

SGS QUALIFOR
РОССИЙСКИЙ НАЦИОНАЛЬНЫЙ СТАНДАРТ ЛЕСОУПРАВЛЕНИЯ
ПРИЛОЖЕНИЕ А

ЗАКОНЫ, ПОЛОЖЕНИЯ, ПРАВИЛА И СТАНДАРТЫ, ПРИНЯТЫЕ В РОССИЙСКОЙ ФЕДЕРАЦИИ (РОССИИ)

A.	НАЦИОНАЛЬНОЕ ЗАКОНОДАТЕЛЬСТВО
	<p>Legal Rights to Harvest:</p> <ul style="list-style-type: none"> • Land tenure and management rights <i>Legislation covering land tenure rights, including customary rights as well as management rights that includes the use of legal methods to obtain tenure rights and management rights. It also covers legal business registration and tax registration, including relevant legal required licenses.</i> • Concession licenses <i>Legislation regulating procedures for the issuing of forest concession licenses, including use of legal methods to obtain concession license. Especially bribery, corruption and nepotism are well-known issues in connection with concession licenses.</i> • Management and harvest planning <i>Any legal requirements for management planning, including conducting forest inventories, having a forest management plan and related planning and monitoring, as well as approval of these by competent authorities.</i> • Harvesting permits <i>Legislation regulating the issuing of harvesting permits, licenses or other legal document required for specific harvesting operations. It includes the use of legal methods to obtain the permit. Corruption is a well-known issue in connection with the issuing of harvesting permits.</i>
1.	Land Code of the Russian Federation, No. 136-FZ, October 25, 2001: <i>The Land Code regulates relations in the sphere of the use and protection of lands implying that land is a natural body, protected as a critically important part of nature, a natural resource used in agriculture, forestry and management and other activities, as well as real estate, ownership and other rights to the land.</i>
2.	Urban Planning Code of the Russian Federation, No. 190-FZ, December 29, 2004: <i>The Urban Planning Code regulates relations in the sphere of development, urban planning and growth, maintenance of urban and rural populated areas, development of engineering, transportation and social infrastructure, rational use of natural resource and protection of historical and cultural heritage and environment.</i>
3.	Forest Code of the Russian Federation, No. 200-FZ, December 4, 2006: <i>The Forest Code and regulations thereunder regulate relations in the sphere of the use, protection, conservation and regeneration of forest resources. The Code prescribes that harvesting of forest resources cannot be undertaken by governmental agencies and local authorities as well as use on a paid basis. Leaseholders are fully responsible for forest management planning and use of forest resources, silviculture and reforestation within the lease.</i>
4.	Order of Ministry of Natural Resources of Russia Federation "On approval of order of calculation of permitted cutting area" of 8 June, 2007
5.	Resolution of Government of Russian Federation of 28.05.2007 "On agreement of forest area leasing, which is in state or municipal property"
	Налоги и бюджетные платежи

	<ul style="list-style-type: none"> • Payment of royalties and harvesting fees <i>Legislation covering payment of all legally required forest harvesting specific fees such as royalties, stumpage fees and other volume based fees. It also includes payments of the fees based on correct classification of quantities, qualities and species. Incorrect classification of forest products is a well-known issue often combined with bribery of officials in charge of controlling the classification.</i> • Value added and sales taxes <i>Legislation covering different types of sales taxes which apply to the material being sold, including selling material as growing forest (standing stock sales).</i> • Income and profit taxes <i>Legislation covering income and profit taxes related to the profit derived from sale of forest products and harvesting activities. This category is also related to income from the sale of timber and does not include other taxes generally applicable for companies or related to salary payments.</i>
6.	Tax Code Of The Russian Federation, 146-FZ OF JULY 31, 1998
7.	Resolution of Government of Russian Federation of 22.05.2007 "About fee rates for unit of forest resources volume and fee rates for unit of forest area, which is in state property"
	<p>Лесозаготовительная деятельность</p> <ul style="list-style-type: none"> • Timber harvesting regulations <i>Any legal requirements for harvesting techniques and technology including selective cutting, shelter wood regenerations, clear felling, transport of timber from felling site and seasonal limitations etc. Typically this includes regulations on the size of felling areas, minimum age and/or diameter for felling activities and elements that shall be preserved during felling etc. Establishment of skidding or hauling trails, road construction, drainage systems and bridges etc. shall also be considered as well as planning and monitoring of harvesting activities. Any legally binding codes for harvesting practices shall be considered.</i> • Protected sites and species <i>Covers legislation related to protected areas as well as protected, rare or endangered species, including their habitats and potential habitats</i> • Environmental requirements <i>Covers legislation related to environmental impact assessment in connection with harvesting, acceptable level for soil damage, establishment of buffer zones (e.g. along water courses, open areas, breeding sites), maintenance of retention trees on felling site, seasonal limitation of harvesting time, and environmental requirements for forest machineries.</i> • Health and safety <i>Legally required personal protection equipment for persons involved in harvesting activities, use of safe felling and transport practice, establishment of protection zones around harvesting sites, and safety requirements to machinery used. Legally required safety requirements in relation to chemical usage. The health and safety requirements that shall be considered relate to operations in the forest (not office work, or other activities less related to actual forest operations).</i> • Legal employment <i>Legal requirements for employment of personnel involved in harvesting activities including requirement for contracts and working permits, requirements for obligatory insurances, requirements for competence certificates and other training requirements, and payment of social and income taxes withhold by employer. Furthermore, the points cover observance of minimum working age and minimum age for personal involved in hazardous work, legislation against forced and compulsory labour, and discrimination and freedom of association</i>
8.	Federal Law on Protected Nature Areas, No. 33-FZ, March 14, 1995 (edited on December 29, 2004): <i>The Federal Law on Protected Nature Areas regulates relations in the sphere of organization, protection and use of protected areas to conserve unique and typical natural landscapes and features, natural landmarks, plants and animals and genetic resources as well as to research natural processes in the biosphere, monitor its changes and deliver environmental education</i>
9.	Federal Law on Wildlife No. 52-FZ, April 24, 1995 (edited on December 29, 2004): <i>Federal law on Wildlife regulates relations in the sphere of protection and use of wildlife and habitat protection to maintain biodiversity, provide sustainable use of all its components and conserve wildlife and its genetic fund as an essential element of the environment.</i>
10.	Federal Law on State Ecological Expertise [Environmental Impact Assessment] No. 174-FZ, November 23, 1995 (edited on December 29, 2004) (with amendments effective from January 1, 2007): <i>The Federal Law on State Environmental Expertise [Environmental Impact Assessment] specifies the procedure for ecological expertise.</i>

11.	Water Code of the Russian Federation, No.74-FZ, June 3. 2006: <i>The Water Code regulates relations in the sphere of the use of water resources and protection of water bodies. Proprietary issues related to the trade in water bodies are regulated by civil laws in part not covered by the Water Code. The Water Code prescribes establishment of water and coastal protection zones with a width ranging from 50 to 500 m along all water bodies. Clear-cuts inside the water protection zones and coastal protection zones are prohibited.</i>
12.	Federal Law on Environment Protection No. 174-FZ, November 23, 2002 (Edition of May 08, 2009, No. 93-FZ, with amendments introduced by No. 314-FZ of December 17, 2009): <i>Federal Law on Environment Protection specifies the legal basis of the national policy on environment protection to ensure balanced solution of socio-economic issues, to conserve favourable environment, protect biodiversity and natural resources in order to satisfy the needs of the present and future generations, and to provide environment law enforcement and environment safety.</i>
13.	Order of Federal Forestry Agency #337 "On approval of timber harvesting rules" of 01 August, 2011
14.	Order of State Forest Agency of Russia Federation "On forests rating on protected, exploitative and reserve forests" of 09 November, 2007
15.	Resolution of Government of Russian Federation of 19.02.1996 "About Red Book of Russia Federation"
16.	Order of Federal Forestry Agency #513 from 05.12.2011 "About approval of list of trees and bushes species, which are forbidden to cut"
17.	Labour Code of the Russian Federation: <i>concerns occupational safety and health in industry</i>
18.	Fundamental Law of the Russian Federation on Labor Protection of 6th August 1993 (amended 6/95)
19.	Hygienic and Epidemiological Welfare of the Population Act, adopted on 13 April 1992 by the Supreme Council of the Russian Federation
20.	Federal Law on "Safety of pesticides apply", adopted 19.07.1997
	<p>Права третьих лиц и сторон</p> <ul style="list-style-type: none"> ● Customary rights <i>Legislation covering customary rights relevant to forest harvesting activities including requirements covering sharing of benefits and indigenous rights</i> ● Free prior and informed consent (FPIC) <i>Legislation covering "free prior and informed consent" in connection with transfer of forest management rights and customary rights to the organisation in charge of the harvesting operation</i> ● Rights of indigenous peoples <i>Legislation that regulates the rights of indigenous people as far as it's related to forestry activities. Possible aspects to consider are land tenure, right to use certain forest related resources or practice traditional activities, which may involve forest lands</i>
21.	Constitution of Russia Federation of 12.12.1993 with changes
22.	Civil Code of Russia Federation – adopted by Parliament 21.10.1994, signed by the President 30.11.1994
23.	Federal Law "On Guaranties of the Rights of Small-Numbered Indigenous Peoples of Russian Federation", adopted 30.04.1999
	<p>Торговля и Транспорт</p> <ul style="list-style-type: none"> ● Classification of species, quantities, qualities <i>Legislation regulating how harvested material is classified in terms of species, volumes and qualities in connection with trade and transport. Incorrect classification of harvested material is a well-known method to reduce/avoid payment of legality prescribed taxes and fees</i> ● Trade and transport <i>All required trading permits shall exist as well as legally required transport document which accompany transport of wood from forest operation</i> ● Offshore trading and transfer pricing <i>Legislation regulating offshore trading. Offshore trading with related companies placed in tax havens combined with artificial transfer prices is a well-known way to avoid payment of legally prescribed taxes and fees to the</i>

	<i>country of harvest and considered as an important generator of funds that can be used for payment of bribery and black money to the forest operation and personal involved in the harvesting operation. Many countries have established legislation covering transfer pricing and offshore trading. It should be noted that only transfer pricing and offshore trading as far as it is legally prohibited in the country, can be included here.</i>
24.	Federal Law "On the basis of state regulation of trading activities in the Russian Federation", N 381-FZ adopted 29.12.2009
25.	Order of the FCS of Russia, dated 21.08.2003 № 916 "On approval of the form of import/export declaration of means of transport"
	Таможенное регулирование <i>Custom legislation covering areas such as export/import licenses, product classification (codes, quantities, qualities and species)</i>
26.	The Customs Code Of The Russian Federation
27.	Order of the FCS of Russia, dated 26.08.2003 № 932 "On approval of the form of declarant obligations, submission of customs declaration, relevant data and documents"
28.	Other major legal acts related with custom regulations are available here http://www.russian-customs.org/legislation/mlacts/index.html
	CITES <i>CITES permits (the Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as the Washington Convention)</i>
29.	CITES entered into force in 1975. The USSR joined it in 1976. The Russian Federation as the successor of the USSR is a Party to the Convention since 1992.
B.	ЗАКОНОДАТЕЛЬНЫЕ АКТЫ В ОТНОШЕНИИ ЛЕСОЗАГОТОВИТЕЛЬНОЙ ДЕЯТЕЛЬНОСТИ:
30.	Federal Law on "Rules of reforestation", adopted 29.06.2016
31.	Resolution of Government of Russian Federation of 30.06.2007 "On priority of investment projects in forest management"
32.	Resolution of Government of Russian Federation of 13.09.2016 "On approval of cutting rules in forest"
33.	Resolution of Government of Russian Federation of 22.06.2007 "About approval of regulations on state forest control and surveillance implementation"
34.	Resolution of Government of Russian Federation of 12.12.2011 "About forest inventory rules"
35.	Order of Ministry of Natural Resources of Russia Federation "On approval of composition of forest management plan and its elaboration" of 6 April, 2007
36.	Order of Ministry of Natural Resources of Russia Federation "On approval of forest declaration form and order of its filling and submission" of 16 January, 2015
C.	МЕЖДУНАРОДНЫЕ СОГЛАШЕНИЯ ПО ЛЕСНОМУ ХОЗЯЙСТВУ
37.	Convention on Biological Diversity. Russia signed the Convention on June 13, 1992, and ratified it by the federal law No. 16-FZ, February 17, 1995.
38.	Convention on the International Trade in Endangered Species (CITES).
39.	International Labour Organisation (ILO). Russia ratified several ILO conventions: <ul style="list-style-type: none"> • ILO 29: Forced Labour Convention, 1930 (the USSR participates since 1956); • ILO 87: <i>Freedom of Association and Protection of the Right to Organize Convention</i>, 1948 (since 1956); • ILO 98: <i>Right to Organize and Collective Bargaining Convention</i>, 1949 (since 1956); • ILO 100: <i>Equal Remuneration Convention</i>, 1951 (since 1956); • ILO 105: <i>Abolition of Forced Labour Convention</i>, 1957 (since 1998); • ILO 111: <i>Discrimination (Employment and Occupation) Convention</i>, 1958 (since 1961); • ILO 138 <i>Minimum Age Convention</i>, 1973 (since 1979) (minimum age is specified at 16 years); • ILO 142: <i>Human Resources Development Convention</i>, 1975 (since 1979);

	<ul style="list-style-type: none"> • ILO 155: <i>Occupation Safety and Health Convention</i>, 1981 (since 1998); • ILO 182; <i>Worst Forms of Child Labour Convention</i> (1999) (since 2003).
40.	Convention Concerning the Protection of the World Cultural and Natural Heritage, adopted by UNESCO in Paris (France) on November 16, 1972: <i>The Convention was ratified by the Decree of the Presidium of the Supreme Soviet of the USSR No. 8595-XI of March 9, 1988.</i>
D.	МЕСНЫЕ СТАНДАРТЫ И РЕКОМЕНДАЦИИ ПО УЛУЧШЕНИЮ ДЕЯТЕЛЬНОСТИ
41.	Order of Ministry of Natural Resources of Russia Federation “On approval of forest nursing rules” of 22 November, 2017
42.	Order of Ministry of Natural Resources of Russia Federation “On approval of forest planting rules” of 29 July, 2016
43.	Order of Ministry of Natural Resources of Russia Federation “On approval of afforestation rules” of 29 09, 2017
44.	Order “On approval of order of forest monitoring organization and conducting” of 9 July, 2007
45.	Order “On approval of sanitary rules in forest of Russia Federation” of 12 June, 2016
46.	

END OF APPENDIX