

## PEFC Checklist - Sustainable Forest Management (PEFC ST 1003:2018)

### 1 Scope

This checklist covers requirements for sustainable forest management as defined in PEFC ST 1003:2018, *Sustainable Forest Management – Requirements*.

Any inconsistencies between this text and the original referred to document will be overruled by the content and wording of the technical document.

### 2 Checklist

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
<b>Context of the national standard and the organisations applying a PEFC endorsed standard</b>		
4.1 General		
The requirements for sustainable forest management defined by regional, national or sub-national forestmanagement standards shall:		
a) include management and performance requirements that are applicable at the forest management unit level, or at another level as appropriate, to ensure that the intent of all requirements is achieved at the forest management unit level;  Note: An example of a situation where a requirement can be defined as being at another level (e.g. group/regional) is monitoring of forest health. Through monitoring of forest health at regional level, and communicating of results at the FMU level, the objective of the requirement is met without the necessity to carry out the individual monitoring of each forest management unit.	More no than yes	Code forestier - keep 15m2 of basal area  Clear cutting <50ha  <a href="#">Loi du 23 août sur les forêts</a> <a href="#">RGD du 25 septembre 2023 définissant les principes de la sylviculture proche de la nature à appliquer dans les forêts publiques</a>  <a href="#">Programme forestier national</a>
b) be clear, performance based and auditable;	Yes	N.A. – any legal text needs to be this way
c) apply to activities of all forest operators in the defined forest area who have an impact on achieving compliance with the requirements;	n.a.	
d) require record-keeping that provides evidence of compliance with the requirements of the forest management standards;	n.a.	<a href="#">Loi du 17 août 2018 sur l'archivage</a>
e) specify "100% PEFC certified", or another system specific claim, as claim to be used to communicate the origin of products in an area covered by the standard to customers with a PEFC chain of custody;  Note: System specific claims of PEFC endorsed standards and PEFC Council approved abbreviations of such claims and the claim "100% PEFC certified", and their translations into languages other than English, are published online on the PEFC website <a href="http://www.pefc.org">www.pefc.org</a> .	n.a.	
f) require that where owners/managers of forests are selling products from areas other than covered by the standard, only	n.a.	

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
products from areas covered by the standard are sold with the claim "100% PEFC-certified" or a system specific claim;		
g) require that claims on the origin of products in an area covered by the standard are only made by forest owners/managers covered by a PEFC recognised certificate issued against the standard;	n.a.	
h) specify requirements concerning the information which need to be provided to a PEFC chain of custody certified customer;	n.a.	
i) include an overview of applicable legislation, if requirements of this benchmark are not reflected in the regional, national or sub-national standard, because they are already addressed through the legislation.	n.a.	
4.2 Understanding the needs and expectations of affected stakeholders		
The standard requires that the organisation shall determine:		
a) the affected stakeholders that are relevant to the sustainable forest management;	n.a.	
b) the relevant needs and expectations of these stakeholders.	n.a.	
4.3 Determining the scope of the management system		
4.3.1 The standard requires that the organisation shall determine the boundaries and applicability of the management system to establish its scope.	n.a.	
4.3.2 The standard requires that forest management shall comprise the cycle of inventory and planning, implementation, monitoring and evaluation, and shall include an appropriate assessment of the social, environmental and economic impacts of forest management practices. This shall form a basis for a cycle of continuous improvement.	n.a.	<a href="#">Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques</a>
5. Leadership		
5.1 The standard requires that the organisation shall provide a commitment:		
a) to comply with the sustainable forest management standard and other applicable requirements of the certification system;	n.a.	<a href="#">Engagement de qualité</a>
b) to continuously improve the sustainable forest management system.	n.a.	
5.2 The standard requires that this commitment shall be publicly available.	n.a.	
5.3 The standard requires that responsibilities for sustainable forest management shall be clearly defined and assigned.	n.a.	
6. Planning		

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
6.1 Actions to address risks and opportunities		
6.1.1 The standard requires that the organisation shall consider risks and opportunities concerning compliance with the requirements for sustainable forest management. Size and scale of the operations of the organisation shall be considered.	n.a.	
6.1.2 The standard requires that inventory and mapping of forest resources shall be established and maintained, adequate to local and national conditions and in correspondence with the requirements described in this international benchmark standard.	Yes	Cadastre des biotopes —NSG Art.17  Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques
6.2 Management plan		
6.2.1 The standard requires that management plans shall be:		
a) elaborated and periodically updated or continually adjusted;	Yes	RGD du 22 mars 2022  Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.
b) appropriate to the size and use of the forest area;	Yes	RGD du 22 mars 2022  Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.
c) based on applicable local, national and international legislation as well as existing land-use or other official plans; and	Yes	RGD du 22 mars 2022  Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.
d) adequately covering forest resources.	Yes	RGD du 22 mars 2022  Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
		d'élaboration et d'approbation des documents d'aménagement des forêts publiques.
6.2.2 The standard requires that management plans shall take into account the different uses or functions of the managed forest area.	Yes	RGD du 22 mars 2022 <a href="#">Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.</a>
6.2.3 The standard requires that management plans shall include at least a description of the current forest management unit, long-term objectives, and the average annual allowable cut, including its justification.	Yes	RGD du 22 mars 2022 <a href="#">Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.</a>
6.2.4 The standard requires that the annually allowable use of non-wood forest products shall be included in the management plan where forest management covers commercial use of non-wood forest products at a level which can have an impact on their long-term sustainability.	No	No commercial use exists + Code forestier fir NTFP
6.2.5 The standard requires that management plans specify ways and means to minimise the risk of degradation and damage to forest ecosystems.	Yes	RGD du 22 mars 2022 <a href="#">Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.</a>
6.2.6 The standard requires that management plans shall take into account the results of scientific research.	Yes	RGD du 22 mars 2022 <a href="#">Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.</a>
6.2.7 The standard requires that a summary of the management plan, appropriate to the scope and scale of forest management, shall be publicly available and shall include information on the general objectives and forest management principles.	No	No, and we have never published such a report for private owners, and never will <a href="http://www.emwelt.lu">Site internet : www.emwelt.lu</a>

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
6.2.8 The standard requires that the publicly available summary of the management plan may exclude confidential business and personal information and other information made confidential by applicable legislation or for the protection of cultural sites or sensitive natural resource features.	N.a.	
6.3 Compliance requirements		
6.3.1 Legal compliance		
6.3.1.1 The standard requires that the organisation shall identify and have access to the legislation applicable to its forest management and determine how these compliance obligations apply to the organisation.  Note: For a country which has signed a FLEGT Voluntary Partnership Agreement (VPA) between the European Union and the producing country, the "legislation applicable to forest management" is defined by the VPA agreement.	n.a.	<a href="http://www.legilux.lu">www.legilux.lu</a>
6.3.1.2 The standard requires that the organisation shall comply with applicable local, national and international legislation on forest management, including but not limited to forest management practices; nature and environmental protection; protected and endangered species; property, tenure and land-use rights for indigenous peoples, local communities or other affected stakeholders; health, labour and safety issues; anti-corruption and the payment of applicable royalties and taxes.	n.a.	
6.3.1.3 The standard requires that where no anti-corruption legislation exists, the organisation must take alternative anti-corruption measures appropriate to the risk of corruption.	Na.	We are not going to include this in the standard.  <a href="#">La législation anti-corruption existe au Luxembourg au niveau du Code pénal.</a>
6.3.1.4 The standard requires that measures shall be implemented to address protection of the forest from unauthorised activities such as illegal logging, illegal land use, illegally initiated fires, and other illegal activities.	yes	NSG + code forestier take care of this / Mission de police  <a href="#">Loi modifiée du 18 juillet 20218 concernant la protection de la nature et des ressources naturelles</a>  <a href="#">Loi du 23 août sur les forêts</a>
6.3.2 Legal, customary and traditional rights related to the forest land		
6.3.2.1 The standard requires that property rights, tree ownership and land tenure arrangements shall be clearly defined, documented and established for the relevant management unit. Likewise, legal, customary and traditional rights related to the forest land shall be clarified, recognised and respected.  Note: Guidance for the handling of tenure arrangements can be obtained from the FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and	yes	Loi cadastre ?  <a href="#">Loi du 25 juillet 2002 portant réorganisation de l'administration du cadastre et de la topographie</a>  <a href="#">Constitution</a>  <a href="#">Code civil</a>  <a href="#">Loi modifiée du 25 mai 1964 concernant le remembrement des</a>

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
Forests in the Context of National Food Security.		<p>biens ruraux</p> <p>Loi du 19 mars 1988 sur la publicité foncière en matière de copropriété</p> <p>Loi du 18 avril 2001 sur les droits d'auteur, les droits voisins et les bases de données</p> <p>Loi du 25 juillet 2002 portant création et réglementation des professions de géomètre et de géomètre officiel</p> <p>Loi du 11 novembre 2003 relative à la publicité foncière</p> <p>Loi du 31 mars 2004 portant modification de la loi modifiée du 19 mars 1988 sur la publicité foncière en matière de copropriété.</p> <p>Loi du 19 juillet 2004 concernant l'aménagement communal et le développement urbain</p> <p>Loi du 26 juillet 2010 portant transposition de la directive 2007/2/CE du Parlement européen et du Conseil du 14 mars 2007 établissant une infrastructure d'information géographique dans la Communauté européenne (INSPIRE) en droit national</p>
6.3.2.2 The standard requires that forest practices and operations shall be conducted in recognition of the established framework of legal, customary and traditional rights such as outlined in ILO 169 and the UN Declaration on the Rights of Indigenous Peoples, which shall not be infringed upon without the free, prior and informed consent of the holders of the rights, including the provision of compensation where applicable. Where the extent of rights is not yet resolved, or is in dispute, there are processes for just and fair resolution. In such cases forest managers shall, in the interim, provide meaningful opportunities for parties to be engaged in forest management decisions whilst respecting the processes and roles and responsibilities laid out in the policies and laws where the certification takes place.	Na.	<p>Nous n'avons pas de peuples indigènes au Luxembourg.</p> <p>Le Luxembourg a ratifié les conventions ILO.</p> <p>We are not going to include this in the standard</p>
6.3.2.3 The standard requires that forest practices and operations shall respect human rights as defined by the Universal Declaration on Human Rights.	Na.	<p>We are not going to include this in the standard</p> <p>Legislation Droits de l'homme</p>
6.3.3 Fundamental ILO conventions		
6.3.3.1 The standard requires that forest practices and operations shall comply with fundamental ILO conventions. Note: In countries where the fundamental ILO conventions	Na.	<p>We are not going to include this in the standard</p> <p>Le Luxembourg a signé et ratifié</p>

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
have been ratified, the requirements of 6.3.3.1 apply. In countries where a fundamental convention has not been ratified and its content is not covered by applicable legislation, specific requirements shall be included in the forest management standard.		<a href="#">les conventions ILO.</a>
6.3.4 Health, safety and working conditions		
6.3.4.1 The standard requires that forest operations shall be planned, organised and performed in a manner that enables health and accident risks to be identified and all reasonable measures to be applied to protect workers from work-related risks. Workers shall be informed about the risks involved with their work and about preventive measures.	yes	<p>Référence AAA?</p> <p><a href="#">Résumé dans la brochure de la AAA</a></p> <p><a href="#">Statut du fonctionnaire</a></p> <p><a href="#">Code du travail</a></p> <ul style="list-style-type: none"> <li>- <a href="#">Livre premier : relations individuelles et collectives du travail</a></li> <li>- <a href="#">Livre II : réglementation et conditions de travail</a></li> <li>- <a href="#">Livre III : protection, sécurité et sante des salaries</a></li> <li>- <a href="#">Livre IV : représentation du personnel</a></li> <li>- <a href="#">Livre V : emploi et chômage</a></li> <li>- <a href="#">Livre VI : administrations et organes</a></li> <li>- <a href="#">Livre VII : corruption</a></li> </ul> <p><a href="#">Code de la sécurité sociale</a></p> <p><a href="#">Loi du 17 juin 1994 concernant les services de santé au travail</a></p> <p><a href="#">Loi du 17 juin 1994 concernant la sécurité et la santé des travailleurs au travail</a></p> <p><a href="#">Règlement grand-ducal du 9 juin 2006 : - déterminant le nombre suffisant des travailleurs désignés ; - catégorisant les entreprises dans lesquelles l'employeur peut assumer lui-même la fonction de travailleur désigné ; - relatif aux capacités des travailleurs désignés ; - relatif à la formation des travailleurs désignés.</a></p> <p><a href="#">Convention collective des Salariés de l'État</a></p> <p><a href="#">Loi du 19 décembre 2014 relative aux produits phytopharmaceutiques</a></p>

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
<p>6.3.4.2 The standard requires that working conditions shall be safe, and guidance and training in safe working practices shall be provided to all those assigned to a task in forest operations. Working hours and leave shall comply with national laws or applicable collective agreements.</p> <p>Note: Guidance for specifying national standards can be obtained from the ILO Code of Good Practice: Safety and Health in Forestry Work.</p>	yes	<p>Loi du travail?</p> <p>Résumé dans la brochure de la AAA</p> <p>Statut du fonctionnaire</p> <p>Code du travail</p> <ul style="list-style-type: none"> <li>- Livre premier : relations individuelles et collectives du travail</li> <li>- Livre II : réglementation et conditions de travail</li> <li>- Livre III : protection, sécurité et santé des salariés</li> <li>- Livre IV : représentation du personnel</li> <li>- Livre V : emploi et chômage</li> <li>- Livre VI : administrations et organes</li> <li>- Livre VII : corruption</li> </ul> <p>Code de la sécurité sociale</p> <p>Loi du 17 juin 1994 concernant les services de santé au travail</p> <p>Loi du 17 juin 1994 concernant la sécurité et la santé des travailleurs au travail</p> <p>Règlement grand-ducal du 9 juin 2006 : - déterminant le nombre suffisant des travailleurs désignés ; - catégorisant les entreprises dans lesquelles l'employeur peut assumer lui-même la fonction de travailleur désigné ; - relatif aux capacités des travailleurs désignés ; - relatif à la formation des travailleurs désignés.</p> <p>Convention collective des Salariés de l'État</p> <p>Loi du 19 décembre 2014 relative aux produits phytopharmaceutiques</p>



PEFC benchmark requirement	YES / NO*	Reference to a national legislation
6.3.4.3 The standard requires that wages of local and migrant forest workers as well as of contractors and other operators operating in PEFC-certified areas shall meet or exceed at least legal, industry minimum standards or, where applicable, collective bargaining agreements.  Note: Where wages are below the living wage of a country, steps should be taken to attain increased wages towards a living wage level over time in addition to increases for inflation.	yes	Loi du travail?  <a href="#">Code du travail (salaire minimum)</a> <a href="#">Contrat collectif salariés ANF</a>
6.3.4.4 The standard requires that the organisation is committed to equal opportunities, non-discrimination and freedom from workplace harassment. Gender equality shall be promoted.	Na.	We are not going to include this in the standard  <a href="#">Statut du fonctionnaire (chapitre 8)</a> <a href="#">Code du travail (L Art 162-12, L Art 225-1, ...)</a>
7. Support		
7.1 Resources		
7.1.1 The standard requires that the organisation shall determine and provide the resources needed for the establishment, implementation, maintenance and continual improvement of the sustainable forest management system.	n.a.	We don't have resources  <a href="#">Forêts publiques : budget de l'état et des communes</a>
7.2 Competence		
7.2.1 The standard requires that forest managers, contractors, employees and forest owners shall be provided with sufficient information and kept up-to-date through continuous training in relation to sustainable forest management, as a precondition for all management planning and practices described in this benchmark.	n.a.	Privatbëscher magazine?  <a href="#">Waldführerschein</a> <a href="#">Formation continue par l'INAP et ANF</a> <a href="#">Cours proposés par le centre national de formation professionnelle continue</a>
7.3 Communication		
7.3.1 The standard requires that effective communication and consultation with local communities, indigenous peoples and other stakeholders relating to sustainable forest management shall be provided.	n.a.	
7.4 Complaints		
7.4.1 The standard requires that appropriate mechanisms are in place for resolving complaints and disputes relating to forest management operations, land use rights and work conditions.		And what are these mechanisms? How do you audit this?  <a href="#">Loi du 22 août 2003 instituant un Médiateur (procédures en place)</a>
7.5 Documented Information		
7.5.1 The standard requires that the organisation's management system shall include documented information	n.a.	

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
required by the standard and determined by the organisation as being necessary for the effectiveness of the sustainable forest management system.		
7.5.2 The standard requires that the documented information is relevant, and updated as appropriate, to the activities of the organisation.		
8. Operation		
8.1 Criterion 1: Maintenance or appropriate enhancement of forest resources and their contribution to the global carbon cycle		
8.1.1 The standard requires that management shall aim to maintain or increase forests and their ecosystem services and maintain or enhance the economic, ecological, cultural and social values of forest resources.	yes	Code forestier Art. 1 <a href="#">Loi du 23 août 2023 sur les forêts - Art. 1</a> <a href="#">PNPN 3</a>
8.1.2 The standard requires that the quantity and quality of the forest resources and the capacity of the forest to store and sequester carbon shall be safeguarded in the medium and long term by balancing harvesting and growth rates, using appropriate silvicultural measures and preferring techniques that minimise adverse impacts on forest resources.	yes	Code forestier Art. 1 <a href="#">Loi du 23 août 2023 sur les forêts - Art. 1</a> <a href="#">PNPN 3</a>
8.1.3 The standard requires that climate positive practices in management operations, such as greenhouse gas emission reductions and efficient use of resources shall be encouraged.		<a href="#">Plan national intégré en matière d'énergie et de climat du Luxembourg</a> <a href="#">PNPN 3</a>
8.1.4 The standard requires that forest conversion shall not occur unless in justified circumstances where the conversion:		
a) is in compliance with national and regional policy and legislation applicable for land use and forest management and is a result of national or regional land-use planning governed by a governmental or other official authority including consultation with affected stakeholders; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17</a> <a href="#">Loi du 23 août 2023 sur les forêts – Art. 8, 9, 16</a>
b) entails a small proportion (no greater than 5 %) of forest type within the certified area; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17</a> <a href="#">Loi du 23 août 2023 sur les forêts – Art. 8, 9, 16</a>
c) does not have negative impacts on ecologically important forest areas, culturally and socially significant areas, or other protected areas; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources</a>

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
		naturelles – Art. 17 Loi du 23 août 2023 sur les forêts – Art. 8, 9, 16
d) does not destroy areas of significantly high carbon stock; and	yes	Art. 17 NSG Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17 Loi du 23 août 2023 sur les forêts – Art. 8, 9, 16
e) makes a contribution to long-term conservation, economic, and social benefits.	yes	Art. 17 NSG, Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17 Loi du 23 août 2023 sur les forêts – Art. 8, 9, 16
8.1.5 The standard requires that afforestation of ecologically important non-forest ecosystems shall not occur unless in justified circumstances where the conversion:		
a) is in compliance with national and regional policy and legislation applicable for land use and forest management and is a result of national or regional land-use planning governed by a governmental or other official authority; and	yes	Art. 17 NSG Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17
b) is established based on a decision-making basis where affected stakeholders have opportunities to contribute to the decision-making on conversion through transparent and participatory consultation processes; and	yes	Art. 17 NSG Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17
c) does not have negative impacts on threatened (including vulnerable, rare or endangered) nonforest ecosystems, culturally and socially significant areas, important habitats of threatened species or other protected areas; and	yes	Art. 17 NSG Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17
d) entails a small proportion of the ecologically important non-forest ecosystem managed by an organisation; and	yes	Art. 17 NSG Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
e) does not destroy areas of significantly high carbon stock; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17</a>
f) makes a contribution to long-term conservation, economic, and social benefits.	yes	Art. 17 NSGz <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17</a>
8.1.6 The standard requires that if conversion of severely degraded forests to forest plantations is being considered, it must add economic, ecological, social and/or cultural value. Precondition of adding such value are circumstances where the conversion:		
a) is in compliance with national and regional policy and legislation applicable for land use and forest management and is a result of national or regional land-use planning governed by a governmental or other official authority; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17</a>
b) is established based on a decision-making basis where affected stakeholders have opportunities to contribute to the decision-making on conversion through transparent and participatory consultation processes; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17</a>
c) has a positive impact on long-term carbon sequestration capacity of forest vegetation; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17</a>
d) does not have negative impacts on ecologically important forest areas, culturally and socially significant areas, or other protected areas; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17</a>
e) safeguards protective functions of forests for society and other regulating or supporting ecosystem services; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources</a>

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
		naturelles – Art. 17
f) safeguards socio-economic functions of forests, including the recreational function and aesthetic values of forests and other cultural services; and	yes	Art. 17 NSG <a href="#">Loi modifié du 18 juillet 2018 concernant la protection de la nature et des ressources naturelles – Art. 17</a>
g) has a land history providing evidence that the degradation is not the consequence of deliberate poor forest management practices; and		Well the spruce is there now, so there is poor management everywhere?
h) is based on credible evidence demonstrating that the area is neither recovered nor in the process of recovery.		How???????
<b>8.2 Criterion 2: Maintenance of forest ecosystem health and vitality</b>		
8.2.1 The standard requires that health and vitality of forest ecosystems shall be maintained or enhanced and degraded forest ecosystems shall be rehabilitated wherever and as far as economically feasible, by making best use of natural structures and processes and using preventive biological measures.	yes	Art. 17 NSG <a href="#">Loi du 23 août 2023 sur les forêts - Art. 1</a>
8.2.2 The standard requires that adequate genetic, species and structural diversity shall be encouraged or maintained to enhance the stability, vitality and resilience of the forests to adverse environmental factors and strengthen natural regulation mechanisms.	yes	<a href="#">Loi du 23 août 2023 sur les forêts - Art. 1</a>
8.2.3 The standard requires that use of fire shall be limited to regions where fire is an essential tool in forest management for regeneration, wildfire protection and habitat management or a recognized practice of indigenous peoples. In these cases adequate management and control measures shall be taken.	yes	<a href="#">Loi du 23 août 2023 sur les forêts - Art. 5</a> NSG
8.2.4 The standard requires that appropriate forest management practices such as reforestation and afforestation with tree species and provenances that are suited to the site conditions or the use of tending, harvesting and transport techniques that minimise tree and/or soil damages shall be applied.	yes	<a href="#">Loi du 23 août 2023 sur les forêts - Art. 7, 8</a>
8.2.5 The standard requires that the indiscriminate disposal of waste on forest land shall be strictly avoided. Non-organic waste and litter shall be collected, stored in designated areas and removed in an environmentally-responsible manner. The spillage of oil or fuel during forest management operations shall be prevented. Emergency procedures for the minimisation of risk of environmental harm arising from the accidental spillage shall be in place.	yes	<a href="#">Loi du 21 mars 2012 relative à la gestion des déchets</a>
<b>8.2.6</b> The standard requires that integrated pest management, appropriate silviculture alternatives and other		<a href="#">Loi du 23 août 2023 sur les forêts - Art 10 (4)</a>

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
biological measures shall be preferred to minimise the use of pesticides.		
8.2.7 The standard requires that any use of pesticides is documented.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 10 (4)</a>
8.2.8 The standard requires that the WHO Class 1A and 1B pesticides and other highly toxic pesticides shall be prohibited, except where no other viable alternative is available. Any exception to the usage of WHO Class 1A and 1B pesticides shall be defined in the national/regional standard.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 10 (4)</a>
8.2.9 The standard requires that pesticides, such as chlorinated hydrocarbons whose derivatives remain biologically active and accumulate in the food chain beyond their intended use, and any pesticides banned by international agreement, shall be prohibited.  Note: "Pesticides banned by international agreements" are defined in the Stockholm Convention on Persistent Organic Pollutants.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 10 (4)</a>
8.2.10 The standard requires that the use of pesticides shall follow the instructions given by the pesticide producer and be implemented with proper equipment by trained personnel.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 10 (4)</a>
8.2.11 The standard requires that where fertilisers are used, they shall be applied in a controlled manner and with due consideration for the environment. Fertilizer use shall not be an alternative to appropriate soil nutrient management.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 10 (5)</a>
<b>8.3 Criterion 3: Maintenance and encouragement of productive functions of forests (wood and non-wood)</b>		
8.3.1 The standard requires that the capability of forests to produce a range of wood and non-wood forest products and services on a sustainable basis shall be maintained.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 1</a>
8.3.2 The standard requires that sound economic performance shall be pursued, taking into account possibilities for new markets and economic activities in connection with all relevant goods and services of forests.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 1</a>
8.3.3 The standard requires that management, harvesting and regeneration operations shall be carried out at a time, and in a way, that does not reduce the productive capacity of the site, for example by avoiding damage to soil and retained stands and trees.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 7</a> <a href="#">Règlement grand-ducal du 25 septembre 2023 définissant les principes de la sylviculture proche de la nature à appliquer dans les forêts publiques</a>
8.3.4 The standard requires that harvesting levels of both wood and non-wood forest products shall not exceed a rate that can be sustained in the long term, and optimum use shall be made of the harvested products.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 8, Art 6</a>
8.3.5 The standard requires that adequate infrastructure such		

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
as roads, skid tracks or bridges shall be planned, established and maintained to ensure efficient delivery of goods and services while minimising negative impacts on the environment.		
8.4 Criterion 4: Maintenance, conservation and appropriate enhancement of biological diversity in forest ecosystems		
8.4.1 The standard requires that management planning shall aim to maintain, conserve or enhance biodiversity on landscape, ecosystem, species and genetic levels.		RGD du 22 mars 2022 Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.
8.4.2 The standard requires that inventory, mapping and planning of forest resources shall identify, protect, conserve or set aside ecologically important forest areas.  Note: This does not prohibit forest management activities that do not damage the important ecologic values of those biotopes.		RGD du 22 mars 2022 Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.
8.4.3 The standard requires that protected, threatened and endangered plant and animal species shall not be exploited for commercial purposes. Where necessary, measures shall be taken for their protection and, where relevant, to increase their population.  Note: The requirement does not preclude trade according to CITES requirements.		Loi du 19 février 1975 portant approbation de la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction, signée à Washington, le 3 mars 1973 (telle qu'elle a été modifiée)  Loi du 26 novembre 1981 portant approbation de la Convention relative à la conservation de la vie sauvage et du milieu naturel de l'Europe, signée à Berne, le 19 septembre 1979 (telle qu'elle a été modifiée)  Loi du 16 août 1982 portant approbation de la Convention sur la conservation des espèces migratrices appartenant à la faune sauvage, faite à Bonn, le 23 juin 1979 (telle qu'elle a été modifiée)  Etc.
8.4.4 The standard requires that successful regeneration shall be ensured through natural regeneration or planting that is adequate to ensure the quantity and quality of the forest resources.		Loi du 23 août 2023 sur les forêts - Art 9
8.4.5 The standard requires that for reforestation and afforestation origins of native species that are well-adapted to		Loi du 23 août sur les forêts - Art.9



PEFC benchmark requirement	YES / NO*	Reference to a national legislation
<p>site conditions shall be preferred. Only those introduced species, provenances or varieties shall be used whose impacts on the ecosystem and on the genetic integrity of native species and local provenances have been scientifically evaluated, and if negative impacts can be avoided or minimised.</p> <p>Note: CBD (Convention on Biological Diversity) Guiding Principles for the Prevention, Introduction, and Mitigation of Impacts of Alien Species that Threaten Ecosystems, Habitats or Species are recognised as guidance for avoidance of invasive species.</p>		<a href="#">Règlement grand-ducal du 25 septembre 2023 définissant les principes de la sylviculture proche de la nature à appliquer dans les forêts publiques</a>
8.4.6 The standard requires that afforestation, reforestation and other tree planting activities that contribute to the improvement and restoration of ecological connectivity shall be promoted.		<a href="#">RGD du 22 mars 2022</a>
<p>8.4.7 The standard requires that genetically-modified trees shall not be used.</p> <p>Note: The restriction on the usage of genetically-modified trees has been adopted by the PEFC General Assembly based on the Precautionary Principle. Until enough scientific data on genetically modified trees indicates that impacts on human and animal health and the environment are equivalent to, or more positive than, those presented by trees genetically improved by traditional methods, no genetically-modified trees will be used.</p>		<a href="#">Règlement grand-ducal du 25 septembre 2023 définissant les principes de la sylviculture proche de la nature à appliquer dans les forêts publiques</a>
8.4.8 The standard requires that a diversity of both horizontal and vertical structures and the diversity of species such as mixed stands shall be promoted, where appropriate. The practices shall also aim to maintain or restore landscape diversity.		<a href="#">Règlement grand-ducal du 25 septembre 2023 définissant les principes de la sylviculture proche de la nature à appliquer dans les forêts publiques</a>
8.4.9 The standard requires that traditional management practices that create valuable ecosystems on appropriate sites shall be supported, where appropriate.		<a href="#">Règlement grand-ducal du 25 septembre 2023 définissant les principes de la sylviculture proche de la nature à appliquer dans les forêts publiques</a>
8.4.10 The standard requires that tending and harvesting operations shall be conducted in a way that does not cause lasting damage to ecosystems. Wherever possible, practical measures shall be taken to maintain or improve biological diversity.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 7</a>
8.4.11 The standard requires that infrastructure shall be planned and constructed in a way that minimizes damage to ecosystems, especially to rare, sensitive or representative ecosystems and genetic reserves, and that takes threatened or other key species – in particular their migration patterns – into consideration.		
8.4.12 The standard requires that, with due regard to management objectives, measures shall be taken to control the pressure of animal populations on forest regeneration and growth as well as on biodiversity.		<a href="#">Loi du 25 mai 2011 relative à la chasse</a>



PEFC benchmark requirement	YES / NO*	Reference to a national legislation
8.4.13 The standard requires that standing and fallen dead wood, hollow trees, old groves and rare tree species shall be left in quantities and distribution necessary to safeguard biological diversity, taking into account the potential effect on the health and stability of forests and on surrounding ecosystems.		<a href="#">RGD modifié du 1er août 2018 concernant les biotopes protégés et habitats</a>
8.5 Criterion 5: Maintenance or appropriate enhancement of protective functions in forest management (notably soil and water)		
8.5.1 The standard requires that protective functions of forests for society, such as their potential role in erosion control, flood prevention, water purification, climate regulation, carbon sequestration and other regulating or supporting ecosystem services shall be maintained or enhanced.		<a href="#">Programme forestier national PNP3</a>
8.5.2 The standard requires that areas that fulfil specific and recognised protective functions for society shall be mapped, and forest management plans and operations shall ensure the maintenance or enhancement of these functions.		
8.5.3 The standard requires that special care shall be given to forestry operations on sensitive soils and erosion-prone areas as well as in areas where operations might lead to excessive erosion of soil into watercourses. Techniques applied and the machinery used shall be suitable for such areas. Special measures shall be taken to minimise the pressure of animal populations on these areas.		<a href="#">Loi du 23 août 2023 sur les forêts - Art 10 (9)</a>
8.5.4 The standard requires that special care shall be given to forestry operations in forest areas with water protection functions to avoid adverse effects on the quality and quantity of water resources. Inappropriate use of chemicals or other harmful substances or inappropriate silvicultural practices influencing water quality in a harmful way shall be avoided. Downstream water balance and water quality shall not be significantly affected by the operations.		<a href="#">Diverses lois protection eaux et sources</a>
8.5.5 The standard requires that construction of roads, bridges and other infrastructure shall be carried out in a manner that minimises bare soil exposure, avoids the introduction of soil into watercourses and preserves the natural level and function of water courses and river beds. Proper road drainage facilities shall be installed and maintained.		
8.6 Criterion 6: Maintenance or appropriate enhancement of socio-economic functions and conditions		
8.6.1 The standard requires that forest management planning shall aim to respect all socio-economic functions of forests.		<a href="#">RGD du 22 mars 2022</a> <a href="#">Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques.</a>

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
8.6.2 The standard requires that adequate public access to forests for the purpose of recreation shall be provided, taking into account respect for ownership rights, safety and the rights of others, the effects on forest resources and ecosystems, as well as compatibility with other functions of the forest.		Loi du 23 août 2023 - Art 3
8.6.3 The standard requires that sites with recognised specific historical, cultural or spiritual significance and areas fundamental to meeting the needs of indigenous peoples and local communities (e.g. health, subsistence) shall be protected or managed in a way that takes due regard of the significance of the site.		Loi du 21 mars 1966 concernant a) les fouilles d'intérêt historique, préhistorique, paléontologiques ou autrement scientifiques ; b) la sauvegarde du patrimoine culturel mobilier.
8.6.4 The standard requires that management shall promote the long-term health and well-being of communities within or adjacent to the forest management area, where appropriate supported by engagement with local communities and indigenous peoples.		
8.6.5 The standard requires that the best use shall be made of forest-related experience and traditional knowledge, innovations and practices such as those of forest owners, NGOs, local communities, and indigenous peoples. Equitable sharing of the benefits arising from the utilization of such knowledge shall be encouraged.		
8.6.6 The standard requires that management shall give due regard to the role of forestry in local economies. Special consideration shall be given to new opportunities for training and employment of local people, including indigenous peoples.		
8.6.7 The standard requires that forest management shall contribute to research activities and data collection needed for sustainable forest management or support relevant research activities carried out by other organisations, as appropriate.		
9. Performance evaluation		
9.1 Monitoring, measurement, analysis and evaluation		
9.1.1 The standard requires that monitoring of forest resources and evaluation of their management, including ecological, social and economic effects, shall be periodically performed, and results fed back into the planning process.		RGD du 22 mars 2022 Règlement grand-ducal du 25 septembre 2023 déterminant les principes et les procédures d'élaboration et d'approbation des documents d'aménagement des forêts publiques. Programme forestier national
9.1.2 The standard requires that health and vitality of forests shall be periodically monitored, especially key biotic and abiotic factors that potentially affect health and vitality of forest ecosystems, such as pests, diseases, overgrazing and		Inventaire phytosanitaire Loi du 23 août 2023 sur les forêts – art. 12

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
overstocking, fire, and damage caused by climatic factors, air pollutants or by forest management operations.		
9.1.3 The standard requires that where it is the responsibility of the forest owner/manager and included in forest management, the use of non-wood forest products, including hunting and fishing, shall be regulated, monitored and controlled.		Loi du 25 mai 2011 relative à la chasse Loi modifiée du 28 juin 1976 portant réglementation de la pêche dans les eaux intérieures
9.1.4 The standard requires that working conditions shall be regularly monitored and adapted as necessary.		Code de travail
9.2 Internal audit		
9.2.1 Objectives The standard requires that an internal audit programme at planned intervals shall provide information on whether the management system		
a) conforms to • the organisation's requirements for its management system; • the requirements of the national sustainable forest management standard		Gestion du groupe des signataires PEFC
b) is effectively implemented and maintained.		Gestion du groupe des signataires PEFC
9.2.2 Organisation The standard requires that the organisation shall:		
a) plan, establish, implement and maintain an audit programme(s) including the frequency, methods, responsibilities, planning requirements and reporting, which shall take into consideration the importance of the processes concerned and the results of previous audits;		Gestion du groupe des signataires PEFC – 3.4.
b) define the audit criteria and scope for each audit;		Gestion du groupe des signataires PEFC – définition par ANF et communication au bureau d'études
c) select the auditors and conduct audits to ensure objectivity and the impartiality of the audit process;		Gestion du groupe des signataires PEFC – 3.3.
d) ensure that the results of the audits are reported to relevant management;		Gestion du groupe des signataires PEFC – chapitre 3 et 4
e) retain documented information as evidence of the implementation of the audit programme and the audit results.		Gestion du groupe des signataires PEFC Loi du 17 août 2018 sur l'archivage
9.3 Management review		
9.3.1 The standard requires that an annual management review shall at least include		
a) the status of actions from previous management reviews;		Gestion du groupe des signataires PEFC – chapitre 4

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
b) changes in external and internal issues that are relevant to the management system;		Gestion du groupe des signataires PEFC – chapitre 4
c) information on the organisation's performance, including trends in: <ul style="list-style-type: none"> <li>• nonconformities and corrective actions;</li> <li>• monitoring and measurement results;</li> <li>• audit results;</li> </ul>		Gestion du groupe des signataires PEFC - chapitre 4
d) opportunities for continual improvement		Gestion du groupe des signataires PEFC – chapitre 4
9.3.2 The standard requires that the outputs of the management review shall include decisions related to continual improvement opportunities and any need for changes to the management system.		Gestion du groupe des signataires PEFC – chapitre 4
9.3.3 The standard requires that documented information as evidence of the results of management reviews shall be retained.		Gestion du groupe des signataires PEFC Loi du 17 août 2018 sur l'archivage
10. Improvement		
10.1 Nonconformity and corrective action		
10.1.1 The standard requires that when a nonconformity occurs, the organisation shall:		
a) react to the nonconformity and, as applicable: <ul style="list-style-type: none"> <li>i. take action to control and correct it;</li> <li>ii. deal with the consequences;</li> </ul>		Gestion du groupe des signataires PEFC – Chapitre 4
b) evaluate the need for action to eliminate the causes of the nonconformity, in order that it does not recur or occur elsewhere, by: <ul style="list-style-type: none"> <li>i. reviewing the nonconformity;</li> <li>ii. determining the causes of the nonconformity;</li> <li>iii. determining if similar nonconformities exist, or could potentially occur;</li> </ul>		Gestion du groupe des signataires PEFC – Chapitre 4
c) implement any action needed;		Gestion du groupe des signataires PEFC - Chapitre 4
d) review the effectiveness of any corrective action taken;		Gestion du groupe des signataires PEFC - Chapitre 4
e) make changes to the management system, if necessary.		Gestion du groupe des signataires PEFC - Chapitre 4
10.1.2 The standard requires that corrective actions shall be appropriate to the effects of the nonconformities encountered.		Gestion du groupe des signataires PEFC - Chapitre 4
10.1.3 The standard requires that the organisation shall retain documented information as evidence of:		

PEFC benchmark requirement	YES / NO*	Reference to a national legislation
a) the nature of the nonconformities and any subsequent actions taken;		Gestion du groupe des signataires PEFC Loi du 17 août 2018 sur l'archivage
b) the results of any corrective action.		Gestion du groupe des signataires PEFC Loi du 17 août 2018 sur l'archivage
10.2 Continual improvement  The standard requires that the suitability, adequacy and effectiveness of the sustainable forest management system and the sustainable management of the forest shall be continuously improved.		Gestion du groupe des signataires PEFC – Chapitre 4

\* If the answer to any question is no, the application documentation shall indicate for each element why and what alternative measures have been taken to address the element in question.

