






# **Centralized National Risk Assessment for Poland**

FSC-CNRA-PL V1-0 EN

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## Risk assessments that have been finalized for Poland

<b>Controlled Wood categories</b>		<b>Risk assessment completed?</b>
1	Illegally harvested wood	YES
2	Wood harvested in violation of traditional and human rights	YES
3	Wood from forests where high conservation values are threatened by management activities	YES
4	Wood from forests being converted to plantations or non-forest use	YES
5	Wood from forests in which genetically modified trees are planted	YES

## Risk designations in finalized risk assessments for Poland

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	N/A
1.5	Low risk
1.6	Low risk
1.7	Low risk
1.8	Low risk
1.9	Specified risk for Białowieża, Hajnówka, and Browsk Forest Districts Low risk for all other forests
1.10	Low risk
1.11	Low risk
1.12	Low risk
1.13	Low risk
1.14	N/A
1.15	N/A
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	Specified risk for right to freedom of association and collective bargaining.
2.3	Low risk
Controlled wood category 3: Wood from forests where high conservation values are threatened by management activities	
3.0	Low Risk
3.1	Specified Risk for Białowieża Forest (Browsk, Hajnówka, Białowieża FMUs) and Forest districts Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany of Krosno Regional Directorate of State Forests. Low risk rest of country.
3.2	Specified Risk for Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany FMUs of the Krosno Regional Directorate of State Forests. Low risk all other sources.

3.3	Specified risk for Białowieża Forest (Browsk, Hajnówka, Białowieża FMUs). Low Risk rest of the country.
3.4	Low Risk
3.5	Low Risk
3.6	Low Risk
Controlled wood category 4: Wood from forests being converted to plantations or non-forest use	
4.1	Low Risk
Controlled wood category 5: Wood from forests in which genetically modified trees are planted	
5.1	Low risk

# Risk assessments

## Controlled wood category 1: Illegally harvested wood

### Overview

Forest functions in Poland are divided into: production forests, protective forests and social forests. Production forests are maintained to ensure their sustainability for regular harvesting of timber and non-timber forest products, development of tourism, income from timber sales, and hunting services. They create work places and support national government and local self-governments through regularly paid taxes. Protective forests ensure the protection of biodiversity including a variety of habitats and animal and plant species. Forests also impact positively for climate protection, regulate water circulation, prevent floods and soil erosion. Social forests enhance recreational and health conditions for society, contribute to cultural and science development and are included in the country's defense system. In Poland, 85% of forests are State-owned, 13% are privately owned, 1.9% owned by National Parks and 0.1% owned by Experimental Forest Stations (that is, owned by universities).

Wood in Poland is harvested based on the stipulations of Forest Management Plans and their annual revisions. Based on the FMPs, particular compartments are harvested each year, depending on the kind of forest habitat.

In State Forests, permission to harvests is achieved through several steps as follows: firstly, the MU manager approves the annual harvest inventory, following which field staff (foresters) issue to the harvesting company the order to harvest (in Poland harvesting is done only by contractors). Finally, the harvested wood is marked by the foresters as legally harvested (authorized).

In National Parks and Experimental Forest Stations, the same process occurs as described above for State Forests.

In Private Forests, permission to harvest is given either by a State Forest Officer (forester) or by the State Forest Authority (depending on the kind of supervision). Timber harvesting is regulated through the Act of 28 September 1991 on Forest (Dz. U No. 101, item 444). Harvesting of particular MUs is based on the details contained in Forest Management Plans, approved by the Ministry of Environment. In State Forests responsibility for compliance with the Act on Forest and Forest Management Plans rests in general with Regional Directorates of State Forests (RDSFs), whereas in private forests it depends on the supervision type (that is, RDSF or State Authority).

The entire Polish State Forest is PEFC-certified, with 16 out of 17 Regional Directorates of State Forests possessing valid FSC certificates. The only non-FSC-certified RDSF (in Krosno) is being prepared for FSC certification, so it is very likely that this forest will soon be FSC-certified.

This means that 7,6 million hectares of forests in Poland are PEFC-certified and 7,2 million hectares are FSC-certified.

The list of sources provided in FSC-PRO-60-002a, section 3.3.3 has been reviewed in regards to the national legality risk assessment for Poland. The following sources have been used; World Bank "Worldwide Governance Indicators" and the Transparency International "Corruption Perceptions Index", and

are referred to under “sources of Information” for each applicable sub-category. The remaining sources were found not to be relevant for the legality risk assessment for Poland

Poland has an above-middle governance score according to the World Bank Governance Index. On a range from -2.5 to +2.5, Poland has a score of 0.79 in relation to "Rule of law" and on control of corruption a score of 0.55 According to Transparency International Poland has a Corruption Perception Index of 60 (2013). Though Poland does not score very high it is considered that significant improvements in their scoring in both indexes has taken place over the years, signifying a continuous improvement - also their score is at a medium-high level globally and is not considered to give rise to significant concerns over corruption and governance issues in general.

### Sources of legal timber in Poland

Forest classification type	Permit/license type	Main license requirements (forest management plan, harvest plan or similar?)	Clarification
State Forest	Approved Forest Management Plan	Approved Forest Management Plan	Based on Forest Management Plan and annual harvest plan MU manager approves register of harvests and foresters issue orders for harvesting
Private Forest	Application for harvesting and certificate of legality of timber harvest (certificate is issued after harvesting by the field staff, confirming that wood was legally harvested)	Simplified Forest Management Plan	Based on Simplified Forest Management Plan, foresters or State personnel (depending on the type of supervision) issue certificate of legality of timber harvest on request of forest owner (request is included in the application for harvesting). The certificate is issued after harvest takes place, once compliance with all legal requirements has been verified.
National Parks	Register of cuts and order for cutting	Forest Management Plan	Based on Forest Management Plan and annual harvest plan MU manager approves register of cuts and foresters issue orders for cutting
Experimental Forest Stations	Register of cuts and order for cutting	Forest Management Plan	Based on Forest Management Plan and annual harvest plan MU manager approves register of cuts and foresters issue orders for cutting



## Risk assessment

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
<b>Legal rights to harvest</b>			
1.1 Land tenure and management rights	<p><b>Applicable laws and regulations</b></p> <p>For all ownership types:</p> <ol style="list-style-type: none"> <li>1. Act of 28 September 1991 on Forest (Dz. U No 101, item 444),</li> <li>2. Act on geodesy and cartography of 17 May 1989 (Dz. U No 30, item 163),</li> <li>3. Act of 25. September 1998 on forest land ownership (Dz.U. 1998 nr 69 poz. 450).</li> </ol> <p><b>Legal Authority</b></p> <p>Ministry of Infrastructure, Ministry of Environment, Ministry of Agriculture and Country Development</p> <p><b>Legally required documents or records</b></p> <p>Land register, Ownership Act</p>	<p><a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19911010444">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19911010444</a></p> <p>Information about land registry, public maps <a href="http://geoportal.gov.pl/">http://geoportal.gov.pl/</a></p> <p>Corruption Perception Index 2013: <a href="http://cpi.transparency.org/cpi2013/results/">http://cpi.transparency.org/cpi2013/results/</a></p> <p>Ministry of Environment: <a href="http://www.mos.gov.pl/">http://www.mos.gov.pl/</a></p> <p>Ministry of Infrastructure and Development: <a href="http://www.mir.gov.pl/Strony/glowna.aspx">http://www.mir.gov.pl/Strony/glowna.aspx</a></p> <p>Ministry of Agriculture: <a href="http://www.minrol.gov.pl/">http://www.minrol.gov.pl/</a></p> <p>Ministry of Finance: <a href="http://www.mf.gov.pl/ministerstwo-finansow">http://www.mf.gov.pl/ministerstwo-finansow</a></p> <p>State Forest report on thefts: <a href="http://bip.lasy.gov.pl/pl/bip/px/~raport_pgl_lp_2012_szk.pdf">bip.lasy.gov.pl/pl/bip/px/~raport_pgl_lp_2012_szk.pdf</a> and eco-portal <a href="http://www.ekologia.pl/srodowisko/ochrona-srodowiska/lasy-panstwowe-kradna-drewno-w-lasach,14999.html">http://www.ekologia.pl/srodowisko/ochrona-srodowiska/lasy-panstwowe-kradna-drewno-w-lasach,14999.html</a></p> <p>Report on Forest Conditions 2013: <a href="http://www.lasy.gov.pl/publikacje/informacje-statystyczne-i-raporty/raporty/raporty-o-stanie-lasow-2013">http://www.lasy.gov.pl/publikacje/informacje-statystyczne-i-raporty/raporty/raporty-o-stanie-lasow-2013</a></p>	<p><b>Low risk</b></p> <p>The tenure of Poland's forests is as follows: State Forests 85%, private forests 13%, National Parks 1,9%, Experimental Forest Stations 0,1%. The ownership is clearly established, with all relevant information being publicly available (see Ministry of Environment geoportal; and Ministry of Infrastructure and Development).</p> <p>There is a property tax that has to be paid by each forest owner, whether private or State. There are no records of violation of this requirement (see Ministry of Finance site; and General Directorate of State Forest site).</p> <p>There are known issues in Poland relating to wood theft, including low levels of wood theft in State Forests. However, more commonly, wood is stolen after harvesting. In these cases, the timber is harvested legally (according to the Forest Management Plan) but then stolen once harvested. Discussions with officials from the Regional Directorate of State Forests in Radom revealed that there are a small number of thefts relating to standing timber, as it is easier and quicker to steal harvested wood than standing trees. These findings are supported by observations during Forest Management audits. The number of such cases is very limited and thus the risk is evaluated as low.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>General data on thefts in forests:  <a href="http://start.lasy.gov.pl/web/rdlp_lodz/155">http://start.lasy.gov.pl/web/rdlp_lodz/155</a></p> <p>Act on geodesy and cartography:  <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19890300163">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19890300163</a></p> <p>Act on forest land ownership:  <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19980690450">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19980690450</a></p>	
1.2 Concession licenses	<p><b>Applicable laws and regulations</b></p> <p>N/A. No forest concession licenses are used in Poland.</p> <p><b>Legal Authority</b></p> <p>N/A</p> <p><b>Legally required documents or records</b></p> <p>N/A</p>	N/A	N/A
1.3 Management and harvesting planning	<p><b>Applicable laws and regulations</b></p> <p>Act of Ministry of Environment of 28.12.1998 regarding rules for preparation of Forest Management Plan (FMP), Simplified Forest Management Plan (SFMP) and forest inventory (Dz.U.99.3.16 on 15.01.1999 r.).</p> <p><b>Legal Authority</b></p> <p>Ministry of Environment</p>	<p>Ministry of Environment:  <a href="http://www.mos.gov.pl/artykul/374_podstawy_prawne/6078_plany_lasu.html">http://www.mos.gov.pl/artykul/374_podstawy_prawne/6078_plany_lasu.html</a>  "Pracownia na rzecz wszystkich istot" (NGO)  <a href="http://pracownia.org.pl/">http://pracownia.org.pl/</a>  WWF (NGO)  <a href="http://www.wwf.pl/">http://www.wwf.pl/</a></p> <p>Act of 28.12.1998 (Dz.U. 99.3.16 on 15.01.1999):  <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19990030016">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19990030016</a></p>	<p><b>Low risk</b></p> <p>The main document that regulates harvesting is the Forest Management Plan (approved by the Minister of Environment), based on which the annual registry of cut is described and approved by the MU Manager. Based on the registry of cut, the order for cutting is issued by the forester, with this methodology applying to State Forests, National Parks and Experimental Forest Stations.</p> <p>For Private Forests, Simplified Forest Management Plans are used. Based on the SFMP, the owner may apply for cutting and, after the cutting, the certificate of legal</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legally required documents or records</b></p> <p>Forest Management Plan, Simplified Forest Management Plan, Forest Condition Inventory, Environmental Protection Program</p>		<p>harvesting is issued by the forester or by State Forest Authority (depending on the supervision).</p> <p>There is a Forest Management Plan prepared for each State-owned Forest Inspectorate and a Simplified Forest Management Plan created for each private forest owner by the Office for Forest Management and Forest Geodesy. The FMP and SFMP contain the equivalent of ten years of harvest-related data. Every year the MU Manager approves the register of cuts (prepared by MU staff and based on the FMP), with the register of cuts containing harvesting data for a period of a year. The plans are authorised by the Regional Directorates of State Forests (for State Forests) and either State Authorities or Forest Inspectorates (for private forests) and approved by the Minister for the Environment. As the plans are prepared by government-authorised authorities and reviewed and authorised by a separate administrative authority (Ministry of Environment), there is a low risk that the plans are not prepared in accordance with legal requirements.</p>
1.4 Harvesting permits	<p><b>Applicable laws and regulations</b></p> <p>N/A. Act of Ministry of Environment of 05.04.1998 on timber legal harvesting. No permits for harvesting exist.</p> <p><b>Legal Authority</b></p> <p>N/A</p> <p><b>Legally required documents or records</b></p> <p>N/A</p>	N/A.	N/A

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
<b>Taxes and fees</b>			
1.5 Payment of royalties and harvesting fees	<p><b>Applicable laws and regulations</b></p> <p>Act of Ministry of Finance of 22.04.2004 on tax registry. Tax Ordinance of Ministry of Finance of 29.08.1997</p> <p><b>Legal Authority</b></p> <p>Ministry of Finance</p> <p><b>Legally required documents or records</b></p> <p>Declaration on Forest Tax</p>	<p>Ministry of Finance: <a href="http://www.mf.gov.pl/ministerstwo-finansow">http://www.mf.gov.pl/ministerstwo-finansow</a> General Directorate of State Forest: <a href="http://www.lasy.gov.pl/">http://www.lasy.gov.pl/</a></p> <p>Act of 22.04.2004 on tax registry: <a href="http://isap.sejm.gov.pl/VolumeServlet?type=wdur&amp;ok=2004&amp;numer=087">http://isap.sejm.gov.pl/VolumeServlet?type=wdur&amp;ok=2004&amp;numer=087</a></p> <p>Tax Ordinance: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19971370926">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19971370926</a></p> <p>Correspondence: FSC Poland. 30 September 2017.</p>	<p><b>Low risk</b></p> <p>Forest Inspectorates and private forest owners are required to pay tax for land use. The tax – payment of which is a strict requirement of the Ministry of Finance is tallied every month. There are no registered cases of lack of payments relating to State-owned forests, National Parks or Experimental Forest Stations. Private Forest owners are obliged to pay land use tax to municipal offices. There are 2479 municipalities in Poland. Each municipal office has its own register of Private Forest owners. In the case where a payment is not made, the municipal office sends notification to the debtor as well as information to the local Tax Office. The Tax Office is obliged (by the courts and bailiffs) to collect unpaid tax from the forest owner. Debtors' details are available from municipal offices, the Tax Office and the Ministry of Finance. However, it was not possible during this project to achieve cooperation from the listed offices and no reports or records were provided relating to the number of cases of unpaid tax for land use. In addition, the main Statistical Office is not in possession of such data. Following on a telephone conversation with staff of the Municipal Office in Falków, it was determined that cases of unpaid tax for land use do occur (it concerns private forest owners only); however, no details as to the number of cases per year were provided. In such situations, according to Tax Office staff, the tax is collected through a court decision process.</p> <p>According to FSC Poland, “As there are 2479 municipalities in Poland, it is hard to estimate the scale of unpaid taxes from private forest owner basing on 1 phone conversation only with 1 out of 2479 municipalities only. Moreover, even in the case of Falków no specific data</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
			about number of such cases was presented.” Therefore, this case does not represent a systematic threat to the implementation of the legal requirements.
1.6 Value added taxes and other sales taxes	<p><b>Applicable laws and regulations</b></p> <p>Act of Ministry of Finance of 22.04.2004 on tax registry. Tax Ordinance of Ministry of Finance of 29.08.1997</p> <p><b>Legal Authority</b></p> <p>Ministry of Finance</p> <p><b>Legally required documents or records</b></p> <p>Declaration of VAT</p>	<p>Ministry of Finance: <a href="http://www.mf.gov.pl/ministerstwo-finansow">http://www.mf.gov.pl/ministerstwo-finansow</a> General Directorate of State Forest: <a href="http://www.lasy.gov.pl/">http://www.lasy.gov.pl/</a></p> <p>Act of 22.04.2004 on tax registry: <a href="http://isap.sejm.gov.pl/VolumeServlet?type=wd&amp;rok=2004&amp;numer=087">http://isap.sejm.gov.pl/VolumeServlet?type=wd&amp;rok=2004&amp;numer=087</a></p> <p>Tax Ordinance: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19971370926">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19971370926</a></p>	<p><b>Low risk</b></p> <p>According to statements made by State Forest representatives as well as information gathered during a telephone call with a Tax Office representative in Końskie, Forest Inspectorates are obliged to pay VAT. This requirement is strictly monitored by the Ministry of Finance, Tax Office, the Main Controlling Office (State authority), with internal control by Regional Directorates of State Forests. During the course of this project, no information was gathered in relation to the lack of VAT payment. The main Statistical Office is not in possession of such information. All 17 Regional Directorates of State Forests are PEFC-certified (PEFC requires all taxes to be paid in a timely manner). Most of the wood from private forests is used for the forest owners' own needs. The owners do not run the business so are not obliged to pay VAT while selling timber to companies.</p>
1.7 Income and profit taxes	<p><b>Applicable laws and regulations</b></p> <p>Act of Ministry of Finance of 22.04.2004 on tax registry. Tax Ordinance of Ministry of Finance of 29.08.1997</p> <p><b>Legal Authority</b></p> <p>Ministry of Finance</p> <p><b>Legally required documents or records</b></p> <p>Declaration of Income Tax</p>	<p>Ministry of Finance: <a href="http://www.mf.gov.pl/ministerstwo-finansow">http://www.mf.gov.pl/ministerstwo-finansow</a> General Directorate of State Forest: <a href="http://www.lasy.gov.pl/">http://www.lasy.gov.pl/</a></p> <p>Act of 22.04.2004 on tax registry: <a href="http://isap.sejm.gov.pl/VolumeServlet?type=wd&amp;rok=2004&amp;numer=087">http://isap.sejm.gov.pl/VolumeServlet?type=wd&amp;rok=2004&amp;numer=087</a></p> <p>Tax Ordinance: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19971370926">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19971370926</a></p>	<p><b>Low risk</b></p> <p>Income tax requirements apply to Private and State Forests. According to the information provided by the State Tax Authorities, some cases occur (in Private Forests only) where the wood is sold 'unofficially' and therefore income tax is not paid. However, this is not a common case (since most round wood from private forests is used for forest owners' own needs), with relevant information being very difficult to source. Generally, timber from Private Forests is not sold commercially but is used for private consumption. This private consumption accounts for approximately 80% of the timber generated from Private Forests.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
			There is no information available that would indicate that there is a specified risk in this category in Poland.
<b>Timber harvesting activities</b>			
1.8 Timber harvesting regulations	<p><b>Applicable laws and regulations</b></p> <p>Act of Ministry of Environment of 28.12.1998 on detailed condition of preparation of Forest Management Plans, Simplified Forest Management Plans and preparation of forest inventory. Approved by Minister of Environment Forest Management Plans. Instruction of Forest Management, Instruction of Forest Protection.</p> <p><b>Legal Authority</b></p> <p>Ministry of Environment General Directorate of State Forest</p> <p><b>Legally required documents or records</b></p> <p>Annual allowable cut is included in FMP and SFMP (for 10-year period). For 1 year period there is register of cuts (elaborated by MU staff and approved by MU manager).</p>	<p>General Directorate of State Forest: <a href="http://www.lasy.gov.pl/">http://www.lasy.gov.pl/</a> Office of Forest Management <a href="http://www.buligl.pl/">http://www.buligl.pl/</a></p> <p>Act of 28.12.1998: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19990030016">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19990030016</a></p> <p>Instruction of Forest Management: <a href="http://www.kp.org.pl/pdf/poradniki/iol/instr_urzadzenia_lasu_2011.pdf">http://www.kp.org.pl/pdf/poradniki/iol/instr_urzadzenia_lasu_2011.pdf</a></p> <p>Instruction of Forest Protection: part I <a href="http://www.lasy.gov.pl/publikacje/copy_of_gospodarka-lesna/ochrona_lasu/instrukcja-ochrony-lasu-tom-i">http://www.lasy.gov.pl/publikacje/copy_of_gospodarka-lesna/ochrona_lasu/instrukcja-ochrony-lasu-tom-i</a> part II <a href="http://www.lasy.gov.pl/publikacje/copy_of_gospodarka-lesna/ochrona_lasu/instrukcja-ochrony-lasu-tom-ii">http://www.lasy.gov.pl/publikacje/copy_of_gospodarka-lesna/ochrona_lasu/instrukcja-ochrony-lasu-tom-ii</a></p>	<p><b>Low risk</b></p> <p>The Instruction of Forest Management and Instruction of Forest Protection includes detailed requirements including subjects such as forest buffer zones, skid or snig tracks and other environmental obligations. These instructions are further described on the General Directorate of State Forests site. The compliance monitoring and enforcement of these instructions is carried out by the Regional Directorates and occurs frequently (at least annually).</p> <p>The most critical points regarding the harvesting regulations that are violated in Poland are:</p> <ul style="list-style-type: none"> <li>- not respecting maximum harvesting volume (AAC);</li> <li>- harvesting without verbal permission of MU manager or State authority (in private forests only).</li> </ul> <p>In the first case, the control activities regularly carried out by RDSF (Regional Directorates of State Forests) lead to quick discovery and disclosure of such cases. (This is achieved through comparison of harvesting plans and data included in the FMP with data collected after finalisation of harvesting; with this information being included in the computer database SILP or State Forest Information System.) According to information collected during a telephone conversation with a representative of State Forests, AAC always must be met – otherwise the Forest Inspectorate Manager or Deputy Manager is fired. In private stands it is easy to hide some harvested timber, and claim that some timber has been stolen. In such cases it is almost impossible to prove that AAC was deliberately exceeded. Taking into consideration the fact</p>



Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
			that private forest owners in 99% of cases receive permission to harvest, hiding of harvested amounts is therefore not a common practice. Forest Inspectorates and State Authority (supervising Private Forests) declined to provide any records concerning the cases where AAC was exceeded in Private Forests.
1.9 Protected sites and species	<p><b>Applicable laws and regulations</b></p> <p>Act of Ministry of Environment of 05.01.2012 on protected plants (Dz. U. Nr 2012.14.81.). Act of Ministry of Environment of 09.07.2004 on protected mushrooms (Dz. U. Nr 2004.168.1765). Act of Ministry of Environment of 12.10.2011 on protected animals (Dz. U. 2011.237.1419). Act of Ministry of Environment of 12.01.2011 on areas of bird protection (Dz. U. 2011.25.133). Act of Ministry of Environment of 13.04.2010 on Nature 2000 habitats (Dz.u. 2010.77.510). Act on Environment Protection (Dz.U. 2004 nr 92 poz. 880). Ordinance 11A of General Directorate of State Forest dated on May 11th 1999.</p> <p><b>Legal Authority</b></p> <p>Ministry of Environment</p> <p><b>Legally required documents or records</b></p> <p>Registry of identification of fragile sites, buffer zones, protected flora/fauna habitats marked on maps, Program of Environmental Protection</p>	<p>Program for Environmental Protection, Community Workshop for all Species (Pracownia na Rzecz Wszystkich Istot), Polish Community for Birds Protection (OTOP), The Nature Heritage Foundation (Fundacja Dziedzictwo Przyrodnicze),</p> <p>Act of 05.01.2012: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20120000081">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20120000081</a></p> <p>Act of 09.07.2004: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20041681765">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20041681765</a></p> <p>Act of 12.10.2011: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20112371419">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20112371419</a></p> <p>Act of 12.01.2011: <a href="http://isip.sejm.gov.pl/DetailsServlet?id=WDU20110250133">http://isip.sejm.gov.pl/DetailsServlet?id=WDU20110250133</a></p> <p>Act of 13.04.2010: <a href="http://www.google.pl/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=0CCkQFjAA&amp;url=http%3A%2F%2Fisip.sejm.gov.pl%2FDownload%3Fid%3DWDU20100770510%26type%3D2&amp;ei=x8RpVNXJLoXgywPw7IKABw&amp;usg=AFQjCNHCAR2QAQ2nZJIOL4jHrThq5xelsg&amp;bvm=bv.791422">http://www.google.pl/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=0CCkQFjAA&amp;url=http%3A%2F%2Fisip.sejm.gov.pl%2FDownload%3Fid%3DWDU20100770510%26type%3D2&amp;ei=x8RpVNXJLoXgywPw7IKABw&amp;usg=AFQjCNHCAR2QAQ2nZJIOL4jHrThq5xelsg&amp;bvm=bv.791422</a></p>	<p><b>Specified risk</b></p> <p>In Poland robust legislation has been developed and enforced covering environmental protection, supporting preservation of forest biodiversity, protection of protected and endangered species and describing harvesting activity on Natura 2000 areas. The Ministry of Environment is the governmental body responsible for development and implementation of the legislation. Forest owners and/or managers are responsible for implementing legislation in every day practice. Forest Inspection is responsible for verification of implementation of the applicable legislation by State Forest. In private forest the State Authority or Forest Inspection verify the implementation of the legislation. In National Parks and Experimental Forest Stations the control function is done by County Inspectorates of Environmental Protection. No records or cases of exceeding AAC of damage of fragile habitats have been recorded, since the environmental issues are treated very seriously by controlling body in Poland - forest owners/managers are under strict supervision and regular control.</p> <p>However, recent developments in the European Court of Justice indicates that Poland is in violation of international regulations due to harvesting activities in Białowieża, Hajnówka, and Browsk Forest Districts. According to the European Commission, the available evidence shows that these measures taken by Polish authorities are not</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>46,d.bGQ</p> <p>Act on Environment Protection:  <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20040920880">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20040920880</a></p> <p>Ordinance 11A  <a href="http://www.bialystok.lasy.gov.pl/c/document_library/get_file?uuid=0e961d9e-5e0c-4d54-959a-3d92ffeeaaef&amp;groupId=1226300">http://www.bialystok.lasy.gov.pl/c/document_library/get_file?uuid=0e961d9e-5e0c-4d54-959a-3d92ffeeaaef&amp;groupId=1226300</a></p> <p>Court of Justice of EU: Poland Ordered to Suspend Logging in Białowieża Forest  <a href="https://www.iucn.org/news/world-commission-environmental-law/201708/court-justice-eu-poland-ordered-suspend-logging-bia%C5%82owie%C5%BCa-forest">https://www.iucn.org/news/world-commission-environmental-law/201708/court-justice-eu-poland-ordered-suspend-logging-bia%C5%82owie%C5%BCa-forest</a></p> <p>Court of Justice of the European Union PRESS RELEASE No 122/17  <a href="https://curia.europa.eu/jcms/upload/docs/application/pdf/2017-11/cp170122en.pdf">https://curia.europa.eu/jcms/upload/docs/application/pdf/2017-11/cp170122en.pdf</a></p>	<p>compatible with the conservation objectives of the sites and do not ensure the sustainable use of the forest.</p> <p>On 28th July 2017, the Court of Justice of the European Union (CJ) imposed an emergency ban on logging in Białowieża Forest (directly impacting the three above named districts). This effectively suspends the March 2016 decision of Polish Environment Minister Jan Szyszko, which allowed an increase of timber harvesting. This logging ban is effective until EU judges make a final ruling on the case. Polish authorities state they are obeying this ban, but there is evidence that the logging ban is not respected by the relevant forestry authorities.</p> <p>On 20 November 2017 the CJ found that Poland's actions were likely to "have a negative impact on the maintenance of favourable conservation conditions for natural habitats and the habitats of the animal and bird species whose conservation was the reason for the designation of the Natura 2000 Puszcza Białowieska site" (CJ Press Release No 122/12).</p>
1.10 Environmental requirements	<p><b>Applicable laws and regulations</b></p> <p>Act of Ministry of Environment of 27.04.2001 on Environmental Protection Law (Dz.U. z 2008 nr 25 poz. 150)</p> <p>Instruction of Forest Protection</p> <p><b>Legal Authority</b></p> <p>Ministry of Environment General Directorate of State Forest</p>	<p>Program of Environmental Protection, Manual for Forest Protection  <a href="http://www.lasy.gov.pl/publikacje/copy_of_gospodarka-lesna/ochrona_lasu/instrukcja-ochrony-lasu-tom-i">http://www.lasy.gov.pl/publikacje/copy_of_gospodarka-lesna/ochrona_lasu/instrukcja-ochrony-lasu-tom-i</a>  <a href="http://www.lasy.gov.pl/publikacje/copy_of_gospodarka-lesna/ochrona_lasu/instrukcja-ochrony-lasu-tom-ii">http://www.lasy.gov.pl/publikacje/copy_of_gospodarka-lesna/ochrona_lasu/instrukcja-ochrony-lasu-tom-ii</a></p> <p>Act of 27.04.2001:  <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20010620627">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20010620627</a></p> <p>Publicly available report from FSC FM/CoC</p>	<p><b>Low risk</b></p> <p>The main environmental restrictions that are reported to be violated by the forest owners (that is, by the companies harvesting wood for State Forests) are: damage of standing trees, and forest soil damage – with this damage being carried out by harvesters during spring and autumn (in wet soil condition). However, these issues do not occur very often (such information received during the interview with representative of RDSF in Wrocław and RDSF in Lublin), are strictly monitored by RDSF and MU managers who outsource the harvesting, and are not considered as specified risk. Moreover, service agreements with</p>



Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legally required documents or records</b></p> <p>Program of Environmental Protection, Evaluation of Environmental Impact of FMPs</p>	<p>evaluations: www.info.fsc.org</p>	<p>contractors include clauses such that – for any destroyed tree – the contractor will be required to pay a penalty. Therefore, contractors avoid damage to trees and, in 'hot spots' (for example, sharp turns in forest roads) protect trees by wrapping them with damage-proof materials. The amount of damage is so small that it is not reported (this information was gathered during a telephone conversation with a representative of the State Forests). Based on publicly available reports from FSC Forest Management and Chain of Custody audits, it can be said that this is a marginal issue. No comments regarding this point have been received from NGOs or wood processors (NGOs are mainly interested in other issues that are not connected with this point).</p>
1.11 Health and safety	<p><b>Applicable laws and regulations</b></p> <p>Act of Ministry of Work and Social Policy on 26.09.1997 on requirements regarding general rules of Health and Safety (Dz.U.03.169.1650)</p> <p><b>Legal Authority</b></p> <p>Ministry of Work and Social Policy</p> <p><b>Legally required documents or records</b></p> <p>H&amp;S procedures, risk evaluation of work positions, register of accidents, protocols from H&amp;S trainings, chainsaw operator license, harvester operator license.</p>	<p>H&amp;S manual, State Labour Inspection</p> <p>Act of 26.09.1997: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19971290844">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19971290844</a></p>	<p><b>Low risk</b></p> <p>The health and safety (H&amp;S) regulations are clearly described in the legislation and are followed and controlled on a regular basis by the State labour inspection office, Regional Directorates of State Forests' inspection division and Forest Inspectorates themselves (internal control). Forest staff are obligated to remove contractors from logging sites if any violation of H&amp;S requirements is found.</p> <p>In the case where logging is conducted by the forest owners, no one controls and supervises logging activity in Private Forests. So there are no records of violations of the applicable legislation that would constitute specified risk.</p>
1.12 Legal employment	<p><b>Applicable laws and regulations</b></p> <p>Labour Book of Ministry of Work and Social Policy of 26.06.1974 (Dz.U. 1974 nr 24 poz. 141)</p>	<p>Labour Book: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19740240141">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19740240141</a></p>	<p><b>Low risk</b></p> <p>State Forest Inspectorates outsource logging to external logging companies. There are only a dozen logging workers employed by the State Forest Administration in the whole country.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<b>Legal Authority</b> Ministry of Work and Social Policy <b>Legally required documents or records</b> Work agreement, list of payments, insurance payments, tax payments		Loggers who work for a contractor company are employed by the contractor company; and must have work agreements and be legally employed. In Private Forests, trees are cut mostly by the forest owners themselves or members of their family. No employment contracts exist. There are no records of violation of these requirements. Workers with the contractor company are regularly checked in the forest by the Regional Directorate of State Forests personnel, Forest Inspectorates field staff and by State Labour Inspection.
<b>Third parties' rights</b>			
1.13 Customary rights	<b>Applicable laws and regulations</b> 1. Act of 28 September 1991 on Forest (Dz. U No 101, item 444), <b>Legal Authority</b> Ministry of Environment <b>Legally required documents or records</b> -	Ministry of Environment: <a href="http://www.mos.gov.pl/">http://www.mos.gov.pl/</a> State Forests, State Authority Act of 28.09.1991, chapter 5, articles 26-31: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19911010444">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19911010444</a>	<b>Low risk</b> There is no information available that would indicate a risk that these rights are not respected by forest owners. According to the Act on Forest, people have free access to forests and may collect mushrooms, berries, and herbs for their own needs. No records exist demonstrating violation of this requirement. The Private Forests may be fenced, which may make access more difficult, but people are still allowed access to these forests.
1.14 Free prior and informed consent	<b>Applicable laws and regulations</b> N/A <b>Legal Authority</b> N/A <b>Legally required documents or records</b> N/A	N/A	N/A

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.15 Indigenous peoples rights	<b>Applicable laws and regulations</b> N/A <b>Legal Authority</b> N/A <b>Legally required documents or records</b> N/A	N/A	N/A
<b>Trade and transport</b>			
1.16 Classification of species, quantities, qualities	<b>Applicable laws and regulations</b> PN-93/D-02002 Quality and size qualification of timber <b>Legal Authority</b> Polish Standardization Committee <b>Legally required documents or records</b> Protocols from training of staff according to requirements of PN-93/D-02002 Quality and size qualification of timber	Ordinance of Ministry of Environment dated on 26.04.1995: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19950500273">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19950500273</a> <a href="http://isap.sejm.gov.pl/Download.jsessionid=8B335CC4DB08A50E4239102D2240B4F7?id=WDU19950500273&amp;type=2">isap.sejm.gov.pl/Download.jsessionid=8B335CC4DB08A50E4239102D2240B4F7?id=WDU19950500273&amp;type=2</a> Quality and size measurement: <a href="http://zsl.org.pl/pliki/materialy/uzytkowanie-lasu/sposoby-pomiaru-drewna-normy.pdf">http://zsl.org.pl/pliki/materialy/uzytkowanie-lasu/sposoby-pomiaru-drewna-normy.pdf</a>	<b>Low risk</b> Harvested wood must be classified according to quality and quantity. Specification of wood classification is also included in the Act on Forests, with both documents and procedures concerning wood measurement making it impossible to avoid payment of taxes and/or other fees. No cases of violation have been recorded regarding these requirements by the General Directorate of State Forests, Ministry of Environment and State Authority supervising private forests.
1.17 Trade and transport	<b>Applicable laws and regulations</b> Act on transport of 06.11.2001 on road transport of Ministry of Transportation (Dz. U. 2004 r. Nr 204 poz. 2088); Ordinance no 82 on timber trade of General Director of the State Forest dated on 15.11.2012	General Directorate of the State Forest: <a href="http://www.lasy.gov.pl/informacje/zamowienia-publiczne-zarzadzenia-decyzje/copy_of_zarzadzenia-i-decyzje-do-19-stycznia-2010-r/1981_2004/z27-1996">www.lasy.gov.pl/informacje/zamowienia-publiczne-zarzadzenia-decyzje/copy_of_zarzadzenia-i-decyzje-do-19-stycznia-2010-r/1981_2004/z27-1996</a> General Directorate of State Forest: <a href="http://drewno.zilp.lasy.gov.pl/drewno/zarzadzenie_nr_82.pdf">http://drewno.zilp.lasy.gov.pl/drewno/zarzadzenie_nr_82.pdf</a> Ministry of Transportation (act on transportation):	<b>Low risk</b> Each truck transporting domestic wood must carry the transport ticket (bill of lading) that describes the quantity, quality and species of the material transported. The checks on the roads are conducted by Police, Forest Guards, Customs and Border Guard and – in particular – Road Transport Inspection, with controls being frequent and very effective. Thus far, there are no records demonstrating violation of the applicable legislation that would constitute specified risk (all transport documentation contains all legally required information).

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legal Authority</b></p> <p>Ministry of Transportation; General Directorate of the State Forest; Ministry of Finance</p> <p><b>Legally required documents or records</b></p> <p>Transportation: Transport tickets (bills of loading); Certificate of legality of timber harvesting</p> <p>Trade: invoice (wholesale purchase) and receipt (retail purchase) No trading permits or licences are required (everyone can buy and sell timber in Poland)</p>	<p><a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20042042088">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20042042088</a></p> <p>Ministry of Finance: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20040540535">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20040540535</a></p>	<p>Trade:</p> <p>No permits or licences are required in Poland for timber trade. Sales documentation shall follow the legal requirements of Ministry of Finance and no data are available relating to violation of this requirement. Methods of selling timber in State Forests are developed and implemented by the General Director of the State Forests. Currently, the auctions and limited tenders are corruption-free ways to sell timber, so are considered as entrepreneur-friendly. Prices of small quantities sold to local communities (retail sale) are established individually by MU Managers every year (depending on market demands, supply, etc.). No violations in this context were recorded, either by the State Authority or by self-governments of small local societies.</p>
1.18 Offshore trading and transfer pricing	<p><b>Applicable laws and regulations</b></p> <p>Act on Customs of Ministry of Finance of 19.03.2004 (Dz.U. 2004 nr 68 poz. 622)</p> <p><b>Legal Authority</b></p> <p>Ministry of Finance, Ministry of Economy</p> <p><b>Legally required documents or records</b></p> <p>Declaration of customs payment (for selling out of the EU) VAT declaration for selling within EU countries</p>	<p>Ministry of Economy (information about offshore trading): <a href="http://www.mg.gov.pl/Wspolpraca+miedzynarodowa/Handel+zagraniczny">http://www.mg.gov.pl/Wspolpraca+miedzynarodowa/Handel+zagraniczny</a></p> <p>Ministry of Finance (information about financial obligation of sellers): <a href="http://www.mf.gov.pl/web/wp/clo/informacje-podstawowe;jsessionid=68CFB70BCFFB68D25ACEA3672075B80">http://www.mf.gov.pl/web/wp/clo/informacje-podstawowe;jsessionid=68CFB70BCFFB68D25ACEA3672075B80</a></p> <p>Information about customs: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20040680622">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20040680622</a></p> <p>Act on customs: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20040680622">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20040680622</a></p>	<p><b>Low risk</b></p> <p>Trade of roundwood in Poland is considered low risk for transfer pricing manipulation as roundwood is sold based on agreements between Forest Inspectorates and individual companies. Some roundwood is sold through auctions; any company that is registered in the auctions portal may buy roundwood. There are no records of violation of this requirement.</p> <p>Roundwood from Private Forests is used mostly for forest owners' needs, with a small proportion sold to Polish companies.</p> <p>There is no ban on selling roundwood abroad. However, there is no evidence and records regarding sale of roundwood to companies placed in tax havens (according to opinions expressed by State Authority personnel). Polish companies complain that too much wood is sold abroad but there is no restriction or limitation on selling</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>General Directorate Of State Forest  <a href="http://www.lasy.gov.pl/">http://www.lasy.gov.pl/</a></p> <p>Polish Branch Press:  <a href="http://www.drewno.pl/artykuly/9436,2-mln-m3-drewna-z-polskich-lasow-wyjedzie-w-tym-roku-do-niemiec.html">http://www.drewno.pl/artykuly/9436,2-mln-m3-drewna-z-polskich-lasow-wyjedzie-w-tym-roku-do-niemiec.html</a></p> <p>Polish Association of Wood Processors (PIGPD):  <a href="http://www.przemysldrzewny.pl/">http://www.przemysldrzewny.pl/</a></p>	<p>wood to companies located in other countries. The Ministry of Finance does not treat this as a problem; in their opinion, in a democratic country an open market is a necessity. Moreover, selling roundwood abroad increases the price of timber in Poland; that is, according to State Forests and Ministry of Finance it is beneficial situation.</p>
1.19 Custom regulations	<p><b>Applicable laws and regulations</b></p> <p>Law of Ministry of Agriculture and Country Development of 29.03.2005 on requirements that should be met by phytosanitary certificate</p> <p>Act on Custom Legislation dated on 19 March 2004 (Dz. U. Nr 68, poz 622 z poz zmian. (2013, poz. 727)</p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Country Development</p> <p>Ministry of Finance</p> <p><b>Legally required documents or records</b></p> <p>Phytosanitary Certificate (required only for export outside the EU)</p> <p>Customs payment</p>	<p>Information about necessity of issuance of phytosanitary certificate:  <a href="http://piorin.gov.pl/files/userfiles/giorin/prawo/konwencja/ippc_pl.pdf">http://piorin.gov.pl/files/userfiles/giorin/prawo/konwencja/ippc_pl.pdf</a></p> <p>Law of Ministry of Agriculture of 18.03.2013:  <a href="http://dokumenty.rcl.gov.pl/D2013001063601.pdf">http://dokumenty.rcl.gov.pl/D2013001063601.pdf</a></p> <p>Act on Custom:  <a href="http://www.google.pl/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=2&amp;cad=rja&amp;uact=8&amp;ved=0CCYQFjAB&amp;url=http%3A%2F%2Fisap.sejm.gov.pl%2FDownload%3Fid%3DWDU20040680622%26type%3D3&amp;ei=3322VJSaloOuaYznngqAK&amp;usg=AFQjCNG4TC09P9YB99mVMq8sjessCeQPRg&amp;bvm=bv.83640239,d.d2s">http://www.google.pl/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=2&amp;cad=rja&amp;uact=8&amp;ved=0CCYQFjAB&amp;url=http%3A%2F%2Fisap.sejm.gov.pl%2FDownload%3Fid%3DWDU20040680622%26type%3D3&amp;ei=3322VJSaloOuaYznngqAK&amp;usg=AFQjCNG4TC09P9YB99mVMq8sjessCeQPRg&amp;bvm=bv.83640239,d.d2s</a></p>	<p><b>Low risk</b></p> <p>There are no restrictions regarding the export of timber from Poland. If the buyer's country requires a phytosanitary certificate, then it is issued by Voivodship Inspectorate of Environment Protection). Where timber is imported, the mandatory requirements of the exporting countries will apply.</p> <p>The roundwood sold by State Forests is classified according to the Polish Standard for Wood Measurement. Information on species as well as quantities is also provided on sales and transport documentation. There have been no known issues that would indicate specified risk evaluation; that is, no records exist demonstrating violation of this requirement.</p>

Indicator	Applicable laws and regulations, legal authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.20 CITES	<b>Applicable laws and regulations</b> CITES <b>Legal Authority</b> Ministry of Environment <b>Legally required documents or records</b> CITES license (if applicable)	Information about CITES requirements in Poland: <a href="http://www.mos.gov.pl/kategoria/2496_konwencja_waszyngtonska_cites/">http://www.mos.gov.pl/kategoria/2496_konwencja_waszyngtonska_cites/</a>	<b>Low risk</b> There are no violations of CITES since CITES species are neither cultivated nor harvested in Poland.
<b>Diligence/due care procedures</b>			
1.21 Legislation requiring due diligence/due care procedures	<b>Applicable laws and regulations</b> Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market. So far, no national legislation has been in force in this regard. Appropriate act has not been approved yet by Polish government. <b>Legal Authority</b> Ministry of Environment <b>Legally required documents or records</b> Due diligence system, valid registry with the required information and documentation confirming wood origin	State forest (General Directorate of State Forest), Private forest (supervised by State Authority) <a href="http://www.lasy.gov.pl/">http://www.lasy.gov.pl/</a> Ministry of Environment <a href="http://www.mos.gov.pl/">http://www.mos.gov.pl/</a>  Act of European Union Parliament: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:295:0023:0034:PL:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:295:0023:0034:PL:PDF</a>  State of implementation of EU Timber Regulation in 28 Member States <a href="http://ec.europa.eu/environment/forests/pdf/EUTR%20implementation%20scoreboard.pdf">http://ec.europa.eu/environment/forests/pdf/EUTR%20implementation%20scoreboard.pdf</a>	<b>Low Risk</b> The European Commission has found that the EUTR is fully implemented and enforced in Poland in 2017.

#### Recommended control measures

Indicator	Recommended control measures

## 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	<p>Low risk</p> <p>The following low risk thresholds apply:</p> <p>(1) The area under assessment is not a source of conflict timber; AND</p> <p>(2) The country is not covered by a UN security ban on exporting timber; AND</p> <p>(3) The country is not covered by any other international ban on timber export; AND</p> <p>(4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND</p> <p>(5) Other available evidence does not challenge 'low risk' designation</p>
2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.	See detailed analysis below.	Country	<p>Specified risk for right to freedom of association and collective bargaining.</p> <p>The following specified risk thresholds apply:</p> <p>(14) The applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>AND</p> <p>(15) There is substantial evidence of widespread violation of key provisions of the ILO Fundamental Principles and Rights at work.</p> <p>Low risk for forced labour, child labour and for discrimination of women in the labour market.</p> <p>The following low risk threshold apply:</p> <p>(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</p> <p>(12) Other available evidence does not challenge 'low risk' designation.</p>



2.3. The rights of Indigenous and Traditional Peoples are upheld.	See detailed analysis below.	Country	<p>Low risk</p> <p>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  (21) Other available evidence does not challenge 'low risk' designation</p>
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### Recommended control measures

The recommended control measures here are only indicative in nature, and are not mandatory. Organizations shall evaluate and devise appropriate control measures to mitigate the risks identified in this risk assessment as applicable.

Indicator	Recommended control measures
2.1	-
2.2	CM should be based on clear evidence that the Organization has policies in place that guarantee core labour rights.
2.3	-

### Detailed analysis

Sources of information	Evidence	Scale of risk assessment	Risk indication <sup>1</sup>
<b>Context</b> (the following are indicators that help to contextualize the information from other sources) <ul style="list-style-type: none"> <li>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.</li> </ul>			
World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for 215 countries (most recently for 2004–2014), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption <a href="http://info.worldbank.org/governance/wgi/index.aspx#home">http://info.worldbank.org/governance/wgi/index.aspx#home</a>	<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a> (click on table view tab and select Country)  In 2016 (latest available year) Poland scores between 63.33 (for Political Stability and Absence of Violence/Terrorism) and 79.81 (for Regulatory Quality) 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	

<sup>1</sup> 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.



World Bank Harmonized List of Fragile Situations:	<a href="http://pubdocs.worldbank.org/en/189701503418416651/FY18FCSLIST-Final-July-2017.pdf">http://pubdocs.worldbank.org/en/189701503418416651/FY18FCSLIST-Final-July-2017.pdf</a> <b>Poland does not feature on this list</b>	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 August 31, 2017, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index.	<a href="https://cpj.org/reports/2017/10/impunity-index-getting-away-with-murder-killed-justice.php">https://cpj.org/reports/2017/10/impunity-index-getting-away-with-murder-killed-justice.php</a> <b>Poland does not feature on this list</b>	Country	
Human Rights Watch: <a href="http://www.hrw.org">http://www.hrw.org</a>	<p><a href="https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf">https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf</a>  <i>Human Rights Watch World Report 2016; Events of 2015</i>  There is no chapter on Poland in the country chapters of the HRW World Report 2016. The chapter on the EU contains a section about Poland.</p> <p>“There was little sign of progress in the Krakow Appellate Prosecutor’s longstanding criminal investigation into a secret CIA detention and interrogation program. [...]”  In May, the prosecutor general published a <b>report on racist and xenophobic crimes. Despite a significant rise in the number of reported cases, convictions remained low.</b> In June, the European Commission against Racism and Intolerance urged Poland to take further measures in addressing racial crimes, hate speech, and discrimination based on sexual orientation and gender identity. Draft legislation on introducing civil partnership was again rejected by parliament’s lower house in August.</p> <p>Access to reproductive and sexual health rights continued to be restricted, with limited access to legal abortion and comprehensive sex education. [...]”  In October, parliament failed to override the president’s veto on legislation that would have significantly improved the legal recognition process for transgender people. [...]”  <b>Violence against women remained a serious problem</b>, and continued underreporting of cases limits survivors’ access to services and justice.”</p> <p><a href="https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf">https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf</a>  <i>Human Rights Watch World Report 2017; Events of 2016.</i>  <i>In the overview chapter:</i>  “Poland’s counterterrorism law of 2016 allows surveillance of foreigners for up to three months without a court order. It also empowers a local security force commander to order snipers to shoot to kill to prevent a rapid attack on human life or health or when rescuing a hostage when the country is at its highest threat level. While UN principles allow police to use lethal force as a last resort to save the lives of others, <b>Poland’s measure raises the concern that a commander may issue a kill order without having determined that there is an imminent threat to human life.</b>”</p>	Country	

	<p><i>Section on Poland (within chapter on European Union); pages 276-277.</i>  “Poland faced international criticism over attempts by the newly elected parliament led by the ruling Law and Justice Party to undermine the independence of the Constitutional Tribunal, the country’s highest court.”</p> <p><a href="https://www.hrw.org/sites/default/files/world_report_download/201801world_report_web.pdf">https://www.hrw.org/sites/default/files/world_report_download/201801world_report_web.pdf</a>  <i>Human Rights Watch World Report 2018; Events of 2017.</i>  <i>Section on Poland (within chapter on European Union); pages 227-228.</i> <b>“The government continued to undermine the rule of law and human rights protection during the year.</b>  Using its parliamentary majority, the government introduced a series of laws in July that threaten judicial independence and the rule of law. One law would give the minister of justice control over judicial appointments. A second law, approved in the same month, would remove all sitting supreme court judges, except those chosen by the government, and together with its power to appoint judges, would give it control of the court.  Following significant international criticism, Poland’s president vetoed both laws and submitted his own proposals to parliament, which also fail to adequately guarantee the independence of the judiciary. The president signed a third law giving the justice minister power to appoint the presidents of lower courts, lower the retirement age for judges and dismiss the president of any court.  The efforts to undermine the independence of the judiciary met with significant international opposition, including from the Organisation for Security and Co-operation in Europe (OSCE), the Council of Europe, and the UN special rapporteur on the independence of the judiciary.  The EU Commission initiated infringement proceedings against Poland in July over the law on common courts. The commission also made further recommendations under the rule of law framework and expressed willingness to trigger article 7 of the EU Treaty if Polish authorities did not address concerns. EU member states twice debated rule of law in Poland in the General Affairs Council during the year, with many expressing support for the commission’s efforts, but without the council reaching a firm conclusion. In November, the European Parliament adopted a resolution on Poland to take steps needed for the parliament to make a formal request to the council to trigger article 7 in relation to Poland.  <b>In September, the Polish parliament passed a law with adverse effects on civil society organizations.</b> It establishes a government controlled body in charge of overseeing the distribution of public funds to NGOs. Prior to its adoption, the OSCE’s Office for Democratic Institutions and Human Rights raised concerns about the law, and urged lawmakers to provide safeguards limiting government</p>		
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	interference in the body's work. State-funded NGOs working on asylum and migration, women's rights, and LGBT rights reported difficulties and delays during the year accessing the state funds granted to them.(..)"		
US AID: <a href="http://www.usaid.gov">www.usaid.gov</a> Search on website for [country] + 'human rights'	No information found on specified risks after searching Poland + 'human rights'	Country	
Global Witness: <a href="http://www.globalwitness.org">www.globalwitness.org</a> Search on website for [country] + 'human rights'	No information found on specified risks after searching Poland + 'human rights'	Country	
<a href="http://www.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/">http://www.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/</a>	<a href="http://www.panda.org/core/general.cfc?method=getOriginalImage&amp;ulmglD=%26%2AR%5C%27%21%3EW5%0A">http://www.panda.org/core/general.cfc?method=getOriginalImage&amp;ulmglD=%26%2AR%5C%27%21%3EW5%0A</a> Poland does not appear on the Illegal logging map with countries with higher rates of illegal logging.  <a href="http://indicators.chathamhouse.org/sites/files/reports/Tackling%20Illegal%20Logging%20and%20Related%20Trade_0.pdf">http://indicators.chathamhouse.org/sites/files/reports/Tackling%20Illegal%20Logging%20and%20Related%20Trade_0.pdf</a>  "WWF's EU Government Barometer assessed three aspects of EUTR implementation: whether governments have put in place a legal framework for implementation of the regulation; the level of resources allocated to and actions undertaken for enforcement; and the degree of cooperation both between government agencies and between countries. For each of these three aspects, countries were given a score of 0 (for non-implementation), 1 (part-implementation) or 2 (full implementation); hence six was the maximum score. The country score of Poland is: 1. " (p. 44)	Country	
Chatham House Illegal Logging Indicators Country Report Card <a href="http://www.illegal-logging.info">http://www.illegal-logging.info</a>	'This source does not contain information that indicates specified risk'	Country	
Transparency International Corruption Perceptions Index	<a href="https://www.transparency.org/news/feature/corruption_perceptions_index_2016">https://www.transparency.org/news/feature/corruption_perceptions_index_2016</a> Poland scores 62 points on the Corruption Perceptions Index 2014 on a scale from 0 (highly corrupt) to 100 (very clean). Poland ranks 29 out of 176 with rank nr. 1 being the most clean 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	<a href="https://www.amnesty.org/en/documents/pol10/2552/2016/en/">https://www.amnesty.org/en/documents/pol10/2552/2016/en/</a> State of the Human Rights Report 2015/16 "Parliament failed to reform hate crime legislation. The government committed to relocate 5,000 refugees from Italy and Greece, amid a climate of intolerance and discriminatory speech, fueled by some public officials. The domestic criminal investigation into the co-operation with the CIA and the hosting of a secret detention site was still pending.  As of November, the Polish Ombudsman, national NGOs, the National Council of the Judiciary and other authorities expressed concerns regarding respect for the rule of law. They referred to the President's refusal to swear in five constitutional judges who had been elected by the previous Parliament. [...]A	Country	

	<p>new law on media giving the <b>government direct control over management positions in public service broadcasters</b> was widely criticized.</p> <p>On 22 July, <b>10 Romani women, men and children were forcibly evicted</b> from an informal settlement in the city of Wrocław. They were given no notice by municipal authorities and their houses and belongings were destroyed while they were at work. (p. 296)</p> <p>In April, <b>Poland ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence</b>. However, at the end of the year, authorities had <b>not yet adopted a comprehensive plan to implement the Convention</b>.” (p. 296-297)</p> <p><a href="https://www.amnesty.org/en/documents/pol10/4800/2017/en/">https://www.amnesty.org/en/documents/pol10/4800/2017/en/</a>  <i>State of the Human Rights Report 2016/17</i>  “The Balkans remained a dangerous place for investigative journalists, dozens of whom faced prosecution and beatings for exposing abuses, while <b>within the EU, Poland, Hungary and Croatia muzzled public broadcasters</b>.” (p. 45)</p> <p>“The government undertook significant legal reforms, in particular concerning the Constitutional Tribunal. There were 214 legislative amendments and laws enacted since the Law and Justice party came to power in October 2015. The speed of the legal reforms and the lack of adequate consultation with civil society were widely criticized.” (p. 297)</p> <p>“Freedom of assembly  <b>In December, the Parliament passed a restrictive amendment to the Law on Assemblies</b>, despite negative opinions of the Polish Human Rights Commissioner and the Supreme Court and strong criticism from nearly 200 NGOs. The President did not sign the amendment, referring it to the Constitutional Tribunal instead.</p> <p>Discrimination  <b>Serious gaps remained in the law regarding discrimination and hate crimes related to age, disability, gender, gender identity and expression, sexual orientation and social or economic status. In April, the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance was abolished.</b>” (p. 299)</p>		
<p>Freedom House  <a href="http://www.freedomhouse.org/">http://www.freedomhouse.org/</a></p>	<p><a href="https://freedomhouse.org/report/freedom-world/freedom-world-2017">https://freedomhouse.org/report/freedom-world/freedom-world-2017</a>The status of Poland on the <b>Freedom in the World 2017</b> index is ‘<b>free</b>’.</p> <p><a href="https://freedomhouse.org/report/freedom-net/freedom-net-2017">https://freedomhouse.org/report/freedom-net/freedom-net-2017</a>The status of Poland on the <b>Freedom on the Net 2017</b> index is ‘<b>no data</b>’.</p>	Country	

	<a href="https://freedomhouse.org/report/freedom-press/freedom-press-2017">https://freedomhouse.org/report/freedom-press/freedom-press-2017</a> The status of Poland on the <b>Freedom of the Press 2016</b> index is 'partly free'.		
Reporters without Borders: Press Freedom Index Rank nr. 1 has the best press freedom. <a href="https://rsf.org/en/ranking">https://rsf.org/en/ranking</a>	<a href="https://rsf.org/en/ranking">https://rsf.org/en/ranking</a> <i>2017 World Press Freedom Index</i> Poland is ranked #54 out of 180 in the 2017 World Press Freedom Index with a score of 26.47.	Country	
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 <a href="http://fsi.fundforpeace.org/">http://fsi.fundforpeace.org/</a>	<a href="http://fsi.fundforpeace.org/">http://fsi.fundforpeace.org/</a> <i>Fragile States Index 2016</i> Poland is ranked 151 out of 178 countries on the Fragile States Index. (nr 1 being the most failed state). This ranks Poland in the category 'Stable'.	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: <a href="http://economicsandpeace.org/research/iep-indices-data/global-peace-index">http://economicsandpeace.org/research/iep-indices-data/global-peace-index</a>	<a href="http://visionofhumanity.org/app/uploads/2017/06/GPI17-Report.pdf">http://visionofhumanity.org/app/uploads/2017/06/GPI17-Report.pdf</a> <i>2017 Global Peace Index</i> The <b>state of Peace in Poland is labeled 'High'</b> with Poland <b>ranking number 33 out of 163 countries</b> .	Country	
<b>Additional sources of information</b> (These sources were partly found by Googling the terms '[country]', 'timber', 'conflict', 'illegal logging')	<b>Evidence</b>	<b>Scale of risk assessment</b>	<b>Risk indication</b>
	<a href="http://www.clientearth.org/commission-opens-infringement-illegal-logging-polish-forest/">http://www.clientearth.org/commission-opens-infringement-illegal-logging-polish-forest/</a> <i>Commission takes action over illegal logging in Polish forest</i> <i>16 June 2016</i> "The European Commission has started infringement proceedings against the Polish Government over illegal plans to log in Białowieża Forest. The Polish Environment Ministry has one month to respond. The case could end up before the European Court of Justice, with hefty fines for Poland. ClientEarth Lawyer Agata Szafraniuk said: "Starting legal proceedings shows the Commission agrees that the Polish Government violated the law when it decided to increase logging in Białowieża. This contradicts Polish Government claims that the Commission supports felling." The <b>infringement case is based on a possible breach of the Birds and Habitats Directive</b> , EU environmental laws that protect the most valuable natural places in Europe.		

	<p>ClientEarth and six other campaign groups complained to the Commission about the breach, after their concerns were ignored by the Polish Government. The majority of Polish scientists agree that cutting more trees will not protect Białowieża, which is Europe's last surviving primeval forest and a UNESCO World Heritage Site.</p> <p>Commission opens infringement after visiting Białowieża Forest</p> <p>The Commission launched legal proceedings after analyzing documents from the Polish Ministry of Environment and environmental campaigners. Representatives also visited Białowieża Forest last Friday, where they met with the ministry, foresters and campaigners. The visit shows how seriously the Commission takes the issue, as this kind of mission is unusual.</p> <p><b>The pre-litigation stage began today, when the Commission called on the Polish Ministry of Environment to cancel the illegal logging. If it does not, the Commission will launch a full legal case, asking judges at the EU Court of Justice to rule on the infringement."</b></p>		
Feedback from stakeholder consultation	<p>Refugees enter Poland illegal, due to the Geneva Convention, because they crossed at least two safe countries. Therefore, Poland has the right to send them back where they should have applied for asylum.</p>		
<p>From national CW RA: Info on illegal logging</p> <p>FSC-CW-NRA-PL</p> <p>CONTROLLED WOOD NATIONAL RISK ASSESSMENT FOR POLAND - 2013</p>	<p><b>"1.3 There is little or no evidence or reporting of illegal harvesting in the district of origin</b></p> <p><i>Evaluation of compliance with requirements of the indicator on the level of the whole Poland territory:</i></p> <p>In Poland occasional cases of illegal harvesting occur, for example petty larceny of wood from the forest. Each forest owner is obligated to proper forest management according to the law. Wood is harvested according to the approved plan. Forest Guard is constituted for forest protection from illegal harvesting. The Guards cooperate with the police, inspection of road transport, border guard, guard of national parks, game wardens. There are reports of illegal harvesting compiled for particular forest units (Report of eradication of forest detriments). Those statistics show that robberies amount to 0,001% of total harvesting volume. Stolen wood materials are mainly used for local needs or for heating. Apart from occasional cases arbitrated by court, there is no evidence of the scale of illegal harvesting monitored by NO's.</p> <p><i>Basic sources for evaluation of the indicator requirements:</i></p> <p>1. see 1.1.;</p> <p>2. Report of eradication of forest detriments in 2011:  <a href="http://bip.lasy.gov.pl/pl/bip/px_~raport_lp_2011.pdf?page_opener=http%3A%2F%2Fbip.lasy.gov.pl%2Fpl%2Fbip%2Fraporty_i_prognozy">http://bip.lasy.gov.pl/pl/bip/px_~raport_lp_2011.pdf?page_opener=http%3A%2F%2Fbip.lasy.gov.pl%2Fpl%2Fbip%2Fraporty_i_prognozy</a>;</p> <p>Risk Assessment: Low</p> <p><b>Argumentation:</b> the opinions received during consultation pointed to cases of illegal logging within the area of Białowieża, Browsk and Hajnówka Forest Districts (eastern part of Poland) because of the unapproved forest management plan for those units. During the preparation of this document,</p>		

	<p>the forest management plan is approved for this region.”</p> <p>Comment on this source from stakeholder consultation: there have been some proven cases of longterm and intentional illegal wood harvesting in the Białowieża Forest in the FMUs Białowieża, Browsk and Hajnówka, where inter alia:</p> <ul style="list-style-type: none"> <li>• In 2016 approx. 41% of harvesting occurred in the 3rd UNESCO zone, where logging is banned by law, thus the principles of conservation of the World Heritage Site "Białowieża Forst" listed in the Nomination form were infringed<sup>2</sup>;</li> <li>• Decision 41 COM 7B.1 of the UNESCO World Heritage Committee of 14 July 2017 <sup>3</sup>, including immediate halt on all logging and wood extraction in old-growth forests was not complied with;</li> <li>• In 2017, until 15th of July, approx 41% of harvesting occurred in stands older than 100 years, which is an infringement of binding act of local law – established Plan of Protection Tasks for the PLC200004 area of Białowieża Primeval Forest Natura 2000;</li> </ul> <p>In August 2017 multiple violations of the law were identified – failure to comply with the binding procedural mean, judgment of the Court of Justice of 21 September 2017.in case C-441/17R Cuttings in Białowieża forest infringed on the ban imposed by the court as they went beyond the scope pf public security threats. Cuttings included not only extraction of wood presenting a risk, but also mass cuttings for future artificial replanting of old stands, which is active forest management.</p>		
<p><b>Conclusion on country context:</b> As EU member state, Poland scores high on most indicators reviewed in this context section such as stability, peace, freedom and governance and is considered a more stable country. Some human rights issues are reported including racist and xenophobic crimes and violence against women while there are also concerns regarding respect for the rule of law. Especially in the past two years, there is lot of concern that the government continued to undermine the rule of law and human rights protection. Illegal logging may be an increasing problem in Poland, with evidence of cases of long-term illegal logging in Białowieża Forest which is Europe's last surviving primeval forest and a UNESCO World Heritage Site.</p>		Country	
<p><b>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.</b></p> <p><b>Guidance</b></p> <ul style="list-style-type: none"> <li>• Is the country covered by a UN security ban on exporting timber?</li> <li>• Is the country covered by any other international ban on timber export?</li> <li>• Are there individuals or entities involved in the forest sector that are facing UN sanctions?</li> </ul>			
Compendium of United Nations Security Council Sanctions Lists: <a href="http://www.un.org">www.un.org</a>	<a href="https://scsanctions.un.org/fop/fop?xml=htdocs/resources/xml/en/consolidated.xml&amp;xslt=htdocs/resources/xsl/en/consolidated.xsl">https://scsanctions.un.org/fop/fop?xml=htdocs/resources/xml/en/consolidated.xml&amp;xslt=htdocs/resources/xsl/en/consolidated.xsl</a>	country	Low risk

<sup>2</sup> <http://whc.unesco.org/uploads/nominations/33ter.pdf>

<sup>3</sup> <http://whc.unesco.org/en/soc/3614>



Google: "Consolidated United Nations Security Council Sanctions List" for latest version. It is regularly updated.	There is <b>no UN Security Council ban</b> on timber exports from Poland.		
US AID: <a href="http://www.usaid.gov">www.usaid.gov</a>	Poland is <b>not covered by any other international ban on timber export</b> .		
Global Witness: <a href="http://www.globalwitness.org">www.globalwitness.org</a>	There are <b>no individuals or entities involved in the forest sector in Poland that are facing UN sanctions</b> .		
From national CW RA FSC-CW-NRA-PL CONTROLLED WOOD NATIONAL RISK ASSESSMENT FOR POLAND - 2013	<b>2.1 There is no UN Security Council ban on timber exports from the country concerned</b> <i>Evaluation of compliance with requirements of the indicator on the level of the whole Poland territory:</i> There is no such a ban for Poland. <i>Basic sources for evaluation of the indicator requirements:</i> 1. UNSC information, UNO : <a href="http://www.un.org/esa/">http://www.un.org/esa/</a> 2. Global Witness: <a href="http://www.globalwitness.org">http://www.globalwitness.org</a> <b>Risk Assessment: Low</b>	country	Low risk
<b>Guidance</b> <ul style="list-style-type: none"> <li>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?</li> <li>Is the conflict timber related to specific entities? If so, which entities or types of entities?</li> </ul>			
<a href="http://www.usaid.gov">www.usaid.gov</a>  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	<b>No information on conflict timber in Poland found.</b>	Country	Low risk
<a href="http://www.globalwitness.org/campaigns/environment/forests">www.globalwitness.org/campaigns/environment/forests</a>	<b>No information on conflict timber in Poland found.</b>	Country	Low risk
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>	<b>No information on conflict timber in Poland found.</b>	Country	Low risk
World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) <a href="http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf">http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf</a> Now: PROFOR <a href="http://www.profor.info/node/1998">http://www.profor.info/node/1998</a>	This work resulted in a publication: Assessing and Monitoring Forest Governance: A user's guide to a diagnostic tool (available on this page) published by PROFOR in June 2012. <b>This tool has not yet been applied to Poland.</b>	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	<a href="https://www.amnesty.org/en/documents/pol10/0001/2015/en/">https://www.amnesty.org/en/documents/pol10/0001/2015/en/</a> <b>No information on conflict timber related to Poland found.</b>	Country	Low risk



<a href="http://www.amnesty.org">http://www.amnesty.org</a> World Bank: Worldwide Governance Indicators - the WGI's report aggregate and individual governance indicators for 213 economies (most recently for 2004–2014), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption <a href="http://info.worldbank.org/governance/wgi/index.aspx#home">http://info.worldbank.org/governance/wgi/index.aspx#home</a> Use indicator 'Political stability and Absence of violence' specific for indicator 2.1	In 2014 (latest available year) <b>Poland scores 76.70 for Political Stability and Absence of Violence/Terrorism</b> (the scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes).	Country	Low risk
Greenpeace: <a href="http://www.greenpeace.org">www.greenpeace.org</a> Search for 'conflict timber [Poland]'	<b>No information on conflict timber in Poland found.</b>	Country	Low risk
CIFOR: <a href="http://www.cifor.org/">http://www.cifor.org/</a> <a href="http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm">http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm</a>	<b>No information on conflict timber or illegal logging in Poland found.</b>	Country	Low risk
Google the terms '[Poland]' and one of following terms or in combination 'conflict timber', 'illegal logging'	<b>No other information on conflict timber in Poland found.</b>	Country	Low risk
From national CW RA FSC-CW-NRA-PL CONTROLLED WOOD NATIONAL RISK ASSESSMENT FOR POLAND - 2013	<b>2.2 The country or district is not designated a source of conflict timber (e.g. USAID Type 1 conflict timber)</b> <i>Evaluation of compliance with requirements of the indicator on the level of the whole Poland territory:</i> According to the latest information, Poland is not a source of conflict timber. <i>Basic sources for evaluation of the indicator requirements:</i> USAID information: <a href="http://www.usaid.gov">www.usaid.gov</a> . <b>Risk Assessment: Low</b>	country	Low risk
<b>Conclusion on indicator 2.1:</b> No information was found on Poland as a source of conflict timber and the forest sector is not associated with any violent armed conflict.  <b>The following low risk thresholds apply:</b> (1) The area under assessment is not a source of conflict timber ; AND (2) The country is not covered by a UN security ban on exporting timber; AND (3) The country is not covered by any other international ban on timber export; AND (4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND (5) Other available evidence does not challenge 'low risk' designation.		country	Low risk
<b>Indicator 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.</b>  <b>Guidance</b> <ul style="list-style-type: none"> <li>Are the social rights covered by the relevant legislation and enforced in the country or area concerned? (refer to category 1)</li> <li>Are rights like freedom of association and collective bargaining upheld?</li> <li>Is there evidence confirming absence of compulsory and/or forced labour?</li> <li>Is there evidence confirming absence of discrimination in respect of employment and/or occupation, and/or gender?</li> </ul>			

- Is there evidence confirming absence of child labour?
- Is the country signatory to the relevant ILO Conventions?
- Is there evidence that any groups (including women) feel adequately protected related to the rights mentioned above?
- Are any violations of labour rights limited to specific sectors?

	<p>Poland, as the reference to the definition of “employee” in section 2 of the Labour Code does not guarantee the possibility of associating in trade unions to all people covered by the constitutional guarantees; and that the legislator should extend the right to organize to all persons performing paid work on the basis of a legal relationship; (iii) the Ministry of Labour and Social Policy is currently working to analyse the consequences of the judgment for the scope and coherence of the new draft Act; and (iv) due to its much larger personal scope, the draft Act introduces a systemic change that requires consultations with the social partners, which will be undertaken in the newly established Social Dialogue Council. <b>The Committee trusts that the draft Act will be adopted in the near future and will guarantee the right of all workers</b>, without distinction whatsoever, including workers without an employment contract, to establish and join organizations of their own choosing, with the sole exception of members of the armed forces and the police. The Committee requests the Government to provide information on any progress made in this respect. [...]Lastly, the Committee notes with interest the detailed statistical information provided by the Government, according to which, <b>in 2014, there were 12,900 active trade union organizations, with a total of 1.6 million members (5 per cent of adult population)</b>, and the majority of enterprise unions operated within public sector entities (66 per cent).”</p> <p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3256568:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3256568:NO</a></p> <p><i>Observation (CEACR) - adopted 2015, published 105th ILC session (2016)</i>  <i>Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Poland (Ratification: 1957)</i></p> <p>“The Committee notes the observations from the International Trade Union Confederation (ITUC) received on 1 September 2015 and on 1 September 2014, which concern <b>allegations of anti-union dismissals and other acts of anti-union discrimination</b>, as well as the Government’s comments thereon. It also notes the observations of the National Commission of the Independent and Self-Governing Trade Union (NSZZ) “Solidarnosc” received on 26 August 2015, which mainly relate to legislative issues raised under the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Lastly, the Committee notes the Government’s comments on the 2012 ITUC observations concerning allegations of anti-union dismissals in various sectors of activity.</p> <p>Article 1 of the Convention. Effective protection against anti-union discrimination. <b>The Committee had previously noted, in the context of earlier allegations of inefficiency of the proceedings and sanctions established in the legislation, the various legislative provisions enumerated by the Government providing protection against anti-union discrimination</b> (article 59(1) of the Constitution; sections 18, 38 and 45(1) of the Labour Code; and the penalties</p>		
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	<p>under section 218(1) of the Penal Code and section 35(1) of the Act on Trade Unions of 1991), as well as relevant statistical information. The Committee requested the Government to submit statistics on the number of new cases concerning anti-union practices brought before the courts. Furthermore, in view of earlier allegations that victims of anti-union dismissals could ask for reinstatement but court proceedings could take up to two years, the Committee had noted the Government's reference to a possible amendment to the Code of Civil Procedure so that, in cases of anti-union discrimination, the persons concerned may remain in their jobs during the proceedings; and had requested the Government to provide information in this respect.</p> <p>The Committee notes that the Government refers to sections 11 (prohibition of discrimination in employment on the grounds of, inter alia, trade union membership) and 47 of the Labour Code (right of reinstated employee to remuneration for not more than two months or, in the case of employees under special protection, for the entire period being unemployed) and section 32 of the Act on Trade Unions (special protection in the form of prohibition to terminate or unilaterally change conditions of employment without the consent of the trade union board, for a certain proportion of trade union officials). The Committee also notes the statistical information provided by the Government on the number of cases brought to courts for discrimination in employment (before the district courts 139 in 2012, 98 in 2013 and 79 in 2014; before the regional courts 14 in 2012, 14 in 2013 and 12 in 2014), their duration in days (before district courts 225 in 2012, 285 in 2013 and 249 in 2014; before regional courts 365 in 2012, 274 in 2013 and 511 in 2014) and their outcome; the number of sanctions imposed by courts; and the number of complaints against anti-union discrimination brought before the National Labour Inspectorate (17 in 2012 as of July; 37 in 2013; 37 in 2014; and five in 2015 until June) and their outcome, including concrete examples of cases in which inspections have been undertaken and their outcome. Lastly, the Committee takes note of the Government's indication that at present, the Ministry of Justice does not envisage any amendments to the Code of Civil Procedure.</p> <p>Taking into account the numerous allegations of acts of anti-union discrimination, the Committee observes with concern the extremely low number of sanctions imposed for cases of anti-union discrimination or interference under section 35(1) of the Trade Union Act (zero in 2010; two in 2011; six in 2012; zero in 2013; and zero in 2014), and also notes a decrease by half in the number of sanctions imposed for infringements of workers' rights in general under section 218(1) of the Penal Code (434 in 2010; 358 in 2011; 203 in 2012; 179 in 2013; and 172 in 2014). The Committee requests the Government to provide explanations in regard to these numbers and to take any necessary measures to ensure the effective protection against acts of anti-union discrimination in practice.</p>	Country	Specified risk for anti-union discrimination
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	<p>In the same context, the Committee observes with concern that in the two concrete examples of cases supplied by the Government in which inspection has been undertaken and a court ruling issued, the fines imposed for the termination of employees under special protection without the trade union's consent (section 32 of the Trade Union Act), amounted, per dismissed employee, to 1,700 Polish zloty (PLN) (approximately US\$425) and PLN1,500 (approximately US\$375), respectively. The Committee considers that such level of fines imposed on the employers, which corresponds to half of the national average monthly wage, are too low to be sufficiently dissuasive. In view of the recurrent allegations of numerous acts of anti-union dismissals, the Committee invites the Government to raise the level of fines imposed on employers in such cases, in order to ensure that the sanctions established and enforced are sufficiently dissuasive to prevent future acts of anti-union discrimination."</p> <p>Feedback from stakeholder consultation: In case 0 cases of discrimination and infringement of workers' rights are found the logical consequence should be low risk.</p> <p>Consultant response: The committee expressed concern about these low numbers given the numerous allegations of acts of anti-union discrimination, therefore thee low numbers indicate specified risk, rather than low risk as it indicates lack of implementation of regulations.</p> <p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188158:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188158:NO</a> <i>Direct Request (CEACR) - adopted 2014, published 104th ILC session (2015)</i> <i>Equal Remuneration Convention, 1951 (No. 100) - Poland (Ratification: 1954)</i> "The Committee notes the observations of the Employers of Poland (EP) supported by the International Organisation of Employers (IOE), received on 22 September 2014, which concern issues relating to the assessment of the gender pay gap and objective job evaluation, addressed by the Government in its report. Articles 1 and 2 of the Convention. Work of equal value. Legislation. The Committee recalls its previous comments regarding section 183c, paragraph 3, of the Labour Code which refers to work of equal value as work requiring comparable professional qualifications, responsibilities and effort, and case law of the Supreme Court concerning the comparability of positions that are "unique in the whole organisational structure of the employer". The Committee notes that the Government does not provide information in this respect. Recalling that the Convention does not limit the application of the principle of</p>	Country	Specified risk for equal remuneration
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	<p>equal remuneration to the same enterprise and that the possibility of bringing equal pay claims should not be excluded due to the fact that no comparator is available within the enterprise (see General Survey on the fundamental Conventions, 2012, paragraph 699) the Committee once again asks the Government to indicate how men and women are protected from discrimination in respect of remuneration in accordance with the principle of the Convention.</p> <p>Assessment of the gender pay gap. The Committee notes the Government's indication that, due to discrepancies in available data, it is difficult to specify the extent of the gender pay gap. The Committee notes that both the Government and the EP refer to Eurostat data indicating that in 2012 the gross pay gap between men and women was 6.4 per cent, up from 4.5 per cent in 2010, but overall a decrease of more than 8 per cent since 2007. The Government also provides data from the Central Statistics Office that in 2012 the average remuneration of women was 20 per cent lower than that of men, and with respect to average hourly gross remuneration, the gap was 13.5 per cent. Women also continue to earn less in posts as higher officials, in managerial posts for business services and management, in posts of industrial workers and in the services sector. The Committee further notes, from the inspection carried out in 2013 by the Supreme Audit Office (SAO) on equal remuneration for men and women in the public sector that disparities in wages in this sector amount to 10.82 per cent. Differences in the average remuneration of men and women ranged from 15.23 per cent (in favour of women) to 30.48 per cent for basic pay, and from 30.3 per cent to 37 per cent for total pay (including bonuses and allowances). Of the posts analysed, men had higher basic pay in almost 80 per cent of the cases. The Committee notes that in 2012 the Government established an informal team within the Ministry of Labour and Social Policy to address the wage gap, involving representatives of non-governmental organizations, the private sector and academia. The Government also indicates that the National Programme of Activities for Equal Treatment 2013–16 provides for measures aimed at reducing the gender wage gap, including promoting the principle of equal remuneration for work of equal value. The EP draws attention to the need for measures to address individual factors causing wage differences between men and women (education, position, length of service, etc.), including promoting those aimed at reconciling work and family responsibilities. The Committee asks the Government to continue to provide detailed statistical information on the remuneration of men and women in the public and private sectors, disaggregated by economic sector and occupation, and information on any measures taken to identify and address the underlying causes of gender-based differences in the payment of bonuses and allowances in the public service. The Committee asks the Government to continue to provide information on the measures taken or envisaged, including in the framework of the National Programme of Activities</p>	Country	Specified risk for gender pay gap
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	<p>for Equal Treatment 2013–16, to reduce the gender pay gap and promote the principle of the Convention.</p> <p>Article 3. Objective job evaluation. The Committee notes that the 2013 SAO inspection in the public sector attributed the gender pay gap to the organizational structure of departments, as well as differences in qualifications, work experience, professional experience, competencies and commitment of employees. The Committee notes the comments by the EP that the inspection allowed employers to appreciate data regarding pay differences which resulted in two controlled entities raising the salaries of women. The EP considers that a tool to monitor wage differentiation along with objective measures to establish the impact of individual factors on remuneration levels could positively affect how remuneration levels are shaped. The Committee notes that the Government organized meetings with the social partners in order to evaluate the tools for eliminating differences in remuneration of women and men and that the National Programme of Activities for Equal Treatment for 2013–16 seeks to develop a methodology to evaluate the gender pay gap in enterprises. The Committee hopes that the methodology developed to evaluate gender pay gaps leads to the development and promotion of objective job evaluation free from gender bias in the private sector and asks the Government to provide information on progress made in this regard. The Committee also asks the Government to continue to provide information on any objective job evaluation exercises undertaken, in cooperation with the social partners, in the public sector, including the results achieved.</p> <p>Enforcement. The Committee notes from the information provided by the Government that, between January 2010 and 15 April 2014, 52 complaints of gender discrimination were submitted to the labour inspectorate which related to “remuneration for work or other conditions of employment”; as a result, 37 inspections were carried out and 11 queries were addressed to employers. Since 2011, only three cases have been recorded as “justified complaints.” The Government indicates that the labour inspectorate faces difficulties in overseeing compliance with the principle of equal pay for work of equal value, primarily due to a lack of appropriate tools and objective measuring instruments with regard to wage differentiation. The Government also provides information on cases decided by the Supreme Court in 2012 and 2013 relating to equal remuneration for the same work. The Committee asks the Government to continue to provide information on the activities of the labour inspectorate with respect to the principle of the Convention, and to indicate the outcome of any cases of pay discrimination. The Committee asks the Government to indicate the steps taken or envisaged to strengthen the capacity of the labour inspectorate to monitor wage differentials, including the provision of appropriate tools to evaluate whether jobs performed by men and women are of equal value. Please continue to provide information on relevant judicial decisions regarding the application of the Convention.”</p>		
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	<p>[...]Equality of opportunity and treatment irrespective of race, colour and national extraction. The Committee notes the Government's indications that the Roma remain the most marginalized group in the labour market; only 11 per cent of Roma have a secondary and post-secondary education, and only 29 per cent are economically active. The Committee notes that the Government has taken measures to increase opportunities for the Roma in the labour market and that access to education has been a priority this regard; assistance has been provided through education grants, professional courses and internships directed at the Roma community funded by the European Social Fund. The Committee also notes the use of social campaigns to eliminate stereotypes regarding the Roma, and the Government's participation in activities supporting diversity in the workplace including cooperation with the Responsible Business Forum. Lastly, the Committee notes from information submitted by the Government to CEDAW, the measures taken to implement programmes for the Roma community, including Roma women, and that the National Programme of Activities for Equal Treatment 2013–16 also provides</p>	country	Specified risk for discrimination of Roma in the labour market



	for the preparation of the <b>Roma Community Integration Programme for 2014–20</b> (CEDAW/C/POL/Q/7-8/Add.1, pages 6–7). The Committee requests the Government to continue to provide information on measures taken, and results achieved, to raise the level of education and vocational training of the Roma community, to ensure their access to a wide range of occupations, and to combat negative stereotypes and anti-Roma sentiments. Please include statistical information on the participation of Roma men and women, as well as persons belonging to other ethnic minorities, in education and the labour market. The Committee also requests the Government to indicate the concrete measures taken to prevent and address discrimination based on race, colour or national extraction in employment and occupation within the framework of the National Programme of Activities on Equal Treatment (2013–16) and the Roma Community Integration Programme, including activities carried out in cooperation with the social partners.		
ILO Declaration on Fundamental Principles and Rights at Work. Country reports. <a href="http://www.ilo.org/declaration/lang--en/index.htm">http://www.ilo.org/declaration/lang--en/index.htm</a> Source of several reports. Search for 'racial discrimination', 'child labour', 'forced labour', 'gender equality', 'freedom of association'	<b>No information indicating specified risk was found.</b>	Country	Low risk
ILO Child Labour Country Dashboard: <a href="http://www.ilo.org/ipecc/Regionsandcountries/lang--en/index.htm">http://www.ilo.org/ipecc/Regionsandcountries/lang--en/index.htm</a>	<b>Poland does not feature in the Child Labour Country Dashboard</b>	Country	Low risk
Global March Against Child Labour: <a href="http://www.globalmarch.org/">http://www.globalmarch.org/</a>	<b>No information indicating specified risk was found.</b>	Country	Low risk
Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child: <a href="http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx">http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx</a>	<a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fPOL%2fCO%2f3-4&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fPOL%2fCO%2f3-4&amp;Lang=en</a> <i>Committee on Rights of the Child - Concluding observations on the combined third and fourth periodic reports of Poland - 30 October 2015</i> <b>The report does not mention child labour.</b>	Country	Low risk
Committee on the Elimination of Discrimination against Women <a href="http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx">http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx</a> (Use the link to 'Key documents' on the left hand side. Go to "observations" and search for country.) (Refer to CW Cat. 1) Or: Right top select country click on CEDAW treaty, click on latest reporting period and select concluding observations	<a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fPOL%2fCO%2f7-8&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fPOL%2fCO%2f7-8&amp;Lang=en</a> <i>Committee on the Elimination of Discrimination against Women - Concluding observations on the combined seventh and eighth periodic reports of Poland – 14 November 2014</i> "Employment 32. <b>The Committee is concerned about</b> the prevailing horizontal and vertical segregation between women and men in the labour market and in particular the concentration of women in low-paid sectors of public employment, especially in precarious work, <b>the limited participation of women in employment (53.4 per cent of women of working age)</b> , the lack of counselling for girls and women on non-traditional educational and vocational choices and career options and <b>non-implementation of the principle of equal pay for work of equal value</b> . It is also concerned about the <b>limited mandate of</b>	Country	Specified risk for equal

	<p>the labour inspectorate to investigate complaints of gender discrimination and in particular, sexual harassment, and the disparities in access to childcare services between urban and rural areas.</p> <p>33. The Committee recommends that the State party:</p> <p>(a) Eliminate horizontal and vertical segregation between women and men in the labour market, including by adopting temporary special measures to promote access for women, in particular young women, to employment, and review its legislation and policies in order to promote equal opportunities for and equal treatment of women in employment, including career opportunities, and to limit the exposure of women to precarious work;</p> <p>(b) Develop support programmes, including counselling, for girls and women on non-traditional educational and vocational choices and career options, for example in the areas of science and technologies;</p> <p>(c) Ensure equal remuneration for work of equal value, including through mandatory equality plans for public and private employers and labour inspections, and address the limited effectiveness of legal provisions on remuneration, in particular through the development of a methodology for the assessment of the wage gap in companies as well as awareness-raising within the State party's associations of employers and trade unions;</p> <p>(d) Strengthen the mandate of the labour inspectorate to effectively investigate complaints of gender discrimination and in particular, sexual harassment, including by addressing the conditions for the disclosure of information about complaints and their authors;</p> <p>(e) Reduce disparities in access to childcare services between urban and rural areas, including by reversing the trend of closing preschool facilities.</p> <p>34. The Committee notes the measures taken to promote the participation of women in private sector management and supervisory boards. It is concerned, however, that women represent less than 15 per cent of the members of management and supervisory boards.</p> <p>35. The Committee urges the State party to take measures to achieve women's equal and full participation in decision-making in the economic sphere, in particular in the management and supervisory boards of listed companies and State-owned public companies.</p> <p>Rural women</p> <p>38. The Committee takes note of the State party's Rural Development Programme 2007-2013. However, it is concerned that rural women continue to suffer from limited access to health care, education, employment and social services and participation in decision-making processes at the local level.</p> <p>39. The Committee recommends that the State party develop comprehensive policies and programmes aimed at the economic and political empowerment of rural women and ensure their access to health care, education, employment and social services, as well as facilitate their</p>		remuneration
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	participation in decision-making processes at the local level, in particular in the boards of voivodeship agricultural chambers, so as to address the high risk of female poverty in rural areas.		
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>	No information indicating specified risk was found. in relation to labour rights.	country	Low risk
Child Labour Index 2014 produced by Maplecroft. <a href="http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/">http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/</a>	Poland scores 'medium risk' on the Child Labour Index.	Country	Specified risk on child labour
<a href="http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=2191&amp;context=globaldocs">http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=2191&amp;context=globaldocs</a> (p. 30-33 are specific on timber)	No information indicating specified risk was found in relation to labour rights.	country	Low risk
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 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. <a href="http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en">http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en</a>	<a href="http://www.ituc-csi.org/IMG/pdf/survey_ra_2016_eng.pdf">http://www.ituc-csi.org/IMG/pdf/survey_ra_2016_eng.pdf</a> <i>The ITUC Global Rights Index 2016</i> Poland is classified in Rating 4 "Systematic violation of rights" (p. 13) "Workers in countries with the rating 4 have reported systematic violations. The government and/or companies are engaged in serious efforts to crush the collective voice of workers putting fundamental rights under threat." (p. 19)	country	Specified risk for rights to freedom of association, collective bargaining and strike
Gender wage gap (in OECD countries) <a href="http://stats.oecd.org/index.aspx?queryid=54751">http://stats.oecd.org/index.aspx?queryid=54751</a>	<a href="http://stats.oecd.org/index.aspx?queryid=54751">http://stats.oecd.org/index.aspx?queryid=54751</a> The gender wage gap for Poland in the latest available year (2014) is 11,1 %. The OECD average is not presented in this chart, but Poland appears to be well below the OECD average.	country	Low risk
World Economic Forum: Global Gender Gap Index <a href="http://reports.weforum.org/global-gender-gap-report-2015/">http://reports.weforum.org/global-gender-gap-report-2015/</a>  Search for country rankings for the adjusted and the unadjusted pay gap	<a href="http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=POL">http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=POL</a> <i>Global Gender Gap Index 2015 - Poland.</i> Poland ranks no. 51 out of 142 countries with a score of 0.715. (The highest possible score is 1 (equality) and the lowest possible score is 0 (inequality)). On the more specific sub-index on <b>Economic participation and opportunity</b> Poland ranks no. 75 with a score of 0.667. Within that index, the most specific and relevant indicator is the <b>Wage equality for similar work</b> . Here Poland ranks only no. 124 on the with a score of 0.52 which is below the global average (of 142 included countries).  Feedback from stakeholder consultation:  There is new data now <a href="http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=POL">http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=POL</a> : Poland ranks now no. 38 out of 144 countries with a score of 0.727. On the more specific sub-index on Economic participation and opportunity Poland ranks now no. 58 with a score of 0.69.	country	Specified risk for equal remuneration for women

	<p>Only regarding the indicator “Wage equality for similar work” (that is created by a survey!) Poland still ranks no. 124 but with a score of 0.531. So there has been an improvement! Please consider this before designate risk “specified”!</p> <p>Consultant Consultant response: As there is very little progress on the most relevant indicator “Wage equality for similar work” there is no reason to change the risk indication.</p>		
<p><a href="http://www.ilo.org/global/research/global-reports/global-wage-report/lang--en/index.htm">http://www.ilo.org/global/research/global-reports/global-wage-report/lang--en/index.htm</a> Global Wage Report (Use latest version) “The Global Wage Report analyses the evolution of real wages around the world, giving a unique picture of wage trends and relative purchasing power globally and by region.”</p>	<p><a href="http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_324678.pdf">http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_324678.pdf</a> Global Wage Report 2014/15 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 Poland is 16% (12 % plus 4 % - explained gender wage gap is negative). This percentage represents the unexplained gender wage gap which may capture discriminatory practices. The average unexplained gender wage gap for Europe is 20%. Poland is below the European average. (Figure 37, p. 49)</p>	country	Low risk for gender wage gap
<p><a href="http://www.globalslaveryindex.org/">http://www.globalslaveryindex.org/</a> The Global Slavery Index estimates the number of people in modern slavery in 167 countries. The Global Slavery Index answers the following questions: What is the estimated prevalence of modern slavery country by country, and what is the absolute number by population? How are governments tackling modern slavery? What factors explain or predict the prevalence of modern slavery?</p>	<p><a href="http://www.globalslaveryindex.org/country/poland/">http://www.globalslaveryindex.org/country/poland/</a> Poland ranks 24 out of 167 countries. “The 2016 Global Slavery Index estimates 181,100 people or 0.48% percent of the total population live in conditions of modern slavery in Poland. This is based on a random-sample, nationally representative survey undertaken in 2015, that sought to identify instances of both forced marriage and forced labour within the general population (survey conducted in Polish language). The lowest percentage is 0.018% and the highest percentage is 4.373%.</p> <p>Forced labour Forced labour affects migrant populations within Poland and Polish citizens migrating overseas. Walk Free Foundation survey data suggests construction (45 percent), domestic labour (31 percent), other manual labour (eight percent), and manufacturing (six percent) were sectors of concern. Within Poland, migrant labourers from nearby Eastern European countries, such as Ukraine, Bulgaria and Romania,[2] and parts of South East Asia, are vulnerable to exploitation in the construction, agriculture, retail and domestic sectors.[3]</p> <p>While previously victims of exploitation were predominately from the former Soviet Union, there has been a shift in recent years to an increase in the number of identified victims from Asia,[4] including Vietnam, the Philippines, China and Korea.[5] In 2014, the Border Guard identified 31 victims of forced labour, 19 of whom originated from the Philippines. When cases of domestic servitude are included, this figure increases to 34 forced labour victims, of which 21 were from the Philippines.[6] A study released by the European</p>	country	Low risk for slavery or forced labour



	<p><i>United States Department of State • Bureau of Democracy, Human Rights and Labor - POLAND 2015 HUMAN RIGHTS REPORT</i></p> <p>[...] Sexual Harassment The law prohibits sexual harassment, and violations carry penalties of up to three years in prison. The law defines sexual harassment as discriminatory behavior in the workplace, including physical, verbal, and nonverbal acts violating an employee 's dignity. <b>According to the Women' s Rights Center, sexual harassment continued to be a serious and underreported problem. Many victims did not report abuse or withdrew harassment claims in the course of police investigations due to shame or fear of losing their job. During the first six months of the year, police reported 29 cases of sexual harassment, compared with 52 cases during the first six months of 2014.</b></p> <p>[...]Discrimination The constitution provides for the same legal status and rights for men and women and prohibits discrimination against women, although few laws exist to implement the provision. <b>The constitution requires equal pay for equal work, but discrimination against women in employment existed</b> (see section 7.d.). The plenipotentiary for equal treatment had a mandate to counter discrimination and promote equal opportunity for all. (p. 18)</p> <p>[...] Societal discrimination against <b>Roma, whose numbers were estimated to be Between 20,000 and 30,000</b>, continued to be a problem. The 2011 national census recorded 16,723 Roma, although an official government report on the Romani community estimated that 20,000 -25,000 Roma resided in the country. Romani community representatives estimate that 30,000 -35,000 Roma reside in the country. Unlike in previous years, there were no reports that local officials discriminated against Roma by denying them adequate social services. <b>Romani leaders complained of widespread discrimination in employment</b>, housing, banking, the justice system, the media, and education. [...]While <b>at the national level approximately 80 percent of Roma were unemployed, levels of unemployment in some regions reached nearly 100 percent.</b> (p. 22-23)</p> <p>“Section 7. Worker Rights a. Freedom of Association and the Right to Collective Bargaining The law provides for the rights of workers to form and join independent trade unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination, and provides legal measures under which workers fired for union activity may demand reinstatement. <b>There are several legal restrictions to these rights. The law does not provide for the right to form a union to persons who entered into an employment relationship based on</b></p>	Country	Specified risk for sexual harassment
		Country	Specified risk for discrimination of Roma in the labour market
			Specified risk for the right to form a union to persons

	<p>a civil law contract, or to persons who were self-employed. On June 2, the Constitutional Court ruled that any limitation to the freedom of association violates the constitution and required the government and parliament to amend the law on trade unions, but as of October 30, the government had not revised the law.</p> <p>[...]Legal strikes require the support of at least 50 percent of all employees in a company or industry-level vote. To allow for required mediation, a strike may not be called less than 14 days after workers present their demands to an employer. The law obligates employers to notify the district inspection office in their region about a group dispute in the workplace. Cumbersome procedures made it difficult for workers to meet all of the technical requirements for a legal strike. What constitutes a strike under the labor law is limited to strikes over wages and working conditions.</p> <p>[...]The penalties for obstructing trade union activity range from fines to community service. The government did not effectively enforce applicable laws. Resources, inspections, and remediation efforts were less than fully adequate and the small fines imposed as punishment were an ineffective deterrent to employers. Administrative and judicial procedures were subject to lengthy delays and appeals. Unions alleged that the government did not consistently enforce laws prohibiting retribution against strikers. In 2014 the National Labor Inspectorate (NLI) registered 254 disputes over working conditions, social benefits, and the right to freedom of trade union activity, filed under collective bargaining rules as a prerequisite for striking.</p> <p>[...]Violations of freedom of association and the right to collective bargaining occurred. There were some reports of government interference in trade union activity. While many workers exercised the right to organize and join unions, many small- and medium-sized firms, which employed a majority of the workforce, discriminated against those who attempted to organize. Labor leaders continued to report that employers regularly discriminated against workers who attempted to organize or join unions, particularly in the private sector. Discrimination typically took the forms of intimidation, termination of work contracts without notice, and closing of the workplace. Some employers sanctioned employees who tried to organize unions.” (p. 25-26)</p> <p>b. Prohibition of Forced or Compulsory Labor</p> <p>The law prohibits all forms of forced or compulsory labor. Nevertheless, forced labor occurred. While the government effectively enforced the law, there were some limitations with respect to identification of victims of forced labor and distinguishing between forced labor and labor rights violations.</p> <p>Penalties for forced labor violations ranged from three to 15 years’ imprisonment and were sufficiently stringent compared with other serious crimes. In 2014, the last year for which statistics were available, the</p>	country	with employment relationship based on a civil law contract, or are self-employed
		Country	specified risk for the right to strike
		Country	specified risk for labour rights
		Country	Specified risk for union rights
		Country	Low risk for forced labour
		Country	







	men in the same or similar positions in ministries, central government offices, local government offices, and government-owned companies. The report primarily attributed the remuneration gap to differing job qualifications. <b>Discrimination against Romani workers also occurred</b> (see section 6)." (p. 27-28).		on in labour market
<b>Additional general sources</b>	<b>Additional specific sources</b>		
Feedback from stakeholder consultation	<p><b>Stakeholder Comment:</b> Maybe you are too strict regarding estimating the Romas' situation. Please check whether you can find evidence for discrimination in forestry! We do not have any cases in which Roma are discriminated in the forest sector. Evidence for discrimination of Roma people in forestry sector would be useful, otherwise, we suggest to change the risk here into Low risk. (see also CNRA for Romania page 94: "There is evidence of discrimination of Roma but there is no evidence of any link to the forestry sector."=&gt; low risk for Romania)</p> <p><b>Consultant response:</b> The assessment indicates significant discrimination against Roma in the labour market and therefore it is likely to occur in all sectors. So, even though there is no specific reporting on discrimination in the forestry sector this is still considered a specified risk. The fact that the CNRA for Romania designates low risk cannot be compared with the CNRA for Poland as the risk designation is based on an aggregated conclusion from all evidence found and the CNRA for Romania does not have any source that resulted in a specified risk indication for discrimination against Roma in the labour market.</p> <p><b>Stakeholder Comment:</b> Poland is a member of the EU for 13 years. Therefore, to claim, that discrimination is still a big thing in Poland, would disparage the whole effort of the EU and Poland.</p> <p><b>Consultant response:</b> The fact that Poland is member of the EU does not preclude that other sources can identify discrimination within Poland.</p> <p><b>Stakeholder Comments:</b> In Poland the gender pay gap is among lowest in the EU! (Nov 2016) <a href="http://wbj.pl/poland-gender-pay-gap-among-lowest-in-the-eu-eurostat/">http://wbj.pl/poland-gender-pay-gap-among-lowest-in-the-eu-eurostat/</a>. Please check PwC Women in work index (<a href="https://www.pwc.co.uk/economic-services/WIWI-2017/pwc-women-in-work-2017-report-final.pdf">https://www.pwc.co.uk/economic-services/WIWI-2017/pwc-women-in-work-2017-report-final.pdf</a>). Poland has one of the smallest gaps with 7% (Page 3). Poland stands out for achieving the largest annual improvement, rising from 12th to 9th due to fall in female unemployment and an increase in full-time-employment-rate.</p>	Country	Low risk for discrimination against women in the labour market

	<p>We are wondering that category 2 was low risk in the old NRA and now several risk factors are specified.</p> <p>You write “ Violations of labour rights are not limited to specific sectors: Examples of violations were found in relation to a wide variety of sectors.” Does this wide variety include forestry sector? There is no example for this. Please see <a href="https://survey.ituc-csi.org/Poland.html?lang=en#tabs-3">https://survey.ituc-csi.org/Poland.html?lang=en#tabs-3</a>. There are only 2 incidents that already took place in 2014 related to forestry sector (prohibition of showing flags). That does not show a systematic violation of labour rights in forestry.</p> <p>It is not clear if the risk for right to freedom of association and collective bargaining really exists in the forest sector. All sources that are cited refer to Poland as a whole country and not specifically to the forest sector. The risk that people are discriminated due to membership in trade unions does not refer to the forest sector. The risk seems to occur mainly in the private sector. Please check if this is also true for the ca. 20% of the Polish forests that are not owned by the state.</p> <p><b>Consultant response:</b> As the risk for the whole country is considered systemic by ITUC in my view justifies concluding to specified risk for the forestry sector as well even though the evidence does not include many examples from the forestry sector. More additional evidence why this risk is unlikely to occur in the forestry sector would be needed to justify low risk. Regarding the public sector see response below.</p> <p><b>Stakeholder Comment:</b> Specified risk for Right to form and join trade unions for persons who entered into an employment relationship on the basis of civil law contracts” – All people working in the FSC certified Polish forest state administration are civil servants. Does that mean that the Polish forest state administration violates fundamental rights? All people working for the state decide to do so on a voluntary basis and are not forced to work as civil servants. The same problem occurs in other countries where the risk determination came to the result “Low risk” e.g. in Germany.</p> <p><b>Consultant response:</b> No evidence is provided on the key question if Polish legislation has meanwhile extended the right to establish and join trade unions to persons who work on the basis of civil law contracts, nor any other evidence is provided that demonstrates that the right to freedom of association and collective bargaining is upheld for forest workers with a civil law contract. Therefore this remains a specified risk. The NRA for Germany designates low risk on this point because it provides further evidence that justifies low risk designation.</p>		
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	<p>Stakeholder Comment: Child labour: Poland is a member state of the EU. Therefore, child labour can't be a big problem.</p> <p>Consultant response: Being member of the EU does not preclude that other sources can still indicate a risk. However in the conclusions child labour is not designated as a specified risk, taking into account all evidence of the entire assessment.</p>		
From national CW RA FSC-CW-NRA-PL CONTROLLED WOOD NATIONAL RISK ASSESSMENT FOR POLAND - 2013	<p><b>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 concerned</b></p> <p><i>Evaluation of compliance with requirements of the indicator on the level of the whole Poland territory:</i> Poland has ratified ILO conventions. The law in Poland prohibits work of children. Worker's rights are well secured by the law. There is no evidence for abusing of children work or violation of primary rules and ILO conventions in noted, significant scale.</p> <p><i>Basic sources for evaluation of the indicator requirements:</i> 1. Act of 26 June 1974 The Labor Code (Dz. U. 1974, No 24, item 141 with later changes), 2. Global child labor trends 2000 to 2004. ILO (International Labor Office): <a href="http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=2299">http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=2299</a>.</p> <p><b>Risk assessment: Low</b></p>	country	Low risk for child labour and core labour rights
<p><b>Conclusion on Indicator 2.2:</b></p> <ul style="list-style-type: none"> <li>Not all social rights are covered by the relevant legislation and enforced in Poland; E.g. section 2(1) of the 1991 Act on Trade Unions, the right to form and join trade unions was not granted to those persons who had entered into an employment relationship on the basis of civil law contracts; section 183c, paragraph 3, of the Labour Code refers to work of equal value as work requiring comparable professional qualifications, responsibilities and effort, and case law of the Supreme Court concerning the comparability of positions that are "unique in the whole organisational structure of the employer, while ILO Core Convention nr. 100 does not limit the application of the principle of equal remuneration to the same enterprise and states that the possibility of bringing equal pay claims should not be excluded due to the fact that no comparator is available within the enterprise. The government did not effectively enforce applicable laws. Resources, inspections, and remediation efforts were less than fully adequate and the small fines imposed as punishment were an ineffective deterrent to employers. Administrative and judicial procedures were subject to lengthy delays and appeals.</li> <li>Right to freedom of association and collective bargaining is not upheld; Poland is ranked in Category 4 of the ITUC Global Rights Index 2016 which stands for systematic violation of the right to freedom of association, collective bargaining and strike. Labor leaders continued to report that employers regularly discriminated against workers who attempted to organize or join unions, particularly in the private sector.</li> <li>There is evidence confirming compulsory and/or forced labour in the country, but the forest sector is not mentioned as a risk sector and no instances of forced labour were found in the analysis, which justifies low risk on this point. Discrimination in employment and occupation occurred with respect to gender, age, minority status, disability, political opinion, sexual orientation and gender identity, and HIV-positive status.</li> </ul>		country	<p>Specified risk for right to freedom of association and collective bargaining.</p> <p>Low risk for forced labour, child labour and for discrimination of women in</p>

<p>Romani leaders complained of widespread discrimination in employment; at the national level approximately 80 percent of Roma were unemployed. Very recently, Prime Minister Beata Szydło has abolished Poland's Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance.</p> <ul style="list-style-type: none"> <li>• There is no evidence confirming significant child labour.</li> <li>• The country is signatory to all 8 fundamental ILO Conventions which are all in force.</li> <li>• There is evidence that many groups (including women) do not feel adequately protected related to the rights mentioned above: see information on gender and minorities above;</li> <li>• Violations of labour rights are not limited to specific sectors: Examples of violations were found in relation to a wide variety of sectors.</li> </ul> <p><b>The following specified risk thresholds apply:</b></p> <p>(14) The applicable legislation for the area under assessment contradicts indicator requirement(s); AND (15) There is substantial evidence of widespread violation of key provisions of the ILO Fundamental Principles and Rights at work.</p>		the labour market.
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### 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 <a href="http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0">http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0</a> - ILO Convention 169	<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102809">http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102809</a> Poland did not ratify ILO Convention 169 Therefore this source does not provide information on its implementation by Poland.	country	-
Survival International: <a href="http://www.survivalinternational.org/">http://www.survivalinternational.org/</a>	<a href="http://www.refworld.org/docid/4954ce0623.html">http://www.refworld.org/docid/4954ce0623.html</a> "Poland is highly homogenous, and according to the 2002 national census, nearly 97 per cent of the population are Polish. Main minority groups: Germans 147,094 (0.4%), Kashub speakers 52,490 (0.1%), Belarusians 47,640 (0.1%), Ukrainians 27,172 (0.07%), Roma 12,731	country	Low risk
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>			
Amnesty International <a href="http://amnesty.org">http://amnesty.org</a>			

The Indigenous World <a href="http://www.iwgia.org/regions">http://www.iwgia.org/regions</a>	(0.03%), Lemkos 5,850 (0.02%), Lithuanians 5,639 (0.01%), Russians 3,244, Slovaks 1,710, Jews 1,055, Tatars 447, Czechs 386, Armenians 262, and Karaites 43		
United Nations Special Rapporteur on the rights of indigenous peoples <a href="http://www.ohchr.org/en/issues/ipeoples/srindigenouseoples/pages/sripeoplesindex.aspx">http://www.ohchr.org/en/issues/ipeoples/srindigenouseoples/pages/sripeoplesindex.aspx</a>	[Note: all figures taken from the 2002 national census.]”		
UN Human Rights Council Universal Periodic Review <a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx</a>	Kashubs (or Kaszubs) live concentrated in north-central Poland, along the Baltic coast. They speak a regional language, and <b>while Kashubs consider themselves to be of Polish nationality, some regard themselves as belonging to a separate ethnic group.</b> The government does not recognize Kashub as an ethnicity.		
UN Human Rights Committee <a href="http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx">http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx</a> search for country Also check: UN Committee on the Elimination of All Forms of Racial Discrimination <a href="http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx">http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx</a>	[...] The <b>government previously considered Lemko Ruthenians (or Lemkos) as Ukrainians, but now recognizes them as a distinct nationality.</b> In 1947 communist authorities forcibly dispersed much of the group throughout Poland and Ukraine.		
Intercontinental Cry <a href="http://intercontinentalcry.org/">http://intercontinentalcry.org/</a>	<a href="http://www.shsnepa.org/Folktales%20and%20Legends/History%20Tales/Who%20are%20the%20Gorals.htm">http://www.shsnepa.org/Folktales%20and%20Legends/History%20Tales/Who%20are%20the%20Gorals.htm</a>		
Forest Peoples Programme: <a href="http://www.forestpeoples.org">www.forestpeoples.org</a> FPP's focus is on Africa, Asia/Pacific and South and Central America.	Who are the Gorals? The <b>Gorals were and are mountain people, shepherds</b> wearing sheepskins, felted wool, homespun linen and intricate shepherd's pins, sponky, that hark back to an ancient tradition.		
Society for Threatened Peoples: <a href="http://www.gfbv.de/index.php?change_lang=english">http://www.gfbv.de/index.php?change_lang=english</a>	<b>The High Carpathian ranges and mountain slopes have been home to the sturdy Gorals for six centuries or more. It's believed that the mountain people migrated through the Carpathian range, although no written records survive that ancient trek. Although the Goral lands encompass what is now three countries, political boundaries nonetheless, these are one people – the Gorali - and for them there are no borders.</b>		
Regional human rights courts and commissions: - Inter-American Court of Human Rights <a href="http://www.corteidh.or.cr/index.php/en">http://www.corteidh.or.cr/index.php/en</a> - Inter-American Commission on Human Rights <a href="http://www.oas.org/en/iachr/">http://www.oas.org/en/iachr/</a> <a href="http://www.oas.org/en/iachr/indigenous/">http://www.oas.org/en/iachr/indigenous/</a> - African Commission on Human and Peoples' Rights - African Court on Human and Peoples' Rights - European Court of Human Rights	The Gorals have a dialect, customs, and traditions. They lived in log homes in high places. They bring to mind the mysterious Wallachians or Valachs and the Rusyns who migrated into Slovakia over the centuries - are they connected? All seem to have made the long journey over the centuries tending their flocks from where - Greece, even Albania?		
Data provided by National Indigenous Peoples', Traditional Peoples organizations;	They traveled through Romania, Ukraine, old sub-Carpatho Rus into Slovakia and Poland and even into Northern Moravia, now the Czech Republic. <b>In Poland north of Moravia, they are known as the Horals,</b> and in the corner where Slovakia joins Moravia and Poland as Gorals. Along the high slopes where rare flowers bloom, these tenacious people forged out a life tending their sheep and coaxing crops from the high mountain meadows.		
Data provided by Governmental institutions in charge of Indigenous Peoples affairs;	The majority of the gorals can be found in Northern Slovakia and Southern Poland in the High Carpathian region in former Spiš and Orava counties.		
Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing);	<b>No sources mention IP/TP presence in Poland,</b> neither the sources that give overviews, such as The Indigenous World, nor could any report or website be		
National land bureau tenure records, maps, titles and registration (Google)			
Relevant census data			

- 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)	found mentioning or claiming IP/TP presence or a discussion or debate about such a presence.		
National/regional records of claims on lands, negotiations in progress or concluded etc.			
Cases of IP and TP conflicts (historic or ongoing). ) Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes)			
Social Responsibility Contracts ( <i>Cahier des Charges</i> ) established according to FPIC (Free Prior Informed Consent) principles where available			
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'			
<b>Additional general sources for 2.3</b>	<b>Additional specific sources</b>	<b>scale of risk assessment</b>	<b>risk indication</b>
From national CW RA FSC-CW-NRA-PL CONTROLLED WOOD NATIONAL RISK ASSESSMENT FOR POLAND - 2013	<p><b>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</b></p> <p><i>Evaluation of compliance with requirements of the indicator on the level of the whole Poland territory:</i></p> <p>The mechanisms of fair conflict solution are guaranteed by the law. There is no evidence for their transgression. According to international reports, violation of traditional rights in Poland is insignificant. Conflicts considering the possession rights are resolved in arbitrary courts.</p> <p><i>Basic sources for evaluation of the indicator requirements:</i></p> <p>The full description of referential law regulations is provided by The Ministry of Justice:  <a href="http://www.ms.gov.pl/">http://www.ms.gov.pl/</a>.</p> <p>Risk assessment: low</p> <p><b>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</b></p> <p><i>Evaluation of compliance with requirements of the indicator on the level of the whole Poland territory:</i></p>	country	low

	<p>There is no evidence of violation of indigenous peoples' rights in Poland territory. There are no indigenous people in Poland.</p> <p><i>Basic sources for evaluation of the indicator requirements:</i></p> <ol style="list-style-type: none"> <li>1. United Nations Permanent Forum on Indigenous, Factsheet 'Who are indigenous peoples' October 2007;</li> <li>2. United Nations Development Group, 'Guidelines on Indigenous Peoples' Issues' United Nations 2009,</li> <li>3. United Nations Declaration on the Rights of Indigenous Peoples, 13 September 2007.</li> </ol> <p>Risk assessment: Low</p> <p><b>Risk assessment for category II: Low</b></p> <p><b>Argumentation:</b></p> <p>some opinions received during the public consultation pointed to the violation of the local communities' rights because of limitation of the access to the wood logged from the region of Białowieża, Browsk and Hajnówka Forest District's area. Nevertheless, the opinions are not directly related to the scope of the assessment and the risk has been assessed for the whole Poland territory.</p>		
<p><b>Conclusion on Indicator 2.3:</b></p> <p>There are no indigenous peoples and no traditional peoples in Poland.</p> <p>This also goes for the Gorals as they do not meet the definition of traditional peoples. The definition requires that traditional people "affirm rights to their lands, forests and other resources based on long established custom or traditional occupation and use." There is no evidence that the Gorals meet this requirement.</p> <p><b>Therefore, the following 'low risk' thresholds apply:</b></p> <p>(16) There is no evidence leading to a conclusion of presence of indigenous and/or traditional peoples in the area under assessment;</p> <p>AND</p> <p>(21) Other available evidence do not challenge 'low risk' designation.</p>		country	Low risk



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

### Overview

Poland has an area of 312 679 km<sup>2</sup> and is located in the Central European Lowlands. Approximately 31% of the country's territory is covered in forests<sup>9</sup>. Based on FAO definitions, the forest cover of Poland consists mostly of productive forests with plantation-like structure, combined with a small fraction of semi-natural forests. In fact, forests in Poland are often a mix of both highly managed secondary forests or plantations, and natural ecosystems. No undisturbed primary forests remain in the country. In the forests considered most valuable in terms of high conservation values – such as Białowieża Puszcza (Białowieża Forest) or the East Carpathian Woodlands – the major natural features are:

- integrity of large continuous forest complexes;
- preservation of natural processes;
- uneven-aged stands;
- relatively large amounts of deadwood;
- high biodiversity – including a diversity of predatory species; and
- a concentration of threatened and rare species typical of primary forests<sup>1</sup>.

Polish forests are very diverse due to the country's range of elevations (from the Baltic coast to the alpine zone of the Carpathian Mountains), the various geological bedrock materials beneath forest soils (especially materials left on the plains by the three main glaciations, and granite and calcareous materials found in the mountains), and diverse climates (sub-Atlantic in the Western part of the country, and continental in the Eastern section). Species composition of Polish forests is naturally shaped by the ranges of several trees, which do not occur further north or east of the country, including European beech (*Fagus sylvatica*), Sycamore maple (*Acer pseudoplatanus*), Silver fir (*Abies alba*), Large-leaved lime (*Tilia platyphyllos*), and European larch (*Larix decidua*)<sup>6</sup>. The most common type of productive forest in Poland is the mesotrophic pine forest of the *Vaccinio myrtilli–Pinetum*, *Leucobrio–Pinetum* and *Peucedano–Pinetum* type. This forest type is classified as Lowland Pine Forest<sup>6</sup>. The Lowland Pine Forests, with Scotch pine (*Pinus silvestris*) as a dominant productive tree species, cover 49,6%<sup>3</sup> of the forested area. Several other, but minor, pine communities from the Erico–Pinion alliance – such as *Vario–Pinetum* in the Tatra Mountains – are protected in reserves and national parks.

Economic and social development in Poland has been strongly affected by historical disturbances (including the 18th Century country partition). Poland has therefore been characterized by uneven periods of industrialization and urbanization, extensive traditional agriculture, and historically vast forests that survived in relatively large areas until the 18th Century. The Second World War caused further significant negative disturbance to Poland's forests. The displacement of native people from the Bieszczady Region (East Polish Carpathians) initiated an ongoing change from an agricultural landscape to a forested landscape. With the move to a free-market economy in 1989, harvesting pressure on forests decreased. Poland's accession to the EU in 2004, along with adapting the forestry and wildlife protection legislation to worldwide-recognised management and EU policy, contributed to an increase in activities related to biodiversity conservation and sustainable development. This has led to strengthening of nature conservation in Poland, which is currently continuing.



The best-preserved semi-natural and natural forests, are mainly protected within national parks, nature reserves, and areas excluded from management within productive forests. The national parks cover approximately 2% of Polish forests, and nature reserves over 1%<sup>3</sup> (see description of nature protection system below).

Type division of Polish forests at a national scale:<sup>3</sup>

- 49,6% Lowland Pine Forests
- 22,4% Lowland Mixed Broadleaf / Coniferous Forests
- 13,1% Lowland Broadleaf Forests
- 13,5% Highland Forests
- 1,4% Mountain Coniferous Forests

At the country level, special attention should be given to moist and wet habitats, such as riparian and alluvial forests. These forest types historically covered 17% of the territory; today, they cover only 3%.<sup>2</sup> In recent decades, the large-scale decrease in groundwater levels caused by lower rainfall and drainage is creating more pressure on wet and bog habitats.

Poland has an extensive Natura 2000 conservation network, which covers 20% of the country's land. Close to half of the established Natura 2000 sites are found in forests, with only a small fraction covering wetlands. Habitats such as 91E0, 91F0 (alluvial and riparian forests) are protected within Natura 2000 sites<sup>4</sup>; however, many such habitats, often consisting of small mixed-community patches, are managed within productive forests under public and private ownership.

Across the country, forest regions can be defined on the basis of local natural and environmental traits, such as climate, bedrock, land relief (lowland, upland, mountain), geological history (boundaries of the last four glaciations) and the natural ranges of the main productive forest tree species. The regions are important, especially for silviculture, because through them are defined stand species compositions, felling regimes, and management rules for seed materials. The eight main forest regions are: I Baltic Sea; II Mazury and Podlasie; III Wielkopolska and Pomorze; IV Mazowsze and Podlasie; V Silesia; VI Małopolska; VII Sudety; and VIII Carpathian region (Kraina Karpacka)<sup>6</sup>.

Polish Forest Ownership Structure<sup>67</sup>:

- **Public forests** (7 611 360 ha) represent 80,8% of the total forested area, including 77% managed by the State Forests National Forest Holding (NFH) (Państwowe Gospodarstwo Leśne Lasy Państwowe), 2% managed by the National Parks authorities, 0,9 % managed by municipalities, and 0,9% under the management of other public entities.
- **Private forests** (1 808 640 ha) represent 19,2% of the total forested area, most of which is in small-scale private ownership. Most of the private forests are located close to or between agricultural fields and farms, in which the area of land used for agriculture is on average 6.40 ha, while the private land under forest cover is on average 0,88 ha<sup>8</sup> per owner. In the south, private forests cover lower altitude mountains bordering inhabited valleys. The community-owned forests (e.g. owned by villages or groups of villages) and other forms of private ownership cover 1,1% of Polish forests.

Most of the wood (>95%) available on the market comes from public forests.<sup>3</sup> In 2015, 36 742 000 m<sup>3</sup> of wood was harvested in state forests compared to 1 406 000 m<sup>3</sup> in private forests<sup>67</sup>. Also, the harvest rate in private forests is 0.95 m<sup>3</sup>/ha/year vs. 4.63 m<sup>3</sup>/ha/year in state owned ones.<sup>13</sup>

Forests and forest management in Poland are formally supervised by the Ministry of Environment. Most of the state-owned forests are managed by the Państwowe Gospodarstwo Leśne Lasy Państwowe – State Forests National Forest Holding (NFH), which is organized in a three-level structure:

- (1) The Director–General of the NFH, appointed and supervised by the Minister of Environment. The Director–General is supported by the Directorate General of the State Forests – a central office unit located in Warsaw.
- (2) 17 Regional Directorates of State Forests, tasked with supervision and coordination of the forest districts, covering the whole country.
- (3) The managers of the 430 forest districts, responsible for implementing forest management based on ten-year forest management plans (FMP). These districts are further divided into forest sub-districts for field implementation of forest management.

The head of the county government (called Starosta Powiatowy or powiat in Polish) is responsible for forest management supervision. However, in practise, the task of supervising private forest management is usually delegated to the head of the local NFH district. Hiring external professional foresters is a relatively uncommon practice. The actual management of private and other property forests is based on Simplified Forest Management Plans or on Forest Stocktaking. The majority of private forests not managed through these means is currently not managed for commercial harvesting or are left unmanaged.

Poland's system of nature protection under the Nature Conservation Act (2004) consists of ten categories of nature conservation<sup>39,67</sup> which may cover entire forest ecosystems or only a fraction of the forest habitat, e.g. bird nest protection zone: 50–500 m from the nest for 11 predator bird species, three owl species, and a species of stork. Forms of protection listed below often overlap (e.g. nature reserves may include natural monuments within their boundaries; Natura 2000 sites may cover the areas already protected within the boundaries of national parks, nature reserves, and others). For 2016, figures relating to protected areas and species within Poland were as follows:

- 23 national parks (Park narodowy) – 195 200 hectares (ha) of forests
- 1488 nature reserves (Rezerwat przyrody) – 95 600 ha of forests
- 122 landscape parks (Park krajobrazowy) – 1 317 000 ha of forests
- 396 landscape protection zones (Obszar chronionego krajobrazu)
- 994 Natura 2000 sites (145 special protection areas designated under the EU Birds Directive and 849 special areas for conservation, designated under the EU Habitats Directive) – 3 876 000 ha of forests managed by NFH
- 36417 natural monuments (Pomnik przyrody) – 10 328 natural monuments located in forests
- 165 documentation sites (Stanowisko dokumentacyjne)
- 7539 ecological sites (Użytek ekologiczny)
- 335 sites of importance for nature and landscape (Zespół przyrodniczo-krajobrazowy)
- 715 species of protected plants
- 799 species of protected animals
- 322 species of protected fungi<sup>9</sup>

Only the national parks and the landscape parks are managed by separately established administrations (the National Parks Service for national parks and the Landscape Parks Service for landscape parks). Nature reserves, Natura 2000, and protected species are supervised by Regional Directorates for Environmental Protection, supervised by the Ministry of Environment. All other forms of nature conservation are supervised by the head of the county government (Starosta Powiatowy)) where the protected site is located, and the ongoing management actions are carried out by land/forest managers – usually within NFH.

Poland ratified the Convention on Biological Diversity (CBD) in 1995, with the Convention being incorporated in 1996 to Polish legislation. Implementation of all CBD goals, monitoring, and reporting to the Secretariat of the Convention, is the responsibility of the Ministry of Environment. The CBD Strategic Plan for Biodiversity 2011–2020 is used as a guideline for implementation. About one third (32,5%) of the total area of Poland is under environmental protection, which includes around 20% covered by Natura 2000 sites. Thus, the protected area of Poland exceeds the CBD Aichi Target 11 goal of 17%.<sup>54</sup>

Aside from its CBD commitments, Poland is implementing many other international and European agreements influencing the biodiversity of forests, *inter alia*, EU Birds Directive, EU Habitats Directive (and, resulting from them, the Natura 2000 network), Ramsar Convention, Convention for the Conservation of Migratory Species of Wild Animals (CMS) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The Polish forests do not contain any tree/wood species listed in the annexes of CITES; however, several forest plant and animal species covered by CITES are taken into consideration during assessments of the impact of forest management activities on biodiversity.

In addition, the Forestry Act (1992) sets forth rules for forest protection and silvicultural activities. It requires all forest owners and managers to conduct sustainable forest management activities. According to the Forestry Act, forests, in general, cannot be transformed to other types of land use, and must have a continuity of forest cover (logged forests must be regenerated within five years of harvesting). The Forestry Act – together with ministerial orders – aims for multifunctional use of forests. Wood production is to be treated at the same level of importance as social and natural functions. Clear-cut area shall not exceed 4 ha, with clearfall usually limited to pine and alder monocultures<sup>12</sup>. Further, within the framework of the Forestry Act, so-called “protective forests” (in Polish: lasy ochronne) are established separately from protected areas, which are designated under the Nature Conservation Act.

The “protective forests” are forests that provide natural ecosystem services such as protection of soils, water resources, air quality, microclimate, landscape, etc. The “protective forests” must be managed in a way that guarantees the targets will continue to be met (i.e. soil protective forest must assure continuous protection of the soil against erosion). In practice, this is achieved by avoiding silvicultural practices that may damage the natural balance of forest ecosystems: draining of wetlands, clearfelling of stands, etc. In 2014, approximately 41,5% of the state-owned forests were designated as “protective forests”. The percentage of “protective forests” in forests owned by municipalities and the private sector was much lower: 26% and 3,7%, respectively (3). All interested parties may submit an application for “protective forest”.

#### Forest Certification

Of Poland’s approximately 9.6 million hectares of forest cover as defined by the Forestry Act, 6.9 million hectares are FSC-certified (72% of Poland’s forests). FSC Forest Management certificates are held by 16 out of 17 regional directorates of state forests (RDSF) and by two experimental units managed by the forestry departments of universities. The only state forest directorate still uncertified by FSC is the Krosno RDSF, which manages forests in the Polish

Carpathian Region, where a high concentration of conservation values occurs. The second area excluded from FSC certification is Puszcza Białowieska (the Białowieża Forest) in the Białystok RDSF<sup>11</sup>. In 2014, the Białowieża Forest became the only Polish Natural World Heritage Site, owing to its outstanding biodiversity, naturalness and continuous forest cover, maintained since the last glaciation. Due to this nomination, its management became a focus of conflict among NGOs, scientists and the State Forests National Forest Holding, which manages the forest<sup>10</sup>. The private FMUs are not certified under a sustainable forest management certification scheme<sup>3</sup>.

Material Source Identification				
	Material Source Characteristics			
Area under Assessment	Legal Land Classification	Ownership	Management regime	Description of Material Source Type
Poland	Permanent forest	Public – State owned	State – State Forests National Forest Holding	State owned, permanent, productive secondary forests with partial semi-natural structure. Regular source of timber.
			State – other managing entities (e.g. Ministry of Defense)	Not applicable – not a source of commercial wood
		Public – owned by local communities and provincial governments	communal and provincial	Privately/publicly owned, permanent, semi-natural, production forest
		Private (individual, farmer)	private – individual owners	
	Protected areas – national parks and nature reserves	Public - State owned	State – National Parks administration and regional directorates for environmental protection	State owned, permanent, semi-natural, limited source of timber
		Public – owned by provincial governments	Communal and provincial, under supervision of the National Parks administration or the corresponding regional directorate for environmental protection	Privately/publicly owned, permanent, semi-natural, limited source of timber
		Private – individual and community owned	Private – individual owners or communities under supervision of the National Parks administration or the corresponding regional directorate for environmental protection	
	Protected areas – other than above	Public – state owned	State – State Forests National Forest Holding	State owned, permanent, productive secondary forests with partial semi-natural structure. Regular source of timber.
		Public – owned by provincial governments	communal and provincial	

		Private – individual and community owned	private – individual owners or communities	Privately owned, permanent, productive secondary forests with partial semi-natural structure. Regular source of timber.
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### Experts consulted

	Name	Organization	Area of expertise (category/sub-category)
1.	Mgr inż. Wiesław Klimiuk	Białowieża Nationalpark	Kierownik zesp. Ds. ochr. Przyr. (Head of Wildlife Protection Division) – All HCVs in Białowieża Puszcza
2.	Dr hab. inż. Jan Bodziarczyk	Biodiversity Institute at Forestry Division of Agriculture Academy in Kraków	Natura 2000 habitat specialist. Phytosociology of Mountain habitats. Nature Protection in Carpathian Mountains. All HCVs in Carpathian Region
3.	Mgr Teresa Ciesielka	Pieniński Nationalpark	Biologist – protected and endangered species in Beskid Sądecki and Pieniny Region Consulted for HCV.1, 3, 6 in the West Carpathian region with emphasis on private forests
4.	Dr hab. inż. Jerzy Lesiński	Biodiversity Institute at Forestry Division of Agriculture Academy in Kraków	Phytosociology, Ecology, Natural succession, Forest function – Consulted for HCV.1, 2, 3 in Poland, including Białowieża Puszcza
5.	Wojciech Wdowik	Regional Environmental Protection Office in Rzeszów	High Conservation Values Location and cooperation with forest owners Consulted for HCV.1, 2, 3, 4 in Carpathian Region (RDLP Krosno)
6.	Agnieszka Pastuszczyk	Regional Environmental Protection Office in Rzeszów	Environmental Impact Assessment at Krosno – Rzeszów region (Carpathian) Consulted for HCV 1, 2, 3, 4 in Carpathian Region (RDLP Krosno)
7.	Prof. Dr hab. Henryk Okarma	Instytut Ochrony Przyrody PAN (Nature Protection Insitut of Polish Science Academy)	Consultation on <i>Ursus arctos</i> and <i>Lynx lynx</i> population threats in HCV.1 in Carpathian Region
8.	Jan Gancarski	Podkarpackie Towarzystwo Historyczne (Podkarpackie Historical Society)	Overview and protection of cultural values HCV 6 in Carpathian Region
9.	Prof. Dr hab. Jerzy Gutowski	Department of Forests of the Forest Research Institute. Zakład Lasów Naturalnych Instytutu Badawczego Leśnictwa, ul. Park Dyrekcyjny 6, 17-230 Białowieża	Consultation on fauna of xylobiontic beetles and their ecology HCV 1 in Białowieża Puszcza
10.	Prof. Dr hab. Tomasz Wesołowski	Laboratory of Forest Biology, Wrocław University. Pracownia Biologii Lasu Uniwersytetu Wrocławskiego, ul. Sienkiewicza 21, 50-335 Wrocław	Consultation on ecology of woodpeckers and forest owls in HCV cat.1 in Białowieża Puszcza

11.	Dr hab. Bogdan Jaroszewicz	BIAŁOWIESKA STACJA GEOBOTANICZNA Uniwersytetu Warszawskiego (Warsaw University Geobotanical Research Station)	Forest Ecology and Forest Biology at Białowieska Woodland HCV 1, 2, 3, 4, 6 in Białowieska Puszcza
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#### Stakeholders consulted

	Name	Organization	Area of expertise (category/sub-category)
1.	Marek Smolarkiewicz	Polski Klub Ekologiczny w Poznaniu Fundacja Na Straży Przyrody Polish Ecological Club - Wildlife Guard Foundation	Wielkopolska Region habitat and nature protection activist of NGOs
2.	Dariusz Gatkowski	WWF Poland	National level biodiversity specialist
3.	Zbigniew Żurek	Małopolskie Biuro OTOP (National Bird Protection Society)	Bird protection specialist. Coordinator of Caterpillar Protection Program in West Carpathian Mountains.
4.	Adam Bohdan	Fundacja Dzika Polska	The head of NGOs active in Białowieska Puszcza entomology. Recognition and potential threats to HCVs in Białowieska Puszcza
5.	Paweł Średziński	Fundacja Greenpeace Polska	Białowieska Puszcza
6.	Radosław Michalski	Fundacja Dziedzictwo Przyrodnicze (Wildlife Heritage Foundation)	Nature Protection in Carpathian Mountains (Beskid Niski and Bieszczady)
7.	Damian Zieliński	Generalna Dyrekcja Lasów Państwowych General Directorate of State Forests	Third party evaluation internal support
8.	Jacek Stankiewicz	Regionalna Dyrekcja Lasów Państwowych w Krośnie General Directorate of State Forests in Krosno	Ecosystems and Silviculture management
9.	Paweł Panaś	Nadleśnictwo Rymanów Rymanów Forest Division	Head of Rymanów Forest Division
10.	Jan Kułak	Nadleśnictwo Rymanów Rymanów Forest Division	Silviculture, field visit assistance
11.	Zbigniew Kopczak	Nadleśnictwo Bircza Bircza Forest Division	Head of Bircza Forest Division
12.	Stanisław Rębisz	Nadleśnictwo Bircza Bircza Forest Division	Forestry operations
13.	Adrian Grzegorz	Natural Forest Foundation	North Poland Forests
14.	Krzysztof Oniszczyk	Regionalna Dyrekcja Lasów Państwowych w Białymstoku	Ecosystem Protection Officer
15.	Adam Pawłowski	Regionalna Dyrekcja Lasów Państwowych w Białymstoku	Nature Conservation, Tourism and Certification Specialist
16.	Marek Jadeszko	Nadleśnictwo Hajnówka Hajnówka FMU	Forester at Hajnówka Forest District



17.	Izabela Janiel	Nadleśnictwo Hajnówka Hajnówka FMU	Local FMU staff. Operation supervisor.
18.	Robert Sawicki	Nadleśnictwo Hajnówka Hajnówka FMU	Local FMU staff

## Risk assessment

Indicator	Sources of Information	HCV occurrence and threat assessment	Functional scale	Risk designation and determination
3.0	1, 4, 12, 23-33, 36, 39, 56-60	<p>The identification of HCV areas in Poland is generally based on the HCVF Guidelines developed by the Poland Working Group of the Forest Stewardship Council (dated 8 July 2006<sup>24</sup>). A National Risk Assessment (FSC Controlled Wood Risk Assessment - Interpretation of Annex 2b of the Standard for Company Evaluation of FSC Controlled Wood for Poland) was developed together with a binding regional interpretation of FSC's international Principles and Criteria. The criteria for identification of HCVs have been customized to reflect the legal and natural conditions of Polish forests.</p> <p>According to a coalition of NGOs led by WWF, identification of HCV areas in 13 southern forest districts of RDSF Krosno should be verified due to lack of detailed inventory of protected species, including their population status and distribution. The significant differences between the data from state forest districts and the data from natural inventories carried out by the NGOs suggests that until the inventory of the Carpathian Forests of the RDSF Krosno 2016–2017 project is completed, the whole area of 13 forest districts of RDSF Krosno should be recognised as HCV 1 and HCV 3.</p> <p>However, on-site sampling that included habitat map and soil map revision in Rymanów, Brzozów, Dukla FMUs, and field verification in Rymanów FMU, confirmed that many forests and compartments should not be classified as HCVs. Instead they are anthropogenic forest habitats, habitats not listed in Habitat Directive, or forests where no information on threatened, protected or endangered species has been found; for example, post-agriculture pine forests should not be automatically classified as HCV due to their location in Carpathian FMU. Therefore, for this CNRA, HCV classification has been aligned with the current FSC classification, based on the National Risk Assessment Framework FSC-PRO-60-002a v.1.0<sup>59</sup> and Common Guidance for Identification of High Conservation Values<sup>60</sup>. Sources additional to the HCVF Guidelines have been used to identify HCVs.</p> <p>The knowledge about distribution and concentration of biodiversity and cultural values for all HCV categories evaluated in this risk assessment for Poland is based on:</p> <ul style="list-style-type: none"> <li>Data available from regional directories and institutions of the State Forests National Forest Holding and related bodies, including a variety of reports, maps and databases developed by BULIGL</li> </ul>	Poland	<p>Low Risk</p> <p>The following thresholds have been met:</p> <p>(1) Data available are sufficient for determining HCV presence within the area under assessment;</p> <p>AND</p> <p>(2) Data available are sufficient for assessing threats to HCVs caused by forest management activities.</p>



		<p>(Bureau for Forest Management and Geodesy), Wydział Urządzania Lasu DGLP (Forest Management Department), local state forest directories, institutions (especially IBL, Forest Research Institute), FSC-certified regional directorates, forest districts;</p> <ul style="list-style-type: none"> <li>• Data, maps, inventories, monitoring results developed by GIOŚ (General Directory of Environmental Inspection);</li> <li>• Academic support (key experts consulted);</li> <li>• Evaluations conducted for Natura 2000;</li> <li>• Information from Regional Directorates for Environmental Protection and from the Regional Conservator of Cultural Heritage;</li> <li>• Publications from local initiatives and NGOs, e.g. KOO (Eagle Protection Committee), WWF, Nature Heritage Foundation (Fundacja Dziedzictwo Przyrodnicze);</li> <li>• FSC Forest Management public summary reports.</li> </ul> <p>HCVs are mapped by FMUs locally or regionally, rather than at the national scale. Maps of such values were prepared for all FMUs managed by NFH – and they are publicly available on the website of each Regional Directorate of State Forests, e.g.:  <a href="http://www.szklarska.wroclaw.lasy.gov.pl/c/document_library/get_file?uuid=e9895157-24ab-49c2-adfb-a6a61b3fc6a1&amp;groupId=21700557">http://www.szklarska.wroclaw.lasy.gov.pl/c/document_library/get_file?uuid=e9895157-24ab-49c2-adfb-a6a61b3fc6a1&amp;groupId=21700557</a> or in public information bulletins, e.g.:  <a href="http://bip.lasy.gov.pl/pl/bip/dg/rdlp_wroclaw/nadl_glogow/plan_urzadzania_lasu/czesc_opisowa">http://bip.lasy.gov.pl/pl/bip/dg/rdlp_wroclaw/nadl_glogow/plan_urzadzania_lasu/czesc_opisowa</a>.</p> <p><u>Site-specific mapping</u>  HCV 1, 2, 3, 4 and 6 data by name and FSC classification are now often included in the forest management plans of FSC-certified FMUs (HCV5 is not present in Poland). Regardless of certification status, detail including silvicultural methods, species composition, and values that is included in the forest management plans is based on on-site research/ inventory, and soil and habitat maps – which guarantee good knowledge of the distribution of habitats<sup>12</sup>, including HCV habitats. Knowledge of the status of species and habitats is also high in protected areas which require the preparation of management plans or plans for conservation tasks: national parks, nature reserves and Natura 2000 sites (39). Additionally, distribution of several flagship species (e.g. wolf, lynx, European bison, hermit beetle, marsh fritillary, etc.) was mapped and evaluated at the national scale. The knowledge of the status of species and habitats listed in the annexes to EU Birds Directive<sup>58</sup> and Habitats Directive<sup>57</sup> in Poland is good and up-to-date, due to the requirement to monitor and report on their status every three to six years.</p> <p>Cultural heritage sites are mapped and recorded at the regional level (the record is kept by the Regional Conservator of Cultural Heritage)<sup>23</sup>. Officially recorded cultural and archaeological sites are listed in forest</p>		
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		<p>management plans produced for all forest units; with the sites taken into consideration during forest felling or other silvicultural activities. In all cases, at least a general assessment of the influence of forest management on the cultural/ archaeological site is carried out before implementing any activity that may potentially represent a threat to the site. See HCV6 for more information.</p> <p>Land ownership system and wildlife monitoring systems are implemented in Poland. However, the data are accessible only by organizations or institutions that support the systems. For external parties, data access rights vary. The list of national-scale, publicly accessible databases and maps of species and habitats, including RTE, includes:</p> <ul style="list-style-type: none"> <li>• Natura 2000 areas: <ul style="list-style-type: none"> <li>◦ <a href="http://natura2000.gdos.gov.pl/datafiles">http://natura2000.gdos.gov.pl/datafiles</a></li> <li>◦ <a href="http://obszary.natura2000.org.pl/index.php?s=lista">http://obszary.natura2000.org.pl/index.php?s=lista</a></li> </ul> </li> <li>• The map of protected areas and natural monuments: <a href="http://geoserwis.gdos.gov.pl/mapy/">http://geoserwis.gdos.gov.pl/mapy/</a></li> <li>• The metadata for the map of protected areas and monuments: <a href="http://www.gdos.gov.pl/dane-i-metadane">http://www.gdos.gov.pl/dane-i-metadane</a></li> <li>• Prioritized lists of habitats and plant and animal species can be obtained from the General Inspector's Office for Environmental Protection (Habitats Directive- and Birds Directive-listed species): <a href="http://www.gios.gov.pl/siedliska/default.asp?nazwa=ranking&amp;je=pl">http://www.gios.gov.pl/siedliska/default.asp?nazwa=ranking&amp;je=pl</a></li> <li>• Distribution of mammals: <a href="http://www.iop.krakow.pl/ssaki/Katalog.aspx">http://www.iop.krakow.pl/ssaki/Katalog.aspx</a></li> <li>• Distribution of breeding birds: <a href="http://www.ornitho.pl/index.php?m_id=505">http://www.ornitho.pl/index.php?m_id=505</a></li> <li>• Distribution of plants: <a href="http://www.atlas-roslin.pl">http://www.atlas-roslin.pl</a></li> <li>• The road-map for the protection of chosen species and habitats: <a href="http://www.bestpractice-life.pl/g2/oryginal/2015_01/b160f4b82309eb84aae51b2de4f26a41.pdf">http://www.bestpractice-life.pl/g2/oryginal/2015_01/b160f4b82309eb84aae51b2de4f26a41.pdf</a>.</li> <li>• Additionally, in the webpage of each certified FMU, one may find a map of the HCV Forests.</li> </ul> <p>The material cultural heritage distribution may be reviewed in the portal of the Polish National Heritage Board, which includes 83,398 sites of cultural and archeological heritage:</p> <ul style="list-style-type: none"> <li>• <a href="http://mapy.zabytek.gov.pl/nid/">http://mapy.zabytek.gov.pl/nid/</a></li> </ul> <p>Detailed registers of the officially recognized cultural heritage sites are available in the webpages of each of the 17 regional heritage conservators, e.g.:</p> <ul style="list-style-type: none"> <li>• <a href="http://wuozbialystok.bip.gov.pl/rejstry/">http://wuozbialystok.bip.gov.pl/rejstry/</a> for Podlasie</li> </ul>		
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3.1 HCV 1	1–13, 15–18, 24–32, 34, 35, 37–43, 45, 48–55, 56, 57, 61, 65, 70, 71, 72, 75, 76	<p><b>Occurrence</b></p> <p>One-half to two-thirds of the estimated 63 000 species present in Poland are considered forest-dependent or are at least associated with forests (3).</p> <p>Poland contains temporal, seasonal, and ephemeral habitats/ resources, such as roosting, breeding, hibernation, shelter, and migration sites for RTE species.</p> <p>About one third (32,5%) of the total area of Poland is under environmental protection, which includes around 20% covered by Natura 2000 sites. The remaining 12.5% comes from other forms of protection. Thus, the protected area of Poland exceeds the CBD Aichi Target 11 goal of 17%<sup>54</sup>.</p> <p>About 38% (3,1 mio ha) of all forests in Poland are covered by the Natura 2000 network.</p> <p>Around 38% of NFH forests are included in Natura 2000. The Natura 2000 area overlaps with other protection schemes, such as the Birds Directive (2 217 000 ha) and Habitats Directive (1 659 000 ha). This overlapping protective status acts to increase the conservation efficiency of protected areas <sup>3</sup></p> <p>The forests within nature reserves established for conservation of fauna, flora, or fungi, and within national parks, can be treated as proxies for the areas with high concentrations of RTE species. They were established with the aim of protecting a specific taxonomic group of RTE organisms (nature reserves) or to protect “all elements of nature” in the best-preserved locations (national parks) (39).</p> <p>Due to the lack of natural geographical barriers, endemic species occur in very few places. The most important areas of endemism in the country are the alpine ecosystems (above the upper forest line) with most of these protected within national parks (Karkonosze, Tatry, Pieniny). There are only a few endemic species known to occur in the Polish lowlands, but they occur in non-forest ecosystems<sup>25,26</sup>.</p> <p>The Red Lists of RTE species (IUCN, national, regional; lists of threatened and endangered species) from all taxonomic groups (plants, fungi and animals) should be considered during HCV1 identification/ delineation. Threats are recorded for 1,648 plant species in Poland, and it is estimated that 124 plant species have become extinct or declined over the last 200 years (24, 25, 26). So far, 2 769 animal species have been ranked on the Red Lists as endangered, including 2 618 species of invertebrates, and 151 vertebrates (mainly birds). Due to anthropogenic pressure, 16 vertebrate species have disappeared or become extinct in Polish territory (27, 28, 29). However, certain species, such as the ant species (<i>Formica polyctena</i>, <i>Formica pratensis</i> and <i>Formica rufa</i>) – listed as endangered in most Western European countries – are ranked in a lower threat category in Poland. This also pertains to certain butterfly species (<i>Euphydryas maturna</i> and <i>Eriogaster catax</i>) that are recognized worldwide as critically endangered. Similarly, among vertebrates, there are species in Poland demonstrating greater success than in other areas of their range. An example of this is the otter (<i>Lutra lutra</i>) which is regarded as endangered in all of Europe but has reoccupied all the Polish territory<sup>54</sup>. Thus, several species that are rare or threatened at the European scale are still common in some parts of Poland, and they do not show signs of decline within the</p>	<p>Białowieża Forest (Browsk, Hajnówka, Białowieża Forest Districts)</p> <p>Forest districts Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany of Krosno Regional Directorate of State Forests</p> <p>The rest of Poland</p>	<p>‘Specified risk’</p> <p>Białowieża Forest (Browsk, Hajnówka, Białowieża Forest Districts) and</p> <p>Forest districts Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany of Krosno Regional Directorate of State Forests</p> <p>Threshold (8) is met: HCV 1 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities:</p> <p>‘Low risk’</p> <p>Rest of Poland</p>
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		<p>country. In such cases, they are not considered in the context of the establishment of HCV 1 areas, unless they naturally overlap with areas where other RTE species are found. The delineation of HCV 1 should refer to the ecological needs of the entire life-cycle of the species: it should cover all habitats/ habitat patches essential to closing the life cycle and allowing survival of the species in different seasons<sup>24</sup>.</p> <p>In Poland, all Red Lists<sup>(25–29)</sup> have only informative value. They are not a source for the legal status of any species, i.e. listing of species on a Red List does not require any person or institution to protect it (its legal status is the same as that of any other species). This applies unless the species is also named on the list of protected species issued by the Ministry of Environment. Only species listed in the ordinances of the Ministry of Environment for the protection of species of animals<sup>30</sup>, plants<sup>32</sup> and fungi<sup>31</sup>, and lists published as annexes to the EU Habitats Directive<sup>57</sup> and the EU Birds Directive<sup>58</sup>, enjoy a legal basis for their protection. The Natura 2000 sites established for conservation of the species of interest to the community<sup>d</sup> are automatically classified as a proxy for this category of HCV 1; however, not all protected areas should be recognized as HCV 1, because they may have been established for goals other than protection of RTE species or habitats (e.g. protection of landscape, or protection of important forests for ecosystem services, as defined in HCV 4 and HCV 6).</p> <p>The refuges for threatened and endangered species, recognized by experts (documented and described in the literature, reports, and other expert documents)<sup>25,26,27,28,29</sup>, are in most cases protected within national parks and nature reserves, where nature conservation has priority over commercial wood production. There are only a few exceptions, where refuges of RTE species of well-documented importance at the continental or global scale are present in locations not covered by areas with FSC certification, nor entirely covered by the boundaries of nature reserves or national parks. This applies to the Białowieża Forest in the Białystok Regional Directorate of State Forests, and the area of the proposed Turnicki National Park in the Krosno RDSF, which are crucial for the existence of several species listed on the European, national or regional Red Lists (lists of threatened and endangered species)<sup>1,41–45</sup>, or Annex II or IV of the Habitats Directive<sup>59</sup> or Annex I of the Birds Directive<sup>58</sup>. As Białowieża Forest and the Krosno RDSF are both considered important biodiversity hotspots<sup>1,10,35,41,43,45</sup>, special attention has been granted to these.</p> <p>The <b>Białowieża Forest</b> is a UNESCO-recognised Transboundary (Poland/Belarus) World Heritage Site, “Białowieża Forest” (WHS). It was established because it meets Outstanding Universal Value criterion 10 for site selection: “to contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation”<sup>41</sup>, which entirely overlaps with the HCV 1 definition. The Polish part of the WHS Białowieża Forest covers the national park (17% of the forest) and three forest districts of</p>		Threshold (6) is met: There is low/negligible threat to HCV 1 caused by managed activities in the area under assessment
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<sup>d</sup> Site of Community Importance means a site which, in the biogeographical region or regions to which it belongs, contributes significantly to the maintenance or restoration at a favourable conservation status of a natural habitat type in Annex I or of a species in Annex II and may also contribute significantly to the coherence of Natura 2000 referred to in Article 3, and/or contributes significantly to the maintenance of biological diversity within the biogeographic region or regions concerned. For animal species ranging over wide areas, sites of Community Importance shall correspond to the places within the natural range of such species which present the physical or biological factors essential to their life and reproduction. [http://glossary.eea.europa.eu/EEAGlossary/S/site\\_of\\_Community\\_importance](http://glossary.eea.europa.eu/EEAGlossary/S/site_of_Community_importance)

		<p>the RDSF Białystok: Browsk, Hajnówka, Białowieża (84% of the forest, including approximately 18% covered by nature reserves). Most of the Białystok RDSF is FSC-certified, but the Białowieża Forest has been excluded by the Białystok RDSF from the FSC certification process<sup>11</sup>. PEFC certificate no. PL PEFC-140187 is, however, successfully maintained. The forest is widely recognized as the best-preserved fragment of European lowland temperate forest, with primeval features – such as species refuges, natural regeneration, wood debris, natural open spaces, stand structure debris – that are part of the forest ecosystem and host irreplaceable habitats for RTE species<sup>41,53</sup>. The area contains many forest-dwelling RTE species, the largest population of free-roaming European bison (<i>Bison bonasus</i>), several bird species for which the forest is an important habitat at the continental scale (e.g. white-back woodpecker, pygmy owl, hazel hen)<sup>1,44</sup> and large numbers of rare insect species (some of them known only in a few places in Europe, e.g.: <i>Aulanothroscus laticollis</i>, <i>Pytho kolvensis</i>)<sup>41</sup>.</p> <p>The Białowieża Forest is also a hotspot of fungal biodiversity: 50% of Polish macro-fungi and 25% of the European macro-fungi have been recorded within its boundaries<sup>53, 55</sup>. The area is also important for xylobiontic beetles: <i>Pytho kolvensis</i>, <i>Phryganophilus ruficollis</i>, <i>Boros Schneideri</i>, <i>Cucujus cinnaberinus</i> (species listed in the annex to the EU Habitats Directive), and <i>Cucujus haematodes</i> (Polish Red List of Xylobiontic Beetles).<sup>53</sup> The Białowieża Forest has a long tradition of forest protection, dating to the beginning of the 15th Century, when it was included in the properties of the Polish Royal House. Since the early 1990s, NGOs and the scientific community have increased pressure on FMU managers and the government to limit silvicultural use of the Białowieża Forest for economic purposes and boost its conservation.</p> <p><b>Carpathian Mountains and Krosno RDSF</b></p> <p><b>Kosno RDSF</b> is in a larger biogeographical area, the Carpathian Region. To the south, it covers the eastern part of the Polish Carpathian Mountains (Bieszczady). To the north, it contains lowland forests; with a mosaic of upland forests to the west. Krosno is the only non-FSC-certified regional directorate in Poland, however, the PEFC certificate is successfully implemented.</p> <p>The Carpathian Region (Kraina Karpacka), located in the south-eastern part of Poland, is a region where the concentration of geological, morphological and biological diversity is significant. The Carpathian forests have a concentration of special natural values, such as populations of protected species, endemism, rare habitats, local cultural and historical sites, landscapes (42, 45). The area is listed as one of the key ecoregions in Global 200 (PA0504 - Carpathian montane forests) (5, 7).</p> <p>The region is at the same time characterised by the presence of a strong system of nature protection. The area has the highest concentration of national parks (6), landscape parks, and reserves in the country. This, together with sustainable forest management, should ensure the continued presence – at the same level – of High Conservation Values in the area. The legal system and tools used by the national forestry authorities are under constant development, and have improved the quality of nature protection over the</p>		
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		<p>last 20 years. There has also been a systematic increase in forest cover and biological diversity in the period spanning 1945 and today, especially in the Bieszczady Mountain region.<sup>67, 68, 69</sup></p> <p>The area managed by Krosno RDSF contains a high concentration of protected, rare, endangered, and Red List species of animals, plants and fungi; <i>inter alia</i>, vertebrates restricted in Poland to this region: wild cat (<i>Felis silvestris</i>) and aesculapian snake (<i>Zamenis longissimus</i>) (2, 4, 18, 28, 29, 37, 45) (see Appendix B2, B3, B4, B12). RTE species are represented for all animal taxonomic groups. Highly valuable natural areas are protected in the Bieszczadzki National Park and numerous nature reserves; although large areas of forests valuable for wildlife are still outside national parks and nature reserves. NGOs request establishing those reserves as soon as possible. In December 2016, the request was made to establish „Reliktowa Puszcza Karpacka” nature reserve, which covers part of the proposed Turnicki Park Narodowy. In the area of the proposed national park, the concentration of forest areas with primeval forest features is the biggest in the Polish part of the Carpathian Mountains. It has been recognised as the most valuable in Poland, based on the occurrence of the primeval forest entomofauna and up-to-date environmental studies (2017). According to a coalition of NGOs in Poland, these areas are under sustainable but intensive forest management, which in many cases impacts the habitats and RTE species (Annex B1, B2). Biodiversity in the region flourished after human settlements, which existed up to the Second World War, were destroyed. Areas of the Bieszczady Mountains, previously densely populated and used by farmers and shepherds, were both naturally recolonized by forest, and artificially reforested. That process, along with economic underdevelopment of the region, led to a biological diversity boost, and the creation of strong refuges for large carnivores, birds, reptiles, insects, fungi and plants.<sup>42,45</sup></p> <p><b>Threats &amp; Safeguards identification and evaluation</b></p> <p>Due to differences in HCV 1 threat level, the identification and evaluation of threats and safeguards is grouped based on official protection levels of the places recognized for protecting a concentration of RTE species, including: national parks and nature reserves, other protected areas, and private forests. In addition to the general presentation, there is a detailed description of the Białowieża Forest and Krosno Regional Directorate of State Forests.</p> <p><u>National parks and nature reserves:</u></p> <p>The national parks and nature reserves potentially containing HCV 1 are clearly defined in the Nature Conservation Act (2004)<sup>39</sup> and their boundaries are precisely demarcated on maps and in the field. Any logging in these areas is carried out only for nature conservation goals defined in management plans as, <i>inter alia</i>, improving habitat of priority species, rehabilitation of natural habitats, eradication of alien species, improving habitat characteristics for priority RTE species, etc. All national parks are implementing or preparing management plans. For national parks that do not have management plans in force, an administrative entity prepares annual plans with lists of conservation tasks, assessed and approved by the Ministry of Environment. Most nature reserves have management plans in place, or these are currently being prepared. In these reserves, any interference with the forest ecosystem needs to be approved by the</p>		
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		<p>Regional Director for Environmental Protection, who evaluates the impact of the proposed intervention on biodiversity<sup>39</sup>. This approach ensures that there is minimum risk of biodiversity loss in the nature reserves where management plans are not yet in place.</p> <p>Logging in national parks is very limited (approximately 180 000 m<sup>3</sup> per annum, which in 2014 constituted about 0,4% of the total annual logging in Poland)<sup>3,9</sup> and part of it is used for the national park's own needs or for local, private consumption by the land owners.</p> <p><u>Other protected areas</u> (Landscape parks (Park krajobrazowy), landscape protection zones (Obszar chronionego krajobrazu), Natura 2000 sites, documentation sites (Stanowisko dokumentacyjne), ecological sites (Użytek ekologiczny), and sites of importance for nature and the landscape (Zespół przyrodniczo-krajobrazowy)):</p> <p>Landscape parks are a form of natural, historical, cultural and landscape value protection established by the Nature Conservation Act (2004)<sup>39</sup> with a goal of conservation and promotion of sustainable development of the area.</p> <p>The forests containing high concentrations of biodiversity but covered by protected areas other than a national park or a nature reserve, are maintained for the conservation of natural, historical, cultural and landscape values, under sustainable use of forests (the Forestry Act); therefore, they need a type of management balancing high conservation values and commercial use of forests. Close to 51% of landscape parks are forests. Natura 2000 sites cover 38% of the forested area. Similarly, other protected areas are also often located in forest ecosystems (3).</p> <p>Protection, restoration or maintenance of protected areas shall be included in forest management plans. Rules of management of protected sites are described in the Nature Conservation Act (2004)<sup>39</sup> but priority is given to sustainable forest management regulated by the Forestry Act (1991) above management plans for protected areas (PO/PZO<sup>e</sup>) (40). The exceptions are landscape parks which must have specific value management plans, and Natura 2000 sites, for which plans are required to include conservation goals and tasks. All forms of management plans used in Polish protected areas are prepared and established by the state or local authorities, which are independent of forest management interests.</p> <p>However, according to a coalition of NGOs, not all the important recommendations from the management plans of protected areas are incorporated in the forest management plans of FMUs that are located within in the borders of protected sites.</p>		
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<sup>e</sup> Natura 2000 management plans are called Protection Action Plans (PO) (final and complex plans for protection of Natura 2000 and reserves) or Protection Task Plans (PZO) (used when a PO is not yet developed). Implementation of management rules is supervised by the Regional Directorate for Environmental Protection and, additionally, the plans are voluntarily monitored by active "green" NGOs, working for the protection of RTE species and their habitats.



		<p>Complaints from NGOs are also assessed during the forest management certification process; however, reports (for example, „Próba oceny zarządzania najcenniejszymi lasami w Polsce” [Management of the most precious forests in Poland – attempt of assessment] P. Pawlaczyk, A. Bohdan, A. Grzegorz, Stowarzyszenie Pracownia na rzecz Wszystkich Istot, Oddział Podlaski, 2016 r.) indicate that many well-documented infringements of the FSC standard, indicated to the auditors on site, are marginalized in the reports.</p> <p>Between implementation of the Natura 2000 management plans in Poland, and forest use, a good balance is considered to exist; thus ensuring effective protection of HCV values as well as commercial use. The plans are prepared by external companies (NGOs, private entities, entities specialized in the preparation of forest management plans) and, after public consultation, they are approved by the Regional Director for Environmental Protection<sup>39</sup>.</p> <p>During the CNRA evaluation (June–October 2016), the system of nature conservation, combined with sustainable forest management, ensured the continued presence – at the same level – of HCV 1 forest species and habitats in the country. The legal system and tools used for national forestry management were under continuous improvement from 1990 to 2016. Recent (2016 /2017) changes in the Nature Conservation Act (2004) (Ustawa z dnia 16 kwietnia 2004 roku o ochronie przyrody [Nature Conservation Act] (JOL 1651) and in the Forestry Act (Ustawa z dnia 28 września 1991 r. o lasach (JOL 1991.101.444) present doubts in terms of:</p> <ul style="list-style-type: none"> <li>• practical implementation of new rules in the future;</li> <li>• potential risk to protected sites and species; and</li> <li>• the Good Forest Management Practice project (75).</li> </ul> <p>Nevertheless, this legality change should be reflected more in the risk status of indicator no. 1.9 of CNRA than in 3.1 – apart from Białowieża Forest and FMUs identified as specified risk in RDSF in Krosno.</p> <p>In private or non-certified forests with a protective function, no commercial logging activities are allowed. Activities such as logging may take place only if included in protection plans. Currently, private forests represent lower risk due to low harvest rates compared to state and public forests (see section on private forests below).</p> <p>The Important Bird Areas (IBA)<sup>38</sup> do not have any special status in Poland. Regular sustainable forest management takes place on their territory, and potential risk to the status of HCV 1 can be identified (see section on Białowieża Forest). It should be stressed that, in Poland, only a few of the most common and game bird species are not protected by law (e.g. <i>Columba palumbus</i>, <i>Perdix perdix</i>, <i>Anas platyrhynchos</i>).</p> <p>There is low risk of damage to HCV 1 areas covered by national parks and nature reserves – areas protected from forest management activities due to clear regulations at the national and institutional level</p>		
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		<p>that achieve a balance between nature conservation and commercial logging. Legislation is implemented (see category 1, 1.9).</p> <p><u>Rare, Threatened and Endangered Species outside protected areas</u></p> <p>Each of the three lists of legally protected species (animals, plants and fungi) includes a list of prohibitions and a list of exceptions from the prohibitions relating to protected species<sup>30,31,32</sup>. They also include several species which require protection zones around their breeding sites or the sites where they occur. Lists of all RTE species, including those listed on Red Lists<sup>25,26,27,28,29</sup> but not on the ministerial ordinances, are included in forest management plans (in the section “Plan for nature conservation”). Foresters continuously monitor and update the presence and distribution of Red List and protected species within the boundaries of their management units, ensuring a good knowledge of recognised species.</p> <p>For species that require specialised, scientific knowledge to ensure that they are recognised or monitored, relevant specialists are assigned based on contracts, programs or voluntary activity of NGOs. (See Appendix C3, C4, C21, C22, C23 p.par.1p. 5b and par.2.) This is required for all certified forests, but it is also practiced by foresters of uncertified FMUs of NFH, LZD, NP, and private forests supervised by NFH foresters. However, the opinion of a coalition of Polish NGOs based on publication: „Próba oceny zarządzania najcenniejszymi lasami w Polsce” [Management of the most precious forests in Poland – attempt of assessment] P. Pawlaczyk, A. Bohdan, A. Grzegorz, Stowarzyszenie Pracownia na rzecz Wszystkich Istot, Oddział Podlaski, 2016 r. is contrary and indicates more examination is required in future updates of the CNRA for Poland.</p> <p>In addition, habitats and RTE species are by law required to be monitored by state organizations – WIOŚ (Inspectorate for Environmental Protection) and RDOŚ (Regional Directorate for Environmental Protection). In Poland, FMU sub-districts (leśnictwa) are small-scale management units, approximately 1000–1500 ha on average, usually managed by a team of two people, which ensures that they know their sub-district very well and can look after both forest management and biodiversity protection. The adequate regulations for preparation of forest management plans, and the procedures for their continuous updating, are described in the internal instruction of the NFH (Instructions for planning forest management activities - Instrukcja zarządzania lasu). All silvicultural operations should be preceded by a field survey of the relevant species, and by an assessment of the impact of the planned tasks on the protected species present in the area. The forest management plans, including the plans for nature conservation, their updating and assessment procedures, are evaluated annually during the forest management certification process. In non-certified forests, the procedures are controlled by the internal forest inspection system, which monitors FMUs by request of the Regional or General Directorates of State Forests.</p> <p>In relation to the above findings (and in particular, the most valuable area proposed to be established as “Turnicki National Park”), the Coalition of Polish NGOs commented: “Unfortunately, FMP for the Bircza</p>		
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		<p>FMU for the years 2017–2026 for the area of planned Turnicki National Park does not include incorporating nature conservation purposes in the forest management, not reflecting special character of environmental values of this area, as well as strategic guidance on target protection form of part of the FMU as Turnicki National Park. Forest management of RDSF Krosno is hardly "sustainable". It is confirmed by documented discrepancies and damages that were mentioned in the publications and reports, as well as forest management plans in this area, including the aforementioned FMP for the Bircza FMU. Another example of lack of sustainable forest management, which in fact should be called "intensive forest management", is Stuposiany FMU. Stuposiany FMU is characterized by high average stand age and exceptional environmental values, it is located between the forests of the Bieszczadzki National Park, so it is the area, that should be an ecological corridor between those forests. The draft of the FMP for this area proposes very intensive forest management. Approved FMP provides for level of logging exceeding the estimated annual increment on the growing stock and is set at 120% of the growing stock volume. The level of logging increases faster than the growing stock volume, in the last few decades the increasing portion of the growing stock volume has been used, which is illustrated by the graphs below. Very similar situation is encountered in the Lutowiska FMU located near the Bieszczadzki National Park, which is characterized by high average stand age and exceptional environmental values, including occurring species preferring old stands – considered to be typical for natural forests. Those characteristics of the FMU suggest that forest management should be extensive and maintain high age of the stands. Logging exceeding 100% of the annual growing stock volume was scheduled instead, which should be called intensive logging.</p> <p>Furthermore, there are reasonable doubts as to the planning documents of the Lutowiska FMU, which is illustrated by the following quotation: „conclusions of the impact assessment on those species [footnote: bird species which are the subject of protection for the Natura 2000 site] have no basis in the works performed and are merely presumptions of the authors of the forecast, based on their vague experiences and biased views on the impact of the silviculture on the environment and nature, such assumptions were not specified in any way using data from the FMU, and thus the objective of the environment impact assessment was not met”.</p> <p><u>Private Forests</u></p> <p>Private forest management is supervised directly by the county government (powiat) but, in most cases, the head of the county government delegates this task to the head of the local NFH district<sup>40</sup>. At the national level, there is no clear risk diversification with respect to forest ownership, because the Forestry Act and other law requirements, such as the Nature Conservation Act and the species protection ordinance, cover forest management in forests of all types of ownership. In the past (1990–2000), private forests were considered more risk-prone than public forests due to overharvesting (and other activities associated with illegal wood), poor supervision, and poor protection of biodiversity. However, recent findings of wildlife activists, state foresters responsible for control over private forests, FSC FM auditors, and stakeholder information, indicate there are many cases confirming better preservation and sustainable management in</p>		
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		<p>private forests, even if this may be unintentional; this being the effect of low harvesting rates (0,95 m3/ha/year in private forests vs 4,63 m3/ha/year in state-owned ones) rather than active management<sup>13</sup>.</p> <p>Stakeholder consultations conducted in June–October 2016, and on-site verification of a sample of private forests performed in the period 2010–2017, revealed no systematic, continued, widespread damage, or significant threat, in private forests. Generally low levels of biodiversity and a simplified stand structure have also been confirmed. At national level, the significant locations of HCV in private forests are well-recognised and monitored. One example is a large population of <i>Taxus baccata</i> in a private forest located in southern Poland; which state forests (NFH) plans to purchase to facilitate the preservation process.</p> <p><b>Białowieża Forest and Krosno RDSF</b></p> <p>In the Białowieża Forest and Krosno RDSF, stakeholders including foresters, NGOs and scientists have reported significant and systematic conflicts over forest management and conservation of wildlife. The dispute has lasted for more than a decade, and relates to protected, Red List, threatened and endangered species and habitats, as well as to management in general<sup>42,43,50,51,52</sup>. Since these areas are hotspots for biodiversity, and there is a high level of conflict, they are assessed in detail below.</p> <p><u>Białowieża Forest</u></p> <p>Many diverse forms of nature conservation are implemented in the Białowieża Forest. Conservation and protection zones often overlap with each other: national park (1), with an approximately 1 km-wide buffer zone around its borders; nature reserves (22) for a total area of approx. 12 000 ha; nature monuments (1204); protected fragments of ecosystems (użytki ekologiczne, 83). The whole Białowieża Forest is covered by Natura 2000 Special Protection Areas (SPA, 1) and Special Areas for Conservation (SAC, 1). Additionally, FMUs have established numerous areas representing ecosystems excluded from commercial harvesting (Appendix C10, C11b). The area outside the national park is covered by the Protected Landscape Area (obszar chronionego krajobrazu), and the whole forest is recognised as a UNESCO World Heritage Site<sup>41</sup>. As Białowieża Forest is a hotspot for HCV 1 values, and the FMUs are uncertified, there is a potential risk of damaging these values, considering that legislation does not cover all identified HCV 1.</p> <p>Commercial logging was prohibited throughout Białowieża Forest by the decisions No. 40 COM 7B.92 and 41 COM 7B.1 of 2016 and 2017, respectively, of the UNESCO World Heritage Committee. Furthermore, the areas have traditionally seen conflicts between forest management and NGO interests.<sup>10,35,43</sup> In March 2016, the Polish authorities adopted a decision allowing for a three-fold increase in logging operations in the Białowieża Forest district, as well as for logging in areas so far excluded from any intervention (EC 13 June 2017). The Polish government argues that increased tree harvesting is needed to contain a bark beetle outbreak in Białowieża, although the science behind its case has been denounced by many of the world's environmental scientists (70). The EU Commission has filed a case against Warsaw at the European Court of Justice (72), however on 27 July 2017, the European Court of Justice made an interim decision to request that management activities cease in valuable areas and within the PLC200004</p>		
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		<p>(increased logging) area of Białowieża Forest (73). Again in November 2017, an order was given to halt the logging while the case continued (76). Also, UNESCO threatened to put Białowieża on its List of World Heritage in Danger unless Poland halted the deforestation (72). So far, the Minister of Environment has stated that Poland will not seize the harvested timber, despite the ECJ request.</p> <p>Stakeholder consultation was conducted during the CNRA development, to highlight potential conflict issues. The consultation was carried out in June–September 2016 (prior to the higher level of felling), and complaints received related both to the FMU and the protected areas within the Białowieża Forest. Risks reported by NGOs were generally related to damage to habitats, including of RTE species. Damage to habitats of RTE species in the Władysław Szafer Reserve increased due to use of a harvester for tree felling, and logging of the living deciduous trees, which the complaint says did not pose any threat to road traffic. According to a coalition of Polish NGOs, “such works could be executed without the use of harvester and without cutting hundreds of living deciduous trees”, which was considered by the complaining parties a wide margin of discretion in understanding the term “safety requirements” while approving the cuttings, that should not take place”.</p> <p>Further, there were instances of infringement of the zoning of the World Heritage Site in all three FMUs of the Białowieża Forest, which could lead to fragmentation of the RTE habitat range. There was also damage to habitats of woodpeckers and protected xylobiontic beetles <i>Boros Schneideri</i> and <i>Cucujus cinnaberinus</i>, caused by extraction of dead trees and live trees in stands older than 100 years – which conflicts with the sustainable forest management guidelines for FMU Białowieża and Hajnówka. Furthermore, there is a risk of invasive species in extensive forest patches in nature reserves.</p> <p>The concerns above were evaluated during the implementation of the CNRA through an on-site field assessment conducted by NEPCon representatives (September–October 2016), together with FMU document review (see Appendices C1–C16 and C22), and consultations with key experts and stakeholders listed in “Stakeholders consulted” and “Key experts consulted”.</p> <p>The Białowieża National Park, its buffer zone, and its reserves, are clearly delimited in the field and well-protected. As for national parks, at the national level these areas do not allow any commercial logging: the only wood extraction is to take place in the form of sanitary cuttings, and only from the areas with the lowest conservation regime (the landscape conservation zone of the national park). The national park accounts for 17% of the forest on the Polish side, leaving approximately 40 000 hectares vulnerable to state-sanctioned logging (73). The surrounding FMUs manage the national park buffer zone, in which minimum intensity silvicultural management is carried out. During the June–October 2016 evaluation period, the FMUs of the Białowieża Forest were allowed only to carry out single dead spruce removal along the public roads and tourism paths, including nature reserves, for public safety reasons (Polish Nature Conservation Act, Art. 15.2.3). The situation in Białowieża remains dynamic at the time of writing. Additionally, for fire security reasons, all dry branches and fine wood was removed for a distance of at least 30m from the public road. Tree logging needs preparatory or assisting work, such as cutting damaged or obstacle trees (including deciduous trees), which may represent a threat to forest workers. Stakeholder concerns were raised about</p>		
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		<p>the use of a harvester for tree felling and logging of the living deciduous trees, which the complaint says did not pose any threat to road traffic. Field verification in the fall of 2016 conducted during the implementation of CNRA confirmed that some single deciduous trees were logged with no clear justification (Appendix C8). The use of the harvester in the Hajnówka FMU was justified by security reasons during logging (Appendix C7). The harvester work, and damage associated with its use, were present only in a narrow belt of the forest reserve, along the public road. Therefore, damage in relation to harvester work was of local, non-systematic character, occurring on a very small portion of the reserve, and the logged wood was not sold but remained in the forest to decompose. Use of the harvester in the reserve is not the standard approach for forest operations in such areas, and it occurred as a one-time only event. Thus, the risks in the case associated with removal of trees, as well as the use of a harvester, were not considered to be a general threat to HCV.</p> <p>Internal FMU regulations applicable to all Białowieża Forest FMUs<sup>66</sup> do not allow extraction of deadwood from the forest ecosystems, with special attention granted to habitats of xylobiontic organisms, which are RTE species<sup>28,29</sup>. Nonetheless, in 2017, dead spruce was consistently removed from the sites, even in stands older than 100 years; with this authorized by Decision No. 51 by the Director-General of the State Forests of 17 February 2017. Dead spruce cut for safety reasons were being removed from the site and sold. This poses a threat to the HCV.</p> <p>The Białowieża Forest is one of the most important habitats for several xylobiontic beetles. <i>P. kolvensis</i> is known in Poland only within the Białowieża Forest, but its records are limited to the national park territory; all the others are known throughout Białowieża Forest. These species survived under conditions of regular forest management for decades; however, their habitat preferences (mature stands, deadwood) make them vulnerable to population decline under high impact silvicultural activities. There were several cases in FMUs Białowieża and Hajnówka, where larvae of <i>C. cinnaberinus</i> and <i>B. Schneideri</i> were recorded in the wood piles prepared for transport (Appendices C6 and C9). The impact of the silvicultural practices on the population of at least <i>B. Schneideri</i> could be significant (personal communication 9), even considering that approximately 36% of the Białowieża Forest is protected within the boundaries of the national park, nature reserves, and management-excluded areas. It should be noted that the whole Belarussian part of the Białowieża Forest is covered by the national park; however, many of the xylobiontic organisms are characterised by low mobility, therefore, a decrease in the extent and connectivity of the habitats of the species in question should not be underestimated.</p> <p>However, the field verification of the extraction of dead trees in the forest revealed that felling was carried out for public security reasons, as the trees were harvested in areas close to roads and car parking lots frequented by tourists. At the time, the FMU declared that the wood would not be transported out of the forest without approval from the expert, checking for the presence of vulnerable species. The limited removal of deadwood was originally not considered a general issue leading to damage of HCV 1 and to the habitats of xylobiontic beetles in the Białowieża Forest. However, recent changes in the light of 35 000 m3 of wood released to be logged (based on 2013 FMP annex) require further evaluation in terms of influence</p>		
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		<p>on assessed values. Due to the dynamic situation in Białowieża FMU and lack of capacity for constant monitoring in FMU Browsk, Hajnówka, it is recommended that a precautionary approach should be taken relating to the designation of risks.</p> <p>The spruce bark beetle (<i>Ips typographus</i>) outbreak (Appendix C1) was considered to increase the habitat available for xylobiontic species. Unpublished results of scientific monitoring carried out by Prof. Jacek Hilszczański and Prof. Jerzy Gutowski showed that each third tree that was dead for longer than two years, and approximately 40% of dead spruces, have recently been colonized by one or more species considered rare, threatened, etc. Recent estimates of the amounts of spruce deadwood standing and lying in the Białowieża forest are between 2 000 000 and 3 800 000 cubic metres. Therefore, the scale of damage generated to habitats of xylobiontic organisms by the reported harvesting (before 2017 FMP annex change) was considered unlikely to affect the functioning of whole populations of beetles. In cases of deadwood extracted for selling, the visual inspection procedure of evaluation of such wood material was implemented, as well as the obligation to leave the bark beetle-colonized wood in the forest (Appendix C15). However, the increased logging which, according to the Polish Minister of Environment, has been put in place to stop the beetle outbreak, might affect the habitat of the xylobiontic species. In addition, many xylobiontic organisms are characterized by low mobility, meaning they will not easily change habitats; which also should be considered in the context of modification of the habitats of these species.</p> <p>There have been concerns among stakeholders about an invasive species – <i>Impatiens parviflora</i> – and the lack of actions to eradicate it (Appendix C4). However, this species is not related to intentional forest management. Furthermore, the comment concerned a specific FMU, and for this specific case, actions against the invasive species are planned for 2017, under the Natura 2000 management plan (PZO).</p> <p>The World Heritage Site (WHS) was established, inter alia, to protect the natural habitats for in-situ conservation of biological diversity, including threatened species of outstanding universal value from the point of view of science or conservation<sup>41</sup>, i.e. RTE species. The framework management plan of WHS defined four management zones: 1) strict protection (core area of the national park); 2) passive protection 1 (nature reserves – hunting and wood extraction excluded); 3) passive protection 2 (forests outside the national park and nature reserves, with hunting allowed, but no wood extraction); 4) sustainable forest use. Commercial logging is allowed only in zone 4<sup>41</sup>.</p> <p>As demonstrated during the risk assessment consultations, the legal status of the WHS is unclear in terms of forestry management regulations. World Heritage Site regulations are not directly included in the national system of nature conservation. The Nature Conservation Act 2004 (Ustawa o Ochronie Przyrody) does not list or refer to WHS because, until 2014, the WHS in Poland overlapped only with the area of the Białowieża National Park. The WHS is established and protected based directly on the Paris Convention for the protection of natural and cultural heritage, which was ratified under Polish law in 1976. Regulations concerning the UNESCO World Heritage Site were not implemented in the Polish law: the hierarchy in the Polish legal system specified in the Constitution indicates that ratified international law takes precedence</p>		
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		<p>over national law, thus the Convention for the Protection of the World Cultural and Natural Heritage shall take precedence over the national law. Additional guidelines for WHS implementation are also used.</p> <p>During the 2016 CNRA development process, complaints about silvicultural activities within the World Heritage Site areas were made by stakeholders, who characterised them as threats to the integrity of the UNESCO WHS and to HCV 1: populations of rare, threatened and endangered organisms, mainly those depending on deadwood. However, CNRA on-site verification showed that large amounts of deadwood in the Białowieża Forest, and large areas of the protected sites, are excluded from commercial harvesting, which secures the species and ecological relations at a level that enables these populations to survive. The observation indicated low risk to xylobiontic species from Browsk, Hajnówka, Białowieża forest management, and a high level of wildlife protection.</p> <p>However, taking the WHS as a significant proxy for HCV 1, it has been confirmed that – during the years 2014, 2015, and 2016 – logging took place in many places located within the third zone of the WHS (passive protection, hunting allowed but wood extraction excluded). That suggests a systematic character of the violation, generating a risk of fragmentation of the RTE species' habitats. The zoning was established to allow large habitat patches to be shaped by natural dynamics, to sustain populations of RTE species typical of "primeval forest relicts". Unauthorized intervention of the stand structure of such habitats increases the risk of extinction. Furthermore, the increased logging resulted in July 2017 in UNESCO threatened to put Białowieża on its List of World Heritage in Danger unless Poland halted the deforestation. This is confirmed by the data of State Forests, which indicate that in 2016 approximately 39% of harvesting occurred in the third UNESCO zone, where logging is banned by law. Thus the principles of conservation of the World Heritage Site "Białowieża Forest" listed in the nomination form were infringed. Furthermore, the Decision 41 COM 7B.1 of the UNESCO World Heritage Committee of 14 July 2017, including immediately halting all logging and wood extraction in old-growth forests, was not complied with. Harvesting of stands older than 100 years was allowed by decision No. 51 by the Director General of the State Forests of 17 February 2017, despite the fact that this is an infringement of a binding act of local law (The established Plan of Protection Tasks for the PLC200004 area of Białowieża Primeval Forest Natura 2000). In 2017, approx. 41% of harvesting occurred in stands older than 100 years. Violations of Polish and international law, established to protect valuable species and habitats, indicate a low level of nature protection in FMUs of the Białowieża Forest.</p> <p>Classifying a specific forest area as IBA (Important Bird Areas) does not require changes in management, if it does not threaten the trigger species (RTE bird species occurring at a site in sufficient numbers during one or more seasons (winter; migration; breeding)),<sup>49</sup>, based on expert assessments. In practice, the main safeguard for forest management should be a ban on wood harvesting during the bird breeding season (from 1 March to the end of October)<sup>30</sup>. Par. 6, point 1–3 of the ordinance of the Ministry of Environment concerning protection of animal species, states that protected species of animals must not be startled or disturbed in the places of their roosting, breeding, etc. However, for most protected species, this limitation</p>		
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		<p>can be lifted when conducting “rational agriculture, silviculture or aquaculture if the technology of activities does not allow to operate otherwise”.</p> <p>Threats to IBA are reported only from the Białowieża Forest, which is a large woodland area (62 500 ha in Poland and 87 000 ha in Belarus) and has been internationally recognized as the Important Bird Area IBA PL 046 (the Belarussian part is listed as a separate IBA)<sup>38</sup>. The assessment carried out by the ornithological society revealed that this site is one of the five most important in Europe (NUTS region) for the following species considered threatened by the European Union (i.e. listed in Annex I of the EC Birds Directive): hazel grouse (<i>Bonasa bonasia</i>), honey buzzard (<i>Pernis apivorus</i>), lesser spotted eagle (<i>Aquila pomarina</i>), corncrake (<i>Crex crex</i>), spotted crane (<i>Porzana porzana</i>), pygmy owl (<i>Glaucidium passerinum</i>), Boreal owl (<i>Aegolius funereus</i>), nightjar (<i>Caprimulgus europaeus</i>), white-back woodpecker (<i>Dendrocopos leucotos</i>), three-toed woodpecker (<i>Picoides tridactylus</i>), middle spotted woodpecker (<i>Leipopicus medius</i>), barred warbler (<i>Sylvia nissoria</i>), collared flycatcher (<i>Ficedula albicollis</i>) and red-breasted flycatcher (<i>Ficedula parva</i>). The IBA was classified as threatened (the assessment was conducted in 2016)<sup>38</sup>, due to “the ongoing replacement of primeval forest by plantations (planted forest), through forest management, clear-felling, selective logging, and afforestation with conifers”. The logging also continues during the breeding season of birds, based on lifts of the ban offered by the Nature Conservation Act 2004. Logging and replanting old stands of natural origin leads to fragmentation (old stands become islands surrounded by much younger forests) and homogenization of age structure and species composition. Forest management in the Białowieża Forest is sustainable, but consulted ornithologists consider that the concentration of biodiversity and densities of protected species in the Białowieża Forest is outstanding, to such a level that forest management practices, as implemented in Poland, will risk damaging biodiversity. Additionally, promotion of commercial tree species (e.g.: oak, pine, spruce) at the expense of less economically important species (e.g.: hornbeam, birch) can also have negative impacts on RTE species in IBA.</p> <p>Thus, there is risk to related to HCV 1 within Białowieża Forest, due to issues within IBA, WHS, and due to a precautionary approach related to the decision to increase the harvesting rate within the area.</p> <p><u>The Krosno Regional Directorate of State Forests (RDSF)</u></p> <p>The most serious threat identified in the Carpathian Region is the development of infrastructure, which causes fragmentation of habitats and creates barriers for domestic and international ecological corridors, especially for mammals. The threats are generally not linked to forestry management, and take place particularly at the bottoms of the valleys that are not forested or are not under any FMU’s management. These are country roads, river barriers, and urbanization.</p> <p>In the area managed by the RDSF Krosno, forests that have natural features have been preserved, including patches of primeval character forests. According to wildlife NGOs, particular attention should be given to the species related to old-growth forests, which have specific habitat requirements such as large-</p>		
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		<p>size deadwood and deep shading. The biggest threats reported by NGOs are current forest management practices and infrastructure developments.</p> <p>Krosno RDSF has the highest deadwood rate of all Carpathian directories– 17,3 m<sup>3</sup>/ha, well above the 5,8 m<sup>3</sup>/ha average for Poland<sup>62</sup>. The amount and quality of deadwood is below scientific wildlife recommendations of 20–65 m<sup>3</sup> per hectare for natural, low intensity managed forests. These volumes are relevant to nature protected sites.</p> <p>Also, there is a high natural regeneration rate (30%), low density of forestry roads, and most harvest operations utilize a shelterwood system. Over decades, a rich biological diversity has been maintained and enhanced in the course of forest management. The forest management is performed in accordance with legislation and sustainable forest management rules from the Forestry Act (1991), as confirmed by PEFC certification system with certificate no. PL12/0026. As of 2017, no FSC-certified forests occur within Krosno RDSF.</p> <p>However, due to technological and organizational development of forestry followed by changes in society's wildlife protection expectations, some of Krosno forestry units have become a source of conflict between requirements of nature conservation and forest management. During the consultation conducted for development of this CNRA, and following field verification, the following complaints / observations / notifications relating to damage of HCV 1 were received:</p> <ol style="list-style-type: none"> <li>1. New road construction and reconstruction of skidding trails in Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowska, and Stuposiany Forestry Units of RDSF in Krosno (Appendix B1) pose a potential threat to bear, lynx, and protected species of birds, as well as a threat to the function of the Bieszczadzki National park forest belt as a corridor for species migration.</li> <li>2. Damage to streams, as well as wood extraction from compartments where protected or endangered species of insects, mosses, and liverworts have been identified, increase the risk level. Furthermore, there is concern about destruction of running water habitats and species due to road construction within mountain stream banks.</li> </ol> <p>The potential risks identified by stakeholders as well as risks identified during CNRA desk work were on-site evaluated, including consultation with the listed experts (see table on experts consulted). Also further documents and comments were submitted (see feedback from stakeholder consultation in October 2017). See the findings from the onsite evaluation and desk review, below.</p> <p><b><u>Potential risk 1: roads and skidding trails leading to HCV 1 damage</u></b></p> <p>Both newly constructed and upgraded (reconstructed) roads significantly influence the environment. Such investments also change soil accessibility and water penetration rate in the road. Roads that were previously narrow, often under canopy shadow, were made wider to a form of open line clearings of 10–20 (25) meters wide (including 3–5 meters' road prism). Such roads are now clearly visible across previously</p>		
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		<p>more intact forest. There are doubts concerning the environmental assessment process conducted for a number of earlier investments. On-site CNRA evaluation confirmed the roads and skidding trails investment network is minimised, to achieve the road cover rate that enables FMUs to maintain forest management goals. Despite recent development, the 2016 road cover rate for Krosno RDSF is 8,9 m/ha against 15,28 m/ha average in NFH; with the highest being 23 m/ha in Katowice RDSF (Appendix B12), showing how the road network is underdeveloped in Krosno RDSF compared to other directorates.</p> <p>An opinion provided by a coalition of Polish NGOs during the consultation process stated that maintaining forest management in the FMU may require more roads than is acceptable for HCV 1 conservation needs. Furthermore, the claim that the road network is underdeveloped is debatable, since road cover has been sufficient for the last 60 years. This raises the question of whether there is a need to develop the road network. An underdeveloped road network compared to other RDSF districts is not a valid argument to increase road cover. The draft of The Brown Bear Management Plan for Poland (2012) clearly indicates the need to preserve „Roadless” areas, recommending the elimination of unused roads and indicating harmful effects of both new road construction and upgrades of existing ones. The NGOs also observe that the Carpathian Mountains have the highest rainfall in Poland, thus the risk of wildfires in the area is very low. Therefore, there is no justification for development of firebreaks.</p> <p>CNRA evaluation demonstrated, however, that tracks are mostly closed to outside users (no public use, FMU technical use only). Forest roads do not block and present no barriers for ecological, migration corridors (unlike the public roads and urban development observed in valleys, especially in Beskid Śląski, Beskid Sądecki, Beskid Żywiecki). After key expert consultation (2, 6, 7), no evidence has been found to show that forest road investments contribute to a systematic decrease in biological diversity in the whole area. However, at the same time, no evidence for lack of influence has been found (e.g. Appendix B8), with stakeholders indicating the cases of road upgrade and building. Therefore, a risk has been identified for the FMUs of the Carpathian Region and RDSF Krosno: Lutowska, Stuposiany, Cisna and Bircza FMUs, such that these FMUs support most of the recognised highly significant conservation values and are subject of intensive conflict related to roads. Furthermore, these are FMUs located in the proximity of the Bieszczadzki national park’s buffer zone, or identified as high value by stakeholders. The precautionary approach has been used for risk determination.</p> <p>Skidding operations performed across or along aquatic habitats (such as mountain streams) severely influence fauna and flora linked to these fragile ecosystems. There is scientific evidence that such operations cause damage to creeks and brooks (and their bases), which need 10–20 years’ recovery time and, in some cases, may never recover to the same ecological level. Such wood skidding operations were carried out in the mountain region of RDSF Krosno, and have been confirmed by on-site verification. The management of RDSF Krosno has recently issued regulation no. 28 (2 December 2015), which is being gradually implemented as a tool for prevention of destruction of wildlife and ecological values due to forest management. Foresters are aware of the risk of destroying natural values of streams, and wherever possible, they avoid both wood skidding across unprotected stream crossings, and dragging along creek</p>		
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		<p>beds. Following on-site sampling of FMUs, water bed crossings were found to be significant in Bircza FMUs and insignificant or non-existent in Rymanów, Brzozów FMUs.</p> <p>In the case of the western and northern part of the Krosno Regional Directorate, the number of natural watercourses is significantly lower, and the density of forest roads and skidding tracks is higher, which constitutes a lower risk of habitat destruction from the potential threats reported. Single, non-systematic cases are reported by NGOs, but not to a level that threatens the HCV.</p> <p>Risk from skidding operations on HCV 1 has been identified only in the Krosno RDSF FMUs Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowska, Stuposiany Forestry Units. In listed FMUs, systematic cases have been recorded by NGOs and confirmed by CNRA on-site evaluation. In other FMUs of Krosno RDSF, none or only non-systematic cases of construction of skidding trails damaging HCV 1 have been recorded.</p> <p><b><u>Potential risk 2: Wood extraction from compartments where protected or endangered species of insects, mosses, and liverworts have been identified</u></b></p> <p>The Polish section of the Carpathian Mountains contains a high concentration of protected, rare, or endangered species of animals and plants. The highest concentrations of species are protected within SIX national parks and numerous nature reserves. Many biodiversity-rich areas occur outside the boundaries of protected areas. Bircza and other neighbouring FMUs to the south of Krosno RDSF are within the 'biodiversity hotspot' including the area of the proposed Turnicki National Park („Dokumentacja dla rezerwatu przyrody „Reliktowa Puszcza Karpacka” [Documentation for the „Reliktowa Puszcza Karpacka” nature reserve], Fundacja Dziedzictwo Przyrodnicze, WWF Polska, 2016). Rare and protected species are also located across other commercially used forests.<sup>42,45</sup> Forest management has allowed the populations to survive and develop over the past decades. However, forest invertebrate and lichen species that are difficult for forest staff to recognise, presents a potential threat in that these species may be removed during forest operations, or their habitats may be limited due to harvest operations.</p> <p>Based on complaints made by stakeholders, the threat to HCV 1 has been recognised in relation to Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowska, Stuposiany Forestry Units (Appendix B1, B2, B3, B4, B6, B7). Due to high concentrations of RTE species, the risk of serious damage to their populations is high, especially when considering that many species have been found only in this region of Poland. Outside the listed FMUs areas of RDSF Krosno, the most valued species are either not present, or their concentration is lower. Also, forest management infrastructure (e.g. road density) to the south of the RDSF forests, presents a lower threat to conservation values.</p> <p><b><u>Development of technical infrastructure in the mountain stream beds and banks</u></b></p> <p>Technical developments in natural water beds were implemented in the forests of Krosno RDSF. Information submitted on potential threats to species and habitats was related to Bircza FMU, where two such investments have been made. On-site verification in “Niemiecka Dolina” showed that construction and</p>		
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		<p>reshaping of waterbeds severely interfered with stream ecosystems, killing stream fauna and flora. However, no evidence of protected or endangered species was found in the stream. Constructions (understone banks, stone bed, steps, etc.) are ecologically friendly, and built in accordance with the natural shape of the stream and the valley. This creates a potential for plants, amphibians, reptiles, fish, and other animals to return. The watercourse can be crossed undisturbed. Most important for the evaluation of threats and impacts of investment is the scale of damage to potential conservation values. Both investments in Bircza FMUs were used for a length of no more than 10 km (Niemiecka Dolina approx. 2 km). The length of all streams and brooks within the forested area of Bircza District is 628 km. Therefore, considering the risk evaluation method (low scale of non-compliance), low risk has been identified in Bircza and all other FMUs of the area with respect to retention program investments and watercourse investments. There is no indication that such constructions could be considered a scale issue, and the risk is considered low.</p> <p>Due to concentration of internationally recognised values, the precautionary approach is used. Risk identified in the Białowieża Forest FMUs (Browsk, Hajnówka, Białowieża) in terms of the negative effect of forest management on IBA habitat and WHS (due to high HCV 1 values). Specified risks in RDSF Krosno FMUs: Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany, due to the risk of damage of RTE species from wood extraction, skidding operations, road construction (Krosno). No evidence of systematic, large scale, long-lasting, significant impacts related to forest management as a threat to RTE species has been found for the remaining part of the country. Legal regulations for species protection are in place, and they are respected during forest operations (see comments against 1.9 related to 2016–2017 law change). Therefore, with the exclusion of the Białowieża Forest and some parts of the Krosno RDSF, at the national scale, the risk for species' refuges constituting HCV 1 areas was assessed as low risk.</p> <p><b>Risk Conclusion</b></p> <p>'Specified risk'</p> <p>Threshold (8) is met: HCV 1 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities for Białowieża Forest (Browsk, Hajnówka, Białowieża FMUs) and forest districts Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany of Krosno Regional Directorate of State Forests</p> <p>'Low risk'</p> <p>Threshold (6): There is low/negligible threat to HCV 1 caused by management activities in the area under assessment for the rest of Poland.</p>		
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3.2 HCV 2	1–5, 7, 9–11, 15–19, 24, 34–40, 43, 44, 49, 56, 60	<p><b>Occurrence</b></p> <p>FSC International Guidelines define the <b>HCV 2</b> category as a large forest complex that is significant for biodiversity at the global, national, or regional landscape level<sup>60</sup>. In Poland, HCV 2 have been identified as:</p> <ul style="list-style-type: none"> <li>• <i>Forests recognized as regionally significant for the bioregion, or for a larger scale, by conservation organizations (in formally recognized reports or peer reviewed journals)<sup>1,2,36,38</sup> due to the unusual landscape-scale biodiversity values related to the size and condition of the forest with respect to regional forest land cover and land use trends</i></li> <li>• <i>Forests that provide regionally significant habitat connectivity between larger forest areas, or between refugia and mosaics.</i></li> </ul> <p>The large Polish woodlands (Puszcze) are classified as regionally significant, and they provide valuable habitat connectivity. Although they represent a different degree of naturalness (e.g. from high diversity Białowieska Puszcza, through Karpacka, Romnicka to monotype pine, intensively managed Notecka Puszcza), they all correspond to the definition of “regionally significant” and are between 50 000–100 000 ha in size. However, according to the HCV Guidelines, only woodlands larger than 100 000 ha are classified as HCV 2. These forests contain landscape values and forest habitats, and provide significant local species refugia. Large woodlands are particularly significant for birds and large mammals (e.g., bison, wolf, lynx) which depend on the extensive forest landscape.</p> <p>Global Forest Watch reports that there are no Intact Forest Landscapes in Poland<sup>56</sup>.</p> <p><b>Threats &amp; Safeguards identification and evaluation</b></p> <p>Large woodland areas in Poland are managed based on legislation and sustainable forest management rules originating under the Forestry Act (1991), and most of these areas are covered by FSC and PEFC certification systems. In the case of the Białowieska and Karpacka Puszcza Woodlands, no large-scale forest complex fragmentation, and no forest cover decrease, have been identified.</p> <p>However, threats to HCV 2 have been posed recently by intensive construction and upgrading (modernization) of existing forest roads and skidding trails in the RDSF in Krosno, which enhance the possibility of forest access, and increase the rate of penetration/ fragmentation of forests in the most valuable parts of the Karpacka Puszcza Woodlands. The change in “wilderness” level reported by NGOs has not been possible to evaluate during the CNRA process; however, road work in HCV 2 areas may be considered a threat based on the FSC-PRO-60-002a v1.0 framework (59).</p> <p>The evaluation process has confirmed that these roads are, in most cases, forestry roads closed to public transport. The road coverage rate in the Krosno RDSF is the lowest in the country, and FMUs are developing systems to modernize the wood skidding and transportation process. This road development is necessary only in the FMUs of Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska,</p>	Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany FMUs of the Krosno Regional Directorate of State Forests	<p>‘Specified risk’ Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany FMUs of the Krosno Regional Directorate of State Forests</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’</p> <p>Rest of Poland</p> <p>Threshold (10) there is low/negligible risk to HCV 2 caused by</p>
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		<p>Stuposiany of the Krosno Regional Directorate of State Forests, because these areas currently have a very low density of roads. Other Polish forest areas evaluated, including the western and southern sections of the Krosno RDSF, have been recognised as not threatened by landscape deterioration caused by road building or reconstruction. The road coverage rate in these areas is sufficient for the sustainable management of forests and, if new roads are constructed, these are often located in the old track lines. Private forests are generally not subject to new road construction due to existing fragmentation and sufficient coverage from local roads.</p> <p>Impact on anthropophobic animal species has also been considered during key expert consultations. There is no scientific evidence as to how development of such road networks, with low intensity traffic, will influence ecosystems, especially in terms of large animals, e.g. wolves (Appendix B8).</p> <p>Considering the methodology for risk assessment evaluation, and the fact that the identified threat continues over a long time, and has been confirmed in a larger area, the risk for category 2 of HCV has been defined as specified for the following FMUs: Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany of the Krosno Regional Directorate of State Forests.</p> <p><b>Risk Conclusion</b> 'Specified risk' 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: for Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany FMUs of the Krosno Regional Directorate of State Forests</p> <p>'Low Risk' Threshold (10), there is low risk caused by management activities in the area under assessment: The rest of Poland</p>		management activities in the area under assessment.
3.3 HCV 3	4, 12, 14–19, 24, 33, 37, 39–41, 58, 62, 66	<p><b>Occurrence</b></p> <p><b>HCV 3</b> are defined as forest areas that constitute or contain, rare, threatened, or endangered ecosystems, habitats or refugia. In the Polish context, they are best defined by the list of habitats in Annex I of the EU Habitats Directive<sup>57</sup>. Such an approach allows harmonization of the Natura 2000 network with HCV 3, and allows the use of knowledge – concerning habitat occurrence and status of conservation – collected while monitoring natural habitats.</p> <p>The HCV 3 assessment is broken down into two subcategories:</p> <p>1) 3.3.1 <i>Extremely rare and endangered ecosystems, marginal in terms of forest management</i>, i.e. thermophilous beech forests <i>Cephalanthero-Fagenion</i>, thermophilous oak forests of the <i>Potentillo albae-Quercetum</i> type, sycamore-maple-ash wet forest <i>Adoxo-Aceretum</i>, pine bogs, boreal bog-birch forests – <i>Thelypterido-Betuletum pubescentis</i>, spruce forests on raised peatbogs <i>Sphagno girgensohnii-Piceetum</i>, which are listed by EU Habitats Directive as priority habitats.<sup>4,14,15,16,17</sup></p>	Białowieża Forest  Rest of the country.	<p>'Specified risk'</p> <p>Białowieża Forest (Browsk, Hajnówka, Białowieża FMUs)</p> <p>Threshold (8) is met: HCV 3 is identified and/or its occurrence is likely in the area under</p>

	<p>2) 3.3.2 <u>Ecosystems which are rare and endangered at the European scale (listed in Annex I of the EU Habitats Directive<sup>57</sup>) but abundant in Poland</u> (e.g.: oak-hornbeam and lime-hornbeam forests, beech forests, fir forests).</p> <p>HCV 3 includes all fragments of forest types which are European Union Habitats<sup>14</sup> and which are characterized by a good conservation status of RTE habitats, corresponding at least to the A or B categories of conservation status based on Natura 2000 Criteria<sup>14</sup>, and regardless of whether they are located within the limits of the established Natura 2000 sites or outside of them. The old growth forest definition is not widely used in Poland; however, such forests are included as HCV 3 through the subcategories listed above.</p> <p>In Poland, 76 habitats are recognised under the EU Habitats Directive<sup>59</sup>, 15 of which correspond to EU priority habitats. Furthermore, only 17 habitats from the list are forest habitats (the numeric codes are given in accordance with the EU list of Natura 2000 habitats, and are followed by the English name of the forest type, and then by its phytosociological syntaxon name)<sup>4</sup>:</p> <p>9110 — Acidophilous beech forests (<i>Luzulo-Fagenion</i>)  9130 — Eutrophic beech forests (<i>Dentario glandulosae-Fagenion</i>, <i>SubAll. Galio odorati-Fagenion</i>)  9140 — Mountain sycamore maple forests (<i>Aceri-Fagetum</i>)  9150 — Thermophilous beech forests (<i>Cephalanthero-Fagenion</i>)  9160 — Sub-Atlantic mixed deciduous forests (<i>Stellario holostaeae-Carpinetum betuli</i>)  9170 — Medio-European and continental mixed deciduous forests (<i>Galio sylvatici-Carpinetum betuli</i>, <i>Tilio cordatae-Carpinetum betuli</i>)  9180 — Sycamore maple and lime-maple forests on slopes (<i>Tilio platyphyllis-Acerion pseudoplatani</i>)  9190 — Acidophilous oak forests (<i>Quercion robori-petraeae</i>)  91D0 — Deciduous and coniferous wet forests (<i>Vaccinio uliginosi-Betuletum pubescentis</i>, <i>Vaccinio uliginosi-Pinetum sylvestris</i>, <i>Pino mugo-Sphagnetum</i>, <i>Sphagno girgensohnii-Piceetum</i>)  91E0 — Floodplain willow, poplar, alder and ash forests (<i>Salicetum albo-fragilis</i>, <i>Populetum albae</i>, <i>Alnenion glutinoso-incanae</i>)  91F0 — Floodplain oak-elm-ash forests (<i>Ficario-Ulmetum minoris</i>)  91I0 — Thermophilous oak forests (<i>Quercetalia pubescenti-petraeae</i>)  91P0 — Upland mixed silver fir forests (<i>Abietetum polonicum</i>)  91Q0 — Relict mountain pine forests (<i>Erico-Pinion</i>)  91T0 — Dry lichen pine forests (<i>Cladonio-Pinetum</i> and <i>Peucedano-Pinetum</i> with lichens of the <i>Cladonia</i> genus)  9410 — Mountain spruce forests (<i>Piceion abietis</i>)  9420 — Mountain mixed Swiss stone pine–spruce forests (<i>Pino cembrae-Piceetum</i>).</p> <p>There are several other forest habitats classified as rare and endangered in Europe but which are common and not endangered in Poland. The most relevant example are diverse types of mixed deciduous forests</p>	<p>assessment and it is threatened by management activities:</p> <p>‘Low risk’</p> <p>Rest of the country.</p> <p>Threshold (15) is met: HCV 3 is identified and/or its occurrence is likely in the area under assessment, but areas are effectively protected from threats by management activities</p>
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		<p>(e.g. Natura 2000 habitats 9160 and 9170; see description above), which occur within a large portion of Polish productive forests. These are also considered to be HCV 3.</p> <p><b>Threats &amp; Safeguards identification and evaluation</b></p> <p>In Poland, EU priority forest habitats (sycamore maple and lime-maple forests on slopes (9180); deciduous and coniferous wet forests (91D0); floodplain willow, poplar, alder and ash forests (91E0); and thermophilous oak forests (91I0), are included in the Natura 2000 network. Their management priority is conservation over commercial use, prioritization of specific management tasks such as habitat maintenance or improvement. Protection Task Plans (PZO) are gradually being established for Natura 2000 sites<sup>65</sup>.</p> <p>According to Polish NGO studies, the level of knowledge of priority habitats is insufficient and should be complemented with detailed on-site inventory on the subject of protection of the areas of the Habitats and Birds Directives and protected and endangered species in Poland. The comprehensive works have been carried out in 2016–2017 for Białowieża Forest and Eastern Polish Carpathian Mountains. Unfortunately, the results and conclusions were not available at the time of the CNRA work, indicating that future revisions of the CNRA should carefully consider this issue.</p> <p>All wet and floodplain forests are treated with special care under Polish state legislation (ordinances on EU habitats<sup>16,17,18</sup>) and under internal regulations of the State Forests National Forest Holding<sup>12</sup>. Most of these forests are also designated as ecosystem-service forests or protected areas, and in effect overlap with HCV 4 (water protection). According to legislation, management shall not compromise the ecosystem service value of the forest.</p> <p>The management of protected areas – national parks, reserves, Natura 2000 – excludes, limits or restricts wood harvesting. If harvesting is conducted (which is an unusual management operation in reserves or national parks), it must be part of the Protection Plan, or a maintenance task approved by the Regional Directorate for Environmental Protection. The Principles of Silviculture<sup>12</sup> (Zasady Hodowli Lasu) are used during the development of forest management plans and include regulations for proper felling schemes to be applied based on management habitat type (STL), and the corresponding eligible regeneration mode<sup>12</sup>. This allows the creation of the desirable structure and species composition of regenerated forests. For instance, clearfelling is used in the case of forests classified to <i>Vaccinio myrtilli–Pinetum</i> or dominated by <i>Pinus sylvestris</i>, which is a light-demanding tree species; while – for mixed forests – combined, shelterwood or selective felling is advised to ensure regeneration of trees with diverse light demands. Most mountain habitats with commercial forests are managed by method IV (gradual felling) or V (continuous felling). Rare and threatened habitats of 3.3.1 HCV are mostly excluded from regular forest management. For 3.3.2 HCV described above, silvicultural measures provide a good safeguard for forest managers to use in order to maintain forest properties and habitat values.</p> <p>Very recent and planned changes (2017–2019) in forestry related law – Act of 16 April 2004 on Nature Conservation (Ustawa z dnia 16 kwietnia 2004 roku o ochronie przyrody [Nature Conservation Act] (JOL</p>		
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		<p>1651) and in Forestry Act (Ustawa z dnia 28 września 1991 r. o lasach [Forestry Act] (JOL 1991.101.444) – were not evaluated in the risk assessment. Changes occurred after the main CNRA work was completed or are still pending to be included. Projects, according to stakeholders, present doubts in terms of potential risk to protected sites and species and in terms of the Good Forest Management Practise Ministry Order (applicable from 2018).</p> <p>A number of on-site forest verifications in the Carpathian Mountains were conducted as part of the CNRA development field work, aimed at recognition and evaluation of rare and endangered habitats. Particular attention was paid to Eutrophic beech forests <i>Dentario glandulosae-Fagenion</i>, Mountain sycamore maple forests (<i>Aceri-Fagetum</i>) and Floodplain oak-elm-ash forests (<i>Ficario-Ulmetum minoris</i>). The work confirmed that habitats were recognised and forest management did not threaten ecosystems such that they would potentially be converted, destroyed or damaged. Staff of the Forest Division of Agriculture Academy from Kraków were consulted on the sites and findings.</p> <p>However, according to a coalition of Polish NGOs, not all POs (Protection Action Plans) for East Carpathian Woodlands were drafted and approved as of the end of 2017.</p> <p>In other areas classified under category HCV 3, especially wet forest habitats, forest operations shall be carried out during periods of low-water levels or on frozen soils, to avoid damage to the soil. However, isolated cases of soil damage were registered during forest on-site evaluations. The areas are not subjected to intentional changes in water regimes or water levels. In an increasing number of cases, such forests are maintained due to “little retention” projects (damming of ephemeral streams, to keep the water in the ecosystem). Clearfelling, in line with the Principles of Silviculture<sup>12</sup>, is avoided for such habitats; diverse types of combined felling schemes are applied to maintain/restore high spatial and age diversity of stands.</p> <p>In the case of habitat 91I0 (thermophilous oak forest (światliste dąbrowy)), active nature conservation is implemented (opening of stand level, prescribed horse, cow or sheep grazing, etc.)<sup>61</sup>.</p> <p>Natura 2000 areas under management plans are well protected, the comparatively short period of implementation of the Natura 2000 network in Poland (since 2004) does not yet allow assessment of the real effectiveness of the implemented actions on the ground. Before 2016–2017 Forest Act and Environmental Protection Act legality changes, drafting and implementation of management plans (followed by active conservation measures and low intensity silviculture in such habitats), provided good safeguards for this HCV category. The legislation concerning protected sites and species, as well as harvesting regulations and environmental requirements, was well implemented (see Categories 1, 1.8, 1.9 and 1.10). During the stakeholder consultation process, concerns were raised regarding the new 2016–2017 legality changes. Due to the fact that changes could not be evaluated through this CNRA process, they are not included here.</p> <p>RTE habitats and ecosystems have also benefited from improved forest management driven by FM certification schemes covering approximately 76% of Polish forests, i.e.: leaving hollow trees and</p>		
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		<p>deadwood (the national goal is 5% of total wood biomass left as deadwood in ecosystems) and establishment of unlogged “reference areas” (about 5% of the logged stand). The monitoring of the conservation status for RTE habitats and ecosystems is conducted within the framework of EU habitat monitoring. All forest management plans are based on precise mapping of stand and habitats, and on soil surveys; therefore, forest managers have an evidence-based knowledge of the occurrence of RTE habitats within the limits of their FMUs.</p> <p>Accredited FSC Forest Management auditor and stakeholder feedback indicates there are several cases of better preservation and sustainable management in private forests (even if this may be unintentional), being the product of low harvesting rates (0,95 m3/ha/year in private forests vs 4,63 m3/ha/year in the state-owned ones)<sup>13</sup>. Private forests provide a limited supply of timber, and usually consist of small plots, so that potential unsustainable management practices within private forests are not considered a systematic threat to HCV 3.</p> <p>For Białowieża and RDSF Krosno, specific concerns were raised by stakeholders during the development of this CNRA. These concerns have been followed up by field visits, to verify whether the concerns are applicable and threaten the current value or status of HCV 3. Comments received concerning HCV 3 were provided by WWF Poland, Wildlife Heritage Foundation (Fundacja Dziedzictwo Przyrodnicze), Wilde Poland Foundation (Fundacja Dzika Polska). Please see the outcome of the evaluation below.</p> <p><b>Białowieża Forest</b></p> <p>The Białowieża Forest plays an important role for HCV 3 conservation of peatbog spruce forests, wet and bog forests, and other coniferous types of forest (91D0), as well as riparian forests of the 91E0 type. The other Natura 2000 habitats occur on such a small spatial scale that they are not ecologically sustainable and should not be considered important at the national level HCV 3 (Appendix C2). The forest habitat xerothermic oak forest (91I0) is the only non-hydrogenic habitat on the forest list for Poland. It needs intervention to be kept in good condition, and logging is only conducted for habitat maintenance. The importance of this habitat as a source of wood supply is very low in the Białowieża Forest due to its very small area (a few hectares)<sup>41</sup>. The management details are described in the plan of conservation tasks of the Natura 2000 site (see Annex C2).</p> <p>In relation to oak-hornbeam forests (<i>Tilio-Carpinetum</i>) concerns were raised by stakeholders during the CNRA development about threats within Białowieża, including artificial regeneration of stands with single species, <i>Pinus sylvestris</i>, and degradation of the quality of the HCV due to removal of deadwood. The specific complaint concerning <i>Pinus sylvestris</i> in oak-hornbeam forest was linked to a single case in the Białowieska Forest, and the on-site verification in late 2016 showed that the issue was not affecting a large area, and that it was not systematic. While this clearly damages the HCV 3 value for the stand, other sites inspected during on-site verification in the fall of 2016 proved that the reported threat was not systematic,</p>		
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		<p>was limited in area (Appendices C12–C14), and at the time was not interpreted as a significant threat to the natural habitat of oak-hornbeam forests, which cover over 50% of the Białowieża Forest. The field verification conducted during the CNRA also showed that the amount of deadwood in the <i>Tilio-Carpinetum</i> forests in the Białowieża Forest is reasonably high, and was increasing due to an ongoing spruce bark beetle outbreak.</p> <p>Forest management is not considered a threat to these habitats, partly because large parts of this habitat are located within the national park and the nature reserves (Appendices C10, C11, C11b). Many areas of this habitat are also excluded from forest management (Appendix C10). While oak-hornbeam (<i>Tilio-Carpinetum</i>) forests are considered rare or endangered habitats in other parts of Europe, this is not the case for this region of Poland. Habitat patches in the national park were found to be in a favourable state of conservation (FV), while those outside the national park are in an unfavourable state (U1) due to three traits: vertical structure of the stand (homogenous), proportion of spruce (high), and amount of deadwood (lower than in the national park) (Appendix C2). The most recent data (2016) described in the report on monitoring of forest habitats (from Annex No. I to the Habitats Directive in the area of Natura 2000 Puszcza Białowieska (PLC200004)), have confirmed that the area outside the national park is in the unfavourable status, U1. This conclusion, among others, was derived from an assessment of indicators such as vertical and spatial structure of the vegetation, average age of the stand, large of volume deadwood, tree micro-habitats. Unfavourable assessment of those indicators is related to the impact of forest management and – resulting from this – management disturbances and spatial, age and species structure simplification.</p> <p>During the field visits, several cases of ground skidding (dragging) were recorded. This kind of ground skidding causes damage to forest floor vegetation and soil, and is contrary to internal FMU regulations, regulations of the Regional Directorate of State Forests in Białystok, and PEFC standards. The damage was generally limited to the existing skidding trails only.</p> <p>There are no indications that invasive species, resulting from management activities, are threatening HCV 3 areas.</p> <p>During implementation of the CNRA, several issues raised by NGOs were evaluated during an on-site field assessment in the autumn of 2016. The comments were related to single, specific incidents, but collectively show a concern about the status of some of the forest HCV. The detailed list of concerns by stakeholders and corresponding evaluations can be found in Annexes C1–C23. In 2017 the government<sup>70</sup> approved increased logging, and with Decision No. 51 by the Director–General of the State Forests of 17 February 2017, logging in stands older than 100 years was allowed. This resulted in a potential risk that HCV 3 could be damaged. Data shows that in 2017, until 15 July, approximately 41% of harvesting occurred in stands older than 100 years. In The Interim Decision by the European Court of Justice it is requested that logging within the natural areas and old forests (over 100 years) under 9170 shall cease. The Minister of Environment stated on 31 July 2017, that Poland would not cease the harvesting (73). The increased logging might cause a threat to HCV 3 values and the risk should be considered specified.</p>		
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		<p><b>RDSF Krosno</b></p> <p>Carpathian FMUs controlled by RDSF w Krośnie (Bircza, Krasiczyn, Dynów, Brzozów, Lesko, Ustrzyki Dolne, Lutowiska, Stuposiany, Baligród, Cisna, Komańcza, Rymanów and Dukla), are located in the Global 200 Karpaty PA0504 area. Endangered habitats, especially those of most significant value and preserved in good conservation state, have been recognised during the process of implementing Natura 2000. However, the need to re-evaluate habitats has been communicated by major Polish NGOs. For many sites in RDSF Krosno, the Protection Task Plan for Natura 2000 (PZO) has been or is currently being developed by the Regional Directorate for Environmental Protection in Rzeszów (RDOŚ). The system shall ensure that rare habitats are not threatened by forest management. FMUs are required to operate following the Protection Task Plan, with habitat protection established by experts as a priority. New FMPs are often aligned with the PZO. Execution of Protection Task Plans, and quality of habitats, are monitored by the Regional Directorate for Environmental Protection, according to the Natura 2000 schedule and to the Nature Conservation Act (see category 1, 1.9).</p> <p>During the CNRA development process, stakeholders raised concerns about forest operation activities in alluvial forests (<i>Carici remotae-Fraxinetum</i> (91E0)) in Bircza FMU (RDSF Krosno) (Appendix B2, page 22–25). Alluvial forests are generally well recognized in the area covered by RDSF Krosno, and the habitats are identified in FMPs and covered by PZO. Small patches of 91E0 habitats are located outside Natura 2000, and linked to habitats of alluvial forests of marginal stands located along the small rivers and streams at the bottoms of valleys. The valleys are often used as public and forest roads. Due to the infection of <i>Fraxinus excelsior</i> with the pathogenic fungus <i>Hymenoscyphus pseudoalbidus</i>, ash trees are dying off, which creates a threat to the safety of passing cars and workers. Such trees shall by law be cut down if they are considered a threat to safety. On-site verification showed that such trees were harvested and taken off the site, instead of remaining at the site for biodiversity reasons. Other similar sites with alluvial forests were visited, including sites harvested for safety reasons. Felled trees were left as deadwood on the sites. Harvesting in alluvial forest (almost all are state forests) is not allowed (as based on Directory Order no. 28/2014); with exceptions made only on the basis of safety; and therefore is not considered to be a general threat to HCV 3 values for the purposes of this risk assessment. No management (or only limited forest management) is currently underway in HCV 3 habitats, and this only for safety reasons or under the Natura 2000 management plan.</p> <p>During the CNRA consultation process, Polish NGOs raised critical comments regarding habitat protection levels and lack of cooperation by forest management enterprises (FMEs) and environmental services. According to the comments, during public consultation of FMP projects, allegedly 770 requests filed by NGOs and individuals went without a response (which is not a common practice), and the forest management activities conducted endanger the existence of valuable habitats and RTE species. According to the feedback, the biggest threats to 9110, 9130, 9170 are relate to harvesting, extraction of elements significant to ecosystem biodiversity (large trees, dead and dying trees, old hollow trees, fallen and broken trees), and skidding.</p>		
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		<p><b>Risk conclusion</b></p> <p>‘Specified risk’</p> <p>Białowieża Forest (Browsk, Hajnówka, Białowieża FMUs)</p> <p>Threshold (8) is met: HCV 1 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p> <p>‘Low risk’</p> <p>Rest of the country.</p> <p>Threshold (15) is met: HCV 3 is identified and/or its occurrence is likely in the area under assessment, but areas are effectively protected from threats by management activities</p>		
3.4 HCV 4	3, 20–22, 24, 33, 39, 40, 46, 47, 61	<p><b>Occurrence</b></p> <p><b>HCV 4</b> are forest areas that provide basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes<sup>24,60</sup>. For practical reasons, this assessment is broken down into two groups:</p> <p><u>Watershed protection forests</u></p> <p>This HCV includes forests that protect groundwater and surface water resources on damp and marshy habitats, and forests within areas temporarily flooded along rivers, streams, and other water reservoirs (i.e. often overlapping with HCV 3 types of rare wet forest habitats). This group is designed in accordance with existing legal regulations for designation criteria and management rules relating to protective forests in Poland<sup>33</sup>, which recommend the establishment of water protective forests when these are:</p> <ul style="list-style-type: none"> <li>a) forests covering river and stream sources;</li> <li>b) forests located along rivers, streams, channels, lakes, and other water bodies: <ul style="list-style-type: none"> <li>- in the mountains- (forests located between banks of water bodies and the closest visible lines in the landscape);</li> <li>- in the lowlands (forests located on floodplains during average water height; and forests located between water reservoir banks and the closest natural line in the area around the reservoir);</li> </ul> </li> <li>c) forests located in the buffer zones of groundwater reservoirs, and within the borders of water sources and water intake buffer zones, designated in accordance to the water law regulations;</li> <li>d) forests on damp and marshy habitats<sup>33</sup>.</li> </ul>	Poland	<p>‘Low Risk’</p> <p>Threshold (20) is met: There is low/negligible threat to HCV 4 caused by management activities in the area under assessment</p>

		<p><u>Erosion control forests</u></p> <p>These are forests critical to the maintenance and conservation of soils. Most of Poland is in the lowlands, where soils are not threatened by erosion. Therefore, the forests with the dominant soil protection function amount to only 4.6% of the total forest cover.</p> <p>Erosion control forests are defined based on the same ordinance of the Ministry of Environment as forests important for the maintenance of water resources (refer reference 33). Most of Poland is in the lowlands, where soils are not threatened by erosion. Therefore, the forests with the dominating soil protection function amount to only 4.6% of the total forest cover.</p> <p><b>Threats &amp; Safeguards identification and evaluation</b></p> <p>Water catchments covered by forests are important for the conservation of drinking water resources. There is no threat posed by forest management activities to Poland's drinking water resources, as they are well protected by conservation measures implemented directly in the field by forest management plans, resulting from the Forestry Act (1991) and its associated regulations. Poland, as part of the EU, follows European laws concerning drinking water including, <i>inter alia</i>, regulations of the European Water Framework Directive No. 2000/60/WE<sup>46</sup> implemented by Polish legislation under the Water Act (2001) (47). Adequate conservation measures are already in place nationally, and address all important aspects of the HCV 3 category. During the CNRA process, no complaints were received from stakeholders on the subject. According to the report "The Quality of Drinking Water in Poland" 2015 by Lidia Kłos, Uniwersytet Szczeciński, depending on the piping system, from 93% to 100% of Polish citizens receive the water of quality required by Polish and international standards. The designated areas are thus adequately protected under existing legislation and practices, which are considered well implemented (see indicator 1.9 and 1.10 of this risk assessment).</p> <p>The EU has not developed any directive aimed specifically at the problem of soil protection. In Polish forests, this issue is partly covered by the Forestry Act (1991), and more so by the Environment Conservation Act (2001), which requires all land owners and land managers to maintain soils in the best possible status by preventing soil erosion, decreases in humus content, and negative changes in compaction, salinity, and pH<sup>20</sup>. Based on this Act, the Polish Ministry of Environment issued regulations specifying standards for soil quality<sup>21</sup>. This ordinance specifies, <i>inter alia</i>, acceptable thresholds of soil pollution and erosion. Additionally, all forested lands and farmlands are protected by the Act from conversion to other uses (1995)<sup>22</sup>. Academic statistical data, environmental inspection reports and numerous field visits performed by the authors confirm there is no large-scale problem of erosion in Poland except for some rivers (especially in the southern part of the country) and Baltic seashore. No erosion occurs in forests except a very small number of sites located in gorges, creeks and parts of skidding tracks. Therefore, it should be concluded that this subcategory of HCV 4 is well protected by existing legal</p>		
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		<p>measures and forest management systems. Legislation is thus well implemented (see indicator 1.10 of this risk assessment) and adequately covers the threats identified.</p> <p><b>Risk conclusion</b></p> <p>‘Low Risk’</p> <p>Threshold (20) is met: There is low/negligible threat to HCV 4 caused by management activities in the area under assessment</p>		
3.5 HCV 5	24	<p>There are no native or local communities depending on forests to sustain their basic needs<sup>24</sup>. During public consultations, carried out by managers of FSC-certified FMUs to identify possible HCV 5 areas, no such areas have been identified in any of the certified FMUs in Poland. As most Polish forests are covered by certification (72% by FSC), this can be considered to reflect all of Poland.</p> <p>There is no HCV 5 in Poland, and its occurrence is unlikely in the area under assessment.</p>	Poland	<p>‘Low Risk’</p> <p>Threshold (23) is met: There is no HCV 5 in Poland, and its occurrence is unlikely in the area under assessment.</p>
3.6 HCV 6	23, 24, 65	<p><b>Occurrence</b></p> <p>HCV 6 is defined as archaeological sites or sites listed as national cultural heritage in accordance with the Act on Conservation and Maintenance of Cultural Heritage<sup>23</sup>.</p> <p>Areas critical to local communities’ traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with local communities) are also considered HCV 6<sup>24</sup>. Therefore, the opinion of local communities, expressed in local media, interviews, articles, speeches, petitions, or recognized by social communication means, is used for designation of HCV 6 in Poland. Identified HCV 6 areas are often sites such as manor parks, urban forests, forests associated with important historical sites, and war graveyards located in forests.</p> <p><b>Threats &amp; Safeguards identification and evaluation</b></p> <p>In Poland, all officially recognized cultural/ archaeological sites are registered on the List of Cultural Heritage, which is developed and maintained by each Regional Conservator of Cultural Heritage, in accordance with the Act on Conservation and Maintenance of Cultural Heritage (2003). Usually, all</p>	Poland	<p>‘Low Risk’</p> <p>Threshold (30) 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</p>

		<p>recognized and registered cultural heritage sites covered by forests are listed in the forest management plans and protected from management activities. The level of knowledge about cultural and archaeological heritage in Poland is detailed, due to the long-lasting registration of all sites found during field surveys or reported to authorities. There are close to 72,000 cultural heritage objects, and close to 8,000 archaeological sites registered. The level of knowledge about this subject is quickly increasing, especially recently, due to the use of LIDAR across Poland. This remote sensing method allows desk analyses and identification of potential sites of cultural importance. Unregistered or unrecognized (unknown) sites are protected by the regulations of the Act on Conservation and Maintenance of the Cultural Heritage, which requires anyone locating archaeological artefacts to report these to the Regional Conservator of Cultural Heritage. Any archaeological site accidentally discovered during forest management is legally secured in the field, and reported to the Regional Conservator of Cultural Heritage responsible for the area.</p> <p>The Polish system of protection of monuments is headed by the Ministry of Culture and Heritage, and led by the National Heritage Board of Poland. This system supports actions to identify and protect HCV 6 values, such as exploration work and projects run by scientific communities. In addition to these activities and institutions, there are several multidisciplinary and inter-institutional projects, which are part of a group of initiatives for the protection of monuments, as exemplified by either local or country-level agreements, e.g. an agreement on 4 March 2011 between the National Holding of State Forests and the National Heritage Institute, aimed at implementing the project "Rehabilitation purposes of degraded military areas, managed by NFH".<sup>64</sup></p> <p>All areas critical to local communities' traditional cultural identity are identified during forest management planning, in close cooperation between forest managers, local authorities, and local citizens. The procedure of HCV 6 identification, conducted by forest managers, includes public consultations on the subject, and asking local communities to identify important places from the cultural, historical, or patriotic point of view. In most cases, HCV 6 areas are often designated in manor parks, urban forests, forests associated with important historical sites, war graveyards located in forests; which are traditionally protected by local communities, despite lacking legal protection.</p> <p>Poland is a strongly Catholic country with a stormy history. This has led to Polish society, including foresters, to have a strong patriotic and religious approach, creating incentives for forest managers to secure historic and religious sites.</p> <p>All such sites located in forests are duly cared for through mechanisms established in management plans, with outcomes enhanced through national patriotic attitude.</p> <p><b>Risk conclusion</b></p> <p>'Low Risk'</p>		management activities
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		Threshold (30) 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.		
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### Recommended control measures

The recommended control measures here are only indicative in nature, and are not mandatory. Organizations shall evaluate and devise appropriate control measures to mitigate the risks identified in this risk assessment as applicable.

Indicator	Recommended control measures
3.0	N/A
3.1 HCV 1	<p>Regarding timber from the Browsk, Hajnówka, and Białowieża FMUs: Seek evidence of the harvest location:</p> <ul style="list-style-type: none"> <li>- protokół odbioru prac (operation protocol),</li> <li>- szkic zrębowy (felling scheme),</li> <li>- wydruk pozycji rębnej z SILP z oświadczeniem leśniczego o pochodzeniu drewna – oznaczeniem strefy UNESCO (registry print out with forester's claim on origin – UNESCO zone marked).</li> </ul> <p>Only wood harvested from compartments classified as zone 4 WHS that are outside IBA areas, or that has been harvested outside the bird breeding period (1 March - October 15<sup>th</sup>) may be accepted as low risk.</p> <p>In addition, the following should be considered:</p> <ul style="list-style-type: none"> <li>- no old, hollow trees suitable for large hollows (habitat) shall be harvested</li> <li>- The silviculture should not increase fragmentation and isolation of old-growth areas,</li> <li>- An environmental impact assessment (EIA) should be conducted for each felling site prior to wood felling and extraction, with special attention paid to IBA's triggering species populations, applicable Natura 2000 species, and Outstanding Universal Value of the World Heritage Site. The EIA shall be publicly consulted. The EIA can be obtained from the FMU.</li> <li>- Companies should seek to add a statement in their contracts with suppliers of controlled material that reads: 'We do not buy timber from the Białowieża Forest'. This timber is easily recognizable because it is sold only by the three FMUs of the Białystok RDSF: Białowieża, Browsk and Hajnówka.</li> </ul> <p>The following control measures are recommended for timber from the following FMUs within the Regional Directorate of State Forests in Krosno: Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany:</p> <p>a) Each wood material purchase from the specified risk FMUs shall be accompanied by information on:</p> <ul style="list-style-type: none"> <li>- district, sub-district, compartment, and sub-compartment number</li> <li>- consultation of the location with Fundacja Dziedzictwo Przyrodnicze in terms of RTE species occurrence and protection during harvesting, endangered or protected habitat occurrence and protection during operations. The geoportal at <a href="http://www.straznicypuszcz.pl/">http://www.straznicypuszcz.pl/</a> may also be used)</li> <li>- type of logging (regular FMP harvest, sanitary harvest, investment connected harvest). Sanitary and investment related harvests shall be subject to environmental impact assessment provided to public consultation.</li> </ul> <p>An EIA shall be available to show appropriate measures for road construction has been taken</p>
3.2 HCV 2	<p>The following control measures are recommended for timber from the following FMUs within the Regional Directorate of State Forests in Krosno: Bircza, Ustrzyki Dolne, Lesko, Komańcza, Baligród, Cisna, Lutowiska, Stuposiany:</p> <p>a) Each wood material purchase from the specified risk FMUs shall be accompanied by information on:</p> <ul style="list-style-type: none"> <li>- district, sub-district, compartment, and sub-compartment number (the geoportal at <a href="http://www.straznicypuszcz.pl/">http://www.straznicypuszcz.pl/</a> may also be used)</li> </ul> <p>An environmental assessment shall be available. The EIA can be obtained from the FMU.</p>

3.3 HCV 3	Control measures similar for Białowieża Forest category 3.1 are applicable with indication the control wood may not be approved as low risk from following habitats: Borealna świerczyna na torfie, bagienny bór świerkowy ( <i>Sphagno girgensohnii-Piceetum</i> , <i>Sphagno-Piceetum</i> ), habitats of Lasy łęgowe ( <i>Alno-Ulmion</i> ).
3.4 HCV 4	N/A
3.5 HCV 5	N/A
3.6 HCV 6	N/A

### Information sources

No.	Source of information	Relevant HCV category and indicator
1.	Tomiałojć W., Wesołowski T. (2005). The avifauna of Białowieża Forest – a window into the past. British birds, 98: 174-193.	3.0, 1, 2
2.	Grabińska B (2011)., Uwarunkowania naturalne i antropogeniczne rozmieszczenia ssaków łownych w Polsce. [Natural and anthropogenic factors influencing distribution of game in Poland]. PAN, Instytut Geografii i Przestrzennego Zagospodarowania im. Stanisława Leszczyckiego, Warszawa 2011.	1, 2
3.	PGLLP (2015) „Lasy w Polsce 2015”. (Forests in Poland – summary of national forestry report 2015). General Directorate of State Forests in Poland. Available at: <a href="http://www.lasy.gov.pl/informacje/publikacje/do-poczytania/lasy-w-polsce-1/lasy-w-polsce-2015">http://www.lasy.gov.pl/informacje/publikacje/do-poczytania/lasy-w-polsce-1/lasy-w-polsce-2015</a>	overview, 1, 2, 4
4.	Główny Inspektorat Ochrony Środowiska (N.Y) Lista rankingowa typów siedlisk przyrodniczych. Monitoring gatunków i siedlisk przyrodniczych ze szczególnym uwzględnieniem obszarów ochrony siedlisk Natura 2000., Warszawa [The list of natural habitats. Monitoring of the species and the habitats with special attention paid to Natura 2000 sites.] General Inspectorate of the Protection of Environment.	3.0, 1, 2, 3
5.	Olson, D. M, et. Al. (2001). Terrestrial ecoregions of the world: a new map of life on Earth. Bioscience 51(11):933-938. Available at: <a href="http://www.worldwildlife.org/publications/terrestrial-ecoregions-of-the-world">http://www.worldwildlife.org/publications/terrestrial-ecoregions-of-the-world</a>	1, 2
6.	Zielony R. and Kliczkowska A. (2010). Regionalizacja przyrodniczo-leśna Polski [Forest Regionalization of Poland]. Centrum Informacyjne Lasów Państwowych. General Directorate of State Forests in Poland	1
7.	Olson, D. M. and Dinerstein, E. (2002). The Global 200: Priority ecoregions for global conservation. Annals of the Missouri Botanical Garden 89(2):199-224. Available at: <a href="https://www.worldwildlife.org/publications/the-global-200-priority-ecoregions-for-global-conservation">https://www.worldwildlife.org/publications/the-global-200-priority-ecoregions-for-global-conservation</a>	1, 2
8.	Gorzelać, A. (Red.). (2001). Gospodarowanie w lasach drobnej własności [Management in the forests of small ownership]. Warszawa: Instytut Badawczy Leśnictwa. Polish Forest Research Institute.	1

9.	Dmochowska, H. (Ed.). (2016). Concise statistical yearbook of Poland 2016. Warszawa: Central Statistic Office. Available at: <a href="http://stat.gov.pl/obszary-tematyczne/roczniki-statystyczne/roczniki-statystyczne/maly-rocznik-statystyczny-polski-2016,1,17.html">http://stat.gov.pl/obszary-tematyczne/roczniki-statystyczne/roczniki-statystyczne/maly-rocznik-statystyczny-polski-2016,1,17.html</a>	overview, 1, 2
10.	Chylarecki, P. and Selva, N. 2016. Ancient forest: spare it from clearance. Nature 530(7591):419-419. Available at: <a href="http://www.nature.com/nature/journal/v530/n7591/full/530419b.html">http://www.nature.com/nature/journal/v530/n7591/full/530419b.html</a>	1, 2
11.	FSC Watch.org (2008). Comments on certification of the Białowieża Forest in 2008. Available at: <a href="http://www.fsc-watch.org/archives/2008/01/24/FSC_certification_th">http://www.fsc-watch.org/archives/2008/01/24/FSC_certification_th</a>	overview, 3.0, 1, 2
12.	General Directorate of State Forests in Poland (2003). Zasady Hodowli Lasu [Principles of Silviculture]. 2003. Warszawa: Generalna Dyrekcja Lasów Państwowych, 159 pp.	overview, 3.0, 1, 3
13.	Król A. (2014). Prywatne znaczy gorsze? O sytuacji prywatnych właścicieli lasów w Polsce. [Does private means worse? A situation of private forest owners in Poland]. Forest National Panel "Development" Polish Forest Research Institute. Available at: <a href="http://www.npl.ibles.pl/prywatne-znaczy-gorsze-o-sytuacji-prywatnych-wlascicieli-lasow-w-polsce">http://www.npl.ibles.pl/prywatne-znaczy-gorsze-o-sytuacji-prywatnych-wlascicieli-lasow-w-polsce</a>	1
14.	European Commission DG Environment (2013). Interpretation Manual of European Union Habitats. EUR 28. April 2013. Available at: <a href="http://ec.europa.eu/environment/nature/legislation/habitatsdirective/docs/Int_Manual_EU28.pdf">http://ec.europa.eu/environment/nature/legislation/habitatsdirective/docs/Int_Manual_EU28.pdf</a>	3
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#### List of additional Information sources, stakeholder consultation documents, exhibits

Appendix No.	Name of document or content
B1	Fundacja Dziedzictwo Przyrodnicze "Rozbudowa dróg leśnych i pozyskanie drewna w nadleśnictwach bieszczadzkich 2015" // Wildlife Heritage Foundation „Forest roads construction in Bieszczady forest management districts 2015”.
B2	Fundacja Dziedzictwo Przyrodnicze „Wniosek dotyczący rezygnacji z cięć w wydzieleniach leśnych w których stwierdzono cenne, chronione, nowe dla Polski i zagrożone wyginięciem gatunki chrząszczy, porostów, mchów i wątrobowców oraz rezygnację z cięć w cennych siedliskach przyrodniczych Natura 2000 na terenie Nadleśnictwa Bircza  Wildlife Heritage Foundation „Application for cutting deletion in Bircza FMU compartments where rare, endangered or protected species has been recorded”.
B3	Pismo Generalnego Dyrektora Ochrony Środowiska z dnia 22.12.2014 w spr. odwołania decyzji RDOŚ w Rzeszowie i ustanowienia strefy ochronnej Granicznika płucnik. a <i>Lobaria Pulmonaria</i> na tere Nadleśnictwa Bircza.  Decision of General Director of Environmental Protection Department dated 22.12.2014 on rejection of RDOŚ Rzeszów decision and confirming protection zone call for <i>Lobaria Pulmonaria</i> at Bircza FMU.
B4	Opinia Regionalnej Dyrekcji Ochrony Środowiska w Rzeszowie z dnia 18.04.2016 odrzucająca konieczność wstrzymania cięć na terenie Nadleśnictwa Bircza.  Formal opinion / decision of Regional Environmental Protection Directory in Rzeszów dated 18.04.2016 rejecting harvest suspension in Bircza FMU
B5	Pismo RDOŚ w Rzeszowie dot odmowy ustanowienia strefy ochronnej dla Bociana czarnego na terenie Nadleśnictwa Bircza.  Regional Environmental Protection Directory in Rzeszów Rejection of application to settle protection zone for Black Stork 19.06.2015
B6	RDLP Krosno. The map of 2010 – 2015 new forest road investments in Bieszczady located FMUs.
B7	RDLP Krosno. Mapa wzrostu lesistości na terenie nadlesnictw bieszczadzkich w latach 1946-2015  RDLP Krosno. Bieszczady FMUs forest rate change map for 1946-2015 period.
B8	Prof. dr hab. Henryk Okarma, Instytut Ochrony Przyrody PAN – opinion regarding influence of forestry roads to brown bear.

B9	Szkic cięć odnowieniowych na 2016 rok Nadleśnictwo Rymanów, L-ctwo Bieszczady – 2016 regeneration cut plan for Bieszczady subdistrict, Rymanów FMU
B10	Cieki wodne w Nadleśnictwie Bircza, RDLP Krosno. Water courses and rivers at Bircza FMU, Krosno RDSF.
B11	Mapa cieków wodnych w Nadleśnictwie Bircza, RDLP Krosno. Map of water courses at Bircza FMU, Krosno RDSF.
B12	RDSF Krosno stakeholder input on CNRA.cat. 3 18 November 2016
B13	Consultation on CNRA with Environmental Protection Regional Directory in Rzeszów 31.10.2016
C1	Jerzy M. Gutowski, Bogdan Jaroszewicz „Zmiany udziału świerka pospolitego w drzewostanach Puszczy Białowieskiej w kontekście dynamiki liczebności kornika drukarza <i>Ips typographus</i> (L.)” 2016  Jerzy M. Gutowski, Bogdan Jaroszewicz „ <i>Picea abies</i> composition rate change in Białowieska Puszcza stands in context of <i>Ips typographus</i> dynamics.
C2	dr hab. Bogdan Jaroszewicz, Białowieska Stacja Geobotaniczna Wydział Biologii Uniwersytetu Warszawskiego - Opinia o sytuacji w Obiekcie Światowego Dziedzictwa UNESCO „Białowieża Forest”.
C3	Walankiewicz Białowieska Stacja Geobotaniczna Wydział Biologii Uniwersytetu Warszawskiego „Distribution of whitebacked woodpecker in Białowieża Forest in 2010”.
C4	Krzysztof Kajzer, Wojciech Sobociński „Raport końcowy podsumowujący temat badawczy: „Monitoring populacji dzięcioła białogrzbietego <i>Dendrocopos leucotos</i> i dzięcioła trójpalczastego <i>Picoides tridactylus</i> na stałej powierzchni próbnej oraz kontynuacja określenia czynników determinujących występowanie tych gatunków w zagospodarowanej części Puszczy Białowieskiej”  STUDIO OPRACOWAŃ PRZYRODNICZYCH KRZYSZTOF KAJZER, Białowieża/Warszawa, październik 2015 r.
C5	Zmiany granic obszaru dziedzictwa UNESCO Puszczy Białowieskiej. Białowieska Forest UNESCO border change.
C6	HCVF risk evaluation according to NGOs “Fundacja Dzika Polska “ and WWF Polska – CNRA stakeholder consultation. 2016.
C7	Justification of safety cuts performed in Szafer nature reserve in Białowieska Forest. Hajnówka FMU 12.10.2017.
C8	Report and registry of trees removed during safety cuts in Szafer nature reserve in Białowieska Forest. NGOs complaint. 2016.



C9	Adam Bohdan, Wojciech Bartos – report on saproksylic beetles' habitat spots destroyed in Hajnówka FMU, comp. 702Ba. 2016.
C10	Areas excluded from management in Białowieża FMU. 2016.
C11	Map of planned harvesting operations for 2012-2021 in Białowieża FMU
C11b	Protection status statistics for Białowieża FMU 2016.
C12	Oak seedlings used for regeneration at 9170 habitat inventory at Hajnówka FMU. 2015
C13	Oak seedlings used for regeneration at 9170 habitat inventory at Hajnówka FMU. 2016
C14	Oak seedlings used for regeneration at 9170 habitat inventory at Hajnówka FMU. 2016
C15	Office note on tree removal at Szafer Reserve by Head of Białowieża FMU. 31.08.2016
C16	Consultation on HCVF cat.3 CNRA with General Directorate of State Forest in Białystok 31.11.2016
C19	NATURA 2000 – Standard data form for Białowieska Forest
C20	Adam Bohdan, Wojciech Bartos, Dawid Kaźmierczak, Dariusz Gatkowski „Ocena zagrożeń lasów o szczególnej wartości ochronnej (HCVF) w Puszczy Białowieskiej 2016. “Risk assessment of HCVF in Białowieska Puszcza” – NGOs consultation on cat. 3 of CNRA 2016.
C21	Wildlife monitoring procedurę of Białystok RDSF 2014
C22	Order no 16/2014 of RDSF Białystok Director on wildlife monitoring and influence of management operations on forest biodiversity.
C23	Order no.20/16 of Białowieża Head Forester, guidance on forestry operation impact mitigation 28.04.2016

## 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>The Law on the protection of agricultural and forest lands Dz.U. 1995 nr 16 poz. 78. dated on February 1995 r. (Ustawa z dnia 3 lutego 1995 r. o ochronie gruntów rolnych i leśnych). Available at: <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU19950160078">http://isap.sejm.gov.pl/DetailsServlet?id=WDU19950160078</a></p> <p>FAO, 2014. Global Forest Resources Assessment 2015 Country Report: Poland. <a href="http://www.fao.org/3/a-az308e.pdf">http://www.fao.org/3/a-az308e.pdf</a></p>	-	<p>Content of law</p> <p>State Forests may not convert forest area to non-forest use. Conversion can take place only after transferring the land supervision from State Forest to General Directorate of National Roads and Motorways; but it is done based on the law in force (Act on road construction) and must be approved by the Ministry of Environment. So forest land is converted to non-forest when it no longer belongs to State Forests. This occurs most commonly in cases when a planned road goes through the forest area or close to the forest area, and is exempt from the requirements of this indicator.</p> <p>Conversion of private forest to non-forest use is allowed, however it is complicated and difficult to do.</p> <p>Private owners may ask for the opinion of conversion from the Voivodship Head (the head of county), If a positive opinion is granted, it has to than be approved by Minister of Agriculture and Rural Development.</p> <p>Only the Ministry of Environment may issue legal documents for land conversion from forest to non-forest type of use.</p> <p>No law exists preventing the conversion of forests to plantations.</p> <p>Is the law enforced?</p> <p>There are no known cases of illegal conversion, and no issues on issuing permits, as stated / identified in indicator 1.4 of this risk assessment.</p>

			<p>Is it possible to conclude that the spatial threshold (0.02% or 5000ha) is met?</p> <p>The law does not prohibit conversion to the outcomes in the indicator, however due to the legal framework it is essentially impossible to carry out conversion on private land.</p> <p>According to conversation with representative of Regional Directorate of State Forests in Wroclaw, illegal conversion has not occurred in Poland for many years.</p> <p>Approval for conversion is rarely granted. The exception may be related to agriculture plantations or naturally afforested agriculture land. Misuse of permits have not been identified as an issue in indicator 1.4 of this risk assessment.</p> <p>FAO data indicates a (slight) positive trend in all relevant forest area categories.</p> <p>Risk designation</p> <p>Low risk</p>
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#### Recommended 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	<p>Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC;</p> <p>Ministry for Environment;</p> <p>Act on GMOs June 22nd, 2011; Act on forest reproductive material June 7th, 2001;</p> <p>Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC  <a href="http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32001L0018">http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32001L0018</a></p> <p>Ministry for Environment - Act on GMOs June 22nd, 2001  <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20010760811">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20010760811</a></p> <p>Act on forest reproductive material June 7th, 2001  <a href="http://isap.sejm.gov.pl/DetailsServlet?id=WDU20010730761">http://isap.sejm.gov.pl/DetailsServlet?id=WDU20010730761</a></p>	N/A	<p><b>Low risk</b></p> <p><i>(1) GMO use is illegal according to applicable legislation of the area under assessment AND the risk assessment for relevant indicators of Category 1 confirms that applicable legislation is enforced.</i></p> <p>There is no ban for commercial use of GMO in general nor for GM trees in particular. There is a regulatory framework at the European level for the cultivation of GMOs. The requirements of this Directive are then applied through national law. In Poland utilization of genetically modified plants must be authorized by the Ministry of Environment</p> <p><i>(2) There is no commercial use of GMO (tree) species in the area under assessment,</i></p> <p>So far authorization GMO has been issued for research purposes only.</p> <p>AND</p> <p><i>(3) Other available evidence does not challenge 'low risk' designation.</i></p> <p>No unauthorized use of GMO trees in Poland has been reported.</p>

GMO Context Question	Answer
1. Is there any legislation covering GMO (trees)?	Yes: 1. Act on GMOs June 22nd, 2001 (Dz. U. z 2007 r. Nr 36, poz. 233); 2. Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC. 3. Act on forest reproductive material (Dz.U. 2001 nr 73 poz. 761).
2. Does applicable legislation for the area under assessment include a ban for commercial use of GMO (trees)?	NO: there is no ban for commercial use of GMO in general nor for GM trees in particular. However, according to the law (Act on forest reproductive material dated on June 7th, 2001 (Dz.U. 2001 nr 73 poz. 761) in forestry shall be used only local species with confirmed origin, which are under permanent control of State Authority.

3. Is there evidence of unauthorized use of GM trees?	No. No unauthorized use of GM trees that have been reported.
4. Is there any commercial use of GM trees in the country or region?	The use of GMOs is limited to scientific research only
5. Are there any trials of GM trees in the country or region?	There are few trials of GM trees in Poland for research purposes only.
6. Are licenses required for commercial use of GM trees?	Yes, any use of any type of GMO in Poland requires approval of Ministry of Environment
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?)	No - all approvals have been issued for research purposes only.
8. What GM 'species' are used?	Poplar and plum
9. Can it be clearly determined in which MUs the GM trees are used?	GM trees are not used in MUs in Poland (it is currently not allowed to use GM trees in polish forestry - only local species may be used – see act on forest reproductive material)

#### Control measures

N/A