



How does FSC certification benefit Indigenous Peoples?

Reflections of working on FSC for 10 years on behalf of the Crees of Eeyou Istchee



General Observations

- While FSC's Principles and Standards are the same, each First Nation's experience with FSC certification is unique
 - Different legal frameworks
 - Historical relationships with forestry on traditional lands
 - Specific relationship with company(s) seeking certification
 - The FSC auditor and the relationship with them
- Unlike laws, which tend to be rigid, FSC's Principles and Standards tend to evolve (e.g., Motion 65, Woodland Caribou guidance, FPIC)
- Experience with FSC and its benefits largely shaped by energy available to work with the FSC "system"



FSC in Eeyou Istchee

Early Years

- **First experience was in development of Boreal Standard**
- **Approached by Tembec concerning certification in Eeyou Istchee—2000-3 (?)**
- **Certified company publishes confidential information in audit report (2009)**
- **Learn that Domtar, Tembec and Chantiers Chibougamau have all been certified in Eeyou Istchee—Principles 3 and 6?**
- **Complete reliance on pre-existing Paix des Braves Forestry regime**



FSC in Eeyou Istchee

Closing the Back Door (2009-11)

- **Gut reaction—condemn FSC as mere green tattoo with no serious commitment to its principles**
 - Declare a boycott and issue disparaging press releases, etc.
- **Sober reaction (Russell Collier (et al) “A Voice on the Land”)—consider giving FSC a second chance**
- **Summit meeting with FSC, certified companies, their auditors and the Crees (2010)**



FSC in Eeyou Istchee

Closing the Back Door (2009-11)

➤ FSC Summit Meeting (2010)

- What went wrong?
- Can it be fixed, if not can it be challenged?
- Could FSC yield positive benefits?

➤ Draft FSC Protocol Agreement with companies and auditors—not Consent Agreement

➤ Workshop with other First Nations to improve knowledge and experience with FSC (Valerie Courtois)



Resolute Challenge and Benefits (2011-15)

- Resolute seeks certification for Lac St Jean operations—contacts the Crees
- Crees discover Resolute is in breach of 2002 Forestry Agreement (Baril-Moses)
- Despite Crees objections Resolute is certified
- Crees challenge auditors decision on Principle 3—win judgment by ASI (FSC's auditor of the auditors)



FSC in Eeyou Istchee

Resolute Challenge and Benefits (2011-15)

- Resolute's FSC certification is suspended and it also loses several contracts (e.g. Bestbuy, 3M)
- Commercial and political fallout –government of Quebec appoints special mediator to resolve the matter with the Crees—new Agreement signed which:
 - Restores original forestry measures
 - Adds a further approx 3,000 km² of protection for IFL/ICL
 - Resolution of other outstanding financial matters
 - Restores Cree consent for Resolute's operations



FSC in Eeyou Istchee

Further Benefits

- Post Resolute challenge auditors much more attentive to Cree concerns
- Regular emails, conference calls, meetings and occasional field visits
- This has helped the Crees resolve issues that the government and companies would otherwise let slide or ignore



Further Benefits

➤ Examples here relate to:

- Potential logging in woodland caribou core areas
- Restoration measures for poorly engineered forestry bridges
- Lapses in forestry consultation procedures and various misunderstandings over land use conflicts
- Interventions related to forestry contracts



FSC In Eeyou Istchee

Conclusion

- For the Crees, FSC has come along way since auditors simply called the Band office with the question: “so how are things with Tembec?”
- Experience shows that the auditors learn more about the standards the more they are engaged or challenged—this then extends to the company(s) involved
- FSC’s benefits are maximized by input (pushing the interpretation to fit your needs)
- This requires capacity and funding

