

## **Case Summary – Building and Wood Workers International and the International Trade Union Congress v. Fiji Pine, Tropik Wood Industries, and Tropik Wood Products**

On 24 November 2014, the Forest Stewardship Council (FSC) received a complaint filed by Building and Wood Workers International (BWI) and the International Trade Union Confederation (ITUC) against Fijian certificate holders Fiji Pine Ltd, Tropik Wood Industries, and Tropik Wood Products. The complaint alleges that these companies violated FSC's Policy for Association (PfA) (FSC-PRO-01-004) by breaching two International Labor Organization (ILO) Core Conventions – number 87 (freedom of association) and number 98 (collective bargaining). The violation was alleged to be due to the Essential National Industries Decree, a regulation issued by the government of Fiji, which restricted the rights of workers in the forestry industry.

Violations of the ILO Core Conventions are unacceptable under the PfA. FSC accepted the complaint in May 2015 and carried out an initial analysis of Fijian legislation to determine its scope. It then established a chamber-balanced complaints panel, which conducted an independent evaluation of the complaint starting from January 2016.

After a thorough and detailed evaluation, the panel concluded and recommended FSC to maintain the association with the companies because positive developments unfolded during the evaluation period: the Fijian Government repealed the alleged legislation that violated the ILO conventions, the ILO closed the complaint filed by ITUC against the government, and Fiji's National Union of Workers was able to renegotiate a collective bargaining agreement with FPL.

The evaluation report was submitted to FSC in June 2016. On 22 July 2016, FSC International Board of Directors agreed to maintain association with FPL and its affiliates. However, FSC's decision to close the case will be subject to a future revision after the outcome of an audit by certification body SCS Global Services, expected by the end of 2016, with particular focus on worker's rights and with Accreditation Service International (ASI) to be a witness party.

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