

Nothing prevents the FSC certification?

WRM REPLY TO THE "RECERTIFICATION EVALUATION OF THE PLANTATION FORESTS OF PLANTAR S.A. IN THE CURVELO REGION IN THE MINAS GERAIS STATE, BRAZIL" OF SCS, PUBLISHED IN MAY 2003

In May 2003 a report was published, titled "Recertification Evaluation of the Plantation Forests of Plantar S.A. in the Curvelo Region in the Minas Gerais State, Brazil" (hereinafter "RR"), prepared by SCS (Scientific Certification Systems). In such report, SCS makes comments about some issues called into question, contained in the "Evaluation Report of V&M Florestal Ltda. And Plantar S.A. Reflorestamentos, both certified by the Forest Stewardship Council" (hereinafter "WRM report"), published in November 2002, under the coordination of the World Rainforest Movement – WRM, located in Uruguay.

This document intends to be a reply to the RR by the authors of the WRM report. In order to understand the contents of this reply, it is important that the reader considers the purpose of the WRM report: "aiming to advance public discussion about the FSC forest certification system, and to help fine-tune principles and criteria for "good management". Therefore, criticisms go beyond the certification cases of Plantar and V&M Florestal themselves. If the FSC is to maintain its legitimacy, a deep revision of the principles and criteria for the purposes of certification of tree monoculture plantations must be carried out, apart from an assessment of the role and the intervention of the certifier in the process of certification. It is in such sense that the assessment was carried out and that the WRM report was published in the web site of the WRM, so that the report would be available for the public in general, whether members of the FSC or not.

Below follows some comments about the recertification report of the SCS. (Translator's note: It is important to note that this report was written in Portuguese and was translated into English afterwards. There are significant differences between the versions of the RR in Portuguese and English.. This means that the citations taken from the Portuguese version of the RR do not always correspond to the English version. We therefore suggest that the reader, in case of doubts, consults the Portuguese version of the RR.)

The purpose of the recertification

In the "Public Summary 01" about the FSC certification of Plantar in 1998, updated in March 2001, SCS informed that "9,419.40 hectares were certified, since it is there where the charcoal and barbeque charcoal packing units of the company are located"(SCS, 2001: p.2). During the second audit performed by SCS in 2000, such area was expanded with 3,686 additional hectares, thus totalling 13,105.40 hectares.

In the RR, SCS states only that the certified area increased from 13,105.40 to 32,232 hectares, although it does not explain the reason for this significant increase. It only quotes as follows: "The purpose of the assessment was to evaluate the company's forest management practices according to the protocols of the FSC for well-managed plantations forest management..." (SCS, 2003: p.2). But this purpose is so general that is applicable to any certification assessment, based on FSC standards.

The reason for the recent extension of the certified areas becomes even more intriguing when it is known that apart from barbeque charcoal, a product that may actually use the FSC seal,

the main purpose of the timber is the production of coal to be used in the steel industry, whose final product, the pig iron, may not use the same seal, since it is not a timber product.

Therefore, there is no other alternative, apart from otherwise deducting the actual purpose of the extension of the certified areas. In such sense, it calls our attention a letter sent by the World Bank on July 23, signed by Mr. Ken Newcombe, to several entities of the Brazilian civil society where the Bank states that the approval by the Prototype Carbon Fund (PCF) of the Plantar project of sale of "carbon credits" through the plantation of 23,100 hectares of eucalyptus in the Curvelo region "is based on the certification process carried out by the Forest Stewardship Council (FSC)". As from such information of the Bank it is necessary to question whether the FSC includes in its mandate certifications for this purpose, taking into account that the FSC's objectives are different from those of the PCF and of the "carbon market". Secondly, the statement clearly shows that the main objective of the certification for the company is to guarantee the resources of the PCF through the "sale" of "carbon credits". In such sense, it is regrettable that the SCS makes such a summarized and even wrongful description of the "credit carbon" project. The SCS states in the RR that Plantar "is working on a "Clean Development" project under the Kyoto Protocol, to receive credits to convert the mineral coal use into eucalyptus coal in their steel works" (SCS, 2003: p.2). This statement is wrong because of the following:

- Plantar itself states in its web site that "Pig iron produced by Plantar uses charcoal just as a thermo-reducing raw material" (<http://www.plantar.com.br>)

- Plantar shall not receive "credits", it shall sell "credits" based on the following: (a) eucalyptus trees that absorb CO₂ (acting as carbon "sinks") and (b) without the aid to plant new eucalyptus, it would be forced to use coal, that is cheaper; therefore, the sale of "carbon credits" prevents the use of coal by Plantar, since coal, when burnt, issues more CO₂ than charcoal. This means that Plantar shall not make any conversion from coal into charcoal as SCS states; on the contrary, it intends to prevent the conversion from charcoal into coal with the project.

This last item suggests that at present Plantar's plantations are not economically viable, because they need the money from the sale of "carbon credits". Therefore, they may not be certified, since the economic viability is a basic principle of the FSC. It may also be highlighted that, for more than two decades, the company has also depended on plenty of tax incentives in order to be economically viable. In the introduction to the "Principles and Criteria for forest management", the FSC itself states that "The purpose of the FSC is to promote economically viable management of the world's forests (...)"

The certification process

Composition of the team

Unlike the previous assessments of the Forestry Management Units of Plantar, this time the SCS included a sociologist in its team of two specialists (one in planning and management of forest resources and another one in planning and conservation of natural resources). This enlargement of the team must explain the significant increase of information contained in the report, if we compare it with the first public summary. But it is difficult that a team with such composition may account for all the principles and criteria of the FSC that must be assessed and that include such different aspects. Instead of acknowledging its limitations that appear in

the RR itself, it is noticed that the team of SCS tries to account for everything. There follow two examples of this:

- SCS investigated the complaints of Plantar's workers regarding "sour" food. The RR states the following: "To verify such situation, both PLANTAR's suppliers were visited and it was observed that all produce food in an adequate hygiene condition, and its quality seems to be satisfactory" (SCS, 2003: p.11). It is questioned: how is it that two technicians in the areas of natural/forest resources and a sociologist have competence to inquiry about the hygiene conditions of a restaurant?

- SCS makes statements as to the changes in the way of life of the population in the regions of the plantations. We quote the following text: "...it is possible to affirm that these populations suffered significant social cultural changes in the last decades, not finding themselves isolated from the market's influence". (SCS, 2003: p.5). Immediately after, it states as follows: "Besides these cultural, social and economical changes..." (SCS, 2003: p.6). At no time, SCS is able to make an analysis of the culture, customs, economy and traditions of local communities, that is to say, it cannot identify the so-called "cultural and socio-economic changes". Due to the characteristics of local communities, any certification assessment should include anthropological studies of such communities, even to verify if they may be included in the category of "traditional communities" –with implications for the FSC certification- since they continue, as confirmed by the team of WRM, having a series of characteristics, customs, celebrations and traditions of their own up to the present.

SCS: an independent certifier?

A certifying company, accredited by the FSC should be very careful when certifying thousands of hectares of monocultures of eucalyptus in a country where this kind of project is considered, at least, controversial. In such sense, we mention the existence of the Rede Alerta contra o Deserto Verde (Alert Against the Green Desert Network), that is composed by tens of entities, unions, pastorals and movements, that act at present in Minas Gerais, apart from Bahia, Espírito Santo and Rio de Janeiro and that denounces social, cultural, economic and environmental impacts of large scale eucalyptus plantations.

Due to this controversy, the FSC itself was careful when it used the term "plantation" or "tree plantations", when defining tree monocultures in Principle 10, in contrast with the "reforestation" companies that use, preferably the term "forest" or "planted forests". It is widely known that the companies prefer to talk about "forests" for having a positive connotation in the imaginary of people, despite the fact those same companies know very well that a monoculture of eucalyptus is something very different from a real forest.

What is very disappointing and strange is the fact that the SCS uses systematically the term "forests" when making reference to eucalyptus plantations, and uses sporadically the term "plantations". Apart from confusing, since the RR quotes also "High Value Forests" (Does SCS mean "high value eucalyptus" or "native forest?"); SCS when making reference to eucalyptus "forests" uses the same terminology as the eucalyptus companies promote. Independence should be a basic condition for its mandate as certifier, accredited by the FSC. There follow some additional examples about the lack of independence, that is to say, the lack of compliance with their role as "evaluator":

- "The whole region affected by PLANTAR is recognized as for forest vocation or extensive cattle..." (SCS, 2003: p.2) (the concept of "vocation" is one of the most complex in the socio-

economic literature –we quote Maria de Conceição Tavares, Fiore, Henri Acselrad, and others- ; it is necessary to ask those who state that the region has forestry vocation; probably Plantar itself, but certainly not the local communities...)

- "PLANTAR is adopting the alternative to utilize their own personal from the nursery until the weeding control" (SCS, 2003: p.3) (such "weeds" are probably plants of native vegetation – cerrado-; therefore, they are not weeds; the plant that has actually invaded the cerrado is eucalyptus...)

- "...the image that the eucalyptus plantations are large water consumers has made so that these companies have to continuously hobnob with the opposition of part of the population..." (SCS, 2003: p.6) (when using the word "image", SCS suggests that the problems of lack of water related to the plantation of eucalyptus do not exist; that is to say, they deny one of the main empirical experiences of local communities in Brazil, Thailand, India, Vietnam, South Africa, Uruguay, etc., as regards the impacts of eucalyptus plantations; at the same time, there lack analyses and deep surveys in the field, based on specific observations of communities that show significant changes in the quantity and in the quality of available water)

- "...received informations of some difficulties faced by both parts (i.e.: STR-Curvelo (Curvelo Rural Workers' Union) and PLANTAR), all indicates due, in part, to the lack of practice in such negotiations, but the Collective Agreement was finally established in Dec. 4, 2002." (SCS, 2003: p.11) (SCS simplifies to the maximum extent the difficulties in the negotiation of the first Collective Agreement, claiming a lack of habit in negotiation between both parties; however, we are talking about a new union on one side, that did not even exist before (why???), representing a group of long-suffering workers afraid of persecution, and on the other side a large company that acts in several states since the 60s...)

- "...the activities developed by PLANTAR in this Unit offer more than 200 work places, not only in the forest implantation and maintenance but it will increase when the charcoal activities begin in Felixlândia, receiving direct and indirect benefits". (SCS, 2003: p.14) (this sentence would exactly fit a propaganda folder of Plantar; apart from calling the eucalyptus plantation a "forest"; it may be highlighted that this sentence is the only part in the RR in which SCS quotes numbers of workers...)

Public consultation

In the RR, in comparison with the first Public Summary, SCS improved in transparency terms, by listing all the entities/persons invited to public meetings, as well as those that actually participated. It also listed the interviewed persons, entities and institutions. Even though, it is important to make some remarks:

- the list of participants, in spite of appearing as large (61 participants), has relatively few "main local stakeholders", even the most important ones: the communities of the surroundings of the plantations of Plantar. There remains an important question: how is it that the "main stakeholders" are not involved in the process as a priority?; maybe because of that, the feedback from the participating entities was so limited, either through the first public meeting or through "Answers"(5 in total);

- the place set for the public meetings –the city of Curvelo- makes the participation of local communities even more difficult; apart from that, it calls the attention that in the first public meeting, 8 out of 20 participants were from Plantar, most of them linked to the company's

management as per Plantar's workers; this is worrying because it does not show any concern on the part of SCS with the fear that impacted people (workers and inhabitants of neighbouring communities) feel for the company;

- SCS exaggerates when writing that "The second public meeting on October 21 was characterized by the intense participation of the leaders of most segments of the local society.."(SCS, 2003: p.8). Firstly, although the "participation" itself had been intense, the number of representatives was limited to 15 only, with 5 participants from the rural area, apart from 2 councillors, 1 trade unionist, 1 officer of a governmental institution and another 6 inhabitants of the city. The sentence of SCS also shows the idea that SCS has about "participation" and "public consultation". It may also be highlighted that none of the local leaders of the communities or trade unionists acknowledged receipt of the minutes of the public meetings, in spite of their claims. Should not the rules of FSC certification require that such information be made available to the public?;

- Among the "entities interviewed during the field assessment" (SCS, 2003: p.17) there appear two families of communities close to the eucalyptus plantations of Plantar. We disagree with the idea that interviewing only two families would mean to fulfil the objective of SCS: "investigate the relationship with PLANTAR and neighbours". (SCS, 2003: p.17)

The lack of independence is also shown in the process of public consultation. A clear example of this appears when SCS states that "interviews...with the Biodiversitas and AMDA...considerate the two more acting NGO's in the State, to verify the existence of environmental concerns about the Plantar's procedures" (SCS, 2003: p.13). It may be highlighted that the local communities consulted knew no works of such entities as regards the environmental impacts caused by Plantar. Apart from that, such NGOs are the ones that receive financing from companies that act in the sector of eucalyptus/cellulose/steel works. Even more, AMDA has Plantar S/A as one of its legal associates. It would be more prudent and relevant to hear other entities and movements not linked with the sector itself, for example those who participate in the Rede Alerta contra o Deserto Verde, who have a critical position as regards the impacts, even environmental ones, of the plantation of eucalyptus in large scale.

Lack of essential information

In general, the SCS report about Plantar, in spite of being longer than the previous one and containing more information, is not able to gather some essential data and consider such data in order to make an assessment as complete as possible under the principles and criteria of FSC. These are some examples:

- SCS is able to assess only superficially one of the "three main elements" of the certification process: "financial and socioeconomic considerations". These are some examples:

(1) the total lack of clarity by SCS regarding the purpose of the certification (see chapter "The purpose of the recertification");

(2) SCS does not analyse why around 115 thousand hectares of land of the company, partly planted with eucalyptus, "are ending their eucalyptus production and the company hasn't interest in maintaining this areas";

(3) SCS does not analyse why Plantar, apart from the recertified areas shall maintain around 33 thousand additional hectares of eucalyptus in production; Does Plantar intend to certify these eucalyptus plantations also?? And why not now??;

(4) SCS does not consider the purchase of land by the company at present, taking into account its statement (of SCS) that “harvesting levels of forest products do not exceed sustainable production levels”, this being a “strength” of the company in the assessment, performed by SCS, of Principle 05;

(5) And lastly it would be worthy to receive any explanation from SCS regarding the fact that in the RR Plantar has 180 thousand hectares of land, while in the first public summary it had 280 thousand hectares. Even if this was a typing error, a clarification would be necessary to avoid doubts.

- SCS does not provide information regarding the number and rotation of workers of Plantar, of its own and outsourced, and the division between the different sectors and related companies. It only makes reference to 200 workers in a farm of Plantar in Felixlândia.

- Information is lacking as to the quantity of charcoal produced and the different purposes in quantitative terms (coal for steel works, barbeque charcoal, etc.).

- Information is lacking as to the cultural characteristics, customs, economy and traditions of local communities, in order to better assess the local economy and to assess if neighbouring communities are traditional communities.

Scores

As regards the scores awarded by SCS to the three elements assessed (timber resource sustainability, forest ecosystem maintenance and financial and socioeconomic considerations), it may be noted that the scores for the last two elements are 82 and 81 respectively, that is to say, a little above the limit established by SCS for the recertification of 80 points, without any supplementary comment on the part of SCS.

Apart from that, the scores for each principle of the FSC call the attention. The reader remains confused when for example in Principle 4, Plantar is awarded a score (81), above the limit of 80, even though, just in this principle, SCS verifies 8 weaknesses. A better clarification for the reader is lacking regarding such methodology. The impression that remains is that, as verified in the previous report, nothing really prevents the certification.

Revision of the document

In accordance with SCS, Plantar made a technical revision of the RR. It is questioned whether it is normal that the certification report be revised by the company that intends to obtain the certificate, which is in this case Plantar. And what does SCS mean exactly by a “technical revision”?

The analysis of the report performed by two expert reviewers is also questioned “with renamed knowing in Brazilian forest plantation management”(SCS, 2003: p. 21). SCS states that this work “provides a critical analysis from neutral specialists” (SCS, 2003: p.18). Firstly, SCS and Plantar, both interested parties, are the ones that appointed these technicians; what about the civil society? Secondly, it is believed that there is no neutral expert in the whole world. Thirdly,

SCS itself should be the one that is as neutral and critical as possible. And fourthly, only two conditions were included as a result of the work of the reviewers:

- The first condition shows immediately the lack of the so-called "neutrality", thus imposing greater heterogeneity through the "cut systems", by suggesting "planted forests stands, with different ages". This proposal shows a certain vision, clearly in favour of the eucalyptus companies over plantations (planted "forests") and a certain vision over heterogeneity (eucalyptus "with different ages", but maintaining the idea of the monoculture).
- The second condition deals with the monitoring of the quality and quantity of water.

The tenor of the two conditions also shows that the revision of the "neutral" expert in social sciences, did not result in any specific condition that approaches social aspects.

Compliance with principles and criteria

In this part we would like to make some comments on certain points assessed by SCS that called our attention. Therefore, we do not intend to thoroughly verify each principle and each criterion of the FSC.

Compliance with the Laws and with the FSC Principles

In the final part of the RR, SCS states that there is "Compliance with federal, state and city legislation and regulations" and that "Permanent preserve areas and legal reserves are maintained. There is a long-term commitment to maintain them" (SCS, 2003: p. 18). SCS even awards the score 86 to PLANTAR in this Principle (01) of the FSC.

However, such statement does not correspond to reality. SCS itself states that Plantar "is performing the recuperation of those areas that are in disagreement with what is foreseen in the Regulation (i.e.: Forest Regulation), regarding small areas". It is necessary that SCS clarifies even what does "small areas" mean exactly.

The lack of compliance with the Laws and with the FSC Principles has already been verified by the WRM report, even quoting several examples shown by the local communities. Therefore, we question if Plantar is in fact recovering all the permanent preservation areas and if it is enough to consider as permanent preservation areas "the ones with native forests and the ones in recuperation, after cutting the exotic species or planting pioneer species,..." The use of the word "or" suggest the practice of withdrawal of eucalyptus without the due restoration with pioneers, and this may cause an erosion and degradation process of the spring or of the stream. We mention for example the source of Pindaíba, where recently –December 2002- the eucalyptus planted in the source was cut without performing any restoration work, as shown by the local community.

Another issue is the lack of preparation of the environmental impact assessment and report by Plantar, that is not clarified by SCS. Instead, SCS states that "PLANTAR is in accordance with the environmental legislation, aspect that was observed in the field visit and confirmed by the consulted environmental institutes." Firstly, it may be asked: was SCS able to visit all springs and stream in more than 32 thousand hectares within 04 days of field visit? Any person who has a more critical position in the environmental area in Brazil knows that it is insufficient to consider only the consultation with the environmental agencies to verify whether a large company, such as Plantar, is complying with the rules in force or not. The difficulties of the

agencies, as well as their commitment with the companies that plant eucalyptus is widely known, and particularly in the case of Minas Gerais the "Instituto Estadual de Florestas – IEF" (State Forestry Institute). In order to reach more realistic conclusions, the certifier should work intensely with local communities and consult with environmental organizations not linked to the trade sector, as well as hold conversations with prosecutors and attorneys in the areas of environment in the "Ministério Público Federal" (Federal Public Prosecution) and "Ministério Público Estadual" (State Public Prosecution) in order to be better informed regarding environmental control matters in the case of plantation of eucalyptus. Also, if the FSC is a differentiating certificate, it is not enough to use compliance with the legislations as criterion and even without checking this thoroughly.

Lastly, we denounce the deforestation, conducted in a place near the source of Pindaíba, thus contradicting the statement of SCS that "forest conversion for non-forest usage does not occur". (SCS, 2003: p.20). It is a deforestation of around 40 hectares of cerrado performed in December 2002, that is to say, after the recertification, in an area of Plantar (see photos in the web site <http://www.wrm.org.uy>). It is questioned: may a company that continues to deforest, although in a lesser scale than before, be awarded the FSC seal?

Use of agrochemicals

In the RR, SCS quotes 12 products used by Plantar, against 03 products in the first public summary, a surprising increase in accuracy. Apart from that, SCS verifies, five years after the certification date, that Plantar uses a herbicide with an active principle prohibited by the FSC and classified as "highly toxic" (SCS, 2003: p.3): the oxyfluorfen. Because of the fact that its use in Brazil is being analysed by the FSC, in accordance with the SCS, Plantar may use oxyfluorfen "...in a precarious status" (SCS, 2003: p.3). It is questioned: what does it mean to use a pesticide "in a precarious status"?!

It may also be highlighted that in accordance with the agrochemicals listed in "Agrochemicals used in phytosanitary control in the Plantar forests"(SCS, 2003: p.4), Plantar would not be authorized to use Kobutol products (active principle: quintozene) and Rovral (active principle: iprodione).

This lack of care on the part of SCS as regards such a serious issue, related to the monoculture of thousands of hectares of eucalyptus becomes much more evident when it does not point out that another product used by Plantar, quintozene, a fungicide, is also included in the list of products prohibited by the FSC! (<http://www.fscoax.org>).

Another two products used are included in the list of the Pesticides Action Network (PAN) , as "bad actors": the fungicide Iprodione, for having proved carcinogenic and the insecticide Acephate, for having proved "cholinesterose inhibitor". (<http://www.pan.org>)

What also calls the attention is the manner in which SCS approaches the issue of agrochemicals, by stating that "the chemicals are all used in controlled applications, and workers are trained for the activity and use the corresponding safety equipment" (SCS, 2003: p.4). Basic questions should be made, such as: Is the equipment really safe? This shall be dealt with in the item "working conditions".

The issue of agrochemicals implies another issue that is more basic: what is the real aim of the FSC as regards the use of agrochemicals? To allow and continue allowing a practice extremely harmful for the worker and the environment, even prejudicing the local communities, whose

water becomes polluted? Or to put limits to the companies to be certified so that they use other weeding methods and other means to fight the pests. Otherwise, do we have any possibility of having any kind of "sustainable management" in the near future, without agrochemicals?

And finally, how is it that the SCS may state that "The whole region affected by PLANTAR is recognized as for forest vocation.."(SCS, 2003: p.1) It is questioned: is that really true when such a large number of agrochemicals, including those that are highly toxic, are necessary for such "vocation"???

Parliamentary Investigation Commission

SCS admits that Plantar was one of the companies investigated in the Charcoal Parliamentary Investigation Commission "because of their third part companies contracts, that have some irregular conditions, that were promptly corrected"(SCS, 2003: p.13). SCS states also that "The citation of the company in the Charcoal Parliamentary Investigation Commission was made by irregularities found within the third part companies, especially as for the non-accomplishment of the worker rights (SCS, 2003: p.10). The SCS analysis shows as follows:

- That SCS does not know that Principle 4 of the FSC is applicable to the worker directly and indirectly hired in the Forestry Management Unit that is being certified;
- That SCS recognizes that before the obligation of hiring back the outsourced workers, imposed to the company by the "Ministério Público Federal de Trabalho" (Labour Federal Public Prosecution) in February 2003, there were non-compliances with the labour legislation in the areas of forestry management of Plantar, certified by SCS, and this means that the company, when certified, was not complying with Principle 4 of the FSC;
- The Labour Prosecutor, Dr. Geraldo Imediato de Souza, of the Labour Public Prosecution Office in Belo Horizonte, confirmed the verification of the WRM report that, according to the "Delegacia Regional de Trabalho-DRT" (Labour Regional Office) in 2002, there were found 194 workers in irregular situation in the Plantar areas in Curvelo, based on Law 6019/74, since Plantar outsourced a activity-end, prohibited by such law.
- It is very worrying that SCS does not make any further reference to the participation of the DRT after the process of hiring back at the beginning of the year 2003.

Situation of workers

In the analysis of the socio-economic aspects, SCS makes an analysis of the wages earned in average in the municipalities, and even distinguishes men and women, rural areas and the city. But at no time analyzes the specific situation of Plantar: the remuneration of workers by sector and activity, the gender policy of the company, the specific situation of women, etc.

The situation of former workers continues to be unattended by SCS and by Plantar, in spite of the fact that the work itself implies major risks for the health of workers (to apply agrochemicals, to cut trees, to manufacture charcoal) (P4.c11). In such sense, an analysis of the unemployment situation is lacking, especially as regards the former workers of Plantar.

As regards the verification of working conditions, we may see, when hearing workers, a series of serious omissions in the RR report. While in the first public summary the situation of workers was practically unnoticed, in the RR report, in reply to the WRM report, SCS itself verifies some problems but it is able to "solve" practically all the issues, by imposing conditions to the

company. We question this procedure of "solution" and we again call the attention for the real situation of workers. There follow some examples, based on statements of workers:

- Immediately after the recertification of Plantar, approximately 140 workers of Plantar were dismissed. Approximately 90 of them were working in Felixlândia and 50 of them in Curvelo. This situation must be carefully analysed. It may also be highlighted that the dismissal achieved mostly workers who were trade unionists.

- The DRT has not returned to the area yet for control activities and to monitor the "termo de ajustamento de conduta" (conduct adjustment commitment), signed between Plantar and the Public Prosecution regarding the hiring back of workers.

- In relation to the charcoal production, SCS states that: "the use of the specific IPEs for this sector workers, warranty hygienic, healthy and secure conditions" (SCS, 2003: p.10). As regards those who work with agrochemicals, SCS also states that there is "...use of IPEs" (SCS, 2003: p.10). It may be pointed out that those who work with charcoal do not use a mask in general because heat is very intense. As regards the application of agrochemicals, IPEs are not safe for the workers who apply agrochemicals daily, at least 8 hours a day; it is sufficient to work with poisoned former workers. The situation of these workers worsens even more if we consider that they must take the IPEs home (in spite of the fact that the company should take them and wash them), where there is no soap or water in the place to wash the hands before lunch and that the water of workers is transported in the middle of the agrochemical. Several workers suffer from health problems: lung, skin, gum, poisoning and spine dislocation.

- There is not always drinking water available in the field. Therefore, people take bottles from their homes, and this means that the same water is used to wash their hands.

- We heard denunciations from the workers who work in the field, about having lunch under the sun and the rain, since they may not stay within the buses (outsourced). There are no toilettes near or water to wash their hands.

- Workers state that lunch at the nursery is all right, but the meals in the field have even worsened; the quality of the meals in the field is affected by the difficulty in their distribution, thus causing an important delay between their preparation and delivery; it is clear that the transportation of the workers to a central place to have lunch is more costly for the company.

- Plantar has recently distributed a questionnaire to inquiry about the opinion of workers regarding the situation of transportation. The questionnaire asked to fill in the name, but noting that this was optional. Even though, many workers filled in their names. We question whether the FSC allows such practice that leads to persecution of workers.

- In accordance with the workers, the CIPA does not work; a member of the CIPA was dismissed.

- The "forestry assistant" is not trained. Besides, the workers state that the last course was given in December 2002.

- The Felixlândia farm had never 200 workers, as SCS states. There were around 120-130 workers initially: 30-40 of Felixlândia and 90 of Curvelo. The 90 workers of Curvelo have already been dismissed.

The most serious issue in the manner in which SCS has dealt with the labour aspects in the case of Plantar is as regards the union (STR-Curvelo). If SCS had been more careful in understanding the relationship of the union with the company, it should have arrived to other conclusions, different from those appearing in the report as regards the situation of workers. But instead, it appeared as supporter of Plantar, denying the problems pointed out by the workers and leaving many of them revolted.

These problems show that it is hardly difficult that Plantar complies with principle 4 and that the principle itself does not show the complexity of the situation of workers, as well as the fragility of this category constantly marginalized before a mega-company such as Plantar. The impression that remains is that the execution of the first Collective Agreement and recently the second Agreement was a demand of Plantar to ensure the recertification, which is positive in a way. At the same time, it is perceived a strategy by the company to prevent the organization of a union, without noticing that this finally damages the image of the company itself.

What is serious is that all this remains unnoticed by SCS. Besides, what is the idea that SCS has about the importance of a union? What does SCS mean by "Plantar's collaborators" in the managing body of the "Sindicato dos Trabalhadores Rurais de Curvelo" (Curvelo Rural Workers' Union)? Does it mean that the managing body of Plantar "collaborates" with the union? Or that the "collaborators" are workers?

The situation of communities and their environment

In the RR, SCS intends to impose the idea that the complaints of the communities submitted at the meeting of October 21 (SCS, 2003: p.8), have no direct relationship with Plantar and the plantation of eucalyptus. We quote some examples of this:

- "During the last 25 years, almost 40% of all cerrado extension in Brazil are used for pasture, harvesting wood for charcoal and intensive agriculture" (SCS, 2003: p.3). They do not mention the plantation of eucalyptus –silviculture- as destroyer of the cerrado.

- "the rural population of the Minas Gerais' savanna lives, basically of the extensive cattle and milk activities" (SCS, 2003: p.5) e ".the owners normally would release the cattle..", apart from, "nowadays these conducts are no longer observed.."(SCS, 2003: p.6). These statements try to deny that there may be a relationship of use and coexistence at present between local inhabitants and the cerrado with which they have always coexisted.

- "Besides that, dirty grazing areas are very common, areas which contribute with the environmental degradation"(SCS, 2003: p.13) SCS does not explain the reason for that. It may be clarified that the communities state that the process of destruction of the cerrado by the companies that plant eucalyptus, such as Plantar, contribute exactly with the process of concentrating the release of cattle in the few areas that remain. Therefore, SCS fails again to analyse basic issues for which Plantar is responsible.

- SCS concludes that "it is not PLANTAR's fault that the traditional culture is in a transformation process are, even, that the pequiizeiros are disappearing" (SCS, 2003: p.13). In accordance with an old inhabitant of the region, Plantar deforested with two tractors and a chain an area near the place where she lives and made a "donation" of the pequi logs and remaining species of the cerrado for the surrounding inhabitants, so that they could make charcoal to earn some money.

We continue defending that there is breach of principles 04 and 05 of the FSC as regards the situation of local communities, as described in the WRM report. All the economic activities of the neighbouring communities were affected by the decrease in the availability of water and land, even those that the SCS could not even identify, such as the plantation of rice, beans and corn and the raising of chicken and pigs, directly affected by the process of plantation of eucalyptus in the region, as claimed by the local inhabitants.

SCS ignored completely the process of appropriation and concentration of land performed by Plantar, that is common among the eucalyptus companies: to purchase land and to gradually enclose those persons who resist the sale of their lands. An example of this is when SCS states, as regards the recent concern of Plantar with the cerrado, that the company, "seeing this concern in the first certification audit, has incorporated it, by buying a significant area of savanna to form its legal reserve with more than 1700 hectares, with more than 1100 hectares of a continuous savanna area (Meleiro area), that are being specially protected since then"(SCS, 2003: p.14). But SCS does not show any concern about the traditional use of such area by the local communities, apart from the increase in the concentration of land by Plantar. Important questions such as: purchased from whom? Impacts of the purchase over the area? etc. are not made.

Water issue

The fact that ".problems with drought are inherent to the savannas."(SCS, 2003: p.12) is contradicted by older inhabitants, even older than the presence of Plantar and other companies of eucalyptus in the region. Such inhabitants confirm that not all streams are intermittent, as SCS states (which are the references to studies in the region, necessarily performed even before the plantation of eucalyptus in order to state that?).

Not only these communities in the Curvelo region, but others in many parts of Brazil and of the world are facing problems with the decrease in the quantity of water after the plantation of eucalyptus; and there is already vast documentation regarding this issue. Such documentation states that there was more water available for the local communities before the plantation of eucalyptus. It was because of this, that, in the case of Plantar, the Cobú and Paiol de Cima communities were forced to construct an artesian well to ensure drinking water. And the communities of Canabrava and Boa Morte were forced to do the same. But this event was unnoticed by SCS, as well as the ruins of water mills that were formerly used to make flour, raw brown sugar, etc. Such mills were quite common in the region and witness the abundance of water. It is serious that SCS does not make its own observations, analyses and surveys, taking into account the actual experience of local communities. Instead, it bases the causes for the drought on the El Niño phenomenon.

Undoubtedly, an essential measure, without this, however, guaranteeing the absence of impacts, is the protection of springs and streams of the region. Disregarding the claims of local inhabitants, SCS contradicts itself when stating as follows regarding the plantations: "until nowadays there are no scientific proves that it can cause water supply problems in a established region, since the environmental care are correctly taken, as the riverheads protection,.."(SCS, 2003: p.12). It is exactly to take such "environmental care" that Plantar is failing, since, in accordance with SCS, Plantar "is performing the recuperation of those areas that are in disagreement with what is foreseen in the Forest Regulation,.."(SCS, 2003: p.8).

As regards the Boa Morte stream, we question the "analysis made downstream from the nursery"(SCS, 2003: p.9). Which analyses are those? Who performed them? And to detect

what? In order to detect the pollution of the environment with agrochemicals, it is known that the water analysis is just one kind of analysis that may be made, although there are other necessary analyses to be made, such as the analysis of the sediment of the stream, of soil, etc., so that a deeper analysis is performed. Besides, as regards the Boa Morte stream, we question how the flow meter shall operate. Does it depend on the local population only? How many persons were trained for this? And who trained them? Plantar? And why is it that there is only one meter in the Boa Morte stream and not in all streams, since the problem of lack of water is not limited to this stream?

Communication with the community

A condition imposed to Plantar was the "Social Communication Program", that includes even the Curvelo unit. It might be important to explain what this program consists in. It may be recalled that the following kind of communication was the most common one with the communities during the last months (part of a letter sent by Brazilian entities to the World Bank on May 23, 2003): "recently, Plantar has been seeking input from the local communities, a novelty, with the only aim of collecting signatures for documents in support of the "carbon sink project", failing however to explain the scope and context of the project. It has further been brought to our attention that the company suggested that without support for this project, Plantar would not be able to create jobs any more in the municipality of Curvelo. Plantar even organized a party on April 4th for local communities in the so-called "Núcleo", a rural educational centre, in the middle of the Plantar plantations in the Curvelo region. At the party, community members were encouraged to sign a motion in support of the company;".

When SCS states that plantations "...bring employment and income"(SCS, 2003: p.12), apart from making propaganda, it denies the existence of alternatives (agroextractivism of the cerrado, agroecology, etc.) and refuses to hear the stakeholders who might inform it about such alternatives (local communities, Unimontes, CAA, CPT, MST, etc.) so that it makes less tendentious statements and more relevant ones.

As regards the diversion of the road, it is interesting to see how SCS only in this recertification of Plantar finds that this event really happened, including meetings between the communities and Plantar. Instead of registering the events in a quite faithful manner, SCS itself should make a self-assessment of the fact why it had not found this before, and the consequences of this for the certification process (P4c5).

After all that, it is amazing how SCS in its final comments states that "PLANTAR is known as having a good relationship with the surrounding communities,.."(SCS, 2003: p.23). It is necessary to ask who "knows" Plantar as having a good relationship and which are the "surrounding communities" to which SCS is making reference. Obviously, they do not refer to those communities enclosed by the eucalyptus plantations of Plantar in the Curvelo region.

Felixlândia

As regards the massive death of emas (Brazilian ostrich), apart from other animals, because of the application of agrochemicals of Plantar in a farm of Felixlândia, purchased by Plantar, it is important to point out that more than one informant confirmed this event to the WRM team. The informants stated that a denunciation was made to the authorities regarding the pollution of the water source of the city due to agrochemicals applied by Plantar. Instead of placing a condition to make studies over the population of emas, why is it that the SCS does not carry out a more detailed investigation regarding the issue? The example shows the weakness of this

certification process as regards its capacity in noticing important issues (this example, the diversion of the road in Curvelo, the Parliamentary Investigation Commission, etc.)

Maintenance of high conservation value forests

SCS states in the RR that "there aren't enough available data to define one or more areas as HCVF"(SCS, 2003: p.4). This means that it is not possible to assess Principle 9 of the FSC. But if there are elements missing to assess this principle, may the certification be carried out?

Chain of Custody

SCS states that the WRM reports establishes that: "PLANTAR is mixing "non-certified" charcoal with certified charcoal.(p.28). We ignore this part. Instead of that, the WRM report asks for a "continuous monitoring of the chain of custody". In such sense, the new information provided by SCS causes such concern to increase even more, since it states that "PLANTAR also packs charcoal in Curvelo, with other logos for other suppliers.." (SCS, 2003: p.15), thus increasing even more the risk of mixture, apart from the fact that only part of the charcoal itself is certified.

In addition, we enclose to this report (see <http://www.wrm.org.uy>) a copy of an environmental control permit that evidences that Plantar continues to buy native charcoal to supply its steel works, and this cannot be performed in a certified company.

Final comments

Undoubtedly, the FSC must be concerned about social, economic, environmental and cultural benefits of any certified area, and about the fact that the management in these areas be an example to be followed. In such sense, Plantar is certainly no example of that. Besides, the recertification report of SCS shows once again the deficiencies of the certifier, accredited by the FSC.

We highlight the recommendations and comments already made in the last chapter of the WRM and, in view of this text, we point out some additional items to guide a debate at the FSC itself:

- What should the purpose of a forest certification be? That is to say, which are the objectives that the FSC intends to establish for the forest certification? May the FSC be used to certify, for example, "carbon sink" projects?
- Which would be the criteria for the certifiers to organize their assessment teams, so that they consider all the principles/criteria that must be assessed?;
- Which criteria may be devised to guarantee the highest level of independency of the certifier and of the team in charge of the revision of the works in the certification process?;
- How to develop a public consultation process that guarantees the identification and effective participation of main stakeholders in the consultation process, giving priority to affected local communities and direct and indirect workers?;
- What would be the criteria and rules that guarantee the non-interference of the company in the public consultation and the absence of any retaliation against the communities and the workers if they would criticize the company during the consultation process;

- What would be the data and other information to be gathered, the analyses to be made and the opinions to be issued to guarantee the quality of the certification as regards the comprehension of the social, economic, environmental and cultural context of the certification?
- Which are the procedures, understandable to everyone, that the certifiers should adopt to achieve the result of the certification, enabling even the result of non-certification?
- How could the company act to make a "revision" of the assessment document, prepared by the certifier?
- How to deal with the serious problem of use and application of agrochemicals for the environment, including human beings?
- How to deal with the lack of social and environmental benefits for the surrounding communities, showing the urgent need for another kind of reforestation and consequently, another kind of forest management, diversified and agro-ecological?
- How to deal with the different categories of workers in the monoculture of eucalyptus and its specific problems?

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