen.no (2014): Reindrift. Last Updated 3 December 2014. Information from the government about reindeer herding. Available at: https://www.regjeringen.no/no/tema/mat-fiske-og-landbruk/landbruk/reindrift/reindrift/id2339774/ Accessed September 13, 2016	3 (Overview)
220.	Regjeringen.no (2016): Vernar 17 skogsområde I sju fylke. 10.06.2016. Protection of 17 forest areas as nature reserves. Available at: https://www.regjeringen.no/no/aktuelt/vernar-17-skogsomrade-i-sju-fylke/id2503711/ . Accessed 9 November 2016	3.5
221.	Rolstad, J., Framstad, E., Gundersen, V., & Storaunet, K. O. (2002). <i>Naturskog i Norge: definisjoner, økologi og bruk i norsk skog-og miljøforvaltning</i> . Norsk institutt for skogforskning. Report about Norwegian nature forests.	3 (Overview)
222.	Rusch, G. M. (2012). Klima og økosystemtjenester. Norske økosystemers potensial for avbøting av og tilpasning til klimaendringer. NINA Rapport 792. 43 s. Available at: https://brage.bibsys.no/xmlui/handle/11250/2379885 Accessed 13.06.2018	3.3
223.	SABIMA (2013): Tre av fire verdifulle naturområder er ikke kartlagt. 01.11.2013. Samarbidsrådet for biologisk mangfold, SABIMA / The Norwegian Biodiversity Network. Page about the lack of mapping of important nature types. Available at: http://sabima.no/verdifulle-naturomrader-tre-av-fire-er-ikke-kartlagt Accessed September 19, 2016	3.4
224.	SABIMA / The Norwegian Biodiversity Network (2016). Myr. Page about threats and conservation of mires. Available at: www.sabima.no/trua-natur/myr/ . Accessed November 21, 2016	3.3
225.	Schanche, A. & Olsen, B. (1983) Var de alle nordmenn. En etnopolitisk kritikk av norsk arkeologi. An ethno-political critic against Norwegian archeology.	3.4
226.	Senior, M. & Lindhe, A. (2015). Centralized National Risk Assessment for Category 3 of FSC Controlled Wood. Draft report for Sweden. Draft for consultation, October 2015. HCV Resource Network.	3.6
227.	Skogkurs.no (2013). Skogkurs resymé nr. 7: Skogbruk og kulturminneforvaltning. Utgave: 2 – september 2013. Available at: http://www.skogkurs.no/userfiles/files/Diverse/Resyme/07.pdf Forestry and courses on cultural heritage sites. Accessed 13.06.2018.	3 (Overview)
228.	Skogsvei.no (2015): Politiske mål. 23.04.15. Political goals about forest roads construction. Available at: http://www.skogsvei.no/1_politiske_maal.cfm Accessed September 19, 2016	3.6
229.	Sommerseth, I. (2011). Archaeology and the debate on the transition from reindeer hunting to pastoralism.	3.2

No.	Source of information	Relevant indicator(s) or CW category
230.	Storaunet, K. O. & Framstad, E. (2015). Skog. I: Framstad E (red.) Naturindeks for Norge 2015. Tilstand og utvikling for biologisk mangfold. p: 76-84.) Norwegian Nature Index 2015.	3 (Overview)
231.	Storaunet, K. O., & Gjerde, I. (2010). Skog. <i>Naturindeks for Norge</i> , Chapter 6, 79-93. Norwegian Nature index 2010 about forest.	3 (Overview)
232.	Storli, I. (1994). « <i>Stallo</i> »-boplassene: spor etter de første fjellsamer?. Novus forlag. Sami cultural heritages.	3 (Overview)
233.	Sverdrup-Thygeson, A.; Søgaaard, G., Rusch, G.M. and Barton, D.N (2014): Spatial Overlap between Environmental Policy Instruments and Areas of High Conservation Value in Forest. December 11, 2014. Journals Plos One. Available at: http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0115001 . Accessed September 16, 2016.	3.6
234.	Sverdrup-Thygeson, A., Ørka, H. O., Gobakken, T., & Næsset, E. (2016). Can airborne laser scanning assist in mapping and monitoring natural forests?. <i>Forest Ecology and Management</i> , 369, 116-125.	3.3
235.	Swetnam, T. W. (1984). Peeled ponderosa pine trees: A record of inner bark utilization by Native Americans. <i>Journal of ethnobiology</i> 4, 177-190.	3 (Overview)
236.	Søgaaard, G., Eriksen, R., Astrup, R., & Øyen, B. H. (2012). Effekter av ulike miljøhensyn på tilgjengelig skogareal og volum i norske skoger. <i>Rapport fra Skog og landskap</i> , 2, 2012. Report about the economic costs of environmental requirements in forestry.	3.6
237.	Tegengren, H. (1952). En utdød lappkultur i Kemi lappmark. <i>Acta Acad. Aboensis, Humaniora XIX</i> , 4. About an extinct Sami culture.	3.3
238.	Vennesland, B., Hobbestad, K., Bolesjø, T., Baardsen, S., Lileng, J. & Rolstad, J. (2006). Skogressursene i Norge 2006. Muligheter og aktuelle strategier for avvirkning. Viten fra Skog og landskap 3/06. Report about future possibilities and strategies for Norwegian forestry.	3.6
239.	Vorren, Ø. (1980). <i>Samisk bosetning på Nordkalotten, arealdisponering og ressursutnytting i historisk-økologisk belysning</i> . Book about sami population and how landscapes and resources are used in perspective of time.	3.6
240.	Wallerström, T. (2000). The Sami between east and west in the middle ages: an archaeological contribution to the history of reindeer breeding. <i>Acta Borealia</i> , 17(1), 3-39.	3.6
241.	whc.unesco.org (2016): West Norwegian Fjords – Geirangerfjord and Nærøyfjord. [Online] UNESCO. Available at: http://whc.unesco.org/en/list/1195 [Accessed September 16, 2016]	3.6
242.	White, P. R. (1954). <i>The cultivation of animal and plant cells</i> (Vol. 78, No. 1, p. 77). LWW.	3.6
243.	WWF.no (2015): Regjeringen vil subsidiere ødeleggelse av verdifull gammelskog. WWF Norway. The government will give subsidies to the destruction of valuable old-growth forest. Available at: http://www.wwf.no/dette_jobber_med/miljopolitikk_og_lovverk/?47146/Regjeringen-vil-subsidiere-deleggelse-av-verdifull-gammelskog . Accessed September 14, 2016	3.6
244.	WWF Int. (2015): WWF International. Certification Assessment Tool V3. Available at: http://d2ouvy59p0dg6k.cloudfront.net/downloads/cat_pefc_14_5_15_final.pdf .	3.3

No.	Source of information	Relevant indicator(s) or CW category
	Accessed September 15, 2016	
245.	WWF.no (2016): Feirer historisk skogvern mål og sterkere naturvern. WWF. Last updated: 23 May 2016. A celebration of historical high levels of forest protection. Available at: http://www.wwf.no/dette_jobber_med/norsk_natur/skog/?50425/Feirer-historisk-skogvernml-og-naturvernft . Accessed September 14, 2016.	3 (Overview)
246.	Zackrisson, O., Östlund, L., Korhonen, O., & Bergman, I. (2000). The ancient use of Pinus sylvestris L. (Scots pine) inner bark by Sami people in northern Sweden, related to cultural and ecological factors. <i>Vegetation history and archaeobotany</i> , 9(2), 99-109.	3.3
247.	Östlund, L., Ericsson, T. S., Zackrisson, O., & Andersson, R. (2003). Traces of past Sami forest use: an ecological study of culturally modified trees and earlier land use within a boreal forest reserve. <i>Scandinavian journal of forest research</i> , 18(1), 78-89.	3.6
248.	Östlund, L., Bergman, I., & Zackrisson, O. (2004). Trees for food—a 3000 year record of subarctic plant use. <i>Antiquity</i> , 78(300), 278-286.	3.6
249.	Øyen, Bernt-Håvard (2008): skogreisningen på kysten – et streiftog gjennom historien. Oppdragsrapport fra Skog og landskap 01/18 2008, Pp. 69-80. Report about the historical forest planting project along the Norwegian coast. Available at: http://www.skogoglandskap.no/filearchive/9-or_1-2008-6.pdf , Accessed 14 October 2016	4
250.	Skogsnorge.no (2010). Lære med Skogen / learning about the forest. Chapter 4. Skogen og samfunnet / the forest and the society. Available at: http://www.skogsnorge.no/userfiles/files/SkogsNorge-nytt%20vedlegg/Skogen%20og%20samfunnet.pdf Accessed 31 August 2016.	4
251.	Breidenbach, J., Eiter, S., Eriksen, R., Bjørkelo, K., Taff, G.N., Sjøgaard, G., Tomter, S., Dalgaard, L., Granhus, A. & Astrup, R. (2017). Analyse av størrelse, årsaker til og reduksjonsmuligheter for avskoging i Norge. Nibio rapport 3/152/2017. Report about conversion of forest in Norway. Available at: http://www.miljodirektoratet.no/Documents/publikasjoner/M935/M935.pdf Accessed 13.06.2018	4
252.	The Norwegian Biotechnology Advisory Board. Available at: http://www.bioteknologiradet.no/english/ Accessed 14.06.2018	5
253.	GMO-free regions. Available at: http://www.gmo-free-regions.org/gmo-free-regions/norway.html Accessed 24 May 2016	5
254.	Library of Congress. Webpage: Restrictions on Genetically Modified Organisms: Norway. Available at: https://www.loc.gov/law/help/restrictions-on-gmos/norway.php Accessed 14.06.2018	5
255.	The Ministry of Climate and Environment, pages regarding GMO Available at: http://www.miljodirektoratet.no/no/Regelverk/Lov/Genteknologiloven/ Accessed 14.06.2018	5

Annex C2 Identification of applicable legislation

Legal rights to harvest

1.1 Land tenure and management rights

- Act on National Register for Land Information 2005 (Cadastre Act, LOV-2005-06-17-101 Matrikkellova): <https://www.regjeringen.no/en/dokumenter/cadastre-act/id455530/>

1.2 Concession licenses

Not applicable

1.3 Management and harvesting planning

- Forestry Act 2005 (LOV-2005-05-27-31), 2005 § 5 "Forest inventory and forest management plan": <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>
- Regulation for subsidies to forest management planning with environmental survey: <https://lovdata.no/dokument/SF/forskrift/2004-02-04-449>.
- Regulation for sustainable forestry: <https://lovdata.no/dokument/SF/forskrift/2006-06-07-593>.
- The Nature Diversity Act (LOV-2009-06-19-100), 2012. <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>
- [Environmental Information Act \(Miljøinformasjonsloven LOV-2003-05-09-31\)](https://www.regjeringen.no/en/dokumenter/environmental-information-act/id173247/). <https://www.regjeringen.no/en/dokumenter/environmental-information-act/id173247/>

1.4 Harvesting permits

- Forestry Act 2005 (LOV-2005-05-27-31, 2005), Section 11 (Obligation to notify), section 12 (Protective forest) and section 13 (applies Oslomarka): <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>
- Regulation on logging in the forest areas bordering Oslo and nearby municipalities. Forskrift om skogbehandling og skogsdrift for skogsområder i Oslo og nærliggende kommuner (Oslomarka), 1993 (FOR-1993-04-02-268): <https://lovdata.no/dokument/JB/forskrift/1993-04-02-268>
- Each protected area in Norway (per 13.06.2017: 2885 areas according to Statistics Norway: <https://www.ssb.no/arealvern>) has specific regulations under the Nature diversity Act (<https://lovdata.no/dokument/NL/lov/2009-06-19-100>), regulating all forestry operations and requirements through given permits. In most of the forest reserves and the national parks, forestry is illegal.

Taxes and fees

1.5 Payment of royalties and harvesting fees

- Forestry Act 2005 (LOV-2005-05-27-31): <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>
- Regulation on tax for the encouragement of common measures for forestry 2000 (FOR-2000-04-10-351): <https://lovdata.no/dokument/SF/forskrift/2000-04-10-351>
- Regulation on skogfond 2006 (FOR-2006-07-03-881): <https://lovdata.no/dokument/SF/forskrift/2006-07-03-881>

1.6 Value added taxes and other sales taxes

- Act relating to value added tax (LOV-2009-06-19-58) [VAT Act / merverdiavgiftsloven]. <https://lovdata.no/dokument/NL/lov/2009-06-19-58?q=moms>
- Regulation on skogfond 2006 (FOR-2006-07-03-881): <https://lovdata.no/dokument/SF/forskrift/2006-07-03-881>

1.7 Income and profit taxes

- Tax Act, 1999 (LOV-1999-03-26-14) <https://lovdata.no/dokument/NL/lov/1999-03-26-14?q=Skatteloven>
- The Act of December 19, 2014, no. 80 of amendments to the Law of March 26, 1999, no. 14, relating to tax on income and wealth (LOV-2014-12-19-80) (Law on taxes): <https://lovdata.no/dokument/NL/lov/2014-12-19-80>
- Regulation for Assessment of wealth, income and deduction items for use in the assessment of fiscal year 2015 (FOR-2015-11-06-1283): <https://lovdata.no/dokument/LTI/forskrift/2015-11-06-1283>

Timber harvesting activities

1.8 Timber harvesting regulations

- Forestry Act (LOV-2005-05-27-31), 2005, <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>.
 - § 6 (Regeneration and silviculture of forest),
 - § 7 (Construction of forest roads):
- Regulation for sustainable forest management (FOR-2006-06-07-593), 2006 («Forskrift om berekraftig skogbruk»): <https://lovdata.no/dokument/SF/forskrift/2006-06-07-593>

- Regulation on logging in the forest areas bordering Oslo and nearby municipalities, 1993. Forskrift om skogsdrift, Oslo m.fl. (Osломарка) (FOR1993-04-02-268). <https://lovdata.no/dokument/JB/forskrift/1993-04-02-268>
- The Nature Diversity Act (LOV-2009-06-19-100), 2012. <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>

1.9 Protected sites and species

- Treaties: Norway has ratified all major international conventions regarding biodiversity, such as the Convention on Biological Diversity (CBD), the Convention on the Conservation of European Wildlife and Natural Habitats (Bern), the Convention on Trade in endangered species (CITES).
- Nature Diversity Act (LOV-2009-06-19-100), 2009 (Lov om forvaltning av naturens mangfold): <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/> or <https://lovdata.no/dokument/NL/lov/2009-06-19-100?q=naturmangfoldloven>
- Regulation (FOR-2011-05-13-512): Regulation for selected important nature-types (6 different nature-types where forestry operations may affect more or less directly). <https://lovdata.no/dokument/SF/forskrift/2011-05-13-512>
- Regulation (FOR-2011-05-20-523). Protection of *Cephalanthera rubra*. <https://lovdata.no/dokument/SF/forskrift/2011-05-20-523>
- Each protected area in Norway (per 13.06.2017: 2885 areas according to Statistics Norway: <https://www.ssb.no/arealvern>) has specific regulations under the Nature diversity Act (<https://lovdata.no/dokument/NL/lov/2009-06-19-100>), regulating all forestry operations and requirements through given permits. In most of the forest reserves and the national parks, forestry is illegal.
- Regulation concerning sustainable forestry (FOR 2006-06-07-593): <https://lovdata.no/dokument/SF/forskrift/2006-06-07-593>
- Regulation for subsidies to forest management planning with environmental survey (FOR-2014-09-03-1144): <https://lovdata.no/dokument/SF/forskrift/2004-02-04-449>.
- The Environmental Information Act: <https://www.regjeringen.no/en/dokumenter/environmental-information-act/id173247/>

1.10 Environmental requirements

- Forestry Act (LOV-2005-05-27-31): <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>
- Regulation concerning sustainable forestry (FOR 2006-06-07-593) <https://lovdata.no/dokument/SF/forskrift/2006-06-07-593>
- Nature Diversity Act (LOV-2009-06-19-100) <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>
- Act relating to river systems and groundwater (LOV-2000-11-24-82): <https://lovdata.no/dokument/NL/lov/2000-11-24-82?q=LOV-2000-11-24-82>, in English https://www.regjeringen.no/globalassets/upload/oed/vedlegg/lover-og-reglement/act_no_82_of_24_november_2000.pdf
- Cultural Heritage Act (LOV-1978-06-09-50), 1978. <https://www.regjeringen.no/en/dokumenter/cultural-heritage-act/id173106/>
- Regulation for the use of herbicides and pesticides (FOR-2015-05-06-455), section 22: https://lovdata.no/dokument/SF/forskrift/2015-05-06-455/*#

1.11 Health and safety

- Working Environment Act (LOV-2005-06-17-62) 2005 (Lov om arbeidsmiljø, arbeidstid og stillingsvern mv.): <https://lovdata.no/dokument/NLE/lov/2005-06-17-62>
- Regulations on environmental health (FOR-2003-04-25-486), 2014 (Forskrift om miljørettet helsevern): <https://lovdata.no/dokument/SF/forskrift/2003-04-25-486>
- Regulations concerning the performance of work, 2011, Chapter 3, art. 10 and 17 (Forskrift om utførelse av arbeid, bruk av arbeidsutstyr og tilhørende tekniske krav): <https://lovdata.no/dokument/SFE/forskrift/2011-12-06-1357>
- Regelhelp.no. Skogbruk og tjenester tilknyttet skogbruk. Veiviser til HMS-regelverket. Web page. <http://www.regelhelp.no/Etatenes-sider/Arbeidstilsynet/Kravlister/Skogbruk-og-tjenester-knyttet-til-skogbruk---> (Official manual for the Health, Safety and Environment Regulations concerning the forestry sector).

1.12 Legal employment

- Working Environment Act, 2005 (Lov om arbeidsmiljø, arbeidstid og stillingsvern mv., LOV-2005-06-17-62) <https://lovdata.no/dokument/NLE/lov/2005-06-17-62>

Third parties' rights

1.13 Customary rights

- Outdoor Recreation Act, 1957 (Lov om friluftslivet-LOV-1957-06-28-16 (revision 01.10.2015). <https://lovdata.no/dokument/NL/lov/1957-06-28-16?q=friluftsloven>, <https://www.regjeringen.no/en/dokumenter/outdoor-recreation-act/id172932/>
- Forskrift om brannforebygging (regulation concerning fire prevention, FOR-2015-12-17-1710): <https://lovdata.no/dokument/SF/forskrift/2015-12-17-1710>
- Nature Diversity Act (LOV-2009-06-19-100) <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>
- The Penal Code (Straffeloven): <https://lovdata.no/dokument/NLE/lov/2005-05-20-28>
- Regulation concerning sustainable forestry (FOR 2006-06-07-593) <https://lovdata.no/dokument/SF/forskrift/2006-06-07-593>

1.14 Free Prior and Informed Consent

The concept of Free Prior and Informed Consent is not, as a concept, directly described in national legislation. However, the concept is described in applicable international law.

The Constitution of the Kingdom of Norway (LOV-1814-05-17), sections 3, 49 and 88 is cited: https://lovdata.no/dokument/NLE/lov/1814-05-17#KAPITTEL_3

The Norwegian WG decided to assess FPIC in Norwegian legislation due to internationally ratified conventions and treaties.

- ILO (1989) C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169) (Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169(Accessed 7 November 2016. Norway has ratified the convention.
- UNEP (1992). Rio Declaration on Environment and Development. United Nations Environment Programme. Available at: <http://www.unep.org/documents.multilingual/default.asp?documentid=78&articleid=1163> (accessed 29 July 2016).
- United Nations (1992). United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Available at: http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf (accessed 7 November 2016). Norway has signed the declaration.
- Convention on Biological Diversity (CBD) Available at: <https://www.cbd.int/doc/legal/cbd-en.pdf> (Accessed 7 November 2016). Norway has ratified the convention.

1.15 Indigenous Peoples' rights

- Reindeer Herding Act (LOV-2007-06-15-40): <https://lovdata.no/dokument/NL/lov/2007-06-15-40/>
- Plan and Building Act (LOV-2008-06-27-71): https://lovdata.no/dokument/NL/lov/2008-06-27-71/**#
- Forestry Act (LOV-2005-05-27-31, 2005), Section 2: <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>
- Finnmark Act (LOV-2005-06-17-85): (Act No. 85 of June 17, 2005 relating to Legal Relations and Management of Land and Natural Resources in the County of Finnmark) <https://lovdata.no/dokument/NL/lov/2005-06-17-85?q=finnmarksloven>

Trade and transport

1.16 Classification of species, quantities, qualities

- Regulation of Forest Fund etc. (2006). FOR-2006-07-03-881: <https://lovdata.no/dokument/SF/forskrift/2006-07-03-881>

1.17 Trade and transport

- Regulation on the use of vehicles 1990. FOR-1990-01-25-92. § 5-5 nr. 1 og 3 (Regulations on further provisions regarding permissible weights and dimensions of public roads) <https://lovdata.no/dokument/SF/forskrift/1990-01-25-92>
- Regulations concerning the use class, GVW, and permitted gross combination length for normal transportation, timber transportation and driving with modular trucks on highways 2018. FOR-2018-03-15-353. (list of highways). <https://lovdata.no/dokument/SF/forskrift/2018-03-15-353?q=Forskrift%20om%20bruksklasse,%20tillatt%20totalvekt> (Forskrift om bruksklasse, tillatt totalvekt.)

1.18 Offshore trading and transfer pricing

- General Tax Act, Section 13-1 (1999) (Lov om skatt av formue og inntekt (skatteloven). LOV-1999-03-26-14: https://lovdata.no/dokument/NL/lov/1999-03-26-14/**#

1.19 Customs regulations

- Law on customs and movement of goods (Customs Act) 2007. LOV-2007-12-21-119: <https://lovdata.no/dokument/NL/lov/2007-12-21-119>.
- European Timber Regulation (EUTR)
http://ec.europa.eu/environment/forests/timber_regulation.htm . EUs Tømmerforordning: <https://www.regjeringen.no/no/tema/klima-og-miljo/naturmangfold/innsiktsartikler-naturmangfold/tommerforordningen/id2339660/>

1.20 CITES

- Law regulating import and export (LOV-1997-06-06-32)
<https://lovdata.no/dokument/NL/lov/1997-06-06-32?q=Lov+om+innførsle+og+utførslereregulering>.
- Regulation for the implementation of the convention of 3 March 1973 on international trade of wild flora and fauna (CITES). FOR-2002-11-15-1276.
<https://lovdata.no/dokument/SF/forskrift/2002-11-15-1276>

Due-Diligence / due care

1.21 Due-Diligence / due care procedures

- Forestry Act (LOV-2005-05-27-31), 2005. <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>
- Regulations for sale of timber and timber products of Norwegian origin (Forskrift om omsetning av tømmer og treprodukter med opprinnelse i Norge - FOR-2015-04-24-403)
<https://lovdata.no/dokument/SF/forskrift/2015-04-24-403>
- European Timber Regulation (EUTR)
http://ec.europa.eu/environment/forests/timber_regulation.htm . EUs Tømmerforordning: <https://www.regjeringen.no/no/tema/klima-og-miljo/naturmangfold/innsiktsartikler-naturmangfold/tommerforordningen/id2339660/>

Traditional and Human Rights

2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.

- Act relating to equality and a prohibition against discrimination (Equality and Anti-Discrimination Act, LOV-2017-06-16-51): <https://lovdata.no/dokument/NLE/lov/2017-06-16-51>
- Lov om endringer i menneskerettsloven (Strengthening of the status of human rights in Norwegian law; Act concerning changes in the Human Rights Law, LOV-2014-05-09-14): <https://lovdata.no/dokument/NL/lov/2014-05-09-14>
- Public procurement Act (Lov om offentlige anskaffelser, LOV-2016-06-17-73): <https://lovdata.no/dokument/NL/lov/2016-06-17-73?q=Lov%20om%20offentlige%20anskaffelser>

2.3. The rights of Indigenous and Traditional Peoples are upheld.

- The human rights Act (Lov om styrking av menneskerettighetenes stilling i norsk rett (menneskerettsloven), LOV-1999-05-21-30): <https://lovdata.no/dokument/NL/lov/1999-05-21-30?q=menneskerettighet>
- The reindeer herding Act (Lov om reindrift (Reindriftsloven), LOV-2007-06-15-40): <https://lovdata.no/dokument/NL/lov/2007-06-15-40?q=reindriftsloven>
- Nature Diversity Act (LOV-2009-06-19-100): <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>
- Plan and Building Act (LOV-2008-06-27-71): https://lovdata.no/dokument/NL/lov/2008-06-27-71/*#
- Forestry Act (LOV-2005-05-27-31, 2005): <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>
- Finnmark Act (LOV-2005-06-17-85): (Act No. 85 of June 17, 2005 relating to Legal Relations and Management of Land and Natural Resources in the County of Finnmark) <https://lovdata.no/dokument/NL/lov/2005-06-17-85?q=finnmarksloven>
- The Sami Parliament Act including other Sami right conditions (Lov om Sametinget og andre samiske rettsforhold (sameloven / the Sami Act), LOV-2008-06-27-51): <https://lovdata.no/dokument/NL/lov/1987-06-12-56?q=sameting>
- The mineral Act (Lov om erverv og utvinning av mineralressurser (mineralloven), LOV-2009-06-19-101): <https://lovdata.no/dokument/NL/lov/2009-06-19-101?q=minerallova>
- Act relating to equality and a prohibition against discrimination (Equality and Anti-Discrimination Act, LOV-2017-06-16-51): <https://lovdata.no/dokument/NLE/lov/2017-06-16-51>
- Marine Resources Act (Lov om forvaltning av villlevande marine ressursar (havressurslova), LOV-2008-06-06-37): <https://lovdata.no/dokument/NL/lov/2008-06-06-37?q=havressursloven>
- Participation Act (the rights to participation in fishing and hunting) (Lov om retten til å delta i fiske og fangst (Deltakerloven), LOV-1999-03-26-15): <https://lovdata.no/dokument/NL/lov/1999-03-26-15?q=deltakerlov>
- Cultural Heritage Act (LOV-1978-06-09-50), 1978. <https://www.regjeringen.no/en/dokumenter/cultural-heritage-act/id173106/>

High Conservation Values

Overview

- National Parks (Nature Diversity Act (LOV-2009-06-19-100): <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>)

- Nature Reserves (Nature Diversity Act (LOV-2009-06-19-100): <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>)
- Landscape Protection Areas – forestry is regulated by specific regulation for each area (Nature Diversity Act (LOV-2009-06-19-100): <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>).
- Forest areas (Osломarka) with special regulations to ensure recreation and environmental values (Forestry Act (LOV-2005-05-27-31, 2005): <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/> , section 13)
- Forest areas (Protective Forests) with special regulations of climatical or geomorphological reasons (Forestry Act (LOV-2005-05-27-31, 2005): <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/> , section 12).
- Forestry areas with the aim to ensure a sustainable forest management (Forestry Act (LOV-2005-05-27-31, 2005): <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>)

3.1 HCV 1

- Nature Diversity Act (LOV-2009-06-19-100): <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>, section 52 (about protected nature types).
- Regulation concerning protected nature types (FOR-2011-05-13-512): <https://lovdata.no/dokument/SF/forskrift/2011-05-13-512?q=FOR-2011-05-13-512>
- Nature Diversity Act (LOV-2009-06-19-100): <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>, section 23 (about priority species).
 - Regulation concerning *Osmoderma eremita* as priority species (FOR-2011-05-20-520): <https://lovdata.no/dokument/SF/forskrift/2011-05-20-520?q=Osmoderma%20eremita>
 - Regulation concerning *Cephalanthera rubra* as priority species (FOR-2011-05-20-523): <https://lovdata.no/dokument/SF/forskrift/2011-05-20-523?q=r%20skogfrue>
 - Regulation concerning *Sphagnum troendelagicum* as priority species (FOR-2015-05-29-563): <https://lovdata.no/dokument/SF/forskrift/2015-05-29-563?q=tr%20ndertorvmose>
- Regulation concerning sustainable forestry (FOR 2006-06-07-593): <https://lovdata.no/dokument/SF/forskrift/2006-06-07-593> (key habitats)
- Forestry Act (LOV-2005-05-27-31, 2005): <https://www.regjeringen.no/en/dokumenter/Act-relating-to-forestry-Forestry-Act/id87139/>

3.3 HCV 3

- Regulation concerning impact assessments (FOR-2017-06-21-854): https://lovdata.no/dokument/SF/forskrift/2017-06-21-854/KAPITTEL_1#KAPITTEL_1

The listed legislation under HCV 1 also covers HCV 3

3.6 HCV 6

- Cultural Heritage Act (LOV-1978-06-09-50), 1978. <https://www.regjeringen.no/en/dokumenter/cultural-heritage-act/id173106/>
- Nature Diversity Act (LOV-2009-06-19-100): <https://www.regjeringen.no/en/dokumenter/nature-diversity-act/id570549/>

Conversion of Natural Forests

4.1 Conversion of natural forests to plantations

- Regulation relating to planting of alien tree species for forestry purposes (2012) - FOR-2012-05-25-460. <https://lovdata.no/dokument/SF/forskrift/2012-05-25-460?q=treslag>.
- Planning and building act (2008) - LOV-2008-06-27-71. <https://www.regjeringen.no/en/dokumenter/planning-building-act/id570450/>
- Regulation concerning impact assessments (FOR-2017-06-21-854): https://lovdata.no/dokument/SF/forskrift/2017-06-21-854/KAPITTEL_1#KAPITTEL_1
- Regulation on sustainable forestry (2006) - [https://lovdata.no/dokument/SF/forskrift/2006-06-07-593?q=forskrift om berekraftig skogbruk](https://lovdata.no/dokument/SF/forskrift/2006-06-07-593?q=forskrift%20om%20berekraftig%20skogbruk)

Genetically Modified Organisms

5.1 There is no commercial use of genetically modified trees.

- Gene Technology Act 1993, LOV 1993-04-02-38: https://lovdata.no/dokument/NL/lov/1993-04-02-38/KAPITTEL_3#§10
- The Food Act, LOV-2003-12-19-124: <https://lovdata.no/dokument/NL/lov/2003-12-19-124?q=matloven>
- The EEA Act, LOV-1992-11-27-109: <https://lovdata.no/dokument/NL/lov/1992-11-27-109>
- Library of Congress. Webpage: Restrictions on Genetically Modified Organisms: Norway. Last updated 06/09/2015. Available at: <https://www.loc.gov/law/help/restrictions-on-gmos/norway.php>