

Coillte's breaches of FSC principles

22 August 2006

PRINCIPLE #1: Compliance with laws and FSC Principles

Criteria 1.1 and 1.5

1. Coillte have been in court on several occasions for breaches of Irish Law – including illegal felling and illegal dumping – since 2001. They have also been issued with warning letters for illegal activities. For example, in December 2005, Coillte were issued with warning letters by Roscommon County Council regarding the illegal dumping of waste from the demolition of the old visitors centre at Lough Key Forest Park, County Roscommon. The construction waste was dumped in the forest at Lough Key [1]. Other illegal activities were reported in [2, 3, 4, 5].
2. Despite the January 24, 2005 settlement of an Irish High Court case in respect of Coillte's failure to provide information that had been requested under Statutory Instrument 125 of 1998 European Communities Act 1972 (Access to Information on the Environment) Regulations 1998 ("S.I. 125/98") in which Coillte Teoranta voluntarily agreed to be bound by the Directive and its Irish implementing Regulations, Coillte failed to respond to a request for information dated April 25, 2006, which cited the E.U. Directive 90/313/EEC and the Access to Information on the Environment Regulations, 1993 (S.I. No. 133 of 1993) [6]. Coillte demonstrated a lack of respect for both the Irish High Court's decision and for the EU regulation.
3. Even though Coillte were formed as part of State legislation, they have, since their formation on the 1st January 1989, purported to be a private legal entity. However, the European Courts have ruled that Coillte Teoranta is not a private company, it is a State body [7]: *"In the present case, Ireland itself has stated that Coillte Teoranta is and always has been a public undertaking wholly owned by the State...Neither the company's obligation to manage its affairs on a commercial basis nor the fact, alleged by Ireland, that the State does not, in practice, intervene in the company's management can prevail over the finding that the company is wholly owned and controlled by the State and that the State could therefore intervene. It follows that Coillte Teoranta is not private-law legal person for the purposes of Article 2(2)(b) of Regulation No 2080/92."* Despite this ruling from the European Courts, Coillte have continued to operate as a private company. In June 2005, the Freedom of Information Commissioner, Ms. Emily O'Reilly, was told by Coillte that Coillte were a private company. Ms. O'Reilly described Coillte's conduct as *"particularly egregious"* as Coillte *"provided [Ms. O'Reilly] with an incomplete description of its legal status"* and their *"submission [made] no mention whatsoever of the binding judgement of the European Court of Justice in which Coillte's view of its status as a private company was rejected."* [8]

Criteria 1.3

1. Coillte claimed EU grants under the Council Regulation (EEC) N° 2080/92, which was earmarked for farmers and private growers. Coillte were involved in this major legal dispute, with serious financial implications, with the European Commission, over the use of the EU grant money. Coillte had drawn down EU grants, to whom payments were made through Coillte's Farm Partnership Scheme. In 1999, the Agricultural Directorate of the European Commission decided that the scheme was not eligible for grants and stopped further payments. In September 2000, it was ruled that 3.8 million Irish punts (€4.8m) in grants already paid would be clawed back, and that more than 30 million punts (€38.1m) due in premium payments to Coillte up to 2013 would not be paid. The EC ruling was to be appealed by the Irish Government, and the appeal was overturned in 2003, but these problems appear to have been completely overlooked by both SGS and Soil Association/Woodmark [7]. This is the same case in which the EC ruled that Coillte are a public entity.
2. Ireland was condemned by the European Commission in 1999 for not having adequate rules to assess new forestry projects [9]. There is evidence of damage to important habitats and water pollution. Irish rules were subsequently changed and the European Commission therefore closed the case. However, the new rules are not always applied correctly so a new case has been opened by the European Commission [10].
3. In 2005, the European Court of Justice (ECJ) condemned Ireland for not having an authorisation system of aerial spraying of forestry plantations with fertilizer in accordance with Directive 76/464/EEC (dangerous substances). Much new forestry is in areas where soil and water are naturally low in nutrients. Aerial spraying can harm the ecology of these areas. The matter has not since been resolved and, in April 2006, the Commission sent Ireland a first warning for not complying with the judgment. [11]
4. A further case in respect of which a Reasoned Opinion (final written warning) was sent this summer by the European Commission inter alia arguing that clearfelling and replanting is not properly controlled under the Habitats Directive, 92/43/EEC, in ecologically sensitive water catchments, notably those hosting the Freshwater Pearl Mussel. Ireland's Heritage Council recently issued a press release warning that this species faced extinction in Ireland. Forestry is one of the main threats, in particular clear-felling and replanting (typically Coillte activities). While there is a limited moratorium with regard to afforestation of deep-peat soils and while work on new safeguards is going on, until now there is no evidence of proper controls being exercised by Coillte. In 2004, there were mortalities of the Pearl Mussel on the Owenriff River in County Galway: upstream clear-felling was implicated although the Irish authorities have yet to produce any formal findings [12]

Criteria 1.6

1. Coillte claimed to the Irish Freedom of Information Commissioner that the land that they manage is private land. They stated, in a letter to the Freedom of Information Commissioner that *“the lands owned by the company are, in law, private property and the transaction which is the subject of the request is a private law transaction between two entities neither of which is subject to the Freedom of Information Acts.”* [1.13] When Coillte was initially certified, their lands were described as ‘public’ [14]. The most recent report by Soil Association on Coillte’s certification states that the *“perception [is] that land is “owned” by the people”* [15] i.e public land. Therefore, Coillte’s description of their as private property is contradictory to their FSC certificate.
2. Coillte’s activities have brought FSC into disrepute. One person, representing several communities stated that *“Since our first complaint in 2001 local people have given up and despaired of any ethical behaviour or adherence by Coillte to FSC principles of consultation. Our local community group has started off enthusiastically in the spirit and belief of public participation and we have ended in regarding the FSC logo as a tool of salesmanship without any meaning. Nobody is interested anymore in wasting time with make-believe-complaint-procedures.”* [16]

References

1. FOI request by Ms. Christine Raab-Heine – list of documents
2. The Corkman Newspaper, June 19 ‘03 – “Dump accused could face ten years”
http://www.unison.ie/corkman/stories.php3?ca=34&si=996699&issue_id=9376
Irish Times, June 18 ‘03 – “Circuit Court to hear dump case”
<http://www.ireland.com/newspaper/ireland/2003/0618/3940859303HM4DUMP.html>
3. Forest Network Newsletter No. 121, November 12 ‘03 – “Coillte convicted for illegal felling again”
<http://www.friendsoftheireishenvironment.net/fnn/article.php?sid=148>
4. Irish Times, May 16 ‘03 – “Coillte fined €5,580 for felling trees without a licence”
<http://www.ireland.com/newspaper/ireland/2003/0516/4031715352HM2TREES.html>
5. Irish Times, August 11 ‘01
6. AIE request FOI/05/185 – Debra James to Dept. of Agriculture and Food re: lands at Cumerduff and Loggan Upper
7. Case C-339/00, Ireland v. Commission of the European Communities (2003)
<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=en&Submit=Submit&alldocs=alldocs&docj=docj&docop=docop&docor=docor&docjo=docjo&numaff=C-339%2F00&datefs=&datefe=&nomusuel=&domaine=&mots=&resmax=100>
8. FOI Case 040275 – Mr. Martin Collins and the Department of Communications, Marine & Natural Resources
<http://www.oic.gov.ie/en/DecisionsoftheCommissioner/LetterDecisions/Name%2C1345%2Cen.htm>
9. Case C-392/96, Commission of the European Communities v. Ireland (1999)
<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=en&Submit=Submit&alldocs=alldocs&docj=docj&docop=docop&docor=docor&docjo=docjo&numaff=C-392%2F96&datefs=&datefe=&nomusuel=&domaine=&mots=&resmax=100>
10. Case C-418/04, Commission of the European Communities v. Ireland (Pending)
<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=en&Submit=Submit&alldocs=alldocs&docj=docj&docop=docop&docor=docor&docjo=docjo&numaff=C-418%2F04&datefs=&datefe=&nomusuel=&domaine=&mots=&resmax=100>
11. Case C-282/02, Commission of the European Communities v. Ireland (2005)
<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=en&Submit=Submit&alldocs=alldocs&docj=docj&docop=docop&docor=docor&docjo=docjo&numaff=C-282%2F02&datefs=&datefe=&nomusuel=&domaine=&mots=&resmax=100>
12. Communication from Liam Cashman, European Commissioner, 20th July 2006
13. FOI Case 040275 – Mr. Martin Collins and the Department of Communications, Marine & Natural Resources
<http://www.oic.gov.ie/en/DecisionsoftheCommissioner/LetterDecisions/Name%2C1345%2Cen.htm>
14. SGS Qualifor Main Assessment Report of Coillte Teoranta, April 2000
[http://www.soilassociation.org/web/sa/saweb.nsf/librarytitles/1AEEE.HTML/\\$file/Coillte%20MA%202001%20SGS.pdf](http://www.soilassociation.org/web/sa/saweb.nsf/librarytitles/1AEEE.HTML/$file/Coillte%20MA%202001%20SGS.pdf)
15. Soil Association/Woodmark Forest Certification Public Report – Coillte Teoranta, May 24 ‘06
[http://www.soilassociation.org/web/sa/saweb.nsf/librarytitles/1AEEE.HTML/\\$file/CoillteRA2006%20FINA L.xls](http://www.soilassociation.org/web/sa/saweb.nsf/librarytitles/1AEEE.HTML/$file/CoillteRA2006%20FINA L.xls)
16. Complaint from Monica Muller about Coillte to the Soil Association UK (FSC auditor of Coillte), July 30 ‘04
http://www.woodlandleague.org/documents/ForestryInIreland/Appendices/5.1_Bellanaboy/documents/R ef6_MonicaMullerToSA.pdf

PRINCIPLE #2: Tenure and use rights and responsibilities

Criteria 2.1

1. Coillte have claimed that the land they manage is private property [1]. However, Coillte is certified under the *modus* that Coillte manage 'public lands' [2, 3]. Therefore, Coillte themselves have cast confusion over under what circumstances they have use rights to the lands passed to their control in the 1988 Forestry Act.
2. On the formation of Coillte Teoranta in 1999, land was transferred by the state to the control of Coillte. However, much of this land was previously transferred as a gift to the state, with environmental or social burdens attached – such as the woods at Monivea, Co. Galway, and Saleen, Co. Cork. There is no public place where these burdens on some of Coillte's forests can be viewed. Monivea, for example, was transferred by Lady Kathleen Ffrench to the people of Monivea, with the burden that the trees remained until they "*rot in the ground*". Coillte sought to develop much of this woodland, and it was only that An Bord Pleanála (The Irish Planning Appeals Board) refused them permission that they didn't. This showed a lack of regard for the burden placed on the Monivea wood when Lady Ffrench gifted it to the nation.

Criteria 2.2

1. In 1938, Lady Kathleen Ffrench left Monivea Forest to the people of Monivea and the nation in 1938, stating that the woodland be left "*until the trees rot in the ground*". In February 2005, An Bord Pleanála overturned attempts by Coillte to develop the woodland. Coillte had sought permission for 120 retirement homes, a community care centre, a nursing home, an 80-bedroom hotel and leisure centre [4]. The woodland was and still is used by locals as an amenity, and a petition was circulated prior to the An Bord Pleanála decision in which the vast majority of local people opposed the development. No consent was ever given by the people of Monivea for Coillte to manage and develop the woodland.
2. In 2005, it came to the attention of the Woodland League that Coillte intended to develop Saleen wood. Local people that used the wood regularly opposed this, and the Save Saleen Wood Campaign was organised, and a petition was circulated opposing the proposed development.
3. In 2006, permission was denied by An Bord Pleanála for the development of Lough Key Forest Park. It was proposed to develop this amenity as a private enterprise. The development would have consisted of a 100 bedroom 3-storey hotel, 277 holiday homes, and an 18-hole 72-par golf course as well as all the facilities and amenities, such as parking, tennis courts, etc. The park is under the management of Coillte, and the development was stopped on the foot of objection from An Taisce (Irish National Trust) and Cavan-Leitrim Environmental Awareness Network. There is well documented evidence that the park is and continues to be used by locals and non-locals as an amenity.
4. Recent consultation on Coillte's management plan for Clare/South Galway consisted of the plans being available to the public for inspection for one day in Scarriff, County Clare, and for one day in Gort, County Galway. This gave the public very limited opportunity to view the plans and formulate comments. This is a general *modus operandi* for consultations on Coillte's Forest Management Plans

References

1. FOI Case 040275 - Mr. Martin Collins and the Department of Communications, Marine & Natural Resources
<http://www.oic.gov.ie/en/DecisionsoftheCommissioner/LetterDecisions/Name%2C1345%2Gen.htm>
2. SGS Qualifor Main Assessment Report of Coillte Teoranta, April 2000
[http://www.soilassociation.org/web/sa/saweb.nsf/librarytitles/1AEEE.HTML/\\$file/Coillte%20MA%202001%20SGS.pdf](http://www.soilassociation.org/web/sa/saweb.nsf/librarytitles/1AEEE.HTML/$file/Coillte%20MA%202001%20SGS.pdf)
3. Soil Association/Woodmark Forest Certification Public Report - Coillte Teoranta, 24th May 2006
[http://www.soilassociation.org/web/sa/saweb.nsf/librarytitles/1AEEE.HTML/\\$file/CoillteRA2006%20FINA L.xls](http://www.soilassociation.org/web/sa/saweb.nsf/librarytitles/1AEEE.HTML/$file/CoillteRA2006%20FINA L.xls)
4. Irish Times, February 18 2005 – "Setback for Coillte land sale plan"
<http://www.ireland.com/newspaper/ireland/2005/0218/4198138328HM2COILLTE.html>

PRINCIPLE #3: Indigenous peoples' rights

Criteria 3.1

1. There is no evidence to suggest that Coillte allows indigenous people in Ireland any control over forestry in their areas. Many disputes arise because Coillte fail to allow local and indigenous people to have input into the management of their forests – e.g. Lough Corrib, Bellanaboy, Saleen, Derrybrien, Loggan Bridge. Coillte's policy of exclusion of local people in the excision of their lands has led to disputes that have raised national and international concerns – e.g. the sale of land to Shell at Bellanaboy.

2. Coillte have a poor policy with regard to public consultation on their Forest Management Plans (See points under Criteria 2.2), allowing a minimal length of time for the public to view and make submissions.

Criteria 3.2

1. The operations of Coillte in the region of Lough Corrib, Co. Galway, is having serious effects on the livelihoods of the local indigenous people. The lake and rivers are facing a severe decline in water quality due to acidification and eutrophication, which has resulted in a drop in fish numbers. Fishing is directly or indirectly a source of income for many indigenous people in the area.

Criteria 3.3

1. There is no pre-afforestation, pre-felling or pre-reforestation archaeological surveys carried out in Coillte's estate. The total number of archaeological and historical monuments in Coillte's forests cannot be accurately estimated, and their condition is unknown. The Heritage Council of Ireland recommends pre-planting surveys be carried out to identify archaeological sites [1].
2. There are several reported cases where monuments have been allowed to degrade while under the control of Coillte, [2] and [3] as examples. [2] describes a call from the Irish Georgian Society for a mausoleum under control of Coillte that has been allowed to degrade to be passed to the IGS's control. [3] describes in detail the way that Coillte have allowed monuments to degrade in Dartrey Estate, Co. Monaghan.

Criteria 3.4

1. In 2005, Green Party councillor Ms. Deirdre DeBurca reported in a Press Release that Coillte made submissions to the Wicklow County Council Committee on Existing Routes to Amenity Areas/Rights of Way stating that they "did not wish to see public rights of way recognised across their lands because of commercial considerations" [4].
2. Issues with indigenous peoples rights have been recorded in [5] and [6].

References

1. Archaeology and Forestry in Ireland, The Heritage Council
<http://www.heritagecouncil.ie/publications/archforest/new.htm>
2. Sunday Times, July 17 '05 – "Call For Coillte to Hand Over Mausoleum"
<http://www.woodandleague.org/newsletter/index.php?itemid=13>
3. www.dartrey.com
4. Wicklow Green Party Press Release, June 21 '05- "Council must carry out further work on public rights of way says de Burca"
http://www.wicklowgreens.org/press/PR_2005/rights_way210605.htm
5. Forest Network Newsletter #101, May 28 '03 – "Coillte calls the Guards to prevent breach of peace"
<http://www.friendsoftheirishenvironment.net/fnn/article.php?sid=125>
6. Corkman Newspaper, May 22 '03 – "Landowner threatens to seek court injunction in heated forestry row"
http://www.unison.ie/corkman/stories.php3?ca=34&si=978732&issue_id=9233

PRINCIPLE #4: Community relations and worker's rights

Criteria 4.1

1. Coillte contracts out the vast majority of its work regarding felling, afforestation and reforestation. Coillte's decision on the allocation of harvesting contracts has meant that contractors have had to great distances to harvest timber. Local employment is not a factor in the allocation of contracts.

Criteria 4.2

1. In April 2006, the Irish Times and Irish Independent reported of a dispute between Coillte and 450 of its tree planters. This involved a change in methods of application of pesticide. SIPTU, the union representing the workers, claims that there is significant increased risk to the workers. [1, 2].
2. The uneconomic rates paid by Coillte have led to contractors cutting corners on safety and health just so they can fulfil their financial commitments. Failure to distinguish between turnover and profit has forced individual sub-contractors to ignore The Code of Practice for Managing Safety and Health in Forestry Operations, Employee Welfare Legislation and the Maximum Weight provisions in the Road Traffic Acts just to remain in business. Added to this is the fact that Coillte acted as financial adviser to many timber harvest and haulage contractors in the purchase of modern equipment through the offer of long-term contracts to harvest timber in Irish forests. Contractors have had to, unwittingly, work long hours for the low rates paid by Coillte to meet the repayments on the machinery Coillte advised them to buy. [3].

Criteria 4.4

1. In order to find out when or where Coillte intend to fell trees, local people must check their local Garda (Police) Station for felling licenses on a regular, e.g. weekly, basis for felling licenses issued to Coillte. This is the only requirement under the Forestry Act 1946. Coillte do not have any form of proactive advertising or notice of their intention to fell areas, and in general neighbours of the forests that Coillte intend to fell only find out of their intentions when the machines turn up for the felling.
2. Recent consultation on Coillte's management plan for Clare/South Galway consisted of the plans being available to the public for inspection for one day in Scarriff, County Clare, and for one day in Gort, County Galway. This gave the public very limited opportunity to view the plans and formulate comments (See also breach in principle 2.2).
3. Coillte do not necessarily consult with local communities when issues such as felling or conversion of land to non-forest use arise. Examples of such cases are described in [4] and [5].

Criteria 4.5

1. In 1993, Coillte were paying the forestry contractors IRL£12 (€15.20) per ton. In 2003, this price was down to €12 per ton. The rates currently paid by Coillte are the same as twenty years ago. EU grants were received by the contractors to purchase new modern equipment. This has been used as an excuse by Coillte to continue to reduce the price-per-ton paid to the contractors. The uneconomic rates paid by Coillte are forcing contractors into bankruptcy. With Coillte's near-monopoly of the forestry market in Ireland, there is nothing the contractors can do to get better rates from Coillte. Coillte have a "take it or leave it" policy. [6, 7]
2. The Irish Independent in August 2003 reported that the continually decreasing rates paid by Coillte to forestry contractors were having severely negative impacts on the sector. The Irish Forestry Contractors Association predicted a collapse of the sector [8]. The prices that Coillte are paying for their timber will lead to a collapse in the timber harvest and haulage industry. This will have consequences for the entire forestry industry, as without the contractors, supply to the timber processing plants will run dry. Due to this, the economic future of forestry in Ireland is in doubt.
3. James Bunyan's report [6] described the inappropriate allocation of grants to the contractors for the purchase of modern machinery. Coillte were advisors in the allocation of grants. Approximately one third of the applicants received two thirds of the grants.
4. There are reports of damage done to the walls of an estate by neighbouring Coillte forestry. Lord Waterford's estate in Co. Waterford has suffered damage from trees growing "right up alongside walls". It is estimated that the damage is in the region of €11m. [9]
5. The Gorey Echo reported in March 2006 that Coillte had given access through their forests for a Hudson Concrete Ltd. "super-quarry" at Ballythomas Hill near Gorey. Local people have serious concerns for their health and safety, with the quarry located half a mile from the national school. [10]

References

1. Irish Times, April 13 '06 – "Concerns over tree treatment"
<http://www.ireland.com/newspaper/ireland/2006/0413/3231942574HM2BOLDS.html>
2. Irish Independent, April 13 '06 – "Workers bugged by insect strategy"
http://www.unison.ie/irish_independent/stories.php3?ca=9&si=1596854&issue_id=13913
3. Letter from Christy Nolan, Chairman, the Irish Forestry Contractors Association, to Dermot Ahern, TD, August 2003.

4. Forestry In Ireland: A Citizens Perspective - Case Study: Lough Key Forest Park, Woodland League
<http://www.woodlandleague.org/documents/ForestryInIreland/ForestryInIreland-Ch5-4LoughKey.pdf>
5. Forestry In Ireland: A Citizens Perspective - Case Study: Bellanaboy, Woodland League
<http://www.woodlandleague.org/documents/ForestryInIreland/ForestryInIreland-Ch5-1Bellanaboy.pdf>
6. Practices and Procedures In The Timber Raw Material Supply Chain Sector Of Irish Forestry, Report by James J. Bunyan, December 2003
7. James Bunyan Presentation to Irish Forestry Contractors, various dates in 2003.
8. Irish Independent, "Forest Contractors 'Crisis'", August 05 '03
http://www.unison.ie/irish_independent/stories.php3?ca=47&si=1023247&issue_id=9599
9. Irish Times, April 15 2005 - "Hitting a Stone Wall"
<http://www.ireland.com/newspaper/magazine/2006/0415/89259423MG1504WATERFORD.html>
10. Gorey Echo, March 22 '06 - "Ballythomas Quarry Anger"
http://www.unison.ie/search/frame_search.php3?span=web&words=%93Ballythomas%20Quarry%20Anger%94

PRINCIPLE #5: Benefits from the forest

Criteria 5.1

1. Coillte's uneconomic rates paid to forestry harvest and haulage contractors are forcing individual contractors into bankruptcy [1]. If Coillte continues to drop the price-per-ton paid to contractors, the forestry harvest and haulage sector will collapse [2]. This will cause an economic collapse of the entire forestry sector, as the supply to the timber processing plants will dry up.
2. Coillte have stated that there is no market for hardwoods that are grown in Ireland [3]. They state that all broadleaves within the Coillte estate are considered environmental and have no economic value. This is despite the fact that Coillte in Dundrum import hardwood from the UK to meet the demand.
3. In a recent newspaper article [4], Coillte state that their forestry operations are barely economically viable. The Dept. of Finance states in its report [5] essentially that Coillte are unable to grow or maintain their forestry operations in the absence of grant-aid. Coillte's forestry operations are only viable in conjunction with their land sales.

Criteria 5.2 & 5.4

1. Coillte's decision on the allocation of harvesting contracts has meant that contractors have had to travel great distances to harvest timber. Local employment is not a factor in the allocation of contracts.
2. Access by local communities is restricted to, at best, recreational access. Local communities are not given the opportunity to access Coillte forestry for the use of non-timber forest products.

Criteria 5.5

1. Ireland is in the European Court for the damage done by Coillte to waterways in or near their forests. This has in areas such as the Lough Corrib region, led to a severe decline in fish numbers and water quality.

Reference

1. Letter from Christy Nolan, Chairman, the Irish Forestry Contractors Association, to Dermot Ahern, TD, August 2003.
2. Irish Independent, "Forest Contractors 'Crisis'", August 05 '03
http://www.unison.ie/irish_independent/stories.php3?ca=47&si=1023247&issue_id=9599
3. "Economic Analysis of Broadleaf Afforestation", Henry Philips, Irish Forestry Industry Chain for Coillte Teoranta
<http://friendsoftheirishenvironment.net/pdf/philips.pdf>
4. Irish Times, "Concerns over tree treatment", April 13 '06
<http://www.ireland.com/newspaper/ireland/2006/0413/3231942574HM2BOLDS.html>
5. Budget 2006: Review of Tax Schemes, Dept. of Finance, February '06
<http://www.finance.gov.ie/viewdoc.asp?DocID=3749&CatID=45&StartDate=1+January+2006&m=>

PRINCIPLE #6: Environmental Impact

Criteria 6.2 & 6.3

1. Lough Corrib is a candidate Special Area of Conservation (cSAC), site code 000297 and is a Natural 2000 site and as such, any activities (whether or not the activity occurs either within or without the site) which adversely impinges on the integrity of the site, is in breach of the Habitats Directive 92/143/EEC. The activities of Coillte in the area have led to the decline of the water quality of the lake, due to acidification and eutrophication.
2. Ireland is in the European Court over the pollution of the Owenriff River, which feeds into Lough Corrib. Clearfelling and replanting are not properly controlled under the Habitats Directive, 92/43/EEC, in ecologically sensitive water catchments, notably those hosting the Freshwater Pearl Mussel. [See principle 1.3]

Criteria 6.6 & 6.8

1. In April 2006, the Irish Times and Irish Independent reported of a dispute between Coillte and 450 of its tree planters. This involved a change in methods of application of pesticide. SIPTU, the union representing the workers, claims that there is significant increased risk to the workers. [1, 2].

Criteria 6.9

1. There is no evidence that Coillte is controlling its use of exotic species. Coillte currently have over 95% exotic species in their forests [3]. Coillte recently justified this by stating that broadleaves are not economically viable in Ireland [4]. However, Mr. Tony Lowes states that "Coillte in Dundrum is importing hardwoods from UK to fulfil demand" [5]. The economic reasons for not growing broadleaves is unjustified.

Criteria 6.10

1. Saleen Creek which starts in Saleen Wood is an SPA (Special Protected Area). Coillte intended to develop the woodland [6]. The development involved the rezoning of 10ha (24 acres) for housing.
2. There is no evidence that Coillte's land sales or attempted land sales have been beneficial to the conservation of the Forest Management Unit[s]. Some of the sales and attempted sales are described in [6, 7, 8, 9, 10, 11]

Reference

1. Irish Times, April 13 '06 – "Concerns over tree treatment"
<http://www.ireland.com/newspaper/ireland/2006/0413/3231942574HM2BOLDS.html>
2. Irish Independent, April 13 '06 – "Workers bugged by insect strategy"
http://www.unison.ie/irish_independent/stories.php3?ca=9&si=1596854&issue_id=13913
3. Coillte Social and Environmental Report, 2005
http://www.coillte.ie/publications/social_report2005.htm
4. Economic Analysis of Broadleaf Afforestation, Henry Philips, Irish Forestry Industry Chain for Coillte Teoranta
<http://friendsoftheirishenvironment.net/pdf/philips.pdf>
5. Forest Network Newsletter #170, July 24 '06
<http://www.friendsoftheirishenvironment.net/fnn/article.php?sid=199&mode=thread&order=0>
6. Story to Date Of the Save Saleen Wood Campaign, Adrian O'Sullivan, October 15 '05
7. CLEAN appeal against the decision of Roscommon Co. Co. to grant permission to Newfound Consortium to develop Lough Key Forest Park, August 26 '05
8. www.woodlandleague.org/communities/monivea/
9. The Corkman, May 10 '01 – "Crucial vote on superdump to come on Monday"
http://www.unison.ie/corkman/stories.php3?ca=34&si=436301&issue_id=4503
10. Derrybrien: The Struggle of a Small Rural Community to have its Voice Heard, Diploma Research Project, Martin Collins, June 2005
11. Minutes of the Ordinary Meeting of Kerry County Council, March 14 '05 regarding the purchase of Coillte land for the extension of landfill.
<http://www.kerrycoco.ie/minutedocs/Minutes%20of%20March%2005%20%20meeting.rtf>
See also Irish Examiner, March '06 2001
http://archives.tcm.ie/irishexaminer/2001/03/06/current/ipage_34.htm

PRINCIPLE #10: Plantations

Criteria 10.2

1. Coillte currently plants over 94% exotic species. Less than 6% of Coillte's forests are native, and much less than this is dedicated to natural forest regeneration/conservation/protection [3].
2. Photos in the area of Lettercrafoe Lough, Co. Galway, which feeds into the Owenriff river, clearly show felling and replanting on the shores of the Lough and streams that run into the Lough [1].
3. Forest management has included the sale and development of natural and semi-natural woodlands under the control of Coillte, e.g. Saleen, Monivea, Loggan Bridge.

Criteria 10.3 & 10.4

1. Coillte's certificate requires that >10% of plantations consist of broadleaves [2]. In 2005, 4.6% of Coillte's estate consisted of broadleaves [3]. The following table shows the amount of afforestation and reforestation since 2002, as well as the amount of broadleaves planted [3, 4]:

	2002	2003	2004	2005
<i>Afforestation/Reforestation (ha)</i>	10,006	10,752	9,903	8,370
<i>Broadleaves Planted (ha)</i>	559	554	760	629
<i>% Broadleaves</i>	5.6%	5.2%	7.6%	7.5%

Coillte's current ratio of broadleaves fails to meet the required 10%, and their planting ratios ensure that this target will never be met. I.e., for the 10% target to be met, they need their afforestation and reforestation ratio to be above 10% broadleaves. In the Woodmark Forest Certification Public Report of Coillte Teoranta 2006, it is stated that Coillte 'aims' to have 10% broadleaves, whereas the percentages above show that this cannot be the case under the current planting ratios.

Criteria 10.5

1. There is no evidence to suggest that Coillte is conserving any substantial proportion of its land for the restoration of natural forest cover. Less than 6% of Coillte's forests are native, and much less than this is dedicated to natural forest regeneration/conservation/protection [3].

Criteria 10.8

1. While Coillte have essentially stopped afforestation, their reforestation activities in unsuitable areas has led to consternation, such as in the Lough Corrib area [1]. Coillte's planting of Sitka Spruce and other exotic species requires the use of chemical fertilizers in many areas [3]. Chemical fertilizers are only necessary on sites where the species selected is not suitably adapted for the site.

References

1. Forestry In Ireland: A Citizen's Perspective: Section 5.9: Lough Corrib, Woodland League
<http://www.woodlandleague.org/documents/ForestryInIreland/ForestryInIreland-Ch5-9LoughCorrib.pdf>
2. WM Generic Standard adapted for use in Ireland, P&C 10.4, Indicator 4
<http://www.soilassociation.org/web/sa/saweb.nsf/68d1f1b7ac9f6dd780256f70003d3aab/fb90585a0494f0b980256e600051c139!OpenDocument>
3. Coillte Social and Environmental Report 2005
http://www.coillte.ie/publications/social_report2005.htm
4. Dáil Debate, March 01 '06, Questions 168 and 169 (Ciaran Cuffe)
<http://193.178.1.238/Xml/29/DAL20060301A.PDF>