

## FSC GUIDELINE

FSC Forest Stewardship Standards: structure, content and suggested indicators

FSC-GUI-60-004 (V1-0) EN



<b>Title:</b>	FSC Forest Stewardship Standards: structure, content and suggested indicators
<b>Document reference code:</b>	FSC-GUI-60-004 (V1-0) EN
<b>Scope:</b>	International
<b>Approval date:</b>	13 July 2010
<b>Contact:</b>	FSC Policy and Standards Unit
<b>E-mail for comments:</b>	policy.standards@fsc.org

© 2010 Forest Stewardship Council, A.C. All rights reserved.

No part of this work covered by the publisher's copyright may be reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying, recording, recording taping, or information retrieval systems) without the written permission of the publisher.

## FSC FOREST STEWARDSHIP STANDARDS: STRUCTURE, CONTENT AND SUGGESTED INDICATORS

FSC-GUI-60-004 (V1-0) EN  
FINAL VERSION

The Forest Stewardship Council (FSC) is an independent, not for profit, non-government organization established to support environmentally appropriate, socially beneficial, and economically viable management of the world's forests.

FSC's vision is where the world's forests meet the social, ecological, and economic rights and needs of the present generation without compromising those of future generations.

## Background

In June 2006 FSC circulated the discussion paper *FSC-DIS-01-014 Options for developing FSC generic indicators* proposing a framework for the development of one or more sets of FSC International Generic Indicators, in support of FSC 2005 General Assembly motion No. 48.

This discussion paper was followed up in October 2006 with the publication of a second FSC discussion paper *FSC-DIS-01-016 Proposal for the development of FSC International Generic Indicators*.

This paper proposed that:

- FSC should aim to generate a single set of international generic indicators applicable to all forest types and regions.
- FSC should aim to allow the minimum possible scope for variation by certification bodies at the level of indicators. If technically possible, generic indicators should be fixed at the international level, with no variation being permitted by certification bodies at the national level. In order to achieve this objective whilst optimizing national stakeholder support and necessary technical flexibility, FSC should draft indicators that are internationally applicable, whilst allowing variation to take place at the level of 'means of verification'.

However:

In the event that it is technically not feasible to have only one set of generic international indicators, FSC could develop alternative generic indicators, applicable for the evaluation of plantations and for 'natural' or 'semi-natural' forests in each of the boreal, temperate, and tropical zones. Variations should only be proposed where there is a clear technical argument for such variation.

OneWorldStandards Ltd was subsequently requested to draft a set of 'best bet' generic indicators, based on the analysis of FSC-accredited certification body 'generic indicators'; FSC-accredited national and regional standards, as a first step towards establishing the proposed "single set of international generic indicators".

OneWorldStandards Ltd carried out this work between February and June 2007.

12 certification body generic standards and 17 FSC national or regional standards were included in the study. All currently applicable FSC international policies, standards, guidelines and advice notes were taken into account, together with additional international documentation (see Annex 1 for a full list).

It is estimated that over 10,000 separate indicators have been reviewed. From this initial total a consolidated set of 345 suggested 'best bet' generic indicators has been developed, of which 204 would be applicable to all forest management units (large and small, tropical and non-tropical). 115 additional indicators would be applicable only to 'large' forest enterprises (i.e. are not applicable to small and low intensity managed forests - SLIMFs), and 18 only to SLIMF forests. 4 indicators would be applicable only to forests managed by Indigenous Peoples. 1 indicator would be applicable only in the tropics.

In 2008/9 the set of 'best bet' generic indicators and associated notes on the consolidated CB generic standards, FSC national standards and FSC international requirements from which they are derived have been adapted here in this guidance document to give a set of

‘suggested indicators’. These were additionally set in a format that meets *FSC-STD-20-002 Structure and Content of Forest Stewardship Standards*.

As there is currently a revision of FSC’s Principles and Criteria, approval of these ‘suggested indicators’ as a standard set of ‘generic indicators’ has not been possible as the ‘generic indicators’ for the new version of the FSC Principles and Criteria will necessitate revision of the ‘generic indicators’. However, as there are currently many FSC national and regional Forest Stewardship Standards in development it was felt that the ‘generic indicators’ would provide useful guidance to Standards Development Groups and to CBs. It is intended that experience from the use of this document shall inform the development of a future set of ‘generic indicators’ to accompany the revised FSC Principles and Criteria.

### **Note on use of this guideline**

As guidance this document is not normative, but includes recommended best practice.

This guidance document is intended for several purposes:

- It acts as a template for national/regional FSC Forest Stewardship Standards and Certification Bodies’ Generic Standards to promote compliance with the requirements of *FSC STD 20 002 V2 1 EN Structure and Content Forest Stewardship Standards*.
- It is also a collection of ‘suggested indicators’, which take account of all FSC interpretation of the FSC Principles and Criteria to date and is a distillation of all of the National Initiative and Certification Body Forest Stewardship Standards so far approved. Each set of ‘suggested indicators’ is accompanied by ‘notes’ to show which FSC documents were consulted in their formulation.

By using this document as a template for FSC Forest Stewardship Standards and by considering the suggested indicators as the starting point for a national or regional standard, the process of development and approval of the standard will be much smoother than has been experienced in the past, particularly by National Initiatives. More efficient national and potentially regional processes will increase the area covered by these standards as opposed to the use of adapted CB generic standards.

## **Contents**

- A Scope
- B Standard effective date
- C References
- D Terms and definitions

## **PART 1 OVERVIEW OF FOREST STEWARDSHIP STANDARDS CONTENT**

- 1 Preface
- 2 Introduction
- 3 Version of the standard
- 4 Context
- 5 Hierarchical framework
- 6 Annexes to a Forest Stewardship Standard

## **PART 2 SUGGESTED INDICATORS**

## **A Scope**

This guidance sets out a template and 'suggested indicators' for the development of regional (supra-national, trans-national), national or sub-national FSC Forest Stewardship Standards by registered Standards Development Groups, endorsed National Initiatives and Certification Bodies.

## **B Effective date**

This Guideline becomes effective on 13 July 2010.

## **C References**

The following referenced documents are indispensable for the application of this document. For undated references, the latest edition of the referenced document (including any amendments) applies.

*FSC-STD-20-002 V3-0 Structure, content and local adaptation of Generic Forest Stewardship Standards*

*FSC-PRO-01-001 V2-0 The development and approval of FSC International Standards*

*FSC-STD-60-002 V1-0 Structure and Content of National Forest Stewardship Standards*

*FSC-STD-60-006 V1-2 Process requirements for the development and maintenance of Forest Stewardship Standards*

*ISEAL Code of Good Practice for Setting Social and Environmental Standards (2004)*

## **D Terms and definitions**

For the purposes of this guideline, the terms and definitions given in *FSC-STD-01-002 FSC Glossary of Terms*, and the following apply:

### **FSC Principles and Criteria of Forest Stewardship (P&C)**

The 10 Principles and associated Criteria specified in the FSC document 'FSC Principles and Criteria of Forest Stewardship' (*FSC-STD-01-001*).

### **Forest Stewardship Standard**

The normative document which specifies the requirements with which a forest management enterprise must conform in order to obtain FSC certification. Such a standard must include the exact language of the FSC Principles and Criteria for Forest Stewardship, together with the additional indicators necessary to permit implementation at the level of the forest management unit.

### **Principle**

An essential rule or element; in FSC's case, of forest stewardship.

### **Criterion (pl. criteria)**

A means of judging whether or not a Principle (of Forest Management) has been fulfilled.

### **Indicator**

A quantitative or qualitative variable which can be measured or described, and which provides a means of judging whether a forest management unit complies with the requirements of an FSC Criterion. Indicators and the associated thresholds thereby define

the requirements for responsible forest management at the level of the forest management unit and are the primary basis of forest evaluation.

### **Means of verification**

A potential source of information that allows an auditor to evaluate compliance with an indicator. Means of verification are not normative and the certification body may justifiably use alternatives to those listed.

### **Verbal forms for the expression of provisions**

[Adapted from *ISO/IEC Directives Part 2: Rules for the structure and drafting of International Standards*]

“*shall*”: indicates requirements strictly to be followed in order to conform to the standard.

“*should*”: indicates that among several possibilities one is recommended as particularly suitable, without mentioning or excluding others, or that a certain course of action is preferred but not necessarily required. A certification body can meet these requirements in an equivalent way provided this can be demonstrated and justified.

“*may*”: indicates a course of action permissible within the limits of the document.

“*can*” is used for statements of possibility and capability, whether material, physical or causal.

## **PART 1 Overview of Forest Stewardship Standards content**

The following elements need to be included in the introduction to any regional or national FSC Forest Stewardship Standard:

### **1. Preface**

#### **1.1 Descriptive statement of FSC**

FSC is an independent, non-governmental, not for profit organization established to promote the responsible management of the world's forests.

It provides standard setting, trademark assurance and accreditation services for companies and organizations interested in responsible forestry. Products carrying the FSC label are independently certified to assure consumers that they come from forests that are managed to meet the social, economic and ecological needs of present and future generations. FSC maintains representation in more than 45 countries.

Forests provide us with clean water, fresh air, and help combat global warming. They also provide food, medicine and important natural resources, such as timber and paper. If managed responsibly, forests and plantations benefit forest people and the global community.

However, in some countries as much as 80% of the timber is harvested illegally. This often involves violation of human rights and felling of protected forests.

For further information, please visit: [www.fsc.org](http://www.fsc.org)

#### **1.2 Descriptive statement of the National Office / Standard Setting Group**

### **2. Introduction**

#### **2.1 Purpose**

This standard sets out the required elements against which FSC accredited Certification Bodies shall evaluate forest management practices within the given scope of the standard.

The FSC Principles and Criteria for Forest Stewardship (February 2000) provides an internationally recognized standard for responsible forest management. However, any international standard for forest management needs to be adapted at the regional or national level in order to reflect the diverse legal, social and geographical conditions of forests in different parts of the world. The FSC Principles and Criteria therefore require the addition of indicators that are adapted to regional or national conditions in order to be implemented at the forest management unit (FMU) level. The FSC Principles and Criteria together with a set of such indicators accredited by FSC constitute an FSC Forest Stewardship Standard.

This standard follows the requirements of FSC-STD-20-002 Structure and content of forest stewardship standards (November 2004) to improve consistency and transparency in certification decisions between different certification bodies in the region/nation and in different parts of the world, and thereby to enhance the credibility of the FSC certification scheme as a whole.

## 2.2 Scope

This standard is applicable to all forest operations seeking FSC certification within [name of nation/region]. The standard applies to [all forest types/plantations/small forest/community forests/natural forest only].

Background information on the standard setting process (refer to the Standard Developments Groups proposal, terms of reference and work plan as developed to FSC-STD-60-006).

## 3. Version of the standard

- 3.1 Draft and version number; original date of the preparation and accreditation of the standard; subsequent edition dates; current edition date, and the next anticipated revision as appropriate.
- 3.2 Statement of the responsible parties that oversaw the development of the standard.

## 4. Context

- 4.1 General description of the geographical area covered by the standard.
- 4.2 List of members of the committee that prepared the standard.
- 4.3 List of key consultants and advisors who assisted the committee.
- 4.4 Associated documentation referenced in the standard. (This would include FSC documents, other FSC-accredited forest stewardship standards, legislation, and other relevant documents).
- 4.5 Terms and definitions (those which are crucial to the standard and are not defined in the FSC Principles and Criteria).

## 5. Hierarchical framework

The hierarchical framework implements the basic principles described in the introduction to the FSC Principles and Criteria for Forest Stewardship (February 2000).

- 5.1 FSC and FSC-accredited certification bodies will not insist on perfection in satisfying the FSC Principles and Criteria'.
- 5.2 Major failures in any individual FSC Principle will normally disqualify a candidate from certification, or will lead to decertification'
- 5.3 Certification decisions will be guided by the extent to which each FSC Criterion is satisfied, and by the importance and consequences of failures.

## 6. Annexes to a Forest Stewardship Standard

### 6.1 Mandatory Annexes (see FSC-STD-60-002 Clause 3.5)

- a) a list of the national and local forest laws and administrative requirements which apply in the country or region in which the standard is to be used,
- b) a list of the multilateral environmental agreements and conventions that the country has ratified and the ILO Conventions listed in FSC-POL-30-401 FSC and the ILO Conventions which must be complied with in all FSC certified forests,
- c) a list of, or reference to official lists of, endangered species in the country or region in which the standard is to be used.

### 6.2 Recommended Annexes

- a) High Conservation Value Forest definition covering the full scope of the standard.

NOTE: See FSC step-by-step guide Good practice guide to meeting FSC certification requirements for biodiversity and High Conservation Value Forests in Small and Low Intensity Managed Forests.

<http://www.fsc.org/publications%3EFSC>

This is a guide to help managers and owners of small-scale and low intensity forest operations maintain or improve the management of biodiversity and High Conservation Values (HCVs) within their forests. This guide is not designed to replace management plans – but to strengthen them. It is also useful for managers of large forests and for national standards to help develop local interpretations of HCVF.

### **INFO BOX**

#### **The 6 types of High Conservation Values**

HCV1. Forest areas containing globally, regionally or nationally significant concentrations of biodiversity values (e.g. endemism, endangered species, refugia).

HCV2. Forest areas containing globally, regionally or nationally significant large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance.

HCV3. Forest areas that are in or contain rare, threatened or endangered ecosystems.

HCV4. Forest areas that provide basic services of nature in critical situations (e.g. watershed protection, erosion control).

HCV5. Forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health).

HCV6. Forest areas critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).

## **INFO BOX**

### **List of the multilateral environmental agreements and ILO Conventions**

**CITES** – [www.cites.org](http://www.cites.org)

**ILO** – [www.ilo.org/ilolex/english/convdisp1.htm](http://www.ilo.org/ilolex/english/convdisp1.htm)

**ITTA** - [www.itta.com](http://www.itta.com)

**Convention on Biological Diversity** - [www.biodiv.org/biosafety/protocol.asp](http://www.biodiv.org/biosafety/protocol.asp)

### **List of ILO Conventions that have an impact on forestry operations and practices:**

- 29 Forced Labour Convention, 1930.
- 87 Freedom of Association and Protection of the Right to Organise Conventions, 1948.
- 97 Migration for Employment (Revised) Convention, 1949.
- 98 Right to Organise and Collective Bargaining Convention, 1949.
- 100 Equal Remuneration Convention, 1951.
- 105 Abolition of Forced Labour Convention, 1957.
- 111 Discrimination (Occupation and Employment) Convention, 1958.
- 131 Minimum Wage Fixing Convention, 1970.
- 138 Minimum Age Convention, 1973.
- 141 Rural Workers' Organizations Convention, 1975.
- 142 Human Resources Development Convention, 1975.
- 143 Migrant Workers (Supplementary Provisions) Convention. 1975
- 155 Occupational Safety and Health Convention, 1981.
- 169 Indigenous and Tribal Peoples Convention, 1989.
- 182 Worst Forms of Child Labour Convention, 1999.

ILO Code of Practice on Safety and Health in Forestry Work (ILO 1998)

Recommendation 135 Minimum Wage Fixing Recommendation, 1970.

Conventions number 29, 87, 98, 100, 105, 111, 138 and 182 are Core Standards covered by the 1998 ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up. ILO member states are expected to promote and realize these principles, even if they have not ratified the Conventions. The ILO Code of Practice is not a legal instrument, but it provides authoritative guidance on forest work.

## PART 2 SUGGESTED INDICATORS

### Notes on interpretation of Suggested Indicators

Where an indicator requires that a procedure or system is documented, it is also required that the documented system is implemented *and* that a person has been appointed with the responsibility to ensure that the system is implemented. These elements have not always been repeated in the list of 'best bet' indicators. Where an indicator refers to a system or procedure, it is assumed that it is the job of the certification body in all cases to verify that the procedure is implemented. The existence of staff responsible for doing this would be one means of verification.

Contractors: in several places indicators emphasize that the requirements apply equally to forest enterprise staff and to contractors. This should be taken as the basis for *all* indicators. The indicators apply to all staff, personnel, third parties etc., operating within the forest area.

For each Criterion a number of Indicators are listed. Where indicators are simply numbered, with no additional letter (e.g. Indicator 1.1.1), the indicator is intended to be applicable to all sizes and types of forest and plantation.

In many cases specific additional requirements are specified that are applicable only to large (i.e. forests which are not small or low intensity managed forests ('SLIMFs')). In these cases the indicator numbers are followed by the letter 'L'.

In a relatively small number of cases indicators are applicable only to SLIMFs. In these cases the indicator is followed by the letter 'S'.

In a very small number of cases there are other designations, as follows:

'IP': the indicator applies only to forests/ plantations managed by Indigenous Peoples

'T': the indicator applies only to forests/ plantations in the tropics

'N': the indicator applies only to natural/ semi-natural forests

'C': the indicator applies only to community managed forests/ plantations

In some cases an Indicator has been included as 'for consideration'. This is where the indicator appears to be useful, but it could be argued goes beyond the clear scope of the Criterion.

**FSC Principle 1: Compliance with laws and FSC principles.**

**Forest management shall respect all applicable laws of the country in which they occur, and international treaties and agreements to which the country is a signatory, and comply with all FSC Principles and Criteria.**

**FSC Criterion 1.1**

**Forest management shall respect all national and local laws and administrative requirements.**

**Suggested Indicators:**

**Indicator 1.1.1**

The enterprise shall be legally registered in accordance with applicable requirements, and has copies of all the documentation required for such registration.

**Verifiers:**

**Indicator 1.1.2**

If any non-compliances with legal or regulatory requirements have been identified by the enterprise or by third parties in the previous five years, they shall have been documented by the enterprise, were promptly corrected, and effective action has been taken to prevent their recurrence.

Exceptions to this Indicator may be considered in line with the requirements of Criterion 1.4.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 1.1.3L**

The enterprise shall have copies (physical or electronic) of the texts of relevant legislative and regulatory requirements, including at least those referenced in the applicable FSC standard.

(Refer to Annex 1 List of the national and local forest laws and administrative requirements which apply in the country or region in which the standard is to be used)

**Verifiers:**

**Indicator 1.1.4L**

There shall be a procedure for familiarizing staff with applicable laws and other regulatory requirements, and updating staff when there are changes.

**Verifiers:**

**Indicator 1.1.5L**

All personnel, including contractors, shall demonstrate a working knowledge of relevant codes of practice, operational guidelines and other accepted norms or agreements relevant to their responsibilities.

**Verifiers:**

**Indicator 1.1.6L**

The landowner shall demonstrate that they have effective procedures in place to ensure that contractors and others responsible for forestry operations on the property comply with applicable legal requirements.

**Verifiers:**

### **FSC Criterion 1.2**

**All applicable and legally prescribed fees, royalties, taxes and other charges shall be paid.**

#### **Suggested Indicators:**

##### **Indicator 1.2.1**

The enterprise shall maintain records which are sufficient to confirm the calculation of all applicable fees, royalties, taxes and other charges (see list as Annex of locally adapted standard).

##### **Verifiers:**

##### **Indicator 1.2.2**

Verifiable records shall show that the enterprise is up-to-date with the payment of all required fees, royalties, taxes and other charges (including any fines).

##### **Verifiers:**

##### **Indicator 1.2.3**

The enterprise shall ensure that the requirements of this Criterion are also met by contractors and others managing forestry operations on the property.

##### **Verifiers:**

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006) includes the following suggested indicator(s): Forest managers shall pay all relevant fees and other charges*

##### **Notes:**

Evidence of payment of staff or contractor salaries is included under Principle 4.

A number of standards refer to audited accounts as a 'means of verification' rather than an indicator.

The requirement that the Certification Body or FSC NI has a list of applicable fees, royalties, taxes and other charges should be added to FSC-STD-20-002 and FSC-STD-20-003. This will then provide the basis for auditing.

### **FSC Criterion 1.3**

**In signatory countries, the provisions of all binding international agreements such as CITES, ILO Conventions, ITTA, and Convention on Biological Diversity, shall be respected.**

#### **Suggested Indicators:**

##### **Indicator 1.3.1**

There shall be no substantiated evidence of any non-compliance by the forest enterprise with the applicable requirements of any international agreements listed in the [nation/region] FSC standard.

##### **Verifiers:**

#### **For Large Enterprises only:**

##### **Indicator 1.3.2L**

The forest management enterprise shall list of all locally occurring species that are listed by CITES.

##### **Verifiers:**

##### **Indicator 1.3.3L**

The forest management enterprise shall have copies of national legislation and/or administrative requirements relating to the implementation of CITES obligations at the national level, and ensures that these requirements are implemented (see Criterion 1.1, above).

**Verifiers:**

**Indicator 1.3.4L**

Forest managers shall be aware of the national strategies, plans or programmes for the conservation and sustainable use of biological diversity in the country in which they operate, and shall demonstrate how the management of the land for which they are responsible contributes to these national obligations.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

FSC-POL-30-401 FSC and the ILO Conventions lists the ILO Conventions which must be complied with in *all* FSC certified forests, irrespective of whether the government of the country concerned signed the applicable convention.

This document has proposed that rather than include indicators for compliance with all ILO Conventions under this FSC Criterion, 1.3, a new Criterion 4.6 should be added to national and CB generic standards. See below.

**Other relevant documents:**

ITTA: The current ITTA came into effect in 1994. Negotiations for a successor to this agreement were concluded in January 2006. The new ITTA (2006) is expected to come into force in 2008. As FSC Generic Indicators are expected to be implemented from 2008 onwards, the new ITTA (2006) text has been reviewed for the development of 'best bet' indicators. By complying with the FSC Principles and Criteria forest managers will be making a major contribution to the achievement of the objectives of the ITTA, 2006. However, the ITTA does not identify any specific requirements that require the compliance of forest managers, rather than governments.

For future consideration by FSC: generally it may make more sense to build consideration of international treaties into FSC's provisions for reviewing and revising the FSC P&C themselves, and into provisions for the development of national or sub-national standards by FSC standards development groups, rather than by creating generic obligations for forest managers.

Relevant ILO Conventions could be referenced explicitly in P3 and P4; CITES and Convention on Biodiversity in P6/P9, etc..

**Notes**

FSC National and locally adapted generic standards are required to include a list of relevant conventions signed by the country in which the evaluation takes place (see FSC-STD-20-002 para 3.16, FSC-STD-20-003 para 2.1). FSC could add an additional specific requirement to list all CITES-listed species which occur at the national (or sub-national) level.

Specific reference to ILO Conventions is included under Principles 3 and 4.

Some standards distinguish between agreements signed by the President, ratified by Senate, and/or which have entered into force.

#### **FSC Criterion 1.4**

**Conflicts between laws, regulations and the FSC Principles and criteria shall be evaluated for the purposes of certification on a case by case basis, by the certifiers and the involved or affected parties.**

#### **Suggested Indicators:**

##### **Indicator 1.4.1**

The enterprise shall identify and document any situations in which the manager's compliance with the law would preclude compliance with any indicator of this standard, or vice versa.

##### **Verifiers:**

##### **Indicator 1.4.2**

In the event of any conflict being identified, the enterprise shall consult with the body responsible for interpretation of the FSC standard (i.e. either the certification body or the FSC National Initiative), and/or with the relevant authority responsible for interpreting legal requirements, in an attempt to resolve the conflict.

##### **Verifiers:**

##### **Indicator 1.4.3**

The enterprise shall document the results of any such attempt to resolve the conflict, including written evidence of any government, certification body or FSC National Initiative formal interpretations, approvals, designations, authorizations, exceptions/ exemptions from requirements which might allow the conflict to be resolved.

##### **Verifiers:**

##### **Indicator 1.4.4**

A certificate shall not be issued unless the evidence presented in relation to Indicator 1.4.3 demonstrates that the conflict has been resolved, thus avoiding non-compliance with laws, regulations, and FSC standards.

##### **Verifiers:**

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

##### **Notes:**

The generic indicators should only refer to what the enterprise has to do - not what the CB or NI should do.

It could be argued that if there is a conflict between the FSC indicators and the applicable law, there is only one possible option - not to issue a certificate.

The proposal to discuss on a case by case basis implies:

- a) the authorities have a legally valid option to interpret the law flexibly - or have the right to issue an exemption.
- b) FSC is able to interpret the applicable indicator flexibly - or has the right to issue an exemption.

In the case of national standards, the potential conflict should have been identified during standards development, and been resolved at that point.

In the case of CB generic standards, the CB has the option to interpret its own standard as part of local adaptation process. It is only if it (or ASI, or other stakeholders) consider that the resulting standard would not implement the FSC Criterion that there would be a conflict, and the CB would then have to consult with ASI.

In either case, guidance is needed for ASI, whether it should accredit national indicators (or approve a locally adapted generic standard) for which compliance would require a forest

enterprise not to comply with national law. Presumably ASI cannot do this, because it would conflict with Criterion 1.1.

Either ASI must be able to issue waivers to comply with Criterion 1.1 in specific circumstances (and knowingly endorse certificates for which there is evidence of legal non-compliance), or FSC must accept that FSC certificates cannot be issued in countries in which there is a conflict between legal requirements and FSC requirements.

### **FSC Criterion 1.5**

**Forest management areas should be protected from illegal harvesting, settlement and other unauthorized activities.**

#### **Suggested Indicators:**

##### **Indicator 1.5.1**

The boundaries of the forest unit shall be clearly marked and maintained, for example by a cut line, clear natural features, and/or by clear signage.

##### **Verifiers:**

##### **Indicator 1.5.2**

Managers shall take measures to prevent illegal harvesting, settlement and other unauthorized activities within the management area. Depending on the size of the forest area and on the risk of illegal activity occurring, such measures may include:

- Forest roads have gates and/or have controlled access to areas of high risk;
- Forest roads are physically closed off after harvesting;
- Forest roads are patrolled to detect and prevent illegal access to the forest;
- Personnel and resources have been assigned to detect and control illegal activities promptly.

##### **Verifiers:**

##### **Indicator 1.5.3**

The forest area shall be monitored for evidence of illegal or unauthorized activities.

##### **Verifiers:**

##### **Indicator 1.5.4**

Appropriate measures shall be taken when illegal activities are detected. Depending on the nature of the activity such measures may include:

- Reporting the activity to an appropriate authority;
- Disciplinary action or fines in the case that staff were involved;
- Working with the appropriate authorities, and always within the law, to control the unauthorized activity;
- Working with local communities and/or authorities to resolve underlying grievances leading to illegal or unauthorized activity;
- Pursuing legal action (e.g. prosecution) if necessary.

##### **Verifiers:**

#### **For Large Enterprises only:**

##### **Indicator 1.5.5L**

Managers shall have documented policies and procedures to protect the forest from illegal harvesting, settlement and other unauthorized activity.

##### **Verifiers:**

##### **Indicator 1.5.6L**

The enterprise shall maintain a record of all detected instances of illegal harvesting and other

unauthorized activities within its management area, and of any subsequent actions taken to control the illegal activity.

**Verifiers:**

**Indicator 1.5.7L**

Forest managers shall have developed agreements in discussion with local communities for their help in identifying and/or preventing illegal or unauthorized activities.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
There are documented effective measures to control, monitor and prevent illegal and unauthorized activities on the FMU  
There is physical evidence of the above measures

**Notes:**

Illegal or unauthorized activities specifically mentioned included:  
harvesting, fires, settlement, hunting, 'predatory fishing', 'predatory extractivism', illegal use of water sources, illegal agriculture...

**FSC Criterion 1.6**

**Forest managers shall demonstrate a long-term commitment to adhere to the FSC Principles and Criteria.**

**Suggested Indicators:**

**Indicator 1.6.1**

The enterprise shall have a publicly available policy endorsed by the owner/ most senior management explicitly stating a long term commitment to forest management practices consistent with the *FSC Principles and Criteria for Forest Stewardship*.

**Verifiers:**

**Indicator 1.6.2**

Forest management plans (see Principle 7) and ongoing operations shall be fully consistent with long term compliance with the *FSC Principles and Criteria for Forest Stewardship*.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 1.6.3L**

A program shall be in place to inform staff about the content of the *FSC Principles and Criteria for Forest Stewardship* and the long-term management implications of adherence.

**Verifiers:**

**Indicator 1.6.4L**

The forest manager shall disclose information on all forest areas over which (s)he has some degree of management responsibility (see FSC policy on Partial Certification), and there is no substantive evidence that the management of this land conflicts with the requirements of standards for FSC Controlled Wood (FSC-STD-30-010).

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

The currently applicable FSC Policy on Partial certification is that specified in the FSC Board Paper BM19.24 (9 May 2000). An updated policy was approved by the FSC Board of Directors in June 2005, but was withdrawn in March 2006. See FSC Board Paper BM44.11.i for the most

recent discussion (as of March 2007).

FSC policy clearly does NOT require a forest management operation to apply to have all of its forest operations certified, nor to agree to a timetable for such evaluation, in order to have part of its operations certified unless the FM is an FSC member. C1.6 does however refer to *forest managers'* long-term commitment to adhere to the FSC P&C, and BM19.24 interprets this to include evidence of their commitment beyond the *area* which is specifically the scope for compliance with other applicable indicators. Until further notice, certification bodies are therefore expected to evaluate evidence for such commitment by forest managers.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
The management plan is consistent with FSC P&C.  
Plans (written or informal) for investment, training, and sharing of income or other benefits.  
Past management has been compatible with the P&C.

**Notes:**

In Sweden the revised standard proposes that "The landowner is committed to applying the revised standard not later than 1 year after the standard has been [accredited by FSC]."

**FSC Principle 2: Tenure and use rights and responsibilities**

**Long-term tenure and use rights to the land and forest resources shall be clearly defined, documented and legally established.**

**FSC Criterion 2.1**

**Clear evidence of long-term forest use rights to the land (e.g. land title, customary rights, or lease agreements) shall be demonstrated.**

**Suggested Indicators:**

**Indicator 2.1.1**

The name and legal status of the entity seeking certification for the forest shall be clearly identified.

**Verifiers:**

**Indicator 2.1.2**

There shall be documentation (including associated maps) which clearly identifies the ownership of all the lands and forests under evaluation.

**Verifiers:**

**Indicator 2.1.3**

There shall be documentation (including associated maps) which clearly identifies and describes any customary rights and use rights applicable to the lands and forests under evaluation. This documentation explicitly identifies any local communities with legal or customary tenure or use rights.

**Verifiers:**

**Indicator 2.1.4**

The entity seeking certification for the forest shall demonstrate that it has all the use rights and/or permissions needed to implement forest management which shall be compatible with long-term compliance with the requirements of the *FSC Principles and Criteria for Forest Stewardship*.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* includes the following indicator(s):

2.1.1 Communities have clear, credible and officially recognised evidence, endorsed by the communities themselves, of collective ownership and control of the lands they customarily own or otherwise occupy or use (Ref: ILO 169 Articles 14-17).

FSC Guidelines for Certification Bodies, Subject 2.14 Certification of Concessions clarifies that a short concession length does not necessarily imply non-compliance with Criterion 2.1.

FSC Guidance Document *FSC-GUI-30-004: FSC Principles 2 and 3: Guidance on Interpretation (March 2006)* provides general guidance as well as the following examples of potential indicators for the implementation of this Criterion:

2.1.1 The manager has the right to manage the lands and/or to utilize the forest resources for which certification is sought, in one or more of the following circumstances:

- a) the manager is named on the certificate of title for the area of land for which certification is sought and there are no reservations or charges that would constrain the manager's right to manage the lands and utilize the forest resources for which certification is sought;
- b) the manager has customary rights (e.g., Indigenous or community) to manage the land and utilize the forest resources in the management unit;
- c) the manager has a tenure or lease that is legally eligible to be renewed or replaced over a time period sufficient to achieve the long-term management objectives set out in the management;
- d) where the manager does not have legal title, the owner, either alone or jointly with the manager, applies for certification of the management unit.
- e) the owner/government does not impose constraints that prevent the implementation of the FSC Standards or the management plan in the FMU.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
The forest users have long term rights to the forest and these rights are not contested.  
When the local community is not the forest manager, the local communities' rights should be defined and agreed to (documented) by both the forest manager and the local communities.

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies (March 2005)*, includes the following Guidance: Subject 2.14: Certification of concessions

1 Background

1.1 Forest land is often managed and/or harvested on a concession system. The landowner, typically a state, leases the right to harvest the concession area to a private company for a specified length of time. The concession is issued subject to terms and conditions agreed between the land owner and the concessionaire which vary widely from one case to another. The landowner has the right to revoke the concession if the terms of the agreement are not met. Concessions may be leased for short time periods (e.g. 5 years), based on harvesting rights, or for much longer (e.g. 30 years) based on harvesting rights and many management responsibilities. Even the longest concessions rarely reflect the life cycle of the harvested species.

1.2 The concession system raises a number of issues for certification bodies and FSC. Firstly, it represents a division of responsibilities between the owner and the manager. Criterion 1.6 of the FSC Principles and Criteria refers to the forest managers' commitment to adhere to the FSC P&C, rather than the forest owner's. This criterion requires clarification in the case of a concession system.

1.3 Secondly, Criterion 2.1 asks for 'clear evidence of long-term forest use rights to the land'. Whilst the legal rights of concessionaires are often clear, it is not clear whether these can be considered 'long-term'. The situation is compounded when a concessionaire applies for certification towards the end of a concession period.

2 FSC Position

2.1 Division of management responsibilities between owners and managers is very common in forestry. It occurs on all scales from the very large to the very small. In such cases the manager's freedom to manage the land in accordance with the FSC P&C may be constrained by the owner's management objectives. However committed the manager is to implementation of the P&C, the manager may be over-ruled by the owner. It is therefore essential that the manager has explicit authorisation from the owner to manage the forest in compliance with the FSC P&C. In the case of concession systems the certification body must be satisfied that the manager has full authority to implement the FSC P&C in the concession area. It must be clear to the manager that if the owner imposes constraints which prevent implementation of the P&C, the certificate will be withdrawn.

2.2 It is NOT currently an FSC requirement that the owner has shown a commitment to certification to the FSC P&C over their whole forest land base (see subject 2.13: 'Partial certification of large ownerships') [now superseded by FSC policy on partial certification].

2.3 Short concession lengths have been symptomatic of short-term interest in the forest. However the length of a concession does not of itself determine whether good management will or will not take place, nor whether the owners or managers are committed to the FSC Principles and Criteria. Ownership of forest land can change, even where the land is owned by the forest manager. Long concessions may change hands before their expiry date.

2.4 FSC does not consider that a short concession length necessarily precludes certification. In some cases, very short logging concessions or harvesting licences may be issued by owners (including states) committed to good long term management. Similarly the number of years that a concession has to run does not determine whether certification is possible or not. A forest manager coming to the end of a 50 year concession is just as eligible for certification as a forest manager at the start of a 50 year concession. The key factor is whether there is convincing evidence of management for the long-term stewardship of the forest. The certification body shall document this evidence in the relevant audit report.

2.5 In evaluating long-term commitment to the FSC Principles and Criteria, FSC is looking for evidence of resources invested in long term management - for example in research, inventory, management planning, roading, controlled harvesting, post harvest inventory and forest protection. These are considered in other FSC Criteria.

2.6 In evaluating long-term forest use rights to the land, FSC is looking for clear long-term use rights of the owner. These may be partially delegated to a responsible authority, such as a concessionaire, for a shorter or longer period. FSC is then looking for clear evidence of this delegation of authority, together with the owner's commitment that the delegated authority has the right to manage the land in compliance with the FSC P&C.

2.7 When ownership or management changes during the period of validity of a certificate, the certification body must withdraw the certificate, and may re-issue it in the name of the new owner/manager only if the certification body is satisfied that the conditions on which certification depends are still being complied with.

**Notes:**

Use rights may include rights relating to hunting, mineral resources, access to harvest non-timber forest products, treaty lands, municipal boundaries, trap-lines, water permits, easements.

Examples of rights that may be subject to implied or expressed consent include: traditional public access to hiking trails and canoe routes, gathering birch bark or brown ash for traditional crafts, harvesting medicinal plants, long-standing private access to landlocked parcels of land that lack a deeded right of way.

A wide variety of documents are identified as potential means of verifying ownership/ use rights.

FSC members may consider that the most appropriate 'best bet' indicators in relation to this Principle are those previously developed in FSC-GUI-30-002 and FSC-GUI-30-004, which should simply be adopted as 'Generic Indicators' for this Principle.

As an alternative, the above indicators are put forward based on an amalgamation of current practice as defined in certification body generic standards and FSC-accredited national standards.

## **FSC Criterion 2.2**

**Local communities with legal or customary tenure or use rights shall maintain control, to the extent necessary to protect their rights or resources, over forest operations unless they delegate control with free and informed consent to other agencies.**

### **Suggested Indicators:**

#### **Indicator 2.2.1**

Local communities with legal or customary tenure or use rights (see Indicator 2.1.3, above) shall, EITHER: maintain clear and direct control over forest operations to the extent necessary to protect their rights or resources;

OR: have delegated such control with free and informed consent to other agencies.

#### **Verifiers:**

#### **Indicator 2.2.2**

Where communities have delegated control of their legal or customary tenure or use rights, or part thereof, this shall be confirmed by documented agreements and/or interviews with the representatives of local communities.

#### **Verifiers:**

#### **Indicator 2.2.3**

There shall be no substantive evidence that the enterprise obstructs or prevents local communities with legal tenure or use rights from exercising such rights, other than to the extent that the communities have freely agreed not to exercise such rights (see 2.2.2, above).

#### **Verifiers:**

### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

FSC Guidance Document *FSC-GUI-30-004: FSC Principles 2 and 3: Guidance on Interpretation (March 2006)* provides general guidance as well as the following examples of potential indicators for the implementation of this Criterion:

2.2.1 The forest manager shall conduct an effective consultation process (see 4.4.2.) to identify the legal title and the agreed customary practices/rights of the local communities (see definition in Annex 1) that could be related to or take place inside the managed forest, involving some or all of its resources.

2.2.1 All legal and/or customary tenure or use rights to the forest resource identified by the local communities shall be clearly documented, recognized, respected and mapped by the forest managers.

2.2.2 All legal or customary tenure or use rights to the forest resource of all local communities shall be recognized and respected in forest management planning and practice.

2.2.3 The rights-holders (or their legitimate representatives) and the managers shall have identified together the possible impacts of the operation on the rights and resources of the local communities; the rights holders shall have then given free and informed consent for such activities through documented agreements.

2.2.4 Local communities are able to exercise their tenure and use rights to the extent that they choose, compatible with other rights and with all the provisions of the P&C.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take*

*account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):

Example indicators (where communities are not managing the forest operation):

Local communities' rights should be defined and agreed to (documented) by both the forest manager and the local communities

Customary rights areas are noted in the management plan, agreement, contract or protocol between the FM and the communities

Example indicators (where communities manage their own operations)

Local communities' tenure and use rights should be defined and documented by the appropriate local authorities

**Notes**

Some national standards include references under Principle 2 to specific administrative arrangements of Indigenous Peoples as appropriate mechanisms through which free and informed consent can be demonstrated.

**FSC Criterion 2.3**

**Appropriate mechanisms shall be employed to resolve disputes over tenure claims and use rights. The circumstances and status of any outstanding disputes will be explicitly considered in the certification evaluation. Disputes of substantial magnitude involving a significant number of interests will normally disqualify an operation from being certified.**

**Suggested Indicators:**

**Indicator 2.3.1**

The forest enterprise shall maintain an up-to-date and complete record of all disputes relating to tenure claims and use rights, including evidence relating to the dispute and a clear and up-to-date description of any steps taken to resolve the dispute.

**Verifiers:**

**Indicator 2.3.2**

In any case of dispute relating to tenure claims or use rights the enterprise shall enter into good faith efforts to resolve the dispute using locally accepted mechanisms and/or institutions.

**Verifiers:**

**Indicator 2.3.3**

In the case of a dispute related to the tenure claims and use rights of Indigenous Peoples, there shall be a process to resolve the dispute which has been mutually agreed.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 2.3.4L**

The forest owner/ manager shall maintain and keeps records of regular contacts with locally recognized community representatives to identify, discuss and attempt to resolve any disputes in their early stages.

**Verifiers:**

**Indicator 2.3.5L**

Where there is potential for dispute over tenure or use rights relating to land and forest resources the enterprise shall have a written procedure to resolve such disputes, and has allocated sufficient staff and resources for effective implementation.

**Verifiers:**

**Indicator 2.3.6L**

Dispute resolution procedures shall make provision for the requirement that where tenure or use rights of communities may be compromised, forest operations that are or may be the direct cause of the dispute shall not be initiated or shall be suspended until the dispute has been resolved.

**Verifiers:**

**Indicator 2.3.7L**

EITHER There shall be no outstanding disputes relating to tenure claims or forest use rights which are of a substantial magnitude and involve a significant number of interests.

OR In the case of any outstanding dispute relating to tenure claims or forest use rights which are of a substantial magnitude and involve a significant number of interests the main parties to the dispute shall accept that forest management operations may continue whilst processes to resolve the dispute are implemented.

OR Notwithstanding an outstanding dispute relating to tenure claims or forest use rights which are of a substantial magnitude and involve a significant number of interests, there shall be *exceptional reasons* that justify forest management operations continuing whilst processes to resolve the dispute continue to be implemented. Exceptional reasons may include that in the view of the certification body there is no legal or legitimate basis for the dispute over tenure or use rights.

**Verifiers:**

**For SLIMF Enterprises only:**

**Indicator 2.3.4S**

There shall be no major unresolved disputes relating to tenure and use rights in the forest. Other disputes or grievances are being resolved using locally accepted mechanisms and/or institutions.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* includes the following indicators:

2.3.1 Every reasonable effort is made to resolve conflicts through consultation aiming at achieving agreement or consent.

FSC Guidance Document *FSC-GUI-30-004: FSC Principles 2 and 3: Guidance on Interpretation (March 2006)* provides general guidance as well as the following examples of potential indicators for the implementation of this Criterion:

2.3.1 There is a process to resolve disputes related to tenure claims and use rights which has been mutually agreed.

2.3.2 The manager maintains a record of disputes and the status of their resolution, including evidence related to the dispute (whether generated internally, from outside experts or provided by disputants), and documentation of steps taken to resolve the dispute.

2.3.3 The manager is not involved in outstanding disputes of substantial magnitude involving a significant number of interests in relation to the management unit.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): There are no major unresolved disputes relating to tenure and use rights in the forest. Disputes or grievances are being resolved using locally accepted mechanisms and institutions. Legal procedures regarding land disputes are followed. There are documented measures to avoid damage to other peoples' use rights or property, resources, or livelihoods. (to completely reflect and cover 4.5). There are compensation measures in cases of accidental damages

#### Notes

The FSC standard for British Columbia, Canada, identifies various factors that may be considered to evaluate the magnitude and seriousness of a dispute, including:

- whether the dispute involves local rights holders, local forest workers or local residents;
- whether the dispute involves the legal or customary rights of First Nations;
- the range of issues and/or interests involved;
- whether the potential impacts on the disputants are irreversible or cannot be mitigated;
- whether the dispute involves vexatious grievors or disputants, and/or;
- whether the dispute involves issues related to meeting the applicable FSC national/sub-national standard.

### **FSC Principle 3: Indigenous peoples' rights**

**The legal and customary rights of indigenous peoples to own, use and manage their lands, territories, and resources shall be recognized and respected.**

#### **FSC Criterion 3.1**

**Indigenous peoples shall control forest management on their lands and territories unless they delegate control with free and informed consent to other agencies.**

#### **Suggested Indicators:**

*In addition to all the requirements specified under FSC Principle 2, above:*

**In the case of management by an entity other than the Indigenous People themselves:**

#### **Indicator 3.1.1**

The enterprise shall identify and map all lands or territories of Indigenous Peoples (including migratory groups) in which it may carry out management activities.

#### **Verifiers:**

#### **Indicator 3.1.2**

The identification and boundaries of any such lands or territories shall not be subject to any dispute of substantial magnitude.

(see Criterion 2.3 for processes to resolve disputes).

#### **Verifiers:**

#### **Indicator 3.1.3**

It shall be set down in writing that the Indigenous Peoples have control of the management of their own territory. If the Indigenous People have delegated this control to other groups, the enterprise shall demonstrate that the Indigenous People concerned have delegated such control with free and informed consent.

#### **Note 1**

For consent to be *informed* requires that the peoples concerned were fully and accurately informed of the implications of any agreements and were consulted through appropriate procedures and through their representative institutions (Ref, ILO Convention 169, Article 6(1)).

**Note 2**

For consent to be *free* requires that it was given by the Indigenous Peoples through their representative institutions and was freely expressed without coercion or duress. (Ref: ILO Convention 169 Article 7(1)).

**Verifiers:**

**Indicator 3.1.4**

The enterprise shall recognize and respect the legal and customary rights of the Indigenous People over their lands, territories and resources.

**Verifiers:**

**Indicator 3.1.5**

Indigenous Peoples formally indicate, clearly, unambiguously and normally in writing or by traditional means, that their legal and customary rights over their lands, territories and resources have been recognized and respected.

**Verifiers:**

**Indicator 3.1.5**

The enterprise shall obtain free and informed consent, normally in writing or by traditional means, for the management plan from the appropriate Indigenous People by either:

3.1.5.1 jointly developing the plan according to the process set out in a joint management agreement, or,

3.1.5.2 consulting with the Indigenous People on the plan.

**Verifiers:**

**Indicator 3.1.6**

The Indigenous People's interests or concerns shall be clearly incorporated in the management plan.

**Verifiers:**

**Indicator 3.1.7**

There shall exist agreed mechanisms to ensure that the Indigenous People participate on an informed basis in planning and decision-making.

**Verifiers:**

**Indicator 3.1.8**

Conditions under which consent has been given and under which it might be withdrawn, if any, shall be recorded in the management plan.

**Verifiers:**

**Indicator 3.1.9**

Where the area being proposed for forestry activities affects more than one Indigenous People, consent from each shall be ordinarily required.

**Verifiers:**

**Indicator 3.1.10**

If they so decide, Indigenous People shall manage forest sites or all/some of their resources.

**Verifiers:**

**Indicator 3.1.11**

There shall be explicit provision covering any agreement between the enterprise and the Indigenous People that its provisions shall not be interpreted as abrogating any underlying rights of the Indigenous People.

**Verifiers:**

**In the case of management by the Indigenous People themselves:**

**Indicator 3.1.1 IP**

The Indigenous People shall identify and map all lands or territories in which it may carry out management activities.

**Verifiers:**

**Indicator 3.1.2 IP**

The identification and boundaries of any such lands or territories shall not be subject to any dispute of substantial magnitude.

(see Criterion 2.3 for processes to resolve disputes).

**Verifiers:**

**Indicator 3.1.3 IP, C**

Community management of the forest shall be agreed by consensus of community members.

**Verifiers:**

**Indicator 3.1.4 IP**

The Indigenous People shall demonstrate effective control over their land and resources through the implementation of a management plan as in Principle 7.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

FSC Guidance Document *FSC-GUI-30-004: FSC Principles 2 and 3: Guidance on Interpretation (March 2006)* provides general guidance as well as the following examples of potential indicators for the implementation of this Criterion:

3.1.1a Indigenous peoples are demonstrating effective control over their land and resources through the implementation of a management plan as in Principle 7.

3.1.2a Community management of the forest shall be agreed by consensus of community members.

3.1.1b The manager recognizes and respects the legal and customary rights of the Indigenous People over their lands, territories and resources.

3.1.1(i) Indigenous Peoples formally indicate, clearly, unambiguously and normally in writing or by traditional means, that their legal and customary rights over their lands, territories and resources have been recognized and respected.

3.1.1(ii) Indigenous Peoples interests or concerns are clearly incorporated in the management plan.

3.1.2b There is a process to resolve disputes related to tenure claims and use rights which has been mutually agreed.

3.1.3 The manager has obtained free and informed consent, normally in writing or by traditional means, for the management plan from the appropriate Indigenous People by either:

a) jointly developing the plan according to the process set out in a joint management agreement, or,

b) consulting with the Indigenous People on the plan.

3.1.4 There exist agreed mechanisms to ensure that Indigenous People participate on an

informed basis in planning and decision-making.

3.1.5 Conditions under which consent has been given and under which it might be withdrawn, if any, are recorded in the management plan.

3.1.6 Where the area being proposed for forestry activities affects more than one Indigenous People, consent from each is ordinarily required.

3.1.7 If they so decide, indigenous people shall manage forest sites or all/some of their resources. It shall be set down in writing that the indigenous peoples have control of the management of their own territory. If the indigenous people have delegated this control to other groups, the licensee shall demonstrate that the people concerned have been given sufficient and accurate information.

**Relevant FSC International Policies, Standards, Guidance, Advice Notes cont.:**

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* requires compliance with ILO Convention 169, and includes the following indicators:

3.1.1 The communities concerned have identified themselves as indigenous or tribal. Ref: ILO Convention 169 Article 1(2)

3.1.2 The indigenous peoples are consulted through appropriate procedures and in particular through their representative institutions (Ref: ILO Convention 169 Article 6(1))

3.1.3 Timely information about the proposed forest operations is provided giving details of expected impacts, benefit-sharing arrangements and decision-making procedures.

3.1.4 Free and informed consent for forest management operations, if delegated by the indigenous peoples through their representative institutions, is freely expressed without coercion or duress. (Ref: ILO Convention 169 Article 7(1))

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Indigenous people demonstrate control of forests on their land  
Agreement with consensus of the community allow forest management by another person or organisation.

**Notes:**

The indicators are put forward based on an amalgamation of the guidance given in FSC-GUI-30-002 and FSC-GUI-30-004, with some additions based on certification body generic standards.

For Criteria 3.2, 3.3 and 3.4 the proposed indicators from the Guidance papers have been largely adopted, with minor modifications (e.g. replacing 'timber management' with 'forest management').

**FSC Criterion 3.2**

**Forest management shall not threaten or diminish, either directly or indirectly, the resources or tenure rights of indigenous peoples.**

**Suggested Indicators:**

**Indicator 3.2.1**

Forest management activities within the management unit shall be planned and implemented in such a way as to maintain the resources and tenure rights of the Indigenous Peoples.

**Verifiers:**

**Indicator 3.2.2**

Potential adverse impacts of forest management on indigenous communities' resources or tenure rights shall be identified and documented.

**Verifiers:**

**Indicator 3.2.3**

The enterprise shall discuss the potential impacts with the affected communities, and seeks agreement with the communities on actions to prevent or mitigate the impacts.

**Verifiers:**

**Indicator 3.2.4**

Documented actions shall be taken to prevent or mitigate adverse impacts.

**Verifiers:**

**Indicator 3.2.5**

The enterprise shall ensure that indigenous communities affected do not perceive the forest management enterprise as a serious threat to their resources or tenure rights.

**(see Criterion 4.5 for mechanisms to resolve potential disputes).**

**Verifiers:**

**For consideration**

Negotiations with indigenous or traditional communities, which are related to management activities, shall take place through representatives appointed by these communities and, preferably, supported by government institutions or NGOs which defend the rights of Indigenous Peoples and/or of traditional communities.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

FSC Guidance Document *FSC-GUI-30-004: FSC Principles 2 and 3: Guidance on Interpretation (March 2006)* provides general guidance as well as the following examples of potential indicators for the implementation of this Criterion:

3.2.1 Forest management activities within the management unit are planned and implemented in such a way as to maintain the resources and tenure rights of the Indigenous Peoples.

3.2.2 adverse impacts of forest management on indigenous communities' resources or tenure rights are identified

3.2.3 documented actions are taken to prevent or mitigate adverse impacts

3.2.4 the indigenous communities affected do not perceive the organisation as a serious threat to their resources or tenure rights

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* includes the following indicators:

3.2.1 Cultural and traditional values are respected

3.2.2 Traditional access for subsistence uses and traditional activities is granted.

3.2.3 Rights of local communities to natural resources pertaining to their land are respected and communities participate in the use, management and conservation of the resources.

Note: for both 3.2.2 and 3.2.3 it is assumed that traditional uses are on a scale that does not threaten the integrity of the resources or the management objective.

Ref: ILO Convention 169, or equivalent national legislation.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): The planning, implementation and monitoring of forest activities within the forest management unit involve full participation of indigenous peoples.

There are well defined customary areas right of indigenous peoples

#### **Notes**

The implication of this Criterion is that forest management which threatens or diminishes the resources or tenure rights of indigenous peoples would not be certifiable under the FSC system, even if such management took place with the free and informed consent of those peoples. FSC certification is voluntary, and considers aspects of forest stewardship in addition to tenure and ownership rights. Indigenous peoples and other owners and managers, sovereign or otherwise, have the right to implement management which does not comply with the *FSC Principles and Criteria for forest stewardship*. Such management may not however be FSC-certifiable.

### **FSC Criterion 3.3**

**Sites of special cultural, ecological, economic or religious significance to indigenous peoples shall be clearly identified in cooperation with such peoples, and recognized and protected by forest managers.**

#### **Suggested Indicators:**

##### **Indicator 3.3.1**

The enterprise shall make systematic efforts, in cooperation with local Indigenous Peoples, to identify and protect areas of cultural, historical, or religious, subsistence, or economic significance to those peoples.

##### **Verifiers:**

##### **Indicator 3.3.2**

Local Indigenous Peoples shall be employed to identify sites and features.

##### **Verifiers:**

##### **Indicator 3.3.3**

Within the decision-making authority of the forest management enterprise, unregulated access to Indigenous Peoples' hunting and gathering areas shall be discouraged. Where such considerations apply, forest management roads shall be closed to the public when not in use.

##### **Verifiers:**

##### **Indicator 3.3.4**

The forest management enterprise shall cooperate with local Indigenous Peoples in educating non-Indigenous People in the care and respect for the forest that is appropriate to the protection of their rights.

##### **Verifiers:**

##### **Indicator 3.3.5**

Areas and evidence of cultural or archaeological significance shall be carefully managed for and protected in meaningful consultation with local Indigenous People. Wherever cultural or archaeological evidence is observed or discovered, forest management operations cease immediately until direction has been obtained from the Indigenous People.

##### **Verifiers:**

##### **Indicator 3.3.6**

Sites of cultural, religious, ecological, or economic significance shall be delineated on maps or marked in the field and shall be known to relevant forest workers. Where such identification of sites would threaten the value or protection of the sites, general descriptions of the areas or site types (e.g. "plant gathering") shall still be given, and protection must still be ensured.

##### **Verifiers:**

**Indicator 3.3.7**

Using information and directions from Indigenous Peoples consultation and participation, construction project supervisors and earth-moving equipment operators shall be able to recognize sites of cultural or archaeological significance and so avoid disruption or damage.

**Verifiers:**

**Indicator 3.3.8**

Confidentiality of disclosures shall be maintained in keeping with applicable laws and the requirements of tribal representatives.

**Verifiers:**

**(see Criterion 4.5 for mechanisms to resolve potential disputes).**

**For consideration**

The enterprise shall educate its workers and contractors to recognize and respect the customs and traditions of local communities and Indigenous Peoples.

**Verifiers:**

The enterprise shall support the efforts of the affected Indigenous communities to monitor the impacts over time of forestry activities on the values identified in the Indigenous areas of concern' protection agreement.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

FSC Guidance Document *FSC-GUI-30-004: FSC Principles 2 and 3: Guidance on Interpretation (March 2006)* provides general guidance as well as the following examples of potential indicators for the implementation of this Criterion:

3.3.1 The enterprise makes systematic efforts, in cooperation with local Indigenous Peoples, to identify and protect areas of cultural, historical, or religious, subsistence, or economic significance to those peoples.

3.3.2 Local Indigenous Peoples should be employed to identify sites and features.

3.3.3 Within the decision-making authority of the timber management enterprise, unregulated access to Indigenous Peoples' hunting and gathering areas is discouraged. Where such considerations apply, timber management roads are closed to the public when not in use.

3.3.4 The timber management enterprise cooperates with local Indigenous Peoples in educating non-Indigenous People in the care and respect for the forest that is appropriate to the protection of their rights.

3.3.5 Areas and evidence of cultural or archaeological significance are carefully managed for and protected in meaningful consultation with local Indigenous People. Wherever cultural or archaeological evidence is observed or discovered, timber management operations cease immediately until direction has been obtained from the Indigenous People.

3.3.6 Sites of cultural, religious, ecological, or economic significance are delineated on maps or marked in the field and are known to relevant forest workers. Where such identification of sites would threaten the value or protection of the sites, general descriptions of the areas or site types (e.g. "plant gathering") should still be given, and protection must still be ensured.

3.3.7 Using information and directions from Indigenous Peoples consultation and participation, construction project supervisors and earth-moving equipment operators are able to recognize sites of cultural or archaeological significance and so avoid disruption or damage.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): Local and indigenous peoples are satisfied that sites significance to them are all identified and protected.

### **FSC Criterion 3.4**

**Indigenous peoples shall be compensated for the application of their traditional knowledge regarding the use of forest species or management systems in forest operations. This compensation shall be formally agreed upon with their free and informed consent before forest operations commence.**

#### **Suggested Indicators:**

##### **Indicator 3.4.1**

Indigenous Peoples' traditional practices or knowledge that has potential commercial value shall be recognised and shall be documented if feasible, whilst respecting the confidentiality of tribal knowledge and the protection of tribal intellectual property rights

##### **Verifiers:**

##### **Indicator 3.4.2**

If such traditional knowledge is used by the forest management enterprise or by any other organization under agreement with the forest management enterprise, the relevant Indigenous Peoples shall be compensated for the fair market value of such knowledge, and in agreement with the Indigenous People concerned

##### **Verifiers:**

##### **Indicator 3.4.3**

If Indigenous Peoples' traditional knowledge is used by the forest management enterprise, the use, and the applicable compensation shall be explicitly recognised in the forest Management Plan.

##### **Verifiers:**

##### **Indicators: 3.4.4**

If traditional knowledge is used by the forest management enterprise or by any other organization under agreement with the forest management enterprise, the enterprise actively shall assist the Indigenous People in obtaining formal, legal recognition of tribal intellectual property rights.

##### **Verifiers:**

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

FSC Guidance Document *FSC-GUI-30-004: FSC Principles 2 and 3: Guidance on Interpretation (March 2006)* provides general guidance as well as the following examples of potential indicators for the implementation of this Criterion:

3.4.1 Indigenous Peoples' traditional practices or knowledge that have potential commercial value are recognised and should be documented if feasible.

3.4.2 If such traditional knowledge is used by the timber management enterprise or by any other organization under agreement with the timber management enterprise, the relevant Indigenous Peoples are compensated for the fair market value of such knowledge.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
If traditional knowledge of indigenous people is used, they receive a fair market value compensation.

<p style="text-align: center;"><b>FSC Principle 4: Community relations and worker's rights</b></p> <p><b>Forest management operations shall maintain or enhance the long-term social and economic well-being of forest workers and local communities.</b></p>
<p><b>FSC Criterion 4.1</b> <b>The communities within, or adjacent to, the forest management area should be given opportunities for employment, training, and other services.</b></p>
<p><b>Suggested Indicators:</b></p> <p><b>Indicator 4.1.1</b> Demonstrable efforts shall be made to employ, and/or if necessary provide training, for workers from local communities (including forest dependent people) before workers are sought from further afield. <b>Verifiers:</b></p> <p><b>Indicator 4.1.2</b> The forest management enterprise shall give local training and educational organizations access to its forest areas for training and educational purposes. <b>Verifiers:</b></p> <p><b>Indicator 4.1.3</b> Local entrepreneurs shall be contacted and informed about opportunities for new contracts to supply services or products. <b>Verifiers:</b></p> <p><b>For Large Enterprises only:</b></p> <p><b>Indicator 4.1.4L</b> Training and/or other appropriate forms of assistance shall be developed to help local people (including forest dependent people) to meet the organization's long-term staffing requirements. <b>Verifiers:</b></p> <p><b>Indicator 4.1.5L</b> The forest management enterprise shall provide support to the local community commensurate with its size, profitability and its relative importance to the local community (e.g. investment in community infrastructure; local access to its own clinics, nursery schools or recreational facilities). <b>Verifiers:</b></p> <p><b>Indicator 4.1.6L</b> The forest management enterprise shall consult with representatives of the local community in order to identify areas in which it can support local enterprises by allowing access to its land or resources, without interfering with its own management objectives. <b>Verifiers:</b></p>
<p><b>Relevant FSC International Policies, Standards, Guidance, Advice Notes:</b></p> <p><i>FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation</i> includes the following indicators: 4.1.4 Employment opportunities for local and forest dependent people: Local and forest-dependent people have equal access to employment and training opportunities.</p> <p>Ref: ILO Conventions 169, or equivalent national legislation or agreements.</p> <p><i>FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)</i> includes the following suggested indicator(s):</p>

**Example indicators:**

Local workers and contractors should be given priority for employment, training and other services.

There is a training program for all workers and contractors

There is supervision of all work done by workers and contractors.

Employees are not discriminated in hiring, advancement, dismissal remuneration and employment related to social security

Wages of income of self-employed workers or contractors are at least as high as those in comparable occupations in the same region and in no case lower than the established minimum wage.

**Example indicators for 'Low Intensity' categories of forests:**

Local and forest-dependent people have equal access to employment and training opportunities

Support is provided for local infrastructure, facilities and social programs. The extent and quality of support is agreed with the local community prior to the start of the operation. Local communities are involved in identification of training, social and economic needs.

**FSC Criterion 4.2**

**Forest management should meet or exceed all applicable laws and/or regulations covering health and safety of employees and their families.**

**Suggested Indicators:**

**Indicator 4.2.1**

Forest managers and workers shall have a working knowledge of national laws and/or regulations covering health and safety of employees and their families.

**Verifiers:**

**Indicator 4.2.2**

No work likely to jeopardize health, safety or morals shall be carried out by anyone under the age of 18 (unless there is special provision for safety, training or traditional community circumstances).

**Verifiers:**

**Indicator 4.2.3**

Safety and health requirements shall be taken into account in the planning, organization and supervision of operations.

**Verifiers:**

**Indicator 4.2.4**

The enterprise shall provide employees with personal protective equipment appropriate to the tasks they have been assigned.

**Verifiers:**

**Indicator 4.2.5**

Workers shall be prohibited from working without the personal protective equipment that has been provided.

**Verifiers:**

**Indicator 4.2.6**

All tools, machines, and equipment, including personal protective equipment shall be in safe and serviceable condition.

**Verifiers:**

**Indicator 4.2.7**

Where workers stay in camps, conditions for accommodation and nutrition shall comply at least with those specified in the *ILO Code of Practice on Safety and Health in Forestry*.

**Verifiers:**

Ref: ILO Conventions 155, *ILO code of Practice on Safety* (1988), or equivalent national legislation.

**Indicator 4.2.8**

An effective first aid program shall be in place, including worker training in basic first aid and the provision of readily accessible first aid kits with up to date supplies.

**Verifiers:**

**Indicator 4.2.9**

There shall be a written emergency plan in case of serious injury to any forest worker or contractor, and which includes provision for timely evacuation to an appropriately equipped medical facility.

**Verifiers:**

**Indicator 4.2.10**

In case of accidents, the enterprise shall be responsible for all costs associated with the worker's recuperation and damage to their health.

**Verifiers:**

**Indicator 4.2.11**

There shall be provision for the safe transport of workers to and from their place of work, and within the forest management unit.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 4.2.12L**

The enterprise shall appoint an appropriately qualified individual to have overall responsibility for occupational health and safety.

**Verifiers:**

**Indicator 4.2.13**

Forest managers shall systematically assess the risk associated with all tasks and equipment and prescribed and documented key responsibilities, safe procedures, the use of personal protective equipment, and emergency procedures as appropriate.

**Verifiers:**

**Indicator 4.2.14L**

All workers shall have had relevant training in safe working practice and where required or appropriate hold the necessary skills certificates.

**Verifiers:**

**Indicator 4.2.15L**

The enterprise shall maintain accurate and up-to-date health and safety records (including risk evaluations and accident records), and has taken appropriate measures to avoid repetition of any accidents that have occurred.

**Verifiers:**

**Indicator 4.2.16L**

All employees and their families shall be informed of and take part in prevention and control programs for illnesses or diseases endemic to the area that affect forest workers or their families.

**Verifiers:**

**Indicator 4.2.17L**

The enterprise shall ensure that all employees and contractors have social insurance (or equivalent) to provide compensation and/or ongoing support in the event of redundancy or work place injury.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* includes the following indicators:

4.2.1 A safety and health policy and a management system are in place which systematically identify hazards and preventive measures and ensure these are taken in the operations.

4.2.2 All necessary equipment, tools, machines and substances are available at the worksite and in safe and serviceable condition.

4.2.3 Safety and health requirements are taken into account in the planning, organization and supervision of operations.

4.2.4 Where workers stay in camps, conditions for accommodation and nutrition comply at least with ILO Code of Practice on Safety and Health in Forestry Work.

Ref: ILO Conventions 155, ILO code of Practice on Safety [and Health in Forestry Work] (1988), or equivalent national legislation.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):

Example indicators:

All work done in the forest must comply with national health and safety laws and regulations.

Basic requirements for health and safety:

legal compliance

adequate protective clothing for the operation (as set out in the ILO Code of Practice, Table 1, P. 50) is available and in use.

health and safety taken into account in operational planning.

Child labour is not used

Community / Low intensity forest operations:

A community health and safety policy and guidelines exists and are being followed.

Where health and safety regulations are inadequate or non-existent, and where people are carrying out traditional harvesting activities within a community forestry operation alternative indicators may be appropriate: Eg. In the case of certain NTFP harvesting in the tropics an example might be:

The people participating in forestry work (or NTFP collection. {insert appropriate term} are aware of the risks involved and specific safety measures are taken, *and*:

There are emergency procedures established for the case of accidents.

**Other relevant documents:**

ILO Code of Practice on Safety and Health in Forestry.

**FSC Criterion 4.3**

**The rights of workers to organize and voluntarily negotiate with their employers shall be guaranteed as outlined in Conventions 87 and 98 of the International Labour Organisation (ILO).**

**Suggested Indicators:**

**Indicator 4.3.1**

Interested individuals shall be able to form and/or join organizations of their choice (including trade unions) without fear of intimidation or reprisal.

**Verifiers:**

**Indicator 4.3.2**

Managers shall document, respect and implement agreements reached with the employees in relation to pay, conditions, etc.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 4.3.3L**

The enterprise shall have copies of ILO Conventions 87 and 98.

**Verifiers:**

**Indicator 4.3.4L**

Senior managers shall be familiar with the requirements of ILO Conventions 87 and 98.

**Verifiers:**

**Indicator 4.3.5L**

Representative trade unions (if present) shall agree that collective bargaining with them is carried out in good faith and with best efforts to reach agreement (ref: ILO Conventions 87 & 98, ILO Declaration 1998, or equivalent national legislation.)

**Verifiers:**

**Indicator 4.3.6L**

Organizations of interested parties shall be accepted as participants in decision making (Ref: ILO Conventions 87, 98, 141 & 169, or equivalent national legislation or agreements.)

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* includes the following indicators:

**Right to organize and bargain collectively:**

4.3.1 All workers are able to form and join a trade union of their choice without fear of intimidation or reprisal.

4.3.2 Collective bargaining with representative trade unions is carried out in good faith and with best efforts to come to an agreement. (Ref: ILO Conventions 87 & 98, ILO Declaration 1998, or equivalent national legislation.)

**Right to organize and defend interests collectively:**

4.3.3 All interested individuals are able to form and join organizations of their choice without fear of intimidation or reprisal, and are well informed of their rights under these standards.

4.3.4 Organizations of interested parties are accepted as participants in decision making (Ref: ILO Conventions 87, 98, 141 & 169, or equivalent national legislation or agreements.)

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Example indicator: There is no restriction on workers to join worker's unions

**FSC Criterion 4.4**

**Management planning and operations shall incorporate the results of evaluations of social impact. Consultations shall be maintained with people and groups (both men and women) directly affected by management operations.**

**Suggested Indicators:**

**Indicator 4.4.1**

The enterprise shall identify and document the potential social impacts resulting from its operations, in consultation with the people and groups (both men and women) who are directly affected.

**Verifiers:**

**Indicator 4.4.2**

The enterprise shall maintain regular and ongoing consultation with the people and groups (both men and women) who are directly affected by its operations in order to identify social impacts and the potential to avoid or reduce such impacts on an ongoing basis.

**Verifiers:**

**Indicator 4.4.3**

The enterprise shall demonstrate how it has incorporated the results of its evaluation of social impacts into its management planning and operations.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 4.4.4L**

The enterprise shall implement a formal, documented 'social management system' to seek the views of employees, members of local communities (both men and women) and other groups directly affected by management operations about the impacts of those operations, and actions that the forest enterprise could take to avoid or reduce such impacts.

**Verifiers:**

**Indicator 4.4.5L**

The enterprise shall provide copies of the summary of the management plan (see Criterion 7.4) to the representatives of local communities and organizations who have a clear interest in the enterprise's management of the forest.

**Verifiers:**

**Indicator 4.4.6L**

The workers involved in forest management activities shall have health certificates and up-to-date vaccinations.

**Verifiers:**

Note: this indicator is included here as it relates to the potential role of the enterprise's workers in passing disease on to the local population.

**Verifiers:**

**Indicator 4.4.7L**

In the case of substantial alterations in the types of jobs needed and on offer, the enterprise shall provide support for the professional re-orientation of the workers.

**Indicator 4.4.8L**

The enterprise shall have a system in place to inform directly affected stakeholders (or their representatives) in advance of operations that are likely to have an impact on their enjoyment of the forest resource or otherwise affect their daily lives, and provides such stakeholders with an opportunity to comment on the operations and suggest ways to mitigate the expected impact prior

to commencement of operations.

**Verifiers:**

**Indicator 4.4.9L**

The enterprise shall have a system in place to inform employees and contractors (or their representatives) of management issues which will affect them (and, in particular issues relating to current or future employment), and to provide such stakeholders with an opportunity to comment on the proposals and suggest ways to mitigate any expected negative impacts.

**Verifiers:**

**For Community managed enterprises only:**

**Indicator 4.4.4 C**

The enterprise shall make copies of the summary of the management plan (see Criterion 7.4) readily available to all the members of the local community.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* includes the following indicators:

4.4.1 All interested parties have access to relevant information

4.4.2 All interested parties have the opportunity to affect decision making (Ref: ILO Conventions 169, or equivalent national legislation and agreements.)

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Example indicators:

The forest management has identified and evaluated the social impacts resulting from forest operations

The results of social impact evaluations are reflected in the management plan

Relevant comments made by stakeholders are fully taken into consideration within the management plan.

There are functional communication channels between the forest manager and people that are might be affected by forest management.

**Other relevant documents:**

**FSC Plantations Policy Working Group Recommendation 1: Social Issues**

In order to upgrade the emphasis placed on the social elements of forest and plantation management, and to bring the focus on social issues to an equivalent level to that of the other elements of FSC certification, managers shall adopt a systematic approach to addressing the social aspects of certification, which certification bodies would then be able to audit. The objectives of this approach are to:

- Ensure “good neighbour” relationships with local communities and other stakeholders;
- Increase opportunities for, and contribute to, positive local sustainable development with an emphasis on reduction of poverty;
- Uphold the legal rights of workers, ensure worker’ rights to organise and maintain or improve workers’ health and social security;
- Uphold the legal and customary rights of indigenous peoples to own, use and manage their lands, territories and resources.

Such a systematic approach, implemented through a Social Management System, tailored to the scale and intensity of the operation and to the local socio-economic context, should include:

- Analysing (for example through general methodologies developed for social diagnostics) and

mapping socially important features in the landscape, such as habitations, areas that provide resources to local communities, etc.;

- Identifying, in cooperation with affected stakeholders, the social objectives of the management unit in relation to employees (including contractors and sub-contractors), the local community and indigenous peoples;
- Systematic management of personnel, including local employment policies and actions related to employees, contractors and subcontractors;
- Detailed, participatory social assessments of positive and negative impacts of the plantation management on the local community;
- Clear strategies for preventing, remedying, mitigating and/or compensating local communities in the event of negative impacts;
- Locally appropriate actions to participate, together with other stakeholders, in improvement of livelihood, local development and poverty reduction.

Addressing social issues is clearly linked to stakeholder consultation and these topics need to be considered together.

To assist implementation, FSC shall produce a handbook for forest and plantation managers that can also be used by certification bodies for auditing purposes.

### **FSC Plantations Policy Working Group Recommendation 3: Stakeholder Consultation**

The group recommends that FSC ensures that the manager applying for plantation certification, and/or re-certification, is properly addressing consultation. To that end, the Group is clear that the responsibility for engaging affected parties rests with the manager. In the absence of a national standard, the manager is also responsible for demonstrating how the concerns expressed by other interested parties have been taken into account.

At the same time, the Group interprets consultation as being one aspect within a broader context of participation, recognising that 'engaging' implies a level of involvement between the plantation or forest managers and affected communities. Consultation is inherent in several of the Principles and Criteria. Nevertheless, the aggregated parts must result in a whole that translates into a demonstrable commitment to stakeholder involvement and dialogue.

The Group judges commitment to have been demonstrated when, according to the size of the operation:

- The manager has implemented a clear and robust consultation process (Large scale operators might adopt internationally recognised processes such as ISO) which covers pre- and ongoing certification periods;
- There is a similarly recognised conflict resolution process in place.

The Group recommends that certification bodies evaluate certification applicants according to whether they are fulfilling all the requirements of the consultation / conflict resolution processes they have adopted. The evaluation evidence will go a long way to ensure that the manager retains the confidence of everyone involved in those processes.

The technical phase shall develop (Drawing on e.g. work by ISO) a document which supports the implementation of the stakeholder consultation process proposed here for future FSC plantations certification. Some of the aspects of a good stakeholder consultation process include:

- The manager has identified and documented any significant conflict;
- The manager is able to demonstrate actions taken to resolve the conflict and communicate with the affected parties;
- The manager is being sufficiently proactive in reaching out to the community, for example going to them at the operation's cost, rather than expecting the community to come to the manager at the community's cost;
- The manager's consultation has involved relevant affected parties;
- Delegations of rights by indigenous peoples and local communities are based on prior, informed consent;
- The certification body is able to evaluate the managers actions against the P&C, standards and guidelines;

- The certification body is able to determine if consent has been 'manufactured'.

As part of this work, the following terms should be clearly and consistently defined:

- 'Affected' and 'interested' parties as outlined in the report from the 3rd Policy Working Group meeting (The Policy Working Group identified three different situations of stakeholder involvement in the FSC system and suggested that it may be useful to make a distinction between directly affected (local) stakeholders and interested (regional/ national/international) stakeholders).

;

- Stakeholder;
- Rights holder;
- Consultation;
- Participation.

The Group recommends that FSC synthesises the final guidelines into a handbook that provides practical guidance on improving managers' consultation and conflict resolution processes, as well as guidance to affected and interested stakeholders on how to get involved and participate in these processes. The handbook needs to be applicable to a wide range of geographical contexts and include considerations of Small and Low Impact Managed Unit operations.

#### **ISO 26000**

Certification bodies and FSC National Initiatives are recommended to review and consider the guidance being developed with the draft standard ISO 26000 and its associated annexes for possible indicators and means of verification relating to stakeholder consultation, particularly by large enterprises.

#### **AccountAbility**

Certification bodies and FSC National Initiatives are recommended to review and consider the guidance being developed with the draft stakeholder engagement standard AA1000SES for possible indicators and means of verification relating to stakeholder consultation, particularly by large enterprises.

#### **BS8900: 2006**

Certification bodies and national initiatives may also review relevant elements of BS8900: 2006 Guidance for Managing Sustainable Development, also in development.

#### **FSC Criterion 4.5**

**Appropriate mechanisms shall be employed for resolving grievances and for providing fair compensation in the case of loss or damage affecting the legal or customary rights, property, resources, or livelihoods of local peoples. Measures shall be taken to avoid such loss or damage.**

#### **Suggested Indicators:**

##### **Indicator 4.5.1**

The forest enterprise shall maintain a complete and up-to-date record, including associated documentation, relating to any grievances against the enterprise, and the action taken to resolve any such grievances.

##### **Verifiers:**

##### **Indicator 4.5.2**

Where grievances are raised they shall be responded to promptly and fairly.

##### **Verifiers:**

**Indicator 4.5.3**

Fair compensation shall be offered in the case of any loss or damage caused by the forest enterprise and affecting the legal or customary rights, property, resources or livelihoods of local peoples.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 4.5.4L**

There shall be a documented procedure for the resolution of disputes or grievances raised in relation to the activities of the forest enterprise.

**Verifiers:**

**Indicator 4.5.5L**

An employee shall be appointed with responsibility to review and attempt to resolve any grievances raised in relation to the forest enterprise, in accordance with the documented procedure.

**Verifiers:**

**Indicator 4.5.6L**

The documented procedure shall include options for providing fair compensation in relation to any such loss or damage.

**Verifiers:**

**Indicator 4.5.7L**

In the event of any unresolved dispute the enterprise shall show that it has followed (or is following) its dispute resolution process in a good faith effort to resolve the dispute.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* includes the following indicators:

4.5.1 Every reasonable effort is made to resolve conflicts through consultation aiming at achieving agreement or consent (Ref: ILO Conventions 169 or equivalent national legislation or agreements.)

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Cross reference to C2.3

Note: Indicators under Criterion 4.4 include measures to avoid negative social impacts such as those referred to in this Criterion.

The following 'FSC Criterion' is not part of the FSC Principles and Criteria. It has been included because implementing the results of Motion 40, approved at the 2nd FSC General Assembly and subsequently implemented through *FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* could otherwise conflict with paragraph 3.9 of *FSC-STD-20-002 Structure and Content of Forest Stewardship Standards* which states that "Indicators shall only include elements that contribute to the achievement of the objective of the applicable FSC Criterion". The best way to implement the requirements of *FSC-GUI-30-002* whilst complying with the requirements of *FSC-STD-20-002* appears to be to create a new Criterion 4.6. This would be in line with the

requirements of FSC-STD-20-002 which states "The standard may include additional criteria which are not part of *FSC-STD-01-001 FSC Principles and Criteria of Forest Stewardship*". This permits the inclusion of indicators which it could be argued do not otherwise contribute directly to the achievement of previously specified FSC Criteria.

**[Criterion 4.6 Forest management shall comply with all ILO Conventions that have an impact on forestry operations and practices (Implementation of 2nd FSC General Assembly Motion 40)]**

**Suggested Indicators:**

**Indicator 4.6.1**

The enterprise shall adhere to the minimum age provisions of national labour laws and regulations and of international standards.

(Ref: ILO Conventions 138 and 182, ILO Declaration 1998, or equivalent national legislation).

**Verifiers:**

**Indicator 4.6.2**

There shall be no workers (including employees, self-employed or contractors) in debt bondage or other forms of forced labour.

(Ref: ILO Conventions 28 & 105, ILO Declaration 1998, or equivalent national legislation).

**Verifiers:**

**Indicator 4.6.3**

Employees shall not be discriminated against in hiring, advancement, dismissal, remuneration and employment related social security.

(Ref: ILO Conventions 100 & 111, ILO Declaration 1998, or equivalent national legislation).

**Verifiers:**

**Indicator 4.6.4**

Wages or income of workers, including self-employed workers and contractors, shall be at least as high as those in comparable occupations in the same region and in no case lower than the established minimum wage.

(Ref: ILO Convention 131, or equivalent national legislation).

**Verifiers:**

**For Large Enterprises only:**

**Indicator 4.6.5L**

The forest enterprise shall have copies of ILO Conventions 29, 87, 97, 98, 100, 105, 111, 131, 138, 141, 142, 143, 155, 169, 182, ILO Recommendation 135, and the "*Code of Good Practice on Safety and Health in Forestry Work* (1998)".

**Verifiers:**

**Indicator 4.6.6L**

The policies and procedures of the forest enterprise shall comply with all requirements of the listed ILO Conventions, Recommendation 135, and Code of Good Practice.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-POL-30-401 FSC and the ILO Conventions* lists the ILO Conventions which must be complied with in *all* FSC certified forests, irrespective of whether the government of the country concerned signed the applicable convention.

This document has proposed that a new Criterion 4.6 should be added to national and CB generic standards. See below.

The original FSC policy paper on FSC and ILO Conventions included an example of appropriate indicators as an annex. This was subsequently made available from FSC as a draft Guidance document *FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation*.

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* included the following indicator(s):

#### **1.3.1 Child labour**

The enterprise adheres to minimum age provisions of national labour laws and regulations, and to international standards (ref: ILO Conventions 138 and 182, ILO Declaration 1998, or equivalent national legislation).

No work likely to jeopardize health, safety or morals is carried out by anyone under the age of 18 (unless there is special provision for safety, training or traditional community circumstances).

#### **1.3.3 Prohibition of forced labour**

No workers in debt bondage or other forms of forced labour are engaged (including employees, self-employed or contractors) (Ref: ILO Conventions 29 & 105, ILO Declaration 1998, or equivalent national legislation)

*FSC-STD-30-010 (V2.0) FSC Controlled Wood Standard for Forest Management Enterprises* includes the following requirements in relation to violation of traditional and civil rights:

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* includes the following indicators:

#### **4.1.1 Equality of opportunity and treatment**

Employees are not discriminated in hiring, advancement, dismissal, remuneration and employment related social security.

Ref: ILO Conventions 100 & 111, ILO Declaration 1998, or equivalent national legislation.

#### **4.1.3 Fair remuneration**

Wages or income of self-employed or contractors are at least as high as those in comparable occupations in the same region and in no case lower than the established minimum wage.

Ref: ILO Convention 131, or equivalent national legislation.

#### **Notes:**

Compliance with ILO Conventions 87 and 98 is addressed explicitly in FSC Criterion 4.3.above

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* notes that ILO Conventions numbers 29, 87, 98, 100, 105, 111, 138 and 182 are Core Standards covered by the 1998 ILO Declaration on Fundamental Principles and Rights at work and its follow up.

## **FSC Principle 5: Benefits from the forest**

**Forest management operations shall encourage the efficient use of the forest's multiple products and services to ensure economic viability and a wide range of environmental and social benefits.**

### **FSC Criterion 5.1**

**Forest management should strive toward economic viability, while taking into account the full environmental, social, and operational costs of production, and ensuring the investments necessary to maintain the ecological productivity of the forest.**

#### **Suggested Indicators:**

##### **Indicator 5.1.1**

There shall be a budget showing the expected costs and revenues for the forest management enterprise for at least the current financial year.

##### **Verifiers:**

##### **Indicator 5.1.2**

The budget shall include costs for all significant activities and necessary investments (including the cost of meeting all social and environmental commitments) identified or implied in the forest management plan and associated policies and planning documentation.

##### **Verifiers:**

##### **Indicator 5.1.3**

The costs estimates in the budget shall be reasonable.

##### **Verifiers:**

##### **Indicator 5.1.4**

The revenue estimates shall be reasonable, and consistent with the expected rate of harvest of forest products and/or provision of other products or services.

##### **Verifiers:**

##### **Indicator 5.1.5**

If the budget shows a deficit for the year, the forest manager shall demonstrate how the shortfall will be covered whilst ensuring that the management plan is implemented in the long term.

##### **Verifiers:**

##### **Indicator 5.1.6**

The enterprise shall maintain up-to-date accounts which allow the estimates of costs and revenues to be verified over time.

##### **Verifiers:**

#### **For Large Enterprises only:**

##### **Indicator 5.176L**

There shall be a financial plan which estimates the cost and expected revenue from implementing the forest management plan (including social and environmental commitments) over at least the following five-year period.

##### **Verifiers:**

##### **Indicator 5.1.8L**

The costs and revenue estimates in the financial plan shall be reasonable.

##### **Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
The past and current forest management practices and investment demonstrate the ecological and financial productivity of the forest.

The operation knows the production costs for volumes harvested.

The forest operations provide direct benefits in terms of intermediate and final yields as well as indirect benefits

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies (March 2005)*, includes the following Guidance:

Subject 2.3: Financial evaluation

1 Background

1.1 FSC's mission is to support environmentally appropriate, socially beneficial and economically viable management of the world's forests. The FSC P&C are designed to implement this mission. There has however continued to be debate as to the extent to which FSC-accredited certification bodies should undertake evaluation and certification of the financial aspects of forest management.

1.2 Some FSC members have considered that evaluation of financial aspects should be interpreted very widely, to include for example the source of funding for forest management, and the methods of fundraising and marketing. Other FSC members believe that financial evaluation should be interpreted more narrowly, on the grounds that this is beyond the intent of the FSC Principles and Criteria, and that financial auditing is beyond the area of expertise of FSC and FSC-accredited certification bodies, and is best left to other agencies.

2 FSC Position

2.1 Economic criteria are specified in a number of the FSC Principles, especially Principle 5. More widely the whole set of social and environmental requirements is designed to enhance long-term economic sustainability of the operation.

2.2 Certification bodies are required to evaluate a forest management enterprise for compliance with the requirements of the applicable FSC Forest Stewardship Standard. Certification bodies are not required by FSC to evaluate compliance with additional requirements.

2.3 Certification bodies and FSC National Initiatives should consider the CIFOR paper, 'Rational exploitations: Economic criteria and indicators for sustainable management of tropical forests' by Ruitenbeek H.J and Cartier C (1998) when developing their generic certification standards, or national/ sub-national Forest Stewardship Standards, and may incorporate indicators such as those recommended by CIFOR within these standards in order to implement Principle 5 effectively. Table 5 of the CIFOR paper is reprinted below, and the whole paper is available from FSC on request. However, FSC does not at present recommend or require the inclusion of specific indicators for financial evaluation.

2.4 Certification bodies must ensure that claims about certification are accurate and are not misleading. The FSC certification system does not provide a financial audit, and does not provide or imply a guarantee of financial returns. Certification bodies must ensure that their clients do not make such claims either explicitly or by implication.

**Other relevant documents:**

CIFOR Occasional Paper No. 17, Rational Exploitations: economic criteria and indicators for sustainable management of tropical forests, Ruitenbeek J., and Cartier C, November 1998, ISSN 0854-9818

### **FSC Criterion 5.2**

**Forest management and marketing operations should encourage the optimal use and local processing of the forest's diversity of products.**

#### **Suggested Indicators:**

##### **Indicator 5.2.1**

Forest managers shall make a proportion of their production available to local enterprises, such as small-scale industries and processing operations, unless there is an over-riding reason which makes this impossible.

See also Criterion 5.4

##### **Verifiers:**

#### **For Large Enterprises only:**

##### **Indicator 5.2.2L**

Where possible, the owner/ manager shall promote the development of markets for and sustainable harvesting of common, lesser known forest species and/or non-timber forest products.

##### **Verifiers:**

##### **Indicator 5.2.3L**

The enterprise shall respond positively to requests from local entrepreneurs to support initiatives for the local processing of forest products.

##### **Verifiers:**

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Local processing is used where it is viable.

The forest operation seeks to:

Process locally their products

diversify its production – species, NTFP s, etc

### **FSC Criterion 5.3**

**Forest management should minimize waste associated with harvesting and on-site processing operations and avoid damage to other forest resources.**

#### **Suggested Indicators:**

##### **Indicator 5.3.1**

Harvesting techniques shall be designed to avoid log breakage, timber degrade and damage to the forest stand.

##### **Verifiers:**

##### **Indicator 5.3.2**

Felling debris (branches, tops, etc) shall be used to protect soils on skid trails.

##### **Verifiers:**

##### **Indicator 5.3.3**

Harvested and processed wood and/or products processed on-site shall be transported from the forest before any deterioration occurs.

##### **Verifiers:**

**Indicator 5.3.4**

Removal of unused biomass shall be minimized; branches and bark pieces remain in the forest, as far as possible, and whole tree harvesting shall not practiced.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 5.3.5L**

Strategic and tactical/ operational harvest planning and harvest operations shall be carried out in accordance with national best practice guidelines.

**Verifiers:**

**Indicator 5.3.6L**

Large scale maps shall be developed for all compartments prior to harvesting, identifying compartment boundaries, protected areas, extraction routes and depots within the compartment, and storage sites for consumer and production wastes.

**Verifiers:**

**Indicator 5.3.7L**

Timber harvest operations shall be carried out in strict compliance with such maps.

**Verifiers:**

**Indicator 5.3.8L**

There shall be a formal system in place for measuring site damage and harvesting waste as a proportion of harvested volume.

**Verifiers:**

**Indicator 5.3.9L**

Defensible targets shall be set, monitored and achieved for the level of waste to be left on site. NB: Targets for wood waste may vary between stands and forest types, and shall be dependent on a number of factors, including stand age, extent of decay in standing and down trees, and objectives for coarse woody debris. In most cases, the volume of on-site waste and breakage (excluding decay) will not exceed 5% of net stand volume.

**Verifiers:**

**Indicator 5.3.10L**

The system for paying field workers and contractors shall include incentives and disincentives which take account not only production but also the quality of work and the minimization of damage to the forest.

**Verifiers:**

**Indicator 5.3.11**

In the case of on-site processing facilities (e.g. saw milling) the conversion rate of timber to processed product shall be in line with best practice for the type of equipment in use.

**Verifiers:**

**Large tropical forest only**

**Indicator: 5.3.12LT**

The enterprise shall implement a formal, documented system of Reduced Impact Logging (RIL) consistent with international guidelines such as the *FAO Model Code of Forest Harvesting Practice*.

NB: see training, supervision, monitoring.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
During harvesting and on-site processing the forest operation seeks to:

Use residues and reduce waste

Reduce impacts on other forest resources.

Harvesting is carried out in such a way as to minimise breakage and damage to logs, while optimizing log utilization, grade and value.

**Other relevant documents:**

*FAO Model Code of Forest Harvesting Practice.*

**FSC Criterion 5.4**

**Forest management should strive to strengthen and diversify the local economy, avoiding dependence on a single forest product.**

**Suggested Indicators:**

**Indicator 5.4.1**

Managers shall have information on the range of potential products and services that could be supplied from their FMU, including 'lesser known' timber species, Non Timber Forest Products (NTFPs) and opportunities for forest recreation.

**Verifiers:**

**Indicator 5.4.2**

Managers shall have assessed the possibility of selling or marketing such products or services locally, either on their own account or through the involvement of local enterprises.

(see also Criterion 5.2)

**Verifiers:**

**Indicator 5.4.3**

The enterprise shall allow local entrepreneurs to have access to the forest, and to harvest forest products for their own or local commercial use, where this does not interfere with the social, financial or ecological objectives of management.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 5.4.4L**

The enterprise shall have assessed the potential for the sustainable production of non-timber products from the forest area (e.g., fisheries values, botanical forest products, recreational opportunities, hunting, etc.), and incorporated this within the forest management planning process.

**Verifiers:**

**Indicator 5.4.5L**

A variety of forest products and/or services shall be marketed locally.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Forest management should aim to avoid dependence on a single forest product. Local initiatives

involving the use, processing and or marketing of forest products are encouraged.

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies* (March 2005), includes the following Guidance:

Subject 2.8: Non Timber Forest Products  
Updated: March 2005

## 1 Background

1.1 Accreditation, certification and labeling of Non Timber Forest Products (NTFPs) has been under discussion with FSC members since 1995.

1.2 The FSC P&C make a number of references directly relevant to the evaluation of harvesting of NTFPs. Criterion 5.2 encourages the use and local processing of the forest's 'diversity of products'. Criterion 5.4 urges forest management to avoid dependence on any 'single forest product'. Criterion 5.6 requires that the rate of harvest of forest products shall not exceed levels which can be permanently sustained.

1.3 It has been recognized for some time that additional guidance is required with respect to the level of evaluation that is required, especially when there is harvesting of NTFPs for commercial sales, or when non-commercial harvesting of NTFPs has important impacts. Special guidelines are also required for the labeling of NTFPs.

## 2 FSC Position

2.1 Certification bodies must take account of the potential impacts of the harvesting or collection of NTFPs as part of the normal evaluation for compliance of a forest management enterprise with the applicable Forest Stewardship Standard. The potential impacts of such harvesting or collection must be considered whether or not the client proposes to use the FSC Trademarks to promote those products.

2.2 At the 12th FSC Board meeting, January 1998, the FSC Board approved a policy to allow FSC certification and labeling of NTFPs with immediate effect. NTFPs from certified forests may carry the FSC Logo on-product, and may be promoted with the FSC Logo and Trademarks off-product.

2.3 If a client wants to make on-product or off-product claims, the certification body must evaluate the management system used for the specific NTFP. The NTFP evaluation may take place during the main certification evaluation, or may be carried out at any time afterwards.

2.4 The certification body shall use standards prepared or adapted in the region for that NTFP, or it shall prepare its own NTFP standards by a process of national or regional consultation similar to the process currently used for the local adaptation of certification body generic standards (see FSC-STD-20-003 Local adaptation of generic forest stewardship standards). FSC does not require the certification body to seek or receive formal approval from the Accreditation Business Unit (ABU) for the standards used. Certification bodies should consult with the FSC International Center in case of uncertainty.

2.5 Standards developed by FSC National Initiatives for the certification of NTFPs may be submitted to the FSC International Center for FSC accreditation. Once accredited, such standards shall be used by any FSC-accredited certification body as the basis for FSC certification of NTFPs within the scope of the accredited standard.

2.6 Certification bodies shall take account of existing NTFP standards in a region, case by case, whenever they are contracted to certify and label NTFPs, even when the standards are not formally accredited by FSC.

2.7 The certification body must include NTFPs in the scope of the applicable joint FM/COC certificate in order for the NTFPs to be labelled or promoted subsequently using the FSC trademarks.

2.8 On-product labelling of NTFPs using the FSC trademarks shall only be permitted on the basis of a chain of custody certificate or joint FM/COC certificate issued by an FSC-accredited certification body which includes the specified NTFP product(s) within its scope.

2.9 In order to issue a chain of custody certificate for an NTFP product, the certification body shall first describe the proposed product(s) and related claim(s) to the Marketing and Communications Unit (MCU) of the FSC International Center, including a description of all non FSC-certified ingredients that may be included in the product. The certification body must receive written permission that the FSC trademarks may be used to promote the product(s) on the basis of the proposed claim(s), prior to the issue of an FSC-endorsed certificate. The MCU shall not withhold such permission unreasonably. The certification body shall then evaluate its client's chain of custody control systems to verify the proposed claim.

2.10 The Marketing and Communications Unit (MCU) of the FSC International Center of the certification of any NTFP, and FSC reserves the right to register the FSC Trademarks for the appropriate classes and to charge the certification body at cost for this service. The cost may be passed on to the client which has requested the sub-licence to use the FSC Trademarks for labels or market claims. The cost is likely to be around US\$500 per trademark per country and category, and typically takes 3 - 6 months. The certification body should inform its client of the probable cost of registration at an early stage.

2.11 Claims and labels should use a form of words adapted as appropriate from the recommendations in the FSC Logo Guide. All parties may take a flexible approach, with full consultation between the certification body, the FSC International Center, and the client. The certification body shall evaluate and approve all on- and off-product claims in relation to the certification of the product, and ensure that they are not misleading.

2.12 The FSC Trademarks may not be associated in any way with NTFPs unless they come from forests fully certified within the FSC system.

### **FSC Criterion 5.5**

**Forest management operations shall recognize, maintain, and, where appropriate, enhance the value of forest services and resources such as watersheds and fisheries.**

**For Large Enterprises only:**

#### **Indicator 5.5.1L**

The full range of forest services and resources (including, for example, municipal watersheds, upstream and downstream commercial and recreational fisheries, landscape quality, and the forest's contribution to regional biodiversity, recreation and tourism) shall be identified in the forest management plan (or equivalent documentation) for the enterprise.

**Verifiers:**

#### **Indicator 5.5.2L**

The management plan (or equivalent documentation) shall include a qualitative and/or quantitative evaluation of the value of such resources, accompanied by maps if appropriate.

**Verifiers:**

#### **Indicator 5.5.3L**

The management plan (or equivalent documentation) shall specify appropriate measures to maintain and/or enhance the value of each identified forest service or resource.

**Verifiers:**

NOTE: specific requirements relating to environmental aspects are addressed under Principles 6 and 9, below.

**Verifiers:**

**For SLIMF Enterprises only:**

**Indicator 5.5.1S**

Forest management operations shall have no significant negative impact on the forest's services and resources (including, for example, municipal watersheds, upstream and downstream commercial and recreational fisheries, landscape quality, contributions to regional biodiversity, recreation and tourism) are recognised in the forest management plan for the enterprise).

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): Non-timber forest resources and services within the FMU are protected. Forest management recognizes and maintains the value of forest services and resources such as watersheds and fisheries.

**FSC Criterion 5.6**

**The rate of harvest of forest products shall not exceed levels which can be permanently sustained.**

**Suggested Indicators:**

**Indicator 5.6.1**

The enterprise shall have a clear methodology to determine the allowable cut.

**Verifiers:**

**Indicator 5.6.2**

The allowable cut shall not jeopardize the forest's productive potential or potential to maintain its environmental or social services in the medium to long term.

**Verifiers:**

**Indicator 5.6.3**

The enterprise shall keep clear, accurate and up-to-date records of harvested volumes of all commercial timber species, and of the commercial harvest of any non-timber forest products.

**Verifiers:**

**Indicator 5.6.4**

The harvesting of NTFPs shall not exceed estimated replenishment rates over the long term.

**Verifiers:**

**For Large Enterprises only:**

**For timber and commercial non-timber forest products:**

**Indicator 5.6.5L**

The expected level of harvesting on an annual basis over the next five years, and in the long term (over more than one rotation) shall be clearly stated.

**Verifiers:**

**Indicator 5.6.6L**

The expected level of harvesting shall be clearly justified in terms of the permanently sustainable yield of the forest products on which the management plan is based.

**Verifiers:**

**Indicator 5.6.7L**

All assumptions regarding regeneration, growth, abundance, quality and size distribution of the main commercial species shall be explicit and are in line with the best available data for the locality from relevant research and/or inventories.

**Verifiers:**

**Indicator 5.6.8L**

Data on growth, regeneration and volumes harvested and/or thinned shall be reported regularly and analysed in comparison with predicted volumes and growth data.

**Verifiers:**

**For SLIMF Enterprises only:**

**Indicator 5.6.5S**

Harvest levels shall not exceed growth levels for the resources being harvested and the cycle proposed.

**Verifiers:**

**Indicator 5.6.6S**

When stock levels and growth are not well known (e.g. for certain NTFP species) the forest operation shall use conservative harvesting levels.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): Harvest levels do not exceed growth levels for the resources being harvested and the cycle proposed.

Minimum stocking levels of timber and other resources must be maintained, or, where they do not currently exist due to past mismanagement, be restored.

When stock levels and growth are not well known (eg. For certain NTFP species) the forest operation uses conservative harvesting levels.

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies (March 2005)*, includes the following Guidance: Subject 2.10: Conversion between plantation species

1 Background

1.1 Some of the earliest plantations certified under the FSC system were rubber plantations, whose wood was used to make doors. As the economics of plantation-grown rubber have changed, many rubber plantations are being converted to oil palm. In November 1996 SGS Forestry requested guidance from FSC on whether it would be considered acceptable to certify rubber wood from rubber wood plantations being converted to oil palm.

2 FSC Position

2.1 FSC's position is that so long as the plantation system prior to conversion is certifiable, and the system after conversion is certifiable, there is no reason in principle why the conversion should not take place (see Subject 2.1 for references to certification of oil palm).

2.2 It would be necessary in such a case to evaluate the oil palm plantation against the applicable Forest Stewardship Standard to ensure compliance.

2.3 It is inevitable that in the course of such a conversion the yield of a particular product will change. Since the change in production is the direct result of a controlled and planned change in the planted species within a system that complies with the applicable forest stewardship standards, this is acceptable.

## **FSC Principle 6: Environmental Impact**

**Forest management shall conserve biological diversity and its associated values, water resources, soils, and unique and fragile ecosystems and landscapes, and, by so doing, maintain the ecological functions and the integrity of the forest.**

### **FSC Criterion 6.1**

**Assessment of environmental impacts shall be completed -- appropriate to the scale, intensity of forest management and the uniqueness of the affected resources -- and adequately integrated into management systems. Assessments shall include landscape level considerations as well as the impacts of on-site processing facilities. Environmental impacts shall be assessed prior to commencement of site-disturbing operations.**

#### **Suggested Indicators:**

**See Criterion 5.5 for establishment of baseline information about the range of forest services and resources.**

#### **For Large Enterprises only:**

##### **Indicator 6.1.1L**

The enterprise shall complete and document an assessment of the environmental impacts of its management activities at the level of the landscape in which it is situated.

##### **Verifiers:**

##### **Indicator 6.1.2L**

The enterprise shall complete and document an assessment of the environmental impacts of its forest management activities within the FMU under assessment.

##### **Verifiers:**

##### **Indicator 6.1.3L**

The enterprise shall complete and document an assessment of the environmental impacts of any processing facilities within the FMU under assessment.

##### **Verifiers:**

##### **Indicator 6.1.4L**

The assessments of environmental impact referred to in Indicators 6.1.1, 6.1.2 and 6.1.3 shall include potential impacts of management infrastructure, logging camps, and workers' activities.

##### **Verifiers:**

##### **Indicator 6.1.5L**

The assessments of environmental impact referred to in Indicators 6.1.1, 6.1.2 and 6.1.3 shall include potential impacts relating to the extraction of forest products (e.g. the choice of equipment, impact of the transport network, impact on rivers in the case of fluvial extraction, etc), both within and outside the FMU.

##### **Verifiers:**

##### **Indicator 6.1.6L**

The assessments of environmental impact referred to in Indicators 6.1.1, 6.1.2 and 6.1.3 shall have been completed or shall have been reviewed and if necessary revised within the previous five year period.

##### **Verifiers:**

##### **Indicator 6.1.7L**

The assessments of impact referred to in Indicators 6.1.1, 6.1.2 and 6.1.3 shall identify the main environmental impacts of management, taking account of the size and intensity of the operations being undertaken, and the sensitivity of the site and landscape to such operations.

##### **Verifiers:**

**Indicator 6.1.8L**

The assessments of impacts referred to in Indicators 6.1.1, 6.1.2 and 6.1.3 shall explicitly consider potential impacts on any High Conservation Values identified within the FMU.

**Indicator 6.1.9L**

The management plans and other relevant policies and procedures of the enterprise shall clearly identify the actions to be taken to mitigate or reduce the environmental impacts identified as a result of the assessments.

**Verifiers:**

**Indicator 6.1.10L**

There shall be a procedure to review and evaluate potential environmental impacts and to record the specific actions taken to mitigate the impacts identified, on a site-by-site basis, prior to the commencement of site-disturbing operations.

**Verifiers:**

**For SLIMF Enterprises only:**

**Indicator 6.1.1S**

A documented assessment of the environmental impacts of the forest management activities within the FMU under assessment shall have been completed (or has been reviewed and if necessary revised) within the previous five year period.

**Verifiers:**

**Indicator 6.1.2S**

A documented assessment of the environmental impacts of any processing facilities within the FMU under assessment shall have been completed (or has been reviewed and if necessary revised) within the previous five year period.

**Verifiers:**

**Indicator 6.1.3S**

The assessments of impacts referred to in Indicators 6.1.1S and 6.1.2S shall identify the main environmental impacts of management, taking account of the size and intensity of the operations being undertaken, and the sensitivity of the site to such operations.

**Verifiers:**

**Indicator 6.1.4S**

The assessments of impacts referred to in Indicators 6.1.1S and 6.1.2S shall explicitly considers potential impacts on any High Conservation Values identified within the FMU.

**Verifiers:**

**Indicator 6.1.5S**

The management plans and/or other relevant policies and procedures of the enterprise shall identify the actions to be taken to mitigate or reduce the environmental impacts identified as a result of the assessments.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
The forest operation demonstrates knowledge of the possible negative impacts of its activities and seeks to minimize them.

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies* provides the following guidance in relation to on-site processing facilities (Subject 2.12 Integrated wood processing facilities):

1 Background

1.1 There are many examples of forest management enterprises with integrated wood processing facilities. They often have a substantial social, environmental or economic impact. It

is not always clear whether they form part of the forest management system, or whether they should be included in an evaluation of forest stewardship.

## 2 FSC Position

2.1 On-site wood processing facilities should be considered as an integral part of the forest management enterprise.

2.2 Relevant aspects of any on-site wood processing facility must therefore be evaluated as part of the forest management enterprise evaluation. Relevant aspects include parts of Principles 4, 5, 6 and 8.

2.3 When processing facilities are closely linked to forest management at either a project or enterprise level and yet are not part of the same site, the certification body may exercise discretion in determining whether the facilities are to be considered an integral part of the forest management enterprise or not. In general, if workers in an integrated wood processing facility are employees of the same enterprise as are the forest workers, then the certification body should include the site in the evaluation of Principle 4 'Community relations and workers' rights'.

### **FSC Criterion 6.2**

**Safeguards shall exist which protect rare, threatened and endangered species and their habitats (e.g., nesting and feeding areas). Conservation zones and protection areas shall be established, appropriate to the scale and intensity of forest management and the uniqueness of the affected resources. Inappropriate hunting, fishing, trapping and collecting shall be controlled.**

**Note: The Indicators for this Criterion should be considered in conjunction with those for Criteria 6.3 and 6.4.**

#### **Suggested Indicators:**

##### **Indicator 6.2.1**

There shall be an up to date list of the rare, threatened or endangered species that are present or are likely to be present within the FMU.

##### **Verifiers:**

##### **Indicator 6.2.2**

The management plans and other relevant policies and procedures of the enterprise shall clearly identify actions that are taken to maintain or enhance the presence of rare, threatened or endangered species within the FMU as a whole.

##### **Verifiers:**

##### **Indicator 6.2.3**

The presence of features or areas of high conservation value (see Principle 9) shall have been assessed and, where present, such features or areas are marked on maps.

##### **Verifiers:**

##### **Indicator 6.2.4**

There shall be no evidence that the forest enterprise allows or condones illegal or unauthorised hunting, fishing, trapping or collecting within the FMU.

##### **Verifiers:**

#### **For Large Enterprises only:**

##### **Indicator 6.2.5L**

The presence or likely presence of locally or regionally rare, threatened or endangered species and their habitats (e.g. nesting and feeding areas) shall have been assessed using the best available expertise and information.

##### **Verifiers:**

**Indicator 6.2.6L**

Conservation zones within which the conservation of biodiversity is the primary objective of management shall have been identified and marked on maps.

**Verifiers:**

**Indicator 6.2.7L**

Conservation zones shall have been selected to maximise their contribution to the conservation of biodiversity in relation to their size (for example through the creation of conservation corridors, protected wetland areas and consolidation of natural areas). The size and location of conservation zones shall be sufficient overall to ensure the continuing presence of rare, threatened or endangered species as listed, to protect existing examples of ecosystems in their natural state (see Criterion 6.4) and are not less than 10% of the area of the FMU under assessment.

Note: conservation zones are not necessarily forested land. They may include wetlands and open space, and may have dual purposes (e.g. they may be located partly on slopes susceptible to erosion, or in order to protect water sources). However, in all cases, the overall selection must be justified to maximise the conservation of biodiversity across the FMU.

**Verifiers:**

**Indicator 6.2.8L**

At least 5% of the area of the FMU under assessment shall be managed so as to retain it as or restore it to the condition of natural forest appropriate to the locale of the FMU. This area shall be included in the identified conservation zones.

(Note: 5% is proposed as a minimum for all FMUs. The proportion may be varied in national standards).

**Verifiers:**

**Indicator 6.2.8LP: for plantations only**

At least 10% of the area of the FMU under assessment shall be managed so as to retain it as or restore it to the condition of natural forest appropriate to the locale of the FMU. This area shall be included in the identified conservation zones.

(Note: 10% is proposed as a minimum for all plantations. The proportion may be varied in national standards - see Criterion 10.5).

**Verifiers:**

**Indicator 6.2.9L**

Specific management activities (and/or restrictions) designed to protect or enhance biodiversity within the conservation zones shall have been defined and are implemented.

**Verifiers:**

**Indicator 6.2.10L**

The forest management enterprise shall have documented and implemented a scientifically valid system of monitoring of key ecological indicators across the FMU's system of conservation zones.

**Verifiers:**

**Indicator 6.2.11L**

The forest management enterprise shall have up to date information (or estimates) about the scale and nature of any hunting, fishing, trapping or collecting which is authorised or permitted to take place within the FMU

**Verifiers:**

**Indicator 6.2.12L**

The forest management enterprise shall demonstrate that the levels of hunting, fishing, trapping or collecting estimated to take place do not exceed replacement levels within the FMU.

**Verifiers:**

**Indicator 6.2.13L**

The enterprise shall have an effective policy and associated programme of actions to discourage and reduce illegal hunting, trapping or collecting within its FMU.

**Indicator 6.2.14L**

Where applicable, the enterprise shall engage with and actively supports locally applicable efforts aiming at the sustainable management of bush meat.

**Verifiers:**

**For SLIMF Enterprises only:**

**Indicator 6.2.5S**

Features and/or areas within the FMU which are important to the conservation of local biodiversity shall have been identified and are marked on maps.

**Verifiers:**

**Indicator 6.2.6S**

Where such features and/or areas are present, specific management activities (and/or restrictions) designed to protect or enhance the associated biodiversity shall have been defined and are implemented.

**Verifiers:**

**For consideration**

There shall be agreements for the carrying out of scientific studies, and for the publication of results, by research institutions, especially those studies intended to characterize the ecology of rare endemic species, or species threatened with extinction.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): Where information exists on rare, threatened and endangered species and their habitats, the forest manager uses this information to map and protect them.

Other features, which are important for conservation, are identified and protected.

Hunting or fishing for with significant impacts is regulated. Fishing using dynamite and toxic substances is not permitted. Other inappropriate hunting fishing, trapping and collecting are controlled.

The use of fires is controlled inside the FMU and the forest manager assists in fire prevention or regulation in the surrounding area.

**FSC Criterion 6.3**

**Ecological functions and values shall be maintained intact, enhanced, or restored, including:**

- a) Forest regeneration and succession.**
- b) Genetic, species, and ecosystem diversity.**
- c) Natural cycles that affect the productivity of the forest ecosystem.**

**Suggested Indicators:**

**NB The Indicators for this Criterion should be considered in conjunction with those for Criteria 6.2 and 6.4.**

**Forest regeneration and succession**

**Indicator 6.3.1**

In natural (see Glossary) and other non-plantation forest areas managed for production the silvicultural system shall be designed to encourage and take advantage of natural regeneration,

evidenced, for example by the identification and retention of seed trees, the timing of harvesting, design and size of harvest areas, and short and long term post-harvest treatment of the site.

See also 6.3.6L and 6.3.6S below.

**Verifiers:**

**Genetic, species and ecosystem diversity**

**Indicator 6.3.2**

Old, non-commercial trees; trees with special ecological value; standing dead trees; and dead fallen wood shall all be systematically retained within the production area of the FMU, and in sufficient quantity to support populations of species of birds and insects dependent on old trees and dead wood across the FMU.

See also 6.3.1, 6.3.2, and Criterion 6.2.

**Verifiers:**

**Indicator 6.3.3**

Small scale sites of high ecological value (e.g. nesting sites, small wetlands, ponds, small open areas, etc) shall be systematically retained and protected (e.g. through appropriate buffer zones) throughout the production area of the FMU.

**Verifiers:**

**Natural cycles** (see Glossary)

**Indicator 6.3.4**

Site preparation and harvesting methods shall have been designed to minimize soil compaction and maximizes the retention of nutrients on site.

**Verifiers:**

**Indicator 6.3.5**

Protective areas shall be established between the management areas and the areas which have high risk of fire or erosion (e.g. bordering on pastures or small farming areas).

**Verifiers:**

**Indicator 6.3.6**

There shall be no evidence that the harvesting of material from the site is reducing the potential productivity of the soil in the long term.

**Verifiers:**

**Indicator 6.3.7**

There shall be no use of fertilizer within the forest or plantation area, other than as a short-term measure to restore sites that have been degraded by previous management practices.

See Criterion 6.5 for other measures to avoid soil erosion and loss, and to protect hydrological cycles.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 6.3.8L**

**Regeneration and succession** In plantation (see Glossary) areas of the FMU the silvicultural system shall be designed to reflect the natural pattern of regeneration and succession of the planted species, evidenced, for example, by the size and range of sizes and distribution of harvested areas across the FMU, and the maintenance within the plantation matrix of

conservation areas (see Criterion 6.2), seed trees, and a proportion of non-target tree and understorey species throughout the management cycle.

**Verifiers:**

**For SLIMF Enterprises only:**

**Indicator 6.3.8S**

In plantation (see Glossary) areas of the FMU a proportion of non-target tree and understorey species shall be retained within the plantation matrix throughout the management cycle.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Forest management maintains:

a natural diversity of stand successional stages,  
native species composition appropriate to the site,  
stand legacies including large live trees, snags and downed woody material.  
Soil fertility is not endangered.

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies (March 2005)*, includes the following Guidance:

Subject 2.11: Single species sustained yield  
Updated: March 2005

1 Background

1.1 In any natural forest there is a succession of trees of different species at different scales. At scales varying from a single tree gap, to the aftermath of a flood, forest fire, hurricane or landslip there is a succession from colonising trees to the trees typical of an older forest. No forest is in a steady state at all scales.

1.2 A typical pattern of 'management' of natural forests worldwide has been to successively harvest the most valuable species of the most useful size-classes, with varying degrees of consideration of the consequences for future management of the forest. This has often been combined with techniques to discourage or eliminate the less commercially valuable species. This pattern may generate a succession of 'commercial' species as the most valuable are repeatedly removed until they become either commercially or locally extinct. In this way the forest may become commercially and environmentally degraded until it is abandoned, often to be burnt or converted to agriculture.

1.3 Between the extremes of non-intervention and unsustainable exploitation are forest managers trying to achieve a commercial harvest of wood and non wood products whilst maintaining the social and environmental values of the forest. Nevertheless, any commercial harvesting of trees will influence the natural succession, at a scale dependent on the scale of harvesting. Many management systems in fact intentionally distort both the species and size-class distribution in order to favour 'commercial' species of 'commercial' sizes. Such distortions must have an effect on the distribution of biodiversity within the forest.

1.4 Furthermore there may be an inherent conflict between some impacts of harvesting or management, and the longer term distribution of species and age-classes within the forest. Many commercial species, including mahogany (*Swietenia* spp.) are essentially light demanding. Higher intensity logging will create more light, improving regeneration, but increasing disturbance. Single tree logging will allow less light, reducing regeneration, but causing less disturbance. There may therefore be inherent trade-offs between the objectives of reducing short term environmental impact, and the longer term environmental objective of regeneration. Opinion amongst conservation scientists appears to be divided as to the environmentally preferable option (e.g. see P. Rice, *Scientific American* March 1997). Similar conflicts are common in temperate as

well as tropical ecosystems.

1.5 How should a certification body determine in similar circumstances whether a particular forest management enterprise is carrying out unsustainable exploitation of the forest, or is implementing long term forest stewardship?

## 2 FSC Position

2.1 The FSC International Center considers that it would be counterproductive to insist that companies slavishly work to ensure single species sustained yield, when the implication is a high level of immediate environmental impact, a high financial cost, and unknown long term environmental impacts.

2.2 However, in situations in which logging is likely to lead to long term changes in species and size-class distribution it is essential that representative areas, and areas of particular conservation value, are protected from logging.

2.3 Where there are doubts as to the impact of logging on long term yields of forest products it becomes especially important to implement the monitoring requirements of Principle 8. Criterion 8.2 states:

'Forest management should include the research and data collection needed to monitor, at a minimum, the following indicators:

- a) Yield of all forest products harvested.
- b) Growth rates, regeneration and condition of the forest.
- c) Composition and observed changes in the flora and fauna.
- d) Environmental and social impacts of harvesting and other operations.
- e) Costs, productivity, and efficiency of forest management.'

### **FSC Criterion 6.4**

**Representative samples of existing ecosystems within the landscape shall be protected in their natural state and recorded on maps, appropriate to the scale and intensity of operations and the uniqueness of the affected resources.**

#### **Suggested Indicators:**

**NB The Indicators for this Criterion should be considered in conjunction with those for Criteria 6.2 and 6.3.**

#### **Indicator 6.4.1**

The FMU shall have been surveyed to identify any areas representative of ecosystems in their natural state, and all such areas shall be identified on maps.

#### **Verifiers:**

#### **Indicator 6.4.2**

The conservation zones designated by the forest enterprise (see Criterion 6.2) shall include representative areas of any examples of ecosystems in their natural state as identified in 6.4.1.

#### **Verifiers:**

#### **Indicator 6.4.3**

Management prescriptions shall be specified in the enterprise's forest management plan and other documents in order to protect the representative examples of ecosystems within conservation zones in their natural state and in the long term

#### **Verifiers:**

**Indicator 6.4.4**

Reference sites of the representative ecosystems within conservation zones, shall be identified and clearly marked on maps, and are monitored at least once a decade to identify and evaluate long term changes. The enterprise analyses and utilizes the results of the monitoring to evaluate management of the conservation zones.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Low intensity forests, groups of small forests operations where timber harvesting is taking place:

Representative samples of ecosystems that are unique and not under protection by public or private agencies known to exist in the FMU are identified, recorded on maps and excluded from the harvesting area.

In the case of NTFP harvesting, these areas may be protected without necessarily being removed from the harvesting area.

**FSC Criterion 6.5**

**Written guidelines shall be prepared and implemented to: control erosion; minimize forest damage during harvesting, road construction, and all other mechanical disturbances; and protect water resources.**

**Suggested Indicators:**

**Indicator 6.5.1**

The enterprise shall have written guidelines sufficient to:

6.5.1.1 control erosion;

6.5.1.2 minimise forest damage during harvesting, road construction, and other mechanic disturbances;

6.5.1.3 protect water resources both within and outside the FMU.

**Verifiers:**

**Indicator 6.5.2**

The guidelines shall be consistent with nationally and internationally recognised best practice for the range of sites under management.

(e.g. *FAO model code of forest harvesting practice*, Dykstra and Heinrich, 1996; and/or specified national best practice guidelines)

**Verifiers:**

**Indicator 6.5.3**

The guidelines shall include, at a minimum specific provisions to protect water courses by specifying wetland, water source and streamside protection zones in which harvesting and other disturbance is prohibited.

**Verifiers:**

**Indicator 6.5.4**

The guidelines shall include, at a minimum, specific provisions to prevent erosion by identifying areas which are susceptible to erosion, in which harvesting and other disturbance is prohibited.

**Verifiers:**

**Indicator 6.5.5**

Implementation of the guidelines shall be evidenced in management plans and other documents.

**Verifiers:**

**Indicator 6.5.6**

Implementation of the guidelines shall be clearly and consistently evidenced in site level management practices.

**Verifiers:**

**Indicator 6.5.7**

The transport network within the FMU shall be properly constructed and maintained, so as to avoid erosion and disturbance to natural drainage patterns.

See also Criterion 5.3 for reduced impact harvesting.

See also Criterion 6.1 for impact of extraction, including the transport network within and outside the FMU.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): All forest management operations are planned and implemented to minimise damage to soil eg. compaction, erosion (especially during road or trail construction).

Water courses, including non-perennial streams, springs, wetlands etc. are protected. Protection measures are sufficient to maintain or restore water quality. Logging in riverside areas and steep slopes is restricted.

Physical damage to stream bank and bed, changes in stream flow from bridges, culverts or debris and pollution are avoided.

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies (March 2005)*, includes the following Guidance:

Subject 2.9: Cut-off dates

1 Background

1.1 Many forests have been managed in the past in ways that do not meet the FSC Principles and Criteria. The effects of these past non-compliances may however be far-reaching. Such non-compliances might include poorly designed patterns of roading, or selection of plantation species that are inappropriate to the site.

1.2 FSC's objective is to bring the management of such forests into compliance with the FSC Principles and Criteria. FSC does not therefore exclude forests from being certified, on the basis of past problems.

[...]

2 FSC Position

2.1 Forest managers who inherit the problems of previous managers/owners may be certified so long as appropriate actions are being taken to mitigate the effects of such past mistakes, appropriate actions are being taken to correct the inherited problems, and the same mistakes are not being repeated.

2.2 [...] Similarly in the case of a poorly designed road system, FSC does not expect a new road layout to be immediately superimposed on the old one. FSC would however expect areas that are causing erosion or blocking watercourses to be re-routed or re-built, and guidelines regarding ongoing and future road-building and maintenance to be in place.

2.3 Currently, the concept of the 'cut-off' date has not been extended to include issues other than conversion of natural forest to plantations, as specified in Criterion 10.9.

### **FSC Criterion 6.6**

**Management systems shall promote the development and adoption of environmentally friendly non-chemical methods of pest management and strive to avoid the use of chemical pesticides. World Health Organization Type 1A and 1B and chlorinated hydrocarbon pesticides; pesticides that are persistent, toxic or whose derivatives remain biologically active and accumulate in the food chain beyond their intended use; as well as any pesticides banned by international agreement, shall be prohibited. If chemicals are used, proper equipment and training shall be provided to minimize health and environmental risks.**

#### **Suggested Indicators:**

##### **Indicator 6.6.1**

EITHER: The enterprise has a clear, documented policy not to use pesticides, and shall not use pesticides

OR: the enterprise shall comply with the following indicators for the use of pesticides.

##### **Verifiers:**

##### **Indicator 6.6.2**

The enterprise shall have copies of the ILO publications 'Safety & Health in the Use of Agrochemicals: A Guide', and 'Safety in the Use of Chemicals at Work', or equivalent documentation on the safe use of pesticides.

##### **Verifiers:**

##### **Indicator 6.6.3**

The enterprise shall have an up-to-date copy of FSC's list of 'highly hazardous' pesticides, and shall apply for and obtain 'derogations' in accordance with the current FSC Pesticide Policy, prior to any use.

##### **Verifiers:**

##### **Indicator 6.6.4**

There shall be no storage or use of any pesticide included on FSC's list of 'highly hazardous' pesticides within the FMU, unless the enterprise is subject to a current FSC pesticide derogation for the pesticide concerned.

##### **Verifiers:**

##### **Indicator 6.6.5**

The enterprise shall maintain complete and up to date records of all pesticide usage, including trade name, active ingredient, quantity of active ingredient used, date of use, location of use, reason for use.

##### **Verifiers:**

##### **Indicator 6.6.6**

Pesticides shall only be used when there is no effective and financially viable alternative action.

##### **Verifiers:**

##### **Indicator 6.6.7**

If pesticides are used, they shall be used in minimum effective quantities, and with strict observation of controls and regulations, relating to use.

##### **Verifiers:**

##### **Indicator 6.6.8**

If pesticides are used all staff and contractors involved with their use shall have up to date training in handling, application and storage procedures.

##### **Verifiers:**

##### **Indicator 6.6.9**

If pesticides are used all workers shall have been provided with and use proper safety equipment

(e.g., spray suits, gloves, eye protection, dust masks, etc.).

**Verifiers:**

**For Large Enterprises only:**

**Indicator 6.6.10L**

The enterprise shall implement a documented 'integrated pest management' (IPM) strategy designed to minimise the likelihood of serious pest problems occurring through an ecological management approach, and to identify and address potential pest problems at the optimum effective time.

See also Indicator 8.2.5L for monitoring of pests and diseases, and 8.4.3L for integration of monitoring results into the IPM strategy.

**Verifiers:**

**Indicator 6.6.11L**

The enterprise shall implement a documented system to minimise its use of pesticides. As a minimum the system shall include the following components:

- recording of all specific problems for which pesticide use is being considered;
- identification and readily available documentation of potentially effective non-pesticide methods of control;
- a clear preference for non-pesticide methods of control when this would be effective, even if it is not the cheapest approach in the short term;
- if a pesticide is used, there shall be a record providing a clear explanation as to why a pesticide rather than non-pesticide solution was chosen.

**Verifiers:**

**Indicator 6.6.12L**

The enterprise shall have a documented policy and procedures for the use of pesticides which comply, as a minimum, with the requirements for the transport, storage, handling, application and emergency procedures for clean up following accidental spillages as specified in ILO publications 'Safety & Health in the Use of Agrochemicals: A Guide', and 'Safety in the Use of Chemicals at Work'.

**Verifiers:**

**Indicator 6.6.13L**

The enterprise shall monitor the health of workers who have worked with pesticides in order to identify and investigate potential ill-effects resulting from pesticide exposure.

(reference: plantations policy working group recommendations)

**Verifiers:**

**Indicator 6.6.14L**

The enterprise shall provide fair compensation for negative impacts of pesticide use workers, local communities, and the environment

(reference: plantations policy working group recommendations)

See Indicator 6.3.7 for control of the use of fertilizer.

**Verifiers:**

**For consideration**

Seedlings shall be purchased from suppliers whose policies and procedures in relation to pesticide use are at least as effective in relation to avoiding and reducing the use of pesticides as those that would apply to the production of seedlings by an FSC-certified enterprise.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

In December 2005 FSC approved a revised policy on pesticides, *FSC-POL-30-001 FSC Pesticides Policy (2005)*. The policy has three main elements: the identification and avoidance of 'highly hazardous' pesticides; promotion of 'non-chemical' methods of pest management as an element of an integrated pest and vegetation management strategy; and appropriate use of those pesticides that are used.

*FSC-GUI-30-001 FSC Pesticides Policy: Guidance on implementation* provides detailed guidance on the implementation of the new policy. In particular, it includes as an annex a list of pesticides that FSC has identified as being 'highly hazardous', in accordance with FSC's interpretation of the attributes of pesticides whose use 'shall be prohibited', as specified in FSC Criterion 6.6. The list of 'highly hazardous' pesticides is fairly extensive, including around 70 named active ingredients. The list was under review during 2006 and 2007. Certification bodies and national initiatives should consult the latest list issued by FSC.

*FSC-ADV-30-021 Pesticides and major failures* states that certificates may not be issued to companies using 'prohibited' chemicals unless such use is covered by an approved FSC derogation. The terminology of 'prohibited' pesticides has since been changed to refer to 'highly hazardous' pesticides (see above). The intent is clear, however, that use of a prohibited/ highly hazardous pesticide, in the absence of an FSC-approved derogation, would constitute a 'major non-compliance' with the requirements of the FSC Principles and Criteria and would preclude the issue of a certificate.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): No products on the FSC list of Prohibited Pesticides are used. The forest operation seeks to minimize the use of all chemical products (eg. Fertilizers, wood preserver etc.).

*FSC-PRO-01-004a V1-0 EN FSC Forest Managers' Checklist For Developing Derogation Applications*. Many of the pesticide derogation applications do not detail enough information to meet FSC requirements for derogation applications. To address this, FSC developed a checklist to complement the existing derogation application form. The checklist should contribute to raising the quality of the applications by helping forest management operations to detail enough information on all the aspects of current FSC derogation requirements.

**FSC Criterion 6.7**

**Chemicals, containers, liquid and solid non-organic wastes including fuel and oil shall be disposed of in an environmentally appropriate manner at off-site locations.**

**Suggested Indicators:**

**Indicator 6.7.1**

The enterprise shall keep an up to date list identifying the off-site location(s) for the disposal of all its chemicals, containers, liquid and solid non-organic wastes (including fuel and oil).

**Verifiers:**

**Indicator 6.7.2**

There shall be a documented system in place for collecting and keeping such waste safely, and for safe transportation to the appropriate locations for disposal.

**Verifiers:**

**Indicator 6.7.3**

The off-site locations listed shall provide environmentally safe methods for the disposal of the enterprise's waste products.

**Verifiers:**

**Indicator 6.7.4**

There shall be no evidence that the enterprise's waste products are disposed of other than at the listed sites, and in accordance with environmentally safe methods and applicable legal requirements.

**Verifiers:**

**Indicator 6.7.5**

There shall be a documented procedure, supported by appropriate training and materials, for controlling and cleaning up chemicals, fuel and oil in the case of accidental spillage.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): Chemicals, containers, liquid and solid non-organic wastes including fuel and oil is disposed of in an environmentally appropriate manner, preferably at off-site locations.

**FSC Criterion 6.8**

**Use of biological control agents shall be documented, minimized, monitored and strictly controlled in accordance with national laws and internationally accepted scientific protocols. Use of genetically modified organisms shall be prohibited.**

**Suggested Indicators:**

**Indicator 6.8.1**

The forest manager shall provide a written guarantee that no genetically modified organisms (including trees and other organisms) are used or are present in the enterprise's management, production or research program, and there shall be no evidence of such use.

**Verifiers:**

**Indicator 6.8.2**

EITHER: The enterprise shall not use biological control agents (see Glossary);

OR: the enterprise shall comply with the following indicators for the use of biological control agents.

**Verifiers:**

**Indicator 6.8.3**

If biological control agents are used, the enterprise shall demonstrate that such use is in strict compliance with national laws and internationally accepted scientific protocols.

**Verifiers:**

**Indicator 6.8.4**

If biological control agents are used, comprehensive records of use shall be maintained by the forest manager, and the impacts of such use are closely monitored.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-POL-30-602 Genetically Modified Organisms* provides guidance on the interpretation of Criterion 6.8.

The policy states, *inter alia*:

"For increased clarity, the following interpretation is proposed for operational use:

"An organism is any biological entity capable of replication or of transferring genetic material. Genetically modified organism (GMO) means an organism in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination or both.

"Examples of genetic modification covered by this definition include the following:

Recombinant DNA techniques using viral or bacterial vector systems.

Techniques involving the direct introduction into an organism of heritable material such as DNA prepared outside the organism, including microinjection and micro-encapsulation.

Cell fusion (including protoplast fusion) or hybridisation techniques where live cells with new combinations of heritable genetic material are formed through the fusion of two or more cells by means of methods which do not occur naturally.

"The following techniques are not considered to result in genetic modification, on condition that they do not involve the use of recombinant DNA molecules or GMOs as recipient or parental organisms:

in vitro fertilization,

conjugation, transduction, transformation or any other natural process,

polyploidy induction,

mutagenesis,

cell fusion (including protoplast fusion) of plant cells where the resultant organisms can also be produced by traditional breeding methods.

"Clones, hybrids formed by natural processes, or the products of traditional tree breeding, selection, grafting, vegetative propagation or tissue culture are not GMOs, unless produced by GMO techniques.

"This wording is adapted from EC definitions and Directive 90/220, and from a UK Government Health and Safety Executive publication on Contained Use of GMOs."

The policy goes on to state:

"The use of GMOs is prohibited in certified forests, and would normally constitute a major failure of Principle 6.

"Certification bodies will set pre-conditions or conditions on candidates for certification, wherever the candidate forest management units use or contain GMOs in their management, production or research programs. They will set similar Corrective Action Requests on certified forest management units found to be using GMOs. Such requirements may include eliminating the GMOs, ceasing all use of GMOs, and/or decertification or disposal of the property containing GMOs."

*FSC-STD-30-010 (V2.0) FSC Controlled Wood Standard for Forest Management Enterprises* includes the following requirements in relation to wood from forest management units in which genetically modified trees are planted:

7.1 The Forest Management Enterprise shall ensure that no planted genetically modified (GM) trees are present in the FMU.

7.2 The Forest Management Enterprise shall keep records of and make available on request evidence to demonstrate compliance with section 7.1 above.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): Biological control agents are only used if they are approved nationally and practice based on the best available science is followed. No GMOs are used in any element of forest management or research.

## **FSC Criterion 6.9**

**The use of exotic species shall be carefully controlled and actively monitored to avoid adverse ecological impacts.**

### **Suggested Indicators:**

#### **Indicator 6.9.1**

Exotic species shall not be used for non-commercial purposes (e.g. erosion control, bank stabilisation, etc).

#### **Verifiers:**

#### **Indicator 6.9.2**

EITHER: The enterprise shall not use (i.e. plant, encourage the regeneration of, or otherwise manage for commercial purposes) exotic species (see Glossary);

OR: the enterprise shall comply with the following indicators for the use of exotic species.

#### **Verifiers:**

#### **Indicator 6.9.3**

Exotic species shall not be newly introduced into the FMU or onto new sites within the FMU unless there is convincing evidence available that the species will not become invasive or have other adverse ecological impacts at the local level.

Note: the precautionary principle should apply in evaluating such evidence. The absence of evidence of invasiveness or other adverse ecological impacts is not sufficient basis, of itself, to conclude that such problems will not occur.

#### **Verifiers:**

#### **Indicator 6.9.4**

In all cases, if an exotic species is newly introduced within the FMU, the enterprise shall document and implement regular monitoring within and outside the FMU to identify any evidence of invasiveness or other adverse ecological impacts.

#### **Verifiers:**

#### **Indicator 6.9.5**

In all cases, if an exotic species is newly introduced within the FMU, the enterprise shall have a documented policy and procedures specifying that if evidence of invasiveness or other adverse ecological impacts is found, the enterprise shall take prompt and effective action to eliminate the species from the FMU and from all other sites in which it may regenerate.

(see also Indicator 8.2.6L)

#### **Verifiers:**

#### **Indicator 6.9.6**

In the case of exotic species already established within the FMU:

##### **6.9.6.1**

The enterprise shall monitor and/or carries out research to evaluate the potential invasiveness and/or other adverse ecological impacts of the species in the local area.

(see also Indicator 8.2.6L)

#### **Verifiers:**

##### **6.9.6.2**

If there is evidence that the species is invasive, the enterprise shall evaluate the potential to eradicate the species within and immediately outside the FMU. If there is a reasonable possibility of successful eradication then the forest enterprise shall put in place a plan to achieve this in the shortest financially feasible timespan.

#### **Verifiers:**

**6.9.6.3**

If there is evidence that the species has significant adverse ecological impacts outside the areas in which it is already established, but is not invasive, the forest enterprise shall put in place a plan to eradicate the species within the FMU in shortest financially feasible timespan.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006) includes the following suggested indicator(s): Exotic species are not introduced into native-species natural forests.*

**FSC Criterion 6.10**

**Forest conversion to plantations or non-forest land uses shall not occur, except in circumstances where conversion:**

- a) entails a very limited portion of the forest management unit; and**
- b) does not occur on high conservation value forest areas; and**
- c) will enable clear, substantial, additional, secure, long term conservation benefits across the forest management unit. □**

**Suggested Indicators:**

**Indicator 6.10.1**

The enterprise shall clearly identify any parts of the FMU that are scheduled for conversion from natural or semi-natural forest to plantation or non-forest use, over the next five year period.

Note: for areas previously converted, see Criterion 10.9.

**Verifiers:**

**Indicator 6.10.2**

The areas scheduled for conversion:

- shall not include any High Conservation Value Forest areas (see Principle 9), AND
- EITHER total less than 5% of the total area of the FMU and shall enable clear, substantial, additional, secure, long-term conservation benefits across the forest management unit,
- OR shall be converted in order to restore the land securely and in the long term to a pre-existing "High Conservation Value" habitat.

**Verifiers:**

**Indicator 6.10.3**

The enterprise shall have all necessary approvals for the conversion, in line with national requirements.

**Verifiers:**

**For consideration**

Exceptions shall be permitted where the converted area is for the production of food for local consumption.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-ADV-30-602 Conversion of plantation to non-forest land (29th March 2004) recognised that there can be circumstances in which plantation is converted to non-forest land, and in which such wood can still be sold as FSC-certified.*

The advice notes provides additional guidance on the meaning of each of the phrases:  
"a) entails a very limited portion of the forest management unit; and  
b) does not occur on high conservation value forest areas; and  
c) will enable clear, substantial, additional, secure, long-term conservation benefits across the forest management unit."

The advice note should be consulted for details, but in summary it advises that:  
- 'very limited' normally means less than 5% of the FMU over a five year period;  
- HCVF (as defined by FSC) should not be converted;  
- that clearance and conversion of plantation to non-forest land would normally be eligible for certification if the land was being restored to a pre-existing 'high conservation value' habitat.

The 2005 FSC General Assembly, Motion 10 determined that "The first word "forest" in Criterion 6.10 shall be interpreted to refer to natural or semi-natural forests rather than plantations". This would permit conversion of plantations to non-forest land without specific restrictions (so long as this is compatible with other FSC requirements).

*FSC-STD-30-010 (V2.0) FSC Controlled Wood Standard for Forest Management Enterprises* includes the following requirements in relation to wood harvested from areas being converted from forests and other wooded ecosystems to plantations or non- forest uses:

6.1 No conversion of natural and semi-natural forests and other wooded ecosystems such as woodlands and savannahs to plantations or non-forest uses take place, except as permitted by section 6.3 below.

6.2 The Forest Management Enterprise shall keep records to demonstrate compliance with section 6.1 above.

6.3 Forest conversion to plantations or non-forest land uses shall not occur, except in circumstances where conversion:  
a) entails a very limited portion of the FMU  
b) does not occur on high conservation value forest areas,  
c) will enable clear, substantial, additional, secure long term environmental and social benefits across the FMU

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Conversion of natural forest within the FMU to plantations only occurs :

- as part of restoration to natural habitat
- when it is clearly necessary to allow conservation and management of the whole forest management unit
- only in a very limited area.

Conversion to another vegetation type only occurs:

- as part of restoration to natural habitat
- when it is clearly necessary to allow conservation and management of the whole forest management unit
- only in a very limited area.

If HCVF forest has been identified, no conversion shall take place in any site identified as containing or affecting, directly or indirectly, a HCV.

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies* (March 2005), includes the following Guidance: **Subject 2.2: Clearance of encroaching forest**

#### 1 Background

1.1 The FSC P&C actively promote the conservation, and in some cases restoration of forests. Criterion 10.1, for example, states that the management objectives for plantations shall include natural forest and conservation objectives.

1.2 Is it acceptable to clear areas in which trees are encroaching onto unforested land?

## 2 FSC Position

2.1 Encouragement of natural regeneration on non forested land may often contribute to compliance with of Principles 6 and 10. However clearance of natural regeneration and even early secondary forest is not forbidden, as long as this does not conflict with other FSC Criteria, and in particular with the requirements of Criterion 6.10.

2.2 In all cases, any specific requirements should be specified as Indicators in the applicable Forest Stewardship Standards, and evaluation shall take place to ensure compliance with the specified indicators. The following remarks are related to the development and evaluation of indicators.

2.3 When encroachment by natural regeneration is degrading the (non-forest) habitat of a rare, threatened or endangered species or where such encroachment is by exotic species, clearance may be required in order to comply with FSC criteria (e.g. Criteria 6.2, 6.9, 10.7).

2.4 In general certification bodies should ensure that such clearance operations are explicitly justified in the evaluation report, and that they do not compromise other environmental management objectives (e.g. with respect to Criterion 6.3).

2.5 So long as such clearance operations are carried out within the context of an integrated forest management plan for the whole area and in compliance with the applicable Forest Stewardship Standard the resulting forest products may be sold as certified.

### **Subject 2.20: Products of land clearance**

#### 1 Background

1.1 Trees may be cleared from land for a variety of reasons, many of which are economically, socially or environmentally benign: for example, removal of encroaching scrub from pastureland, conversion to agriculture within an approved land management plan, removal of invading exotic species from unforested land, salvage of timber before or after dam construction.

1.2 Convincing arguments may be made as to the positive environmental or other impacts of these operations even though they are not themselves examples of sustainable forest management.

#### 2 FSC Position

2.1 FSC exists to support forest stewardship. Whilst there are many environmentally benign sources of timber, if they are not derived from management that complies with the requirements of the applicable Forest Stewardship Standard, they cannot generally be considered as 'FSC-certified'.

2.2 In some circumstances wood that is the result of conversion to plantation or non-forest land use may be sold as FSC-certified, when this takes place within the context of a larger area which is in compliance with the requirements of the applicable forest stewardship standard, and is itself in compliance with the requirements of Criterion 6.10 (see FSC Advice Note FSC-ADV-30-602 conversion of plantation to non forest land 2004-03-29 for further details).

2.3 In some circumstances activities may take place within a certified area that do not comply with the requirements of the applicable Forest Stewardship Standard, but which are limited in scale and which are beyond the control of the forest managers. In the specific circumstances defined in sections 1a, 2a, 3a and 4a of FSC-POL-20-003 FSC Policy on the excision of areas from the scope of certification wood resulting from such activities and that can be salvaged may be sold as FSC-certified.

2.4 Wood from non-FSC certified sources may be included in products that carry the FSC logo, in compliance with the requirements of FSC chain of custody standard FSC-STD-40-004 FSC chain of custody standard for companies supplying and manufacturing FSC-certified products, and FSC-STD-40-005 FSC standard for non FSC-certified controlled wood.

2.5 Certification bodies may also operate their own separate certification programmes for, for example, salvaged or recycled wood (see subject 1.1, above).

### **FSC Principle 7:**

**A management plan -- appropriate to the scale and intensity of the operations -- shall be written, implemented, and kept up to date. The long term objectives of management, and the means of achieving them, shall be clearly stated.**

#### **FSC Criterion 7.1**

**The management plan and supporting documents shall provide:**

- a) Management objectives.**
- b) Description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands.**
- c) Description of silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories.**
- d) Rationale for rate of annual harvest and species selection.**
- e) Provisions for monitoring of forest growth and dynamics.**
- f) Environmental safeguards based on environmental assessments.**
- g) Plans for the identification and protection of rare, threatened and endangered species.**
- h) Maps describing the forest resource base including protected areas, planned management activities and land ownership.**
- i) Description and justification of harvesting techniques and equipment to be used.**

#### **Suggested Indicators:**

##### **Indicator 7.1.1**

The management plan and/or supporting documents shall specify the long term management objectives for the area under evaluation (see also Criterion 1.6).

##### **Verifiers:**

##### **Indicator 7.1.2**

The objectives of management shall include, inter alia, the conservation and/or restoration of representative samples of natural forest within the FMU (see also Criteria 5.5, 6.2).

##### **Verifiers:**

##### **Indicator 7.1.3**

The management plan and/or supporting documents shall include:

- 7.1.3.1 a description of the forest resources to be managed,
- 7.1.3.2 environmental limitations,
- 7.1.3.3 land use and ownership status,
- 7.1.3.4 socio-economic conditions, and
- 7.1.3.5 a profile of adjacent lands (see also Criterion 5.5).

##### **Verifiers:**

##### **Indicator 7.1.3**

The management plan and/or supporting documents shall include a description of the silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories (see also Criteria 5.6, 6.3, 8.1, 8.2).

##### **Verifiers:**

**Indicator 7.1.4**

The management plan and/or supporting documents shall provide a clear rationale for rate of annual harvest and species selection (see also Criterion 5.6).

**Verifiers:**

**Indicator 7.1.5**

The management plan and/or supporting documents shall describe the provisions for monitoring of forest growth and dynamics (see also Criterion 8.2).

**Verifiers:**

**Indicator 7.1.6**

The management plan and/or supporting documents shall specify environmental safeguards based on environmental assessments (see also Criterion 6.1, 9.3).

**Verifiers:**

**Indicator 7.1.7**

The management plan and/or supporting documents shall include plans for the identification and protection of rare, threatened and endangered species (see also Criteria 6.2, 6.3, 6.4, 9.3).

**Verifiers:**

**Indicator 7.1.8**

There shall be clear and accessible maps describing the forest resource base including protected areas, planned management activities and land ownership, at appropriate scales for their respective purposes.

See also Indicators: 2.1.2, 2.1.3, 3.1.1, 3.3.6, 5.3.5L, 5.3.6L, 5.5.2L, 6.2.3L, 6.2.5S, 6.2.6L, 6.4.1, 9.1.2, 10.9.2.

**Verifiers:**

**Indicator 7.1.9**

The management plan and/or supporting documents shall include specific consideration of the presence of any High Conservation Value areas (see Principle 9) within the FMU, and describe the specific measures that will be taken to maintain or enhance these values within the FMU (see Criterion 9.3).

**Verifiers:**

**Indicator 7.1.10**

The management plan and/or supporting documents shall include a description and justification of harvesting techniques and equipment to be used (see also Criterion 6.5).

**Verifiers:**

See also Principle 5 for Criteria and Indicators relating to financial viability of the management plan.

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):

A written management plan exists, which includes at least the following:

- the objectives of management
- a description of the forest
- how the objectives will be met, harvesting methods and silviculture (clear cuts, selective cuts, thinnings) to ensure sustainability
- sustainable harvest limits (which must be consistent with FSC criteria 5.6)
- plans for monitoring forest growth
- environmental/ social impacts of the plan
- conservation of rare species and any high conservation values
- maps of the forest, showing protected areas, planned management and land ownership
- pest and weed control planned
- duration of the plan
- .

Depending on the categories of small and low intensity forest operations defined by the standards writers this list may vary considerably (eg. systems for monitoring forest growth may not be required if felling is limited).

### **FSC Criterion 7.2**

**The management plan shall be periodically revised to incorporate the results of monitoring or new scientific and technical information, as well as to respond to changing environmental, social and economic circumstances.**

#### **Suggested Indicators:**

##### **Indicator 7.2.1**

The management plan (and supporting documentation) shall have been reviewed and revised if necessary within the last five years.

##### **Verifiers:**

##### **Indicator 7.2.2**

The management plan (and supporting documentation) shall incorporate the results of monitoring by the forest enterprise up to the date of its last revision.

(see also Criterion 8.4)

##### **Verifiers:**

##### **Indicator 7.2.3**

The management plan (and supporting documentation) shall accurately reflect the environmental, social and economic circumstances of the forest management enterprise and the area under management up to the date of its last revision.

##### **Verifiers:**

##### **Indicator 7.2.4**

Operational procedures (and supporting guidance or instructions) shall have been revised and updated as necessary to accurately specify current requirements.

##### **Verifiers:**

#### **For Large Enterprises only:**

##### **Indicator 7.2.5L**

The enterprise shall have a formal system to identify and review new scientific and technical reports that are relevant to its forest management, and can show that these have been taken into account in the most recent revision of its management plan and supporting documents.

##### **Verifiers:**

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
The plan is reviewed at least every X years and updated if necessary. The results of monitoring are used to plan and implement future management.

### **FSC Criterion 7.3**

**Forest workers shall receive adequate training and supervision to ensure proper implementation of the management plan.**

#### **Suggested Indicators:**

##### **Indicator 7.3.1**

Managers and supervisors (including those employed by contractors) shall have education,

training or experience to a level to ensure that they are able to plan, organize and supervise forestry operations in accordance with enterprise's plans, policies and procedures.

**Verifiers:**

**Indicator 7.3.2**

All workers (including contractors and their workers and self-employed persons) shall be sufficiently qualified/ trained, to implement the tasks they are assigned effectively and safely.

**Verifiers:**

**Indicator 7.3.3**

All workers (including contractors and their workers) shall be supervised to ensure they implement their tasks effectively and safely, and the quality of their work is monitored by the enterprise itself.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 7.3.4L**

A specific named person shall be responsible for all issues regarding education and training of employees.

**Verifiers:**

**Indicator 7.3.5L**

Policies and procedures shall make qualifications, skill and experience the basis for recruitment, placement, training and advancement of staff at all levels (without neglecting C.4.1) (Ref: ILO Conventions 142, ILO Code of Practice on Safety (1988), or equivalent national legislation.)

**Verifiers:**

**Indicator 7.3.6L**

The enterprise shall implement a documented system to identify the skills and training needs of its staff, and provides or supports an appropriate ongoing training programme for its employees (including contractors or self-employed) to meet these needs.

**Verifiers:**

**Indicator 7.3.7L**

There shall be accurate and up-to-date records showing training and education records of all employees.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-30-002 FSC and ILO Conventions: Guidance on implementation* includes the following indicators:

7.3.1 Managers and supervisors are in possession of an appropriate qualification, preferably one that is nationally recognized, ensuring that they are able to plan and organize forest operations and other elements of the management plan.

7.3.2 All workers, as well as contractors and their workers and self-employed persons, are sufficiently educated and trained in the tasks they are assigned to and hold the relevant skill certificates.

7.3.3 Policies and procedures make qualifications, skill and experience the basis for recruitment, placement, training and advancement of staff at all levels (without neglecting C.4.1) (Ref: ILO Conventions 142, ILO Code of Practice on Safety (1988), or equivalent national legislation.)

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Criterion 7.3 may be cross referenced to Criteria 4.1 in relation to training.

#### **FSC Criterion 7.4**

**While respecting the confidentiality of information, forest managers shall make publicly available a summary of the primary elements of the management plan, including those listed in Criterion 7.1.**

#### **Suggested Indicators:**

##### **Indicator 7.4.1**

There shall be a publicly available document which provides a summary of the enterprise's:

- 7.4.1.1 Management objectives;
- 7.4.1.2 Forest resources (including their environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands);
- 7.4.1.3 Silvicultural and/or other management system;
- 7.4.1.4 Rationale for rate of annual harvest and species selection;
- 7.4.1.5 Provisions for monitoring of forest growth and dynamics;
- 7.4.1.6 Environmental safeguards based on environmental assessments;
- 7.4.1.7 Plans for the identification and protection of rare, threatened and endangered species;
- 7.4.1.8 Justification of harvesting techniques and equipment to be used.

##### **Verifiers:**

##### **Indicator 7.4.2**

The summary shall include a specific section on the presence of High Conservation Values within the FMU, and the measures that are being taken to maintain or enhance such values within the FMU.

(see Criterion 9.3)

##### **Verifiers:**

##### **Indicator 7.4.3**

The document shall include maps describing the forest resource base and including protected areas, planned management activities and land ownership.

##### **Verifiers:**

##### **Indicator 7.4.4**

It shall be clear to the public how they can request a copy of the document, and the document is made readily available to any interested party on request.

##### **Verifiers:**

See also Criterion 4.4

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
The management plan, or a summary of it (which includes the information required by 7.1 and any results of monitoring) is available for the public to see on request.  
(This wording includes 8.5).

## FSC Principle 8: Monitoring and Assessment

**Monitoring shall be conducted -- appropriate to the scale and intensity of forest management -- to assess the condition of the forest, yields of forest products, chain of custody, management activities and their social and environmental impacts.**

### FSC Criterion 8.1

**The frequency and intensity of monitoring should be determined by the scale and intensity of forest management operations as well as the relative complexity and fragility of the affected environment. Monitoring procedures should be consistent and replicable over time to allow comparison of results and assessment of change.**

Note: the indicators that must be monitored are listed in Criterion 8.2, below

#### Suggested Indicators:

##### Indicator 8.1.1

Procedures for collecting the data specified in Criterion 8.2, below, shall be clearly documented.

##### Verifiers:

##### Indicator 8.1.2

The procedures shall describe the techniques for collecting the data for each Indicator of Criterion 8.2, and specify the frequency with which data is collected.

##### Verifiers:

##### Indicator 8.1.3

The described techniques shall provide reliable data, adequate to monitor change in the specified social, environmental and economic indicators over time and on a time scale that is useful to continuing improvement of management.

##### Verifiers:

##### Indicator 8.1.4

Adequate numbers of personnel shall have been trained and shall be available to implement the procedures specified in 8.1.1.

##### Verifiers:

See Criterion 8.4 for the use of monitoring information.

#### Relevant FSC International Policies, Standards, Guidance, Advice Notes:

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Monitoring should be done in a consistent and replicable way over time to allow comparison of results and assessment of change.

#### Notes

Criterion 8.2 specifies the focus of monitoring, and in a future revision of the P&C it may be useful to reverse the order of C8.1 and C8.2.

## **FSC Criterion 8.2**

**Forest management should include the research and data collection needed to monitor, at a minimum, the following indicators:**

- a) Yield of all forest products harvested.**
- b) Growth rates, regeneration and condition of the forest.**
- c) Composition and observed changes in the flora and fauna.**
- d) Environmental and social impacts of harvesting and other operations.**
- e) Costs, productivity, and efficiency of forest management.**

### **Suggested Indicators:**

**For large enterprises only:**

#### **Yield of all forest products harvested:**

##### **Indicator 8.2.1L**

The forest enterprise shall collect and maintain data on the quantity of each forest product harvested within the FMU, updated on at least a monthly basis.

**Verifiers:**

#### **Growth rates, regeneration and condition of the forest:**

##### **Indicator 8.2.2L**

Pre- and post- harvest inventory shall be carried out for all harvested areas.

**Verifiers:**

##### **Indicator 8.2.3L**

A periodic general inventory of forest stock and condition shall be carried out, which covers the whole area of production forest on a rolling basis, and which supplements the information provided by pre- and post-harvest inventory.

**Verifiers:**

##### **Indicator 8.2.4L**

The forest enterprise shall establish a system of permanent sample plots, sufficient to provide reliable information on forest condition and growth in the long term.

**Verifiers:**

##### **Indicator 8.2.5L**

The data collected during pre- and post- harvest inventory and general inventory shall be sufficient to provide an accurate estimate of species composition, stocking, growth rates, regeneration and presence of commercially significant pests or diseases for each forest type in the production forest.

**Verifiers:**

##### **Indicator 8.2.6L**

The monitoring program shall be sufficient to identify unusual mortality, disease, insect outbreaks or adverse ecological impacts related to the planting of exotic species within the FMU.

**Verifiers:**

#### **Composition and observed changes in the flora and fauna:**

##### **Indicator 8.2.7L**

The data collected during pre- and post- harvest inventory and general inventory shall be sufficient to identify and describe significant changes in the forest flora over time.

**Verifiers:**

##### **Indicator 8.2.8L**

The forest enterprise shall have a documented system for collecting data on the presence of key species of fauna within the FMU, sufficient to identify and describe significant changes in populations over time.

**Verifiers:**

See Indicator 6.2.10L for ecological monitoring within the FMU's conservation zones.

**Environmental and social impacts of harvesting and other operations:**

**Indicator 8.2.9L**

The data collected during pre- and post- harvest inventory and general inventory shall be sufficient to identify and describe any significant environmental impacts of harvesting and other operations over time.

See Criterion 4.4 for monitoring of social impacts

**Verifiers:**

**Indicator 8.2.10L**

The forest enterprise shall have a documented programme for collecting data sufficient to demonstrate the maintenance (or otherwise) of any High Conservation Values (see Criterion 9.1.1, 9.1.2) within the FMU.

**Verifiers:**

**Indicator 8.2.11L**

In the case of plantations, there shall be a comprehensive system for monitoring water flow and quality downstream of the FMU, sufficient to identify long term impacts of the plantation's establishment on water flow and quality, and to identify short term impacts (e.g. following harvesting and/or prior to subsequent re-establishment).

See also, Indicator 4.4.2

**Verifiers:**

**Costs, productivity, and efficiency of forest management:**

**Indicator 8.2.12L**

In the case of on-site processing facilities (e.g. saw milling) data shall be available which show the conversion efficiency of timber to processed product over time.

See Criteria 5.1, 5.2, 5.4 and 5.5 for economic indicators

**Verifiers:**

**For SLIMF Enterprises only:**

**Yield of all forest products harvested:**

**Indicator 8.2.1S**

The forest enterprise shall collect and maintain data on the quantity of each forest product harvested within the FMU updated on at least an annual basis.

**Verifiers:**

**Growth rates, regeneration and condition of the forest:**

**Indicator 8.2.2S**

Pre- and post- harvest inventory shall be carried out for all harvested areas.

**Verifiers:**

**Indicator 8.2.3S**

The data collected during pre- and post- harvest inventory shall be sufficient to provide a reasonable estimate of species composition, stocking, growth rates, regeneration and presence of commercially significant pests or diseases over the FMU as a whole.

**Verifiers:**

**Composition and observed changes in the flora and fauna:**

**Indicator 8.2.4S**

The forest manager shall keep notes of the presence of any notable species of flora or fauna, sufficient to identify significant trends over time.

**Verifiers:**

**Environmental and social impacts of harvesting and other operations:**

**Indicator 8.2.5S**

The data collected during pre- and post- harvest inventory shall be sufficient to identify any significant environmental impacts of harvesting.

See Criterion 4.4 for monitoring of social impacts

**Verifiers:**

**Indicator 8.2.6S**

The forest enterprise shall have a specific programme for collecting data sufficient to demonstrate the maintenance (or otherwise) of any High Conservation Values (see Criterion 9.1.1, 9.1.2) within the FMU.

**Verifiers:**

**Costs, productivity, and efficiency of forest management:**

See Criteria 5.1, 5.2, 5.4 and 5.5 for economic indicators

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):

The manager knows what information is needed in order to judge progress towards management objectives. The information is collected and recorded. In all cases this will include:

Amount of products harvested

Effects of operations as identified under Criteria 6.1

Changes in features identified under Criteria 6.2

At least annual monitoring of high conservation values identified under Criteria 9.1

Invasive exotic species

(note this list will be different for NTFP harvesting)

Other possible items to be monitored:

Post harvest (end of harvest and following next wet season or heavy rains) for erosion and sedimentation.

Estimate of residual basal area post harvest.

Periodic inventory (10 years).

Monitor planted seedlings

Monitor any rare, threatened or endangered species or natural communities appropriate to the resource and level of management activity.

Forest regeneration

Soil erosion

Protected species (flora and fauna)

**FSC Criterion 8.3**

**Documentation shall be provided by the forest manager to enable monitoring and certifying organizations to trace each forest product from its origin, a process known as the "chain of custody."**

**Suggested Indicators:**

**Indicator 8.3.1**

There shall be a system in place which allows all products (timber and non-timber) harvested within the FMU to be readily identified as such, from the time of harvesting through to the point of sale.

**Verifiers:**

**Indicator 8.3.2**

The identification system shall allow the physical products to be linked to paper records including all of the following information:

- type of product;
- volume (or quantity) of product;
- logging/production site;
- logging/production date;

**Verifiers:**

**Indicator 8.3.3**

The forest enterprise shall keep sales invoices for all products sold, which identify at least:

- name and address of purchaser;
- the date of sale;
- type of product;
- the volume (or quantity) sold.

**Verifiers:**

**Indicator 8.3.4**

All products that are sold as 'FSC-certified' shall be readily identifiable as such, both on the physical product and on the accompanying paper records and sales invoices.

**Verifiers:**

**Indicator 8.3.5**

The forest enterprise shall keep copies of production records and sales invoices for at least five years.

**Verifiers:**

**For Large Enterprises only:**

**Indicator 8.3.6L**

The procedure for identifying all products leaving the forest shall be clearly documented.

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Documentation must be available allowing products to be traced from the forest.

**Notes**

This Criterion might be better placed at the end of the Principle - i.e. to become Criterion 8.5 rather than 8.3.

**FSC Criterion 8.4**

**The results of monitoring shall be incorporated into the implementation and revision of the management plan.**

**Suggested Indicators:**

**Indicator 8.4.1**

The data collected as a result of the monitoring procedures specified under Criteria 8.1 and 8.2 shall be readily accessible to managers, and in a format which permits the analysis of trends over time.

**Verifiers:**

**Indicator 8.4.2**

Managers shall be able to demonstrate how the results of monitoring have influenced subsequent changes to the management plan and associated documents.

See also Indicator 4.4.3

**Verifiers:**

**For Large Enterprises only:**

**Indicator 8.4.3L**

The monitoring of pests and diseases shall be integrated into the enterprise's Integrated Pest Management (IPM) strategy.

**Verifiers:**

**Indicator 8.4.4L**

The data collected as a result of the monitoring procedures specified under Criteria 8.1 and 8.2 over the previous five year period shall be analysed and the main results presented in a form which allows managers to review relevant aspects of the management plan and associated documents.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): This criterion may be cross referenced to 7.2, as they both require that monitoring results are used to guide future management.

**Notes**

This Criterion flows naturally from Criteria 8.2 and 8.1. It might be more logical if it followed those Criteria directly, rather than coming after Criterion 8.3.

**FSC Criterion 8.5**

**While respecting the confidentiality of information, forest managers shall make publicly available a summary of the results of monitoring indicators, including those listed in Criterion 8.2.**

**Suggested Indicators:**

**Indicator 8.5.1**

There shall be a single, publicly available document, summarizing the results of monitoring to date.

**Verifiers:**

**Indicator 8.5.2**

The document shall summarize the results of monitoring for (at least) all of the data listed in Criterion 8.2.

**Verifiers:**

**Indicator 8.5.3**

It shall be clear to the public how they can request a copy of the document, and the document is made readily available to any interested party on request.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): This criterion may be cross referenced to 7.4, as they both require that the results of monitoring are incorporated into management plans (and therefore made available to the public).

□

## **FSC Principle 9: Maintenance of high conservation value forests**

**Management activities in high conservation value forests shall maintain or enhance the attributes, which define such forests. Decisions regarding high conservation value forests shall always be considered in the context of a precautionary approach.**

### **FSC Criterion 9.1**

**Assessment to determine the presence of the attributes consistent with High Conservation Value Forests will be completed, appropriate to scale and intensity of forest management.**

#### **Suggested Indicators:**

##### **Indicator 9.1.1**

The forest enterprise shall carry out an assessment of the FMU sufficient to identify all parts of the FMU that have each of the following attributes:

(see Annex 4 for additional guidance)

HCV1. Forest areas containing globally, regionally or nationally significant concentrations of biodiversity values (e.g. endemism, endangered species, refugia).

HCV2. Forest areas containing globally, regionally or nationally significant large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance.

HCV3. Forest areas that are in or contain rare, threatened or endangered ecosystems.

HCV4. Forest areas that provide basic services of nature in critical situations (e.g. watershed protection, erosion control).

HCV5. Forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health).

HCV6. Forest areas critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).

##### **Indicator 9.1.2**

The forest enterprise shall clearly map all areas within the FMU which have each of the six attributes listed under Indicator 9.1.1.

##### **Verifiers:**

#### **For Large Enterprises only:**

##### **Indicator 9.1.3L**

The forest managers shall have consulted with local stakeholders with relevant expertise or knowledge relating to each of the listed High Conservation Values in the identification of areas with those values within the FMU.

##### **Verifiers:**

##### **Indicator 9.1.4L**

The assessment procedure and its results (including the comments and suggestions of stakeholders in response to consultation) shall be fully documented.

##### **Verifiers:**

##### **Indicator 9.1.5L**

The results of the assessment shall have been reviewed by individuals with expert knowledge of the listed High Conservation Values and local knowledge of the area in which the FMU is located.

##### **Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Forest managers have assessed their forest for high conservation values.

*FSC step-by-step guide Good practice guide to meeting FSC certification requirements for biodiversity and High Conservation Value Forests in Small and Low Intensity Managed Forests*

[http://www.fsc.org/fileadmin/webdata/public/document\\_center/publications/FSC\\_Technical\\_Series/Step-by-step\\_guide\\_EN.pdf](http://www.fsc.org/fileadmin/webdata/public/document_center/publications/FSC_Technical_Series/Step-by-step_guide_EN.pdf)

This is a guide to help managers and owners of small-scale and low intensity forest operations maintain or improve the management of biodiversity and High Conservation Values (HCVs) within their forests. This guide is not designed to replace management plans – but to strengthen them. It is also useful for managers of large forests and for national standards to help develop local interpretations of HCVF.

**Other relevant documents:**

See 'The High Conservation Value Forest Toolkit' by Jennings et al (ProForest, 2003) for advice on the identification and management of High Conservation Value Forests.

**FSC Criterion 9.2**

**The consultative portion of the certification process must place emphasis on the identified conservation attributes, and options for the maintenance thereof.**

**Suggested Indicators:**

**Indicator 9.2.1**

The forest managers shall have consulted with local stakeholders with relevant expertise or knowledge on the management options to maintain or enhance the identified High Conservation Values within the FMU.

**Verifiers:**

**Indicator 9.2.2**

Stakeholders consulted with under Indicator 9.2.1 shall have subsequently received a copy of the Management Plan Summary document section referring to management of High Conservation Values, as referred to in Indicator 7.4.2, and shall have been invited to submit any further comments in respect of the proposed management.

**Verifiers:**

**Indicator 9.2.3**

The forest enterprise maintain shall a complete and up to date file of all stakeholder comments submitted in relation to its management of High Conservation Values.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-ADV-30-901 Interpretation of Criterion 9-2* clarifies the meaning of this Criterion. The FSC Board of Directors agreed that the Criterion requires that forest managers should consult with stakeholders on the identification of High Conservation Values, and the management options thereof. During evaluation for certification the certification body should consult to confirm whether the manager's consultation was adequate. Further background information is available in the FSC Board paper *BM28-17 FSC Criterion 9-2*.

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
If high conservation value attributes have been identified, stakeholder' consultation shall have taken into consideration identified conservation attributes/values and options for their maintenance.

**FSC Criterion 9.3**

**The management plan shall include and implement specific measures that ensure the maintenance and/or enhancement of the applicable conservation attributes consistent with the precautionary approach. These measures shall be specifically included in the publicly available management plan summary.**

**Suggested Indicators:**

See Indicators 6.1.6L, 6.1.6S, 7.1.10 and 7.4.2

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
The management plan describes any high conservation values identified in the forest and the management measures ensuring their maintenance.

**FSC Criterion 9.4**

**Annual monitoring shall be conducted to assess the effectiveness of the measures employed to maintain or enhance the applicable conservation attributes.**

**Suggested Indicators:**

See Indicators 8.2.9L and 8.2.6S

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
- May be included with the list of monitoring requirements in Criterion 8.2. This criterion may be cross-referenced to Criterion 8.2.

**FSC Principle 10: Plantations**

**Plantations shall be planned and managed in accordance with Principles and Criteria 1 - 9, and Principle 10 and its Criteria. While plantations can provide an array of social and economic benefits, and can contribute to satisfying the world's needs for forest products, they should complement the management of, reduce pressures on, and promote the restoration and conservation of natural forests.**

**FSC Plantations Policy Working Group Recommendation 7: One Common Set of Principles & Criteria**

The Group recommends that FSC develops one integrated set of common Principles and Criteria for all management units. (This decision was taken following the rules for voting outlined in the procedures for this Review and supported by ten out of twelve of the Group members constituting a majority from each chamber. One social and one environmental representative voted against. The main reasons given were fear of obliterating the distinction between certification of forests and plantations; concerns of 'converting by management' certified forests to plantations; concerns that certified productive plantations will still be at an advantage compared to less productive managed natural forests; and a general feeling that the recommendations from the Group - and the new policies that will flow from them - should be tested and evaluated before structural changes are made to the P&C.)

It is the understanding of the Group that such a common set of P&C still leaves room for national initiatives to develop standards for specific sub-sets of forests and/or plantations, should they wish to do so.

Secondly, the Group recommends that FSC certification be open to operations across the whole continuum from low-impact management of natural forests, to high-intensity, short-rotation plantations.

However, to maintain ecosystem integrity and avoid incentives for managers to gradually transform natural forests to plantation regimes, requirements that differ as a function of the position along the continuum must be consistently complied with.

The Group also recommends that FSC:

- Refers to 'forest' and 'plantation' as separate categories in its database so that, in recognition of the marked environmental, social and economic differences that characterise the ends of the continuum, plantations are not called forests;
- Uses more inclusive or neutral terminology, such as 'forests and plantations' or 'management units', for formulations in P&C, standards and guidelines that refer to all management units.

#### **FSC Criterion 10.1**

**The management objectives of the plantation, including natural forest conservation and restoration objectives, shall be explicitly stated in the management plan, and clearly demonstrated in the implementation of the plan.**

#### **Suggested Indicators:**

See Indicator 6.2.8LP, Criterion 6.3, Criterion 6.4 and Indicators 7.1.1 and 7.1.2

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Natural vegetation is kept or restored for X metres each side of streams or rivers.  
For larger operations: Areas of natural vegetation are linked together by corridors of natural vegetation.

#### **FSC Plantations Policy Working Group recommendations**

Issues relating to the FSC certification of plantations were considered by an FSC policy working group, which reported its results in October 2006. Six of the working group's recommendations (1 - 6) were subsequently endorsed by the FSC Board of Directors in March 2007. The seventh recommendation (relating to ) was approved by 11 out of the 12 policy working group members, and was not endorsed by the FSC Board of Directors.

The recommendations related to:

- 1: Social issues
- 2: Ecosystem integrity (Criterion 6.3)
- 3: Stakeholder consultation
- 4: Use of chemicals
- 5: Practically improving the Certification Process
- 6: Conversion
- 7: One Common Set of Principles & Criteria

Recommendation 7 is included above under the 'Principle' heading .Recommendation 5 related to the implementation of certification and accreditation, and is not applicable to the development of generic indicators. The other recommendations are included below.

### **FSC Criterion 10.2**

**The design and layout of plantations should promote the protection, restoration and conservation of natural forests, and not increase pressures on natural forests. Wildlife corridors, streamside zones and a mosaic of stands of different ages and rotation periods, shall be used in the layout of the plantation, consistent with the scale of the operation. The scale and layout of plantation blocks shall be consistent with the patterns of forest stands found within the natural landscape.**

#### **Suggested Indicators:**

**The design and layout of plantations should promote the protection, restoration and conservation of natural forests, and not increase pressures on natural forests.**

See:

Criterion 6.1

Criterion 6.2

Criterion 6.3

Criterion 6.4

Criterion 6.9

Criterion 6.10

Indicator 7.1.2

**Wildlife corridors, streamside zones and a mosaic of stands of different ages and rotation periods, shall be used in the layout of the plantation, consistent with the scale of the operation.**

See:

Criterion 6.1

Criterion 6.2

Criterion 6.3

Criterion 6.4

Criterion 6.5

**The scale and layout of plantation blocks shall be consistent with the patterns of forest stands found within the natural landscape.**

See:

Criterion 6.3

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Natural vegetation is kept or restored for X metres each side of streams or rivers.

For larger operations: Areas of natural vegetation are linked together by corridors of natural vegetation.

#### **Other relevant documents:**

#### **FSC Plantations Policy Working Group Recommendation 2: Ecosystem Integrity (Criterion 6.3)**

In the absence of national standards that outline how to ensure ecosystem integrity, the Group recommends that Criterion 6.3 should be interpreted as follows, with the intention of clearly distinguishing FSC certified operations from those that are not:

1. The management of an FSC certified plantation shall take an active approach to prevent, mitigate and if needed, remedy / restore for any environmental effects of its management on ecosystem integrity. Consequently, a higher level of impact shall correspond with higher conservation efforts to maintain ecosystem integrity. The focus of maintaining ecosystem integrity is at the management unit level, bearing in mind the impact of the plantation management at the landscape level.

The Group recommends a technical phase to develop procedures and criteria for managers to assess the environmental impact of a given management practice and the corresponding prevention, mitigation and remediation measures at the management unit level. Such procedures and criteria shall take into account:

- Provision of environmental benefits in production stands and set aside areas;
- Local / regional conservation needs;
- Local community needs in terms of natural resources;
- Practical sphere of influence of the manager over the landscape;
- Potential off-site measures;
- Time frame for restoration / compliance.

To assist implementation, the Group recommends a technical phase to develop a generic model that clarifies the effects of the management system as well as the measures taken to prevent, mitigate and, where needed, compensate, impacts. A starting point for further elaboration is provided as an annex to this report.

2. The management of an FSC certified plantation shall adopt a proactive conservation strategy within its management unit, characterised by identifying, safeguarding and optimising the design and implementation of:

- Areas and features of high conservation value;
- Areas of representative ecosystems, rare ecosystems and habitats for rare species;
- Riparian zones of native vegetation, conservation corridors and other elements of landscape connectivity.

Implementation and continuous improvement of the strategy shall also include considering measures at stand level. In order to optimise its strategy, a certified operation or a cluster of operations shall undertake field trials - appropriate to size, scale and knowledge - that may include:

- Various levels of retention of native tree species and structure at stand level in areas where the natural vegetation is forest;
- Various conservation area designs;
- Retaining structures and properties characteristic of natural ecosystem dynamics;
- Adapting the size and spatial distribution of managed stands within the plantation management unit.

The field trials shall be continuously assessed, monitored and where relevant, the knowledge gained shall be integrated into the management of the plantation. The group expects the technical phase to develop further guidance on conducting and assessing field trials, as well as on systems for monitoring and integrating the results into plantation management.

The above recommendations provide a model for evaluating Criterion 6.3 for plantation management. However, they are not intended as a policy tool to determine the balance of emphasis between natural forest management and plantation management in the FSC system. The group recommends that FSC develops goals and strategies related to this balance as part of an overall vision for its future.

### **FSC Criterion 10.3**

**Diversity in the composition of plantations is preferred, so as to enhance economic, ecological and social stability. Such diversity may include the size and spatial distribution of management units within the landscape, number and genetic composition of species, age classes and structures.**

#### **Suggested Indicators:**

See

Criterion 5.1

Criterion 5.2

Criterion 5.4

Criterion 6.3

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): Diversity in the plantation is promoted by having a variety of age classes and sizes of planting blocks and by diversifying species composition.  
For larger operations: Single age monocultures are being restructured for greater diversity.

### **FSC Criterion 10.4**

**The selection of species for planting shall be based on their overall suitability for the site and their appropriateness to the management objectives. In order to enhance the conservation of biological diversity, native species are preferred over exotic species in the establishment of plantations and the restoration of degraded ecosystems. Exotic species, which shall be used only when their performance is greater than that of native species, shall be carefully monitored to detect unusual mortality, disease, or insect outbreaks and adverse ecological impacts.**

#### **Suggested Indicators:**

##### **Indicator 10.4.1**

There shall be a clear justification for the choice of species and genotypes chosen for the plantation, which takes into account the objectives of the plantation, and the climate, geology and soils at the planting sites.

##### **Verifiers:**

##### **Indicator 10.4.2**

If there is a native species, which meets the management objectives, as well as an exotic species, the native species shall be selected in preference to the exotic species.

##### **Verifiers:**

##### **Indicator 10.4.3**

If the objective of planting is the restoration of a degraded ecosystem, exotic species shall not be used unless there is no viable native species alternative.

##### **Verifiers:**

##### **Indicator 10.4.4**

There shall be a formal procedure for evaluating every site prior to planting to ensure that the species proposed for planting is suited to the site and to the objectives of management.

##### **Verifiers:**

##### **Indicator 10.4.5**

The results of the site evaluation shall be recorded and are readily accessible.

See Criterion 6.9 for controls in relation to the use of exotic species.

**Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Small SLIMF Plantation: Example indicators could include:

The species chosen for plantations are suited to the site and matched to the objectives.  
Exotic species are used only where their performance is significantly greater than native species.  
Exotic species are not introduced unless they are known not to have major ecological adverse impact.

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies (March 2005)*, includes the following Guidance:

Subject 2.9: Cut-off dates

1 Background

1.1 Many forests have been managed in the past in ways that do not meet the FSC Principles and Criteria. The effects of these past non-compliances may however be far-reaching. Such non-compliances might include poorly designed patterns of roading, or selection of plantation species that are inappropriate to the site.

1.2 FSC's objective is to bring the management of such forests into compliance with the FSC Principles and Criteria. FSC does not therefore exclude forests from being certified, on the basis of past problems.

1.3 However FSC does not consider it acceptable for forest managers to continue destructive but profitable practices now, and then be eligible for certification when these practices can no longer be continued. It should not for example be possible for a forest owner/manager to clear a natural forest and replace it with a plantation, in the expectation that the plantation will be certified.

[...]

2 FSC Position

2.1 Forest managers who inherit the problems of previous managers/owners may be certified so long as appropriate actions are being taken to mitigate the effects of such past mistakes, appropriate actions are being taken to correct the inherited problems, and the same mistakes are not being repeated.

2.2 FSC does not expect inherited problems to be corrected instantly. For example, if plantation species have been poorly selected in the past, FSC does not expect all areas planted with these species to be cleared prior to certification. FSC does however expect there to be a plan in place to remove the poorly adapted species over a reasonable time-frame, and which ensures that species selection is improved.

[...]

2.3 Currently, the concept of the 'cut-off' date has not been extended to include issues other than conversion of natural forest to plantations, as specified in Criterion 10.9.

**FSC Criterion 10.5**

**A proportion of the overall forest management area, appropriate to the scale of the plantation and to be determined in regional standards, shall be managed so as to restore the site to a natural forest cover.**

**Suggested Indicators:**

**See**

Indicator 6.2.8LP

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Improvements to the ecological value of the plantation are made particularly around conservation features

Where it is ecologically and economically unviable for a small plantation to manage a restoration area, the plantation manager or group is able to demonstrate off-site contributions to the management and/or restoration of similar landscape and ecosystem types either jointly with other adjacent small operations, or in-kind by supporting an existing protected area.

**FSC Criterion 10.6**

**Measures shall be taken to maintain or improve soil structure, fertility, and biological activity. The techniques and rate of harvesting, road and trail construction and maintenance, and the choice of species shall not result in long term soil degradation or adverse impacts on water quality, quantity or substantial deviation from stream course drainage patterns.**

**Suggested Indicators:**

**For Large Enterprises only:**

**Indicator 10.6.1**

A comprehensive water impact assessment shall have been completed and which includes, at a minimum:

- estimates or measures of water flows and quality (including maximum, minimum and seasonal variations) within the FMU and downstream from the FMU prior to plantation establishment;
- comparable measures or predictions of water flow and quality within the FMU and downstream from the FMU subsequent to plantation establishment, and covering at least one rotation period.
- an evaluation of the ecological and social impacts of any changes in water flow and/or quality resulting from the plantation establishment.

**Verifiers:**

**Indicator 10.6.2**

The results of the water impact assessment shall be publicly available.

**Verifiers:**

**Indicator 10.6.3**

**EITHER** The enterprise shall demonstrate that there are no significant social or ecological impacts outside the FMU resulting from changes in water interception, transpiration, quality due to the plantation's establishment.

**OR** The enterprise shall have documented and is implementing a comprehensive plan to reduce its impacts on water to levels comparable to that for the naturally occurring vegetation expected for the site prior to major anthropogenic disturbance.

**Verifiers:**

See Indicator 8.2.11L for ongoing monitoring of impacts on water.

See Criterion 6.3 and 6.5 for impacts on soil structure, fertility and biological activity.

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): Measures are taken to maintain or improve soil structure, fertility and biological activity. The plantation does not result in long term soil degradation or adverse impacts on water resources.

**FSC Criterion 10.7**

**Measures shall be taken to prevent and minimize outbreaks of pests, diseases, fire and invasive plant introductions. Integrated pest management shall form an essential part of the management plan, with primary reliance on prevention and biological control methods rather than chemical pesticides and fertilizers. Plantation management should make every effort to move away from chemical pesticides and fertilizers, including their use in nurseries. The use of chemicals is also covered in Criteria 6.6 and 6.7.**

**Suggested Indicators:**

**Indicator 10.7.1**

The need for fire monitoring, prevention and control shall be evaluated and is documented.

**Verifiers:**

In regions in which there is a significant risk of fire the following indicators are applicable:

**For large enterprises only**

**Indicator 10.7.2L**

There shall be a documented, integrated program for the prevention, detection and control of fire, including at least the following:

**Verifiers:**

**Indicator 10.7.2.1L**

The plantation layout shall be designed to prevent uncontrolled fires, and to provide access for fire-control.

**Verifiers:**

**Indicator 10.7.2.2L**

There shall be a program of site maintenance to prevent uncontrolled fires, and to provide access for fire-control.

**Verifiers:**

**Indicator 10.7.2.3L**

The enterprise shall have a proactive program in place to engage with the local community in the prevention and identification of fires.

**Verifiers:**

**Indicator 10.7.2.4L**

The enterprise shall have a comprehensive plan and procedures for early detection and prompt control of fire.

**Verifiers:**

**Indicator 10.7.2.5L**

Staff shall be trained in the procedures to follow in case fire is detected.

**Verifiers:**

For pesticides, pests and diseases see:

Criterion 6.6

Criterion 6.7

Indicator 8.2.5L, 8.2.3S

Indicator 8.4.3L

For invasive species see Criterion 6.9

For fertilizers see Indicator 6.3.7

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):  
Plantation management is designed to minimize pests and diseases and risk of fire, and  
Plantation management shows a primary reliance on pest prevention and biological control methods. Use of pesticides and fertilizers is minimized.

**4 Use of Chemicals**

**Recommendations**

While the Group finds it hard to envisage the phase out of chemical usage in certified plantations within in the next ten years, it believes there are many proactive steps the FSC can and should take to significantly reduce usage and the negative impacts on people and the environment, and that managers shall demonstrate the improvements made. The improvements shall provide a foundation for considering practical solutions for the phase out of regular, broad scale pesticide use over time.

Certified operators shall adopt a consistent best practice integrated chemicals management approach, which includes:

- That chemical application remains site specific, and eliminates significant downstream and adjacent effects;
- Full declaration of chemical usage – quantities; types; frequency; and protocols;
- The adoption of procedures and mechanisms to avoid, mitigate and provide fair compensation for negative impacts of pesticide use on workers, local communities, and the environment;
- The monitoring of, and reporting on, such safety, health and quality controls;
- Managers having to demonstrate the results of efforts they have made to avoid or reduce pesticides use;
- The demonstrable ongoing investigation into, and evaluation of, chemical free alternatives to pest control;
- The active provision of information to local communities and workers about use and application of pesticides.

The Group recommends that FSC develops guidelines for integrated chemicals management in the context of the Pesticides Review based on the recommendations above, taking into account the limited capacity of Small and Low Impact Managed Units to investigate and evaluate alternative measures.

### **FSC Criterion 10.8**

**Appropriate to the scale and diversity of the operation, monitoring of plantations shall include regular assessment of potential on-site and off-site ecological and social impacts, (e.g. natural regeneration, effects on water resources and soil fertility, and impacts on local welfare and social well-being), in addition to those elements addressed in principles 8, 6 and 4. No species should be planted on a large scale until local trials and/or experience have shown that they are ecologically well-adapted to the site, are not invasive, and do not have significant negative ecological impacts on other ecosystems. Special attention will be paid to social issues of land acquisition for plantations, especially the protection of local rights of ownership, use or access.**

#### **Suggested Indicators:**

See:

Principle 2 (tenure and use rights)

Principle 3 (Indigenous Peoples rights, including use and ownership rights)

Criterion 4.4 (social impacts)

Criterion 6.9 (species selection)

Criterion 8.2 (monitoring)

Criterion 10.6 (water)

#### **Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s):

- [The social and ecological impacts of even small plantations should be monitored, but for small and very small plantations (<100ha) note that Criterion 10.8 may be covered by Criterion 4.4 (social impact assessment), Principle 2 (local use and access rights) and Criterion 8.2 (monitoring).]

#### **Other relevant documents:**

#### **FSC Plantations Policy Working Group Recommendation 1: Social Issues**

In order to upgrade the emphasis placed on the social elements of forest and plantation management, and to bring the focus on social issues to an equivalent level to that of the other elements of FSC certification, managers shall adopt a systematic approach to addressing the social aspects of certification, which certification bodies would then be able to audit. The objectives of this approach are to:

- Ensure “good neighbor” relationships with local communities and other stakeholders;
- Increase opportunities for, and contribute to, positive local sustainable development with an emphasis on reduction of poverty;
- Uphold the legal rights of workers, ensure worker’ rights to organize and maintain or improve workers’ health and social security;
- Uphold the legal and customary rights of indigenous peoples to own, use and manage their lands, territories and resources.

Such a systematic approach, implemented through a Social Management System, tailored to the scale and intensity of the operation and to the local socio-economic context, should include:

- Analyzing (for example through general methodologies developed for social diagnostics) and mapping socially important features in the landscape, such as habitations, areas that provide resources to local communities, etc.;
- Identifying, in cooperation with affected stakeholders, the social objectives of the management unit in relation to employees (including contractors and sub-contractors), the local community and indigenous peoples;
- Systematic management of personnel, including local employment policies and actions related

to employees, contractors and subcontractors;

Detailed, participatory social assessments of positive and negative impacts of the plantation management on the local community;

- Clear strategies for preventing, remedying, mitigating and/or compensating local communities in the event of negative impacts;
- Locally appropriate actions to participate, together with other stakeholders, in improvement of livelihood, local development and poverty reduction.

Addressing social issues is clearly linked to stakeholder consultation and these topics need to be considered together.

To assist implementation, FSC shall produce a handbook for forest and plantation managers that can also be used by certification bodies for auditing purposes.

### **FSC Plantations Policy Working Group Recommendation 3: Stakeholder Consultation**

The group recommends that FSC ensure that the manager applying for plantation certification, and/or re-certification, is properly addressing consultation. To that end, the Group is clear that the responsibility for engaging affected parties rests with the manager. In the absence of a national standard, the manager is also responsible for demonstrating how the concerns expressed by other interested parties have been taken into account.

At the same time, the Group interprets consultation as being one aspect within a broader context of participation, recognizing that 'engaging' implies a level of involvement between the plantation or forest managers and affected communities. Consultation is inherent in several of the Principles and Criteria. Nevertheless, the aggregated parts must result in a whole that translates into a demonstrable commitment to stakeholder involvement and dialogue.

The Group judges commitment to have been demonstrated when, according to the size of the operation:

- The manager has implemented a clear and robust consultation process (Large scale operators might adopt internationally recognized processes such as ISO) which covers pre- and ongoing certification periods;
- There is a similarly recognized conflict resolution process in place.

The Group recommends that certification bodies evaluate certification applicants according to whether they are fulfilling all the requirements of the consultation / conflict resolution processes they have adopted. The evaluation evidence will go a long way to ensure that the manager retains the confidence of everyone involved in those processes.

The technical phase shall develop (Drawing on e.g. work by ISO) a document which supports the implementation of the stakeholder consultation process proposed here for future FSC plantations certification. Some of the aspects of a good stakeholder consultation process include:

- The manager has identified and documented any significant conflict;
- The manager is able to demonstrate actions taken to resolve the conflict and communicate with the affected parties;
- The manager is being sufficiently proactive in reaching out to the community, for example going to them at the operation's cost, rather than expecting the community to come to the manager at the community's cost;
- The manager's consultation has involved relevant affected parties;
- Delegations of rights by indigenous peoples and local communities are based on prior, informed consent;
- The certification body is able to evaluate the managers actions against the P&C, standards and guidelines;
- The certification body is able to determine if consent has been 'manufactured'.

As part of this work, the following terms should be clearly and consistently defined:

- 'Affected' and 'interested' parties as outlined in the report from the 3rd Policy Working Group meeting (The Policy Working Group identified three different situations of stakeholder involvement in the FSC system and suggested that it may be useful to make a distinction between directly affected (local) stakeholders and interested (regional/ national/international)

stakeholders).

;

- Stakeholder;
- Rights holder;
- Consultation;
- Participation.

The Group recommends that FSC synthesizes the final guidelines into a handbook that provides practical guidance on improving managers' consultation and conflict resolution processes, as well as guidance to affected and interested stakeholders on how to get involved and participate in these processes. The handbook needs to be applicable to a wide range of geographical contexts and include considerations of Small and Low Impact Managed Unit operations.

### **FSC Criterion 10.9**

**Plantations established in areas converted from natural forests after November 1994 normally shall not qualify for certification. Certification may be allowed in circumstances where sufficient evidence is submitted to the certification body that the manager/owner is not responsible directly or indirectly of such conversion.**

#### **Suggested Indicators:**

##### **Indicator 10.9.1**

No areas of the FMU that are managed as plantation (see Glossary) shall be on land that was natural forest (see Glossary) as of November 1994,

OR the following requirements apply:

##### **Verifiers:**

##### **Indicator 10.9.2**

All areas of the FMU that are managed as plantation and were established as such on land that was natural forest as of November 1994 shall be clearly identified on FMU maps.

##### **Verifiers:**

Such converted areas shall comply with one or more of the following Indicators:

##### **Indicator 10.9.3a**

The converted areas shall have met the requirements specified in Criterion 6.10:

- conversion did not include any High Conservation Value Forest areas (see Principle 9), AND
- totalled less than 5% of the total area of the FMU within any five-year period, AND
- enabled clear, substantial, additional, secure, long-term conservation benefits across the forest management unit.

##### **Indicator 10.9.3b**

There shall be clear evidence supported by social, environmental and economic stakeholders in the country concerned that the current owner/manager was neither directly nor indirectly responsible for the conversion.

##### **Verifiers:**

##### **Indicator 10.9.3c**

There shall be a program in place designed to restore the converted area to a more natural condition, and which has the clear approval of social, environmental and economic stakeholders in the country concerned.

##### **Verifiers:**

**Relevant FSC International Policies, Standards, Guidance, Advice Notes:**

*FSC-GUI-60-100 Guidance on the interpretation of the FSC Principles and Criteria to take account of scale and intensity (Draft 7, June 2006)* includes the following suggested indicator(s): If the plantation was converted from natural forests this occurred before 1994. Certification may be allowed if the manager was not directly or indirectly responsible for conversion.

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies (March 2005)*, includes the following Guidance:

Subject 2.9: Cut-off dates

1 Background

1.1 Many forests have been managed in the past in ways that do not meet the FSC Principles and Criteria. The effects of these past non-compliances may however be far-reaching. Such non-compliances might include poorly designed patterns of roading, or selection of plantation species that are inappropriate to the site.

1.2 FSC's objective is to bring the management of such forests into compliance with the FSC Principles and Criteria. FSC does not therefore exclude forests from being certified, on the basis of past problems.

1.3 However FSC does not consider it acceptable for forest managers to continue destructive but profitable practices now, and then be eligible for certification when these practices can no longer be continued. It should not for example be possible for a forest owner/manager to clear a natural forest and replace it with a plantation, in the expectation that the plantation will be certified.

1.4 In 1996 it was proposed that FSC should operate a 'cut off date' for plantations starting on the date on which FSC Principle 10 was approved. Thus plantations that were established on natural forest land cleared prior to November 1994 would still be eligible for certification, but plantations established on natural forest land cleared after November 1994 would not be eligible for certification.

1.5 A similar proposal has been made for forest reserves. Thus forest in reserves at the date on which FSC Principle 9 was approved (January 1999) would never be eligible for certification, even if the reserved status were to be removed at a future date.

2 FSC Position

2.1 Forest managers who inherit the problems of previous managers/owners may be certified so long as appropriate actions are being taken to mitigate the effects of such past mistakes, appropriate actions are being taken to correct the inherited problems, and the same mistakes are not being repeated.

2.2 FSC does not expect inherited problems to be corrected instantly. For example, if plantation species have been poorly selected in the past, FSC does not expect all areas planted with these species to be cleared prior to certification. FSC does however expect there to be a plan in place to remove the poorly adapted species over a reasonable time-frame, and which ensures that species selection is improved.

Similarly in the case of a poorly designed road system, FSC does not expect a new road layout to be immediately superimposed on the old one. FSC would however expect areas that are causing erosion or blocking watercourses to be re-routed or re-built, and guidelines regarding ongoing and future road-building and maintenance to be in place.

2.3 Currently, the concept of the 'cut-off' date has not been extended to include issues other than conversion of natural forest to plantations, as specified in Criterion 10.9.

**Other relevant documents:**

**FSC Plantations Policy Working Group Recommendation 6: Conversion**

The Group recommends maintaining the cut off date of 1994 until it can be demonstrated that the new plantation policy is implemented and working. The Group also asks a technical phase to provide a document preparing a future decision to retain or change the cut off date. This document shall outline the rationale and the assumptions for and against a change and may form the basis for future consideration of reviewing the cut off date.

The Group also recommends that FSC and a technical phase clarify what the term “normally” in P10.9 means and which exceptions are already permissible under the current arrangement. They shall also clarify which process is currently used and which procedural mechanisms should be used in the future.

The Group recommends that in case of conflict between indigenous peoples’ rights in P3 and requirements of P10.9, indigenous peoples’ right to control forest management on their lands and territories should be accorded higher priority (subject to NI approval, or in the absence of an NI, subject to approval by FSC IC).

The Group notes that the 2005 General Assembly discussed the expansion of the term High Conservation Value Forest in Principle 6.10 to include other ecosystems of High Conservation Value, and expects FSC to clarify how such ecosystem should be dealt with in relation to conversion.