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Kim Carstensen
CEO FSC International,
cc: A Rott

via email:
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20th May 2014

Dear Kim,

Re: VicForests' membership dispute

Thank you for your letter dated 30th January 2014.

We note that you have recognised our concerns about the validity of VicForests' membership in accordance with the FSC Statutes, Principles and Criteria and FSC's mission. Your conclusion has no conflict with our complaint. In fact we agree that members should be free to set down their own timing on their application for certification providing the entity does as you say;

> *"that members fulfilling the membership criteria in our statutes, supporting FSC's mission and/or demonstrating compliance with FSC's Principles and Criteria."*

We do not differ in this, but this complaint raised the fact that the entity *does not comply* with the requirements you have outlined.

Background
Members of the FSC Australia environment chamber undertook this complaint against VicForests first in 2009 due to the fact VicForests' operations failed compliance with FSC P&C in accordance with an audit by the Soil Association. In 2009 the Board agreed there were problems and agreed to follow through with a review of VicForests' operations and membership and report back to the complainants after that review took place. However, the Board did not follow through with their promised review of VicForests' membership so in 2013 two new members bought a second consideration to the Board, citing the same issues, that not only was VicForests failing operational consistency with P&C but that it had not met membership guidelines for applying for certification.

FSC International (by way of your correspondence) found that the FSC Australia Guidelines were to fall in line with FSC International guidelines. These precluded the complaint made about membership requirements to apply for certification within a period of two years. MyEnvironment Inc. and Environment East Gippsland Inc. accept that conclusion but the provision outlined by you relies on members

> *"fulfilling the membership criteria in our statutes, supporting FSC's mission and/or demonstrating compliance with FSC's Principles and Criteria"*

This cannot be supported by the evidence.

Today
Importantly VicForests has not met the operational requirements of the FSC P&C in the *7 years* of it holding membership. Whilst they continue to withhold the outcome of their most recent October 2013 pre-assessment (not assessment as you cite in your letter), we are still to close off this dispute as the member is still failing to demonstrate their compliance with the FSC's Principle and Criteria.

In fact, we know that the pre-assessment finds that VicForests has failed compliance again but the pre-assessment is not being released by VicForests despite the time frame assured to the complainants and FSC Australia. We have been informed by an undisclosed informant that VicForests did not like the pre-assessment report by SCS and asked for another version to be

developed. We believe that this could be the reason for the 7 month wait for an assessment, that should have taken no more than a month. We believe it is now being sanitized for public consumption. However the resolution of this dispute is not closed and may become the subject of public review if the matter is not dealt with formally and without the interference of conflicts in Australia.

Conflicts

We do not have faith in Australia dealing with this matter objectively because the number one funding source of FSC Australia is the government. VicForests is a government owned logging company. That relationship cannot be ignored in this complaint.

We do not have faith that this matter has been dealt with judiciously. We are still awaiting a conclusion on whether the original complaint regarding the compliance of VicForests with FSC P & C is being reviewed. There is currently no evidence that VicForests is meeting the membership requirements you outline in your letter.

In closing we would like to bring your attention to the matter of the FSCs International's statutes that you reference and their relationship with FSC Australia's procedures. The Statutes establish that members of *'government owned or controlled entities'* must have their own form of (FSC) membership:

> *"Government owned or controlled entities will only be admitted as members of the Organisation under specific conditions set forth by the Board of Directors."*

This said, what is the expectation of FSC Australia's Board to comply with this membership requirement as we understand we are to align with FSC International's membership requirements?

Please find attached correspondence and the assurance given by VicForests to produce the pre-assessment outcome. Seven months after the pre-assessment was completed, we are all still waiting to see the outcome.

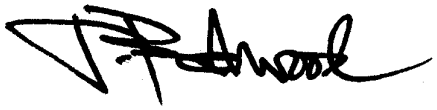
We understand your time is valuable but we feel the International desk needs to deal with this Australian problem. It is not only being overlooked, it is in

fact becoming worse. This controversial logging entity has now been nominated for the Board. This nomination of a non-compliant member (which we believe should not be a member) is not a good look for the FSC brand name, its diligence with processes or its integrity.

We would appreciate if FSC International recognises the sensitivities surrounding this complaint and acts accordingly. FSC Australia is holding its AGM on the 29th of this month and if at all possible we would appreciate your response before them.

We look forward to hearing from you.

Sincerely



Jill Redwood
Coordinator

On behalf of EEG and MyEnvironment