



FSC STANDARD

FSC-STD-01-001 V5-0 D5-0 EN

FSC Principles and Criteria for Forest Stewardship
Supplemented by Explanatory Notes and Rationales

FINAL DRAFT

Note: The Explanatory Notes and Rationales included in this version of the revised Principles and Criteria are not subject to the vote on the revised Principles and Criteria.



FINAL DRAFT

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Contact:	FSC International Center
E-mail:	m.fecht@fsc.org

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FINAL DRAFT

Note on use of this standard

All aspects of this standard are considered to be normative, including the preamble, standard effective date, references, terms and definitions, tables and annexes, unless otherwise stated.

Contents

- A. Effective Date**
- B. References**
- C. This Revision**
- D. Preamble**
- E. The Principles and Criteria**
 - Principle 1: Compliance with Laws**
 - Principle 2: Workers' Rights and Employment Conditions**
 - Principle 3: Indigenous Peoples' Rights**
 - Principle 4: Community Relations**
 - Principle 5: Benefits from the Forest**
 - Principle 6: Environmental Values and Impacts**
 - Principle 7: Management Planning**
 - Principle 8: Monitoring and Assessment**
 - Principle 9: High Conservation Values**
 - Principle 10: Implementation of Management Activities**
- F. Glossary of Terms**



FINAL DRAFT

A. Standard Effective Date

After approval of this Version, this section will include:

- Standard effective date
- Information on the phase in of the revised P&C
- Information on future reviews of the P&C

Note for FSC members: This section is not subject to the vote by the FSC membership on the revised Principles and Criteria. This is a section which is included in every FSC standard. The information in this section will depend on the actual approval date.

B. References

The following referenced documents are indispensable for the application of this document. For references without a version number, the latest edition of the referenced document (including any amendments) applies.

FSC-ADV-30-901	Interpretation of Criterion 9-2
FSC-DIR-20-007	FSC Directive on Forest Management Evaluations
FSC-GUI-30-001	FSC Pesticides Policy: Guidance on Implementation
FSC-GUI-30-004	FSC Principles 2 and 3: Guidance on Interpretation
FSC-GUI-60-001	Guidance on the Interpretation of the FSC Principles and Criteria to Take Account of Small Scale and Low Intensity
FSC-GUI-60-004	FSC Forest Stewardship Standards: Structure, Content and Suggested Indicators
FSC-POL-01-004	Policy for the Association of Organizations with FSC
FSC-POL-10-004	Scope of Application of the FSC Principles and Criteria for Forest Stewardship, and associated FSC-DIS-01-001
FSC-POL-20-002	Partial Certification of Large Ownerships
FSC-POL-20-003	The Excision of Areas from the Scope of Certification
FSC-POL-30-001	FSC Pesticides Policy
FSC-POL-30-401	FSC Certification and the ILO Conventions:
FSC-POL-30-602	FSC Interpretation on GMOs (Genetically Modified Organisms)
FSC-PRO-01-001	The Development and Approval of FSC Social and Environmental International Standards
FSC-PRO-01-005	Processing Appeals
FSC-PRO-01-008	Processing Complaints in the FSC Certification Scheme
FSC-PRO-01-009	Processing Formal Complaints in the FSC Certification Scheme
FSC-STD-01-002	Glossary of Terms
FSC-STD-01-003	SLIMF Eligibility Criteria
FSC-STD-01-005	FSC Dispute Resolution System
FSC-STD-20-001	General Requirements for FSC Accredited Certification Bodies
FSC-STD-20-002	Structure and Content of Forest Stewardship Standards
FSC-STD-20-012	Standard for Evaluation of FSC Controlled Wood in Forest Management Enterprises
FSC-STD-30-005	FSC Standard for Group Entities in Forest Management Groups
FSC-STD-30-010	Controlled Wood Standard for Forest Management Enterprises
FSC-STD-40-005	Standard for Company Evaluation of Controlled Wood
FSC-STD-60-002	Structure and Content of National Forest Stewardship Standards
FSC-STD-60-006	Development of National Forest Stewardship Standards



FINAL DRAFT

Note for FSC members: This section is not subject to the vote by the FSC membership on the revised Principles and Criteria. This section is included in all FSC standards, policies, directives etc. The list will have to be updated regularly after the approval of the revised Principles and Criteria in order to keep it up to date with the development of FSC documents.

C. This Revision

The FSC Principles and Criteria were originally published in November 1994, and amended in 1996, 1999 and 2001. This version is a result of a comprehensive review and revision of the Principles and Criteria that commenced in January 2009 and was completed in [to be included after vote].

This version of the FSC Principles and Criteria has been developed and revised in accordance with FSC-PRO-01-001 V2-0 The Development and Approval of FSC Social and Environmental International Standards. This procedure was, in turn, developed in compliance with the following.

- ISEAL Code of Good Practice for Setting Social and Environmental Standards (P005 Public Version 4, January 2006).
- ISO/IEC Guide 59 Code of Good Practice for Standardization (February 1994).
- WTO Agreement on Technical Barriers to Trade (TBT), Annex 3: Code of Good Practice for the Preparation, Adoption and Application of Standards (January 1995).

This version of the FSC Principles and Criteria has also been developed and revised in accordance with the ISEAL Code of Good Practice for Setting Social and Environmental Standards, P005, version 5.01, June 2010.

Note for FSC members: This section is not subject to the vote by the FSC membership on the revised Principles and Criteria.



FINAL DRAFT

Note: In this Version 5-0 Draft 5-0 of the Principles and Criteria the terms 'current criterion/criteria' or 'current principle(s)' are used refer to wording used in the current version (Version 4-0) of the Principles and Criteria.

D. Preamble

Introduction

This document contains the FSC Principles and Criteria for Forest Stewardship, and is a key document in the FSC certification system. The Principles and Criteria consist of the Preamble, ten Principles and their associated Criteria, and a Glossary of Terms. All of these, the Preamble, Principles, Criteria and Glossary of Terms, are considered normative.

The Preamble contains essential information for everyone interested in FSC certification, in that it is normative and answers the following questions.

- What is eligible for FSC certification?
- Who is responsible for compliance with the Principles and Criteria?
- Who is responsible for interpreting the Principles and Criteria?
- How do the Principles and Criteria relate to laws and regulations?
- What is the basis for certification decisions?
- How can the Principles and Criteria be applied in the field?

The Preamble contains the following sections.

1. The Forest Stewardship Council (FSC)
2. The Principles and Criteria
3. Scope
4. Scale, Intensity and Risk
5. Responsibility for Compliance
6. Basis for Certification
7. Interpretations and Disputes

A set of Explanatory Notes supplements this version of the FSC Principles and Criteria, to clarify their meaning and desired outcomes. They also provide background information on the context of particular Principles and Criteria, including reference to the applicable FSC and other documents, where needed.

The Explanatory Notes are not mandatory. However, they are intended to be one of the bases for the development of FSC Forest Stewardship Standards including FSC international generic indicators, and reduce differences in the interpretation of FSC requirements.

Terms for which a definition is provided in the Glossary of Terms are in italics and marked with an *asterisk** at first mention in the Preamble, and at first mention in each Principle and Criterion.

1. The Forest Stewardship Council (FSC)

The Forest Stewardship Council A.C. (FSC) was established 1993, as a follow-up to the United Nations Conference on Environment and Development (the Earth Summit at Rio de



FINAL DRAFT

Janeiro, 1992) with the mission to promote environmentally appropriate, socially beneficial, and economically viable management of the world's *forests**.

Environmentally appropriate forest management ensures that the production of timber, *non-timber products** and *ecosystem services** maintains the forest's biodiversity, productivity, and ecological processes.

Socially beneficial forest management helps both local people and society at large to enjoy long term benefits and also provides strong incentives to local people to sustain the forest resources and adhere to long-term *management plans**.

Economically viable forest management means that forest operations are structured and managed so as to be sufficiently profitable, without generating financial profit at the expense of the forest resource, the *ecosystem**, or affected communities. The tension between the need to generate adequate financial returns and the principles of responsible forest operations can be reduced through efforts to market the full range of forest products and services for their best value (FSC A.C. By-Laws, ratified, September 1994; last revision in June 2011).

FSC is an international organization that provides a system for voluntary accreditation and independent third-party certification. This system allows certificate holders to market their products and services as the result of environmentally appropriate, socially beneficial and economically viable forest management. The FSC also sets standards for the development and approval of FSC Stewardship Standards which are based on the FSC Principles and Criteria. In addition, FSC sets standards for the accreditation of conformity assessment bodies (also known as certification bodies) that certify compliance with FSC's standards. Based on these standards, FSC provides a system for certification for organizations seeking to market their products as FSC certified.

Explanatory Note on Forest Stewardship and Forest Management

The Forest Stewardship Council was so named in 1993 to differentiate itself from the many other organizations which have the words 'forest management' in their titles. The mission statement shows that FSC views the three major aspects of forest management holistically, together representing 'stewardship' of the resource. *Forest management** in the sense of the Principles and Criteria covers *environmental values**, and does not imply management for timber only. Forest management includes the sense of long-term care and responsibility to multiple stakeholders, associated with the word 'stewardship'. Forest stewardship is defined in the Principles and Criteria collectively and operationally as that subset of management which is economically, environmentally and socially responsible. The *Principles** and *Criteria** use the word 'stewardship' where it is directly quoted from an FSC document, but otherwise use the term 'forest management'.

2. The FSC Principles and Criteria

The FSC first published the FSC Principles and Criteria in November 1994 as a performance-based, outcome orientated, worldwide standard. The Principles and Criteria focus on field performance of forest management rather than on the management systems

FINAL DRAFT

for delivering that field performance.

The FSC Principles are the essential rules or elements of environmentally appropriate, socially beneficial and economically viable forest management, and the Criteria provide the means of judging whether or not a Principle has been fulfilled. They are the foundation of the FSC certification scheme and, together with the Preamble and Glossary of Terms, constitute the core of a comprehensive standards package. There is no hierarchy between the Principles or between Criteria. They share equal status, validity and authority, and apply jointly and severally at the level of the individual *Management Unit*^{*}.

The FSC Principles and Criteria sit at the centre of the FSC standards framework and need to be applied together with other interlinked FSC documents including the following.

- Guidance, directives and other documents issued or approved by FSC.
- FSC Forest Stewardship Standards.
- Standards for particular vegetation types, products and services.
- Standards for particular types of management units, such as small and low intensity managed forests or large scale high intensity *plantations*^{*} and *conservation zones*^{*} and *protection areas*^{*}, as approved by FSC.

This standards framework constitutes the comprehensive FSC system for voluntary, independent, third-party certification of the quality of forest management. Through adherence to the robust social, economic and environmental standards within the FSC Principles and Criteria, certified forest management enhances the wellbeing of local people, economic viability of the certificate holder (*The Organization*^{*}) and environmental appropriateness of forest management.

Explanatory Notes regarding Principles and Criteria

1. 'Performance-based' does not mean that the management activities should seek only the economically-optimum outcome. Thus, The Organization cannot apply *ad libitum* quantities of inorganic fertilizer or pesticides to *plantations*^{*} to accelerate tree growth for greater financial gain. 'Performance-based' means that compliance with the Principles and Criteria is judged on a holistic evaluation of field performance by the conformity assessment body. The focus on performance addresses Policy Motion 34 of the FSC General Assembly 2011.
2. 'Outcome-orientated' means that the Principles and Criteria avoid prescribing how an activity is to be carried out, or the specific techniques which should be used. That would not be appropriate for a global standard covering all types of forest. 'Outcome-orientated' means that the Principles and Criteria indicate the desired result of the management activities for forest stewardship.
3. The Principles and Criteria focus on field performance of forest stewardship rather than on the management systems for delivering that field performance. A good management system is necessary, but it is the result of management activities which is evaluated in the certification audit, rather than the activities themselves.
4. The interlinked documents referred to in Section 2 of the Preamble are needed for the operation of the FSC certification and accreditation system.
5. Examples of guidance, directives and other documents issued by FSC A.C. include



FINAL DRAFT

the FSC Statutes, FSC By-Laws, accreditation and certification standards and guidelines, guidance, policy and standards development documents and advice notes. They provide case-specific or general international interpretations for the application and understanding of the Principles and Criteria. They might be mandatory requirements or non-mandatory guidance to facilitate compliance by Organizations, such as guidelines for small and low intensity managed forests (SLIMFs) for example.

6. FSC Forest Stewardship Standards are developed by FSC or bodies recognized by FSC, for example, National or Regional Offices, National Standard Development Groups, conformity assessment bodies.
7. FSC Forest Stewardship Standards may be regional, national, sub-national and certification body adapted standards. They consist of the Principles, Criteria and locally adapted indicators and verifiers. None of the Principles or Criteria may be omitted from local standards but additional compatible Criteria may be added to suit local situations. Adaptations must be developed in line with the applicable FSC process standards and require approval by FSC. The processes for the development and approval of regional, national and sub-national FSC Forest Stewardship Standards strongly emphasize the active participation of FSC stakeholders. The processes, including explanations of the hierarchical framework of principles, criteria, indicators and verifiers, are prescribed in the following.
 - FSC-STD-60-002 Structure and Content of National Forest Stewardship Standards
 - FSC-STD-60-006 Development of National Forest Stewardship Standards
 - FSC-STD-20-002 Structure and Content of Forest Stewardship Standards
8. An 'indicator' is a quantitative or qualitative variable which provides a means of judging whether a Management Unit complies with the requirements of an FSC Criterion. Indicators and the associated thresholds define the requirements for responsible forest management at the level of the Management Unit and are the primary basis of evaluation. A means of verification is a source of information or evidence for evaluating compliance with an indicator.
9. Where an Explanatory Note refers to interlinked documents such as relevant standards, advice notes, policies, etc., it is the latest approved version that applies. For this reason, cross references do not provide a version number or approval date of the applicable document. Documents which are fixed in time and not updatable are fully referenced by document number, title, and date.
10. The Preamble and the Glossary of Terms are integral and normative parts of the Principles and Criteria.
11. FSC has devised special certification requirements for small and low intensity managed forests (SLIMFs). SLIMFs are defined in FSC-STD-01-003 SLIMF Eligibility Criteria.

3. Scope

The Principles and Criteria cover all of The Organization's management activities that are related to the Management Unit, whether within the Management Unit or outside; whether directly undertaken or contracted out.

In terms of geographical space, the FSC Principles and Criteria apply generally to the entire

FINAL DRAFT

geographic space inside the boundary of the Management Unit which is being submitted for (re)certification. However, some of the Principles and Criteria apply beyond the boundary of the Management Unit. This would include those infrastructural facilities that are part of the Management Unit, as defined by the FSC Principles and Criteria.

In terms of vegetation, the Principles and Criteria are globally applicable to all types and scales of forest including *natural forests**, plantations and other (i.e. non-forest) vegetation types. The concept of 'other vegetation types' should be limited to those land-uses involving the growing of trees, but includes, in principle, 'non-forest' land-uses as they contribute to the mission of FSC.

The decision on whether or not a certain vegetation type can be certified should be judged on a case by case basis. The decision should include consideration of the species involved and the production system in relation the *ecosystem functions** and *environmental values** required by the Principles and Criteria. To aid the decision, definitions of forest, natural forests and plantations are provided in the Glossary of Terms.

Areas within the geographic boundary of the Management Unit which are in agricultural production systems are not subject to the Principles and Criteria, unless they are covered by prescriptions in the management plan.

In terms of products and services, the FSC Principles and Criteria cover the production of wood and non-timber forest products, *conservation**, *protection**, ecosystem services and other uses. Ecosystem services include the sequestration and storage of carbon which contributes to the mitigation of climate change.

In terms of the law, FSC intends to complement, not supplant, other initiatives that support responsible forest management worldwide. The FSC Principles and Criteria are to be used in conjunction with international, national and local laws and regulations, though they may contain provisions that are more stringent or demanding than these laws and regulations.

*Traditional peoples** whose rights are not acknowledged in national law as equivalent to those of *indigenous peoples** in the context of the Management Unit, are treated as local communities for the purpose of the FSC Principles and Criteria. Traditional peoples whose rights are acknowledged in national law to be the equivalent of those of indigenous peoples in the context of the Management Unit, are treated as equal to indigenous peoples for the purpose of the FSC Principles and Criteria.

Where there might be situations of conflict between the FSC Principles and Criteria and laws, specific FSC procedures will apply.

Explanatory Notes regarding scope

1. Geographic area. A 'Management Unit' (see also Glossary of Terms) is defined as a spatial area or areas submitted for FSC certification with clearly defined boundaries managed to a set of explicit long term management objectives which are expressed in a management plan. This area or areas include(s):
 - all facilities and area(s) within or adjacent to this spatial area or areas under legal

FINAL DRAFT

- title or management control of, or operated by or on behalf of The Organization, for the purpose of contributing to the management objectives; and
- all facilities and area(s) outside, and not adjacent to this spatial area or areas and operated by or on behalf of The Organization, solely for the purpose of contributing to the management objectives.
- (Source: FSC 2011)
2. The Principles and Criteria cover all of The Organization's management activities that are related to the Management Unit, whether within the Management Unit or outside; whether directly undertaken or contracted out, for example the following.
 - In relation to developing and applying measures to conserve habitat and biodiversity.
 - In relation to local communities affected by management activities inside or outside the Management Unit, such as the construction and maintenance of long-haul access road and rail links.
 - In relation to various facilities such as those for integrated wood processing, administration, product processing, nurseries and housing.
 3. Vegetation. The mission statement of FSC often refers to 'forest', which has been defined by FSC since 1998 and now in FSC-DIR-20-007 FSC Directive on Forest Management Evaluations as 'a formation dominated by trees, an extensive tract of land covered with trees and undergrowth sometimes intermingled with pasture'. The 1998 guidelines for certification bodies and FSC-DIS-01-001 Scope of Application of the FSC Principles and Criteria for Forest Stewardship (May 2005) discussed whether various non-forest production systems could be FSC certified. FSC-POL-10-004 Scope of Application of the FSC Principles and Criteria for Forest Stewardship includes natural forests, plantations and other (i.e. non-forest) vegetation types.
 4. The Principles and Criteria make no distinction between different climatic zones or between types of forest and plantations and all managed tree-related vegetation along the continuum between pristine natural forest and intensively managed plantations, unless such a distinction is explicit in the Criteria; see Policy Motion 10 approved at the FSC General Assembly 2008.
 5. Further guidance on land uses and vegetation types that may be certified can be found in the following FSC documents.
 - FSC-POL-10-004 Scope of Application of the FSC Principles and Criteria for Forest Stewardship
 - FSC-DIS-01-001 The Scope of Application of the FSC Principles and Criteria for Forest Stewardship (May 2005)
 - FSC-DIR-20-007 FSC Directive on Forest Management Evaluations
 6. Laws. 'Complementing other initiatives' in the context of laws means that the Principles and Criteria require compliance with national laws and ratified international conventions and agreements according to Principle 1, but may lay down provisions in Principles 2 to 10 that are more stringent than those in laws and regulations. The following provide two examples.
 - Where the legal provisions of a country meet or exceed the requirements of the Principles and Criteria, then compliance with these legal provisions is considered sufficient for compliance with the Principles and Criteria, provided that compliance has been evaluated by conformity assessment bodies.
 - Where the legal provisions of a country do not meet or exceed the requirements

FINAL DRAFT

of the Principles and Criteria, then following these legal provisions alone will not be considered sufficient for compliance. For example, the planning required in Criterion 7.2 may go beyond what is required by national or local law but is, nevertheless, a requirement for compliance with the FSC Principles and Criteria.

7. 'Complementing other initiatives' also means being in support of unilateral legal requirements such as the US Lacey Act (amended in 2008) and the European Union's Timber Regulation (2010), as well as the bilateral legality verification and licensing systems under the EU's voluntary partnership agreements.
8. In the case of 'conflicts between laws and the Principles and Criteria' FSC-STD-20-007 Forest Management Evaluations applies. 'Conflicts between laws and the Principles and Criteria' (see also Glossary of Terms) are defined as situations where it is not possible to comply with the Principles and Criteria and a law at the same time (Source: FSC 2011). According to FSC-STD-20-007, Section 8.20, conflicts between laws/regulations and the Principles and Criteria shall be evaluated by the certification body on a case by case basis, in arrangement with the involved or affected parties. This also applies to conflicts between allegedly dysfunctional laws/regulations and the Principles and Criteria. 'Dysfunctional' laws may include those which are incomplete, self-incompatible, not harmonized, selectively applied or not applied at all. FSC-STD-01-005 FSC Dispute Resolution System may also be invoked; see also Section 7 of this Preamble.

4. Scale, Intensity and Risk

The FSC Principles and Criteria are generally independent of spatial scale and intensity of management activities. All certified Management Units must comply with all Principles and Criteria and this Preamble. Also, the FSC Principles and Criteria recognize that ways of achieving compliance with the Principles and Criteria may differ depending on the scale and intensity of management activities, and on the risk of negative impacts related to The Organization, the Management Unit or management activities.

Depending on *scale, intensity and risk**, the actions required to comply with the Principles and Criteria may vary from one Organization to another. The concept of scale, intensity and risk applies to almost all Criteria. Explicit reference is included in specific Criteria where it is known from experience that a level of flexibility arising from scale, intensity and risk is required to achieve compliance across the range of potentially certifiable vegetation types, land uses and related management systems. However, there are also requirements, for example, those requiring compliance with laws, that are not liable to adjustments to scale, intensity and risk. Further details concerning the interpretation of scale, intensity and risk, including the types and limits of flexibility, are provided in indicators in FSC Forest Stewardship Standards.

Explanatory Notes regarding scale, intensity and risk

1. The approach to scale, intensity and risk is in accordance with ISEAL requirements. ISEAL recognizes that 'It is important for the standard-setting organization to take into account local and regional differences in technological capacity, economic, social and ecological realities, and, where relevant, traditional knowledge' (ISEAL Code of Good Practice for Setting Social and Environmental Standards, P005, version 5.01, June

FINAL DRAFT

- 2010, Section 6.5.1).
2. The concept of scale, intensity and risk is based on the assumption that these factors determine the likelihood of unacceptable environmental and social impacts and thereby non-compliance with the Principles and Criteria. Different approaches may be required of Management Units at either end of a scale; for example, small low intensity managed forests (SLIMFs) or family managed groups harvesting non-timber forest products seasonally at one end, and large, intensively managed Management Units at the other.
 3. 'Scale' can refer to the size of the Management Unit or of The Organization. It can also refer to the area of land or proportion of the Management Unit affected by a particular activity.
 4. So, a large Management Unit is likely to be considered as 'large scale'. An activity such as hunting may also be considered 'large scale' if it affects a large part of the Management Unit, even if the intensity is very low.
 5. 'Intensity' is a measure of force or strength. An activity should be judged on the basis of its impact on the environment, society or economy. It is not appropriate to measure intensity by comparing the impact of an action in one Management Unit with the impact of an action in another Management Unit in the region. So, a given rate of timber extraction (volume per hectare) may be considered low intensity in one forest type, but high intensity in another.
 6. 'Risk' (see also Glossary of Terms) is defined as the probability of an unacceptable negative impact arising from any activity in the Management Unit, combined with its seriousness in terms of consequences (Source: FSC 2011). Different risks may be sufficiently serious to result in a non-compliance with an indicator, a Criterion and ultimately a Principle.
 7. The Organization may find it helpful in risk assessment to consider three levels of probability of negative impacts.
 - Known probabilities, from formal research or pragmatic experience. An environmental example is the consequences of erosion, sedimentation and water quality from road building and maintenance in difficult topography or unstable soils. Economic examples include the effects of increases in fuel prices, increases in industry-standard wage rates for labor, changes in market preferences for forest products or the effectiveness of local laws. A social example is the impact of silvicultural operations on the habitats of species that are important for the food security or livelihoods of local communities. Two other social examples are the consequence of increases or decreases in alternative sources of local employment and changes in state pensions which encourage or discourage creation of holiday homes in forest areas.
 - Partly known probabilities. An environmental example is the edge effects on habitat quality or biodiversity or tree regeneration, which result from harvesting coupes of different sizes, shapes, and intensities of harvest. An economic example is the effect of local government policies towards maintenance of livelihoods for relatively isolated populations on the viability of The Organization. A social example is the effect of public health measures which influence the reliance of local communities on the health services of The Organization which were created primarily for its own work force. Another social example would be the potential effects of plantations on community water flows.
 - Poorly known probabilities. An environmental example is the interaction between

FINAL DRAFT

- rapid changes in climate and silvicultural systems, and the effects of this interaction on future forest regeneration. An economic example is the consequences of fiscal policies in importing countries which manufacture products from wood originating in the Management Unit, for example, subsidy policies, import taxes and tariffs. Two social examples are government recognition or de-recognition of customary rights, and the effects on local employment opportunities of government policies on foreign direct investment in the forestry sector.
8. When the scale and intensity of activities and the risks of unacceptable negative impacts are low, The Organization should develop and implement an appropriate package of monitoring, assessment, and prevention or mitigation measures, adequate for achieving compliance with the Principles and Criteria. The Organization is not required to carry out elaborate assessments or other measures simply because the results may be valuable, useful or interesting. However, where scale and intensity and risk are high, monitoring, assessment, prevention or mitigation measures will have to be intensified.
 9. Actions following risk assessment should use the *precautionary approach**. Mitigating or remedial actions should not be delayed or minimized because of data shortages for risk assessment. FSC's approach, as suggested by the Policy Working Group during the FSC Plantations Review in 2006, is to require greater effort by The Organization in mitigation, repair or restoration, in proportion to higher risk of negative impact. The precautionary approach is used in Principle 9 and further explained in the Explanatory Notes to Principle 9.
 10. Scale, intensity and risk are especially helpful for taking decisions when there is a shortage of good data. This is the case for smaller enterprises everywhere (SLIMFs), and for those with lower levels of production and income, and especially in countries with weak national or regional forest research capabilities. In these cases, larger and well-developed Organizations may be required to generate their own data in support of their management activities. In smaller operations, especially in the tropics, it may make better management sense to evaluate risks based on empirical experience and any relevant research, rather than to invest heavily in expensive data collection.
 - Details on taking account of scale and intensity in regional, national or sub-national Forest Stewardship Standards are provided in FSC-STD-60-002 Structure and Content of National Forest Stewardship Standards.
 - Guidance on the Interpretation of the Principles and Criteria in relation to small and low intensity managed forests (SLIMFs) is provided in FSC-GUI-60-001 Guidance on the Interpretation of the FSC Principles and Criteria to Take Account of Small Scale and Low Intensity.
 - Examples of international generic indicators for different scales and intensities are provided in guidance FSC-GUI-60-004 FSC Forest Stewardship Standards: Structure, Content and Suggested Indicators.
 - In addition guidance for adjustments to account for spatial scale, intensity of management, and risk of management activities is provided in the following.
 - FSC-STD-01-003 SLIMF Eligibility Criteria;
 - FSC-STD-30-005 FSC Standard for Group Entities in Forest Management Groups;
 - FSC-GUI-60-001 Guidance on the Interpretation of the FSC Principles and Criteria to Take Account of Small Scale and Low Intensity.



FINAL DRAFT

11. Some FSC requirements are not liable to adjustment for scale, intensity or risk. Compliance with laws is almost always obligatory across all scales and intensities of management, and hence scale, intensity and risk is rarely mentioned in Principle 1. Likewise, requirements concerning customary rights, and repair of environmental damage, are not dependent on scale or intensity.
12. In addition to clarification through indicators, regional or national Forest Stewardship Standards may include additional Criteria, which are not part of the Principles and Criteria, in order to address situations, which are specific to the country or region. The additional Criteria must be compatible with the FSC Principles and Criteria. See FSC-STD-60-002 Structure and Content of National Forest Stewardship Standards, section 3.2.

5. Responsibility for Compliance

As a performance based standard, the FSC Principles and Criteria are explicit about defining where responsibility lies.

Responsibility for ensuring compliance with the FSC Principles and Criteria lies with the person(s) or entities that is/are the certificate applicant or holder. For the purpose of FSC certification these person(s) or entities are referred to as 'The Organization'. The Organization is responsible for decisions, policies and management activities related to the Management Unit. The Organization is also responsible for demonstrating that other persons or entities that are permitted or contracted by The Organization to operate in, or for the benefit of the Management Unit, comply with the requirements of the FSC Principles and Criteria. Accordingly, The Organization is required to take corrective actions in the event of such persons or entities not being in compliance with the Principles and Criteria.

Explanatory Notes regarding responsibility

1. 'The Organization' (see also Glossary of Terms) is defined as the person or entity holding or applying for certification and therefore responsible for demonstrating compliance with the requirements upon which FSC certification is based (Source: FSC 2011).
2. Unless stated otherwise in the Principles and Criteria, The Organization is not responsible for ensuring compliance of other entities or persons that have been validly granted legal use rights by third parties separate from those held by or granted to The Organization.
3. The activities carried out under the legal use rights held by or granted to other entities may interfere with the implementation of The Organization's management plan. The Organization has two possibilities if that interference is so great that The Organization cannot comply fully with the Principles and Criteria and if negotiation with those rights holders to mitigate and/or repair the negative environmental and/or social impacts is not successful:
 - The Organization can apply to the conformity assessment body to excise the affected areas and re-draw the boundary of the certified Management Unit, if the affected areas can be discretely and clearly divided from the remainder of the Management Unit.
 - The Organization would have its FSC certificate withdrawn if the negative

FINAL DRAFT

impacts are so geographically dispersed that it is not practicable to draw a boundary around and excise the affected areas. Examples of such negative impacts include uncontrollable and dispersed hunting or poaching throughout the Management Unit while respecting indigenous peoples rights, pipelines laid through production stands, roads built in designated conservation zones and protection areas. Poaching is covered by Criteria 1.4 and 6.6.

FSC-POL-20-003 Excision of Areas from the Scope of Certification provides detailed guidance. FSC-DIR-20-007 FSC Directive on Forest Management Evaluations, Advice 20-007-04 Mining and Quarrying provides specific guidance. Both documents admit the possibility of 'accepting limited areas within the scope of the certificate in which the full set of requirements are not fully met'. The conformity assessment body would need to judge whether such admission did or did not compromise overall compliance with the Principles and Criteria in the Management Unit.

4. Situations where the public or private sector land owner makes decisions about parts or all of the Management Unit which could negatively affect the achievement of compliance with the Principles and Criteria by The Organization as holder of or applicant for the FSC certificate should be treated as in (3) above. These kinds of situations are typical where The Organization has a license or concession which provides only partial control over the Management Unit.
5. Situations where The Organization makes decisions about a group of Management Units, of which the FSC certified Management Unit(s) is/are components, are treated under Criterion 1.8 and may also be covered by FSC-POL-01-004 Policy for the Association of Organizations with FSC.
6. All Criteria assume the responsibility of The Organization to mitigate, repair or remedy the negative impacts of The Organization's own activities, including use of appropriate restoration techniques. The test of what is *reasonable** will be applied to the extent of current responsibilities with respect to negative impacts caused long ago, where The Organization is the State or other owner of ancient standing.
7. With reference to Explanatory Note 3 above, laws and obligations on the other entities which have caused damage may not be clear, and/or appropriate measures may not be implemented by those entities. In such cases, The Organization should take reasonable and appropriate measures to mitigate, repair or remedy the negative impacts in the Management Unit, which are or were caused by the other entities and which are not within the legal control of The Organization; see also Explanatory Notes to Principle 6, on repair and restoration.
8. If there are questions about the adequacy of the efforts of The Organization with respect to Explanatory Note 7, The Organization should appeal for evaluation by the conformity assessment body on a case by case basis, through engagement with the involved or affected stakeholders including the other entities (see FSC-STD-20-007 FSC Forest Management Evaluations, Section 8.20). FSC-STD-01-005 FSC Dispute Resolution System may also be invoked; see Section 7 of the Preamble of the Principles and Criteria.
9. Examples of persons or entities permitted or contracted by The Organization to operate in or for the benefit of the Management Unit include the following.
 - Workers, contractors and sub-contractors while working under a contract to The Organization for the Management Unit.
 - Self-employed contractors and casual and part-time workers.
 - Local communities permitted to enter the Management Unit or harvest non-



FINAL DRAFT

timber forest products.

10. Contractor compliance will be evaluated by conformity assessment bodies through, for example,
 - interviews with workers in relation to worker rights;
 - reference to a contract to the effect that the contractor commits to adhere to the requirements of the Principles and Criteria; and
 - certification of the contractor that shows adherence to the requirements.National law may prevent The Organization from being able to direct contractors and sub-contractors as detailed above. If that barrier prevents The Organization from achieving full compliance with the Principles and Criteria, The Organization should appeal for evaluation by the conformity assessment body on a case by case basis, through engagement with the involved or affected stakeholders (see FSC-STD-20-007 Forest Management Evaluations, section 8.20). FSC-STD-01-005 FSC Dispute Resolution System may also be invoked; see Section 7 of this Preamble.
11. Where The Organization is provided proof that a contractor or subcontractor is in breach of the Principles and Criteria, it is required to take corrective actions, which may include cancellation of contracts.

6. Basis for certification

FSC does not insist on perfection in satisfying the FSC Principles and Criteria. Unforeseen changes in cultural, ecological, economic and social environments may cause occasional failures in performance. As the Principles and Criteria are main components of a performance based standard, certification decisions are guided by the following.

- The extent to which management activities satisfy each FSC Criterion.
- The importance and/or consequences of failing to satisfy each FSC Criterion.

Explanatory Notes regarding certification

The definitions and procedures for certification decisions, for example the assessment of conformity and consequences of non-conformities with the FSC Principles and Criteria and FSC Forest Stewardship Standards, are described in FSC-STD-20-001 General Requirements for FSC Accredited Certification Bodies – Application of ISO/IEC Guide 65:1996(E), and FSC-STD-20-007 Forest Management Evaluations.

The certification decision may recognize partial compliance and will assign corrective action requests to bring the applicant to full compliance. Major non-compliances will prevent certification of new applicants and will cause de-certification of existing certificate holders.

7. Interpretations and Disputes

Questions of interpretation of the Principles and Criteria are addressed through procedures devised by FSC. When disputes arise between stakeholders concerning compliance or the interpretation of the Principles and Criteria and FSC Forest Stewardship Standards, then the relevant FSC procedures for dispute resolution and interpretation shall apply.

FINAL DRAFT

Explanatory Notes regarding interpretations and disputes

1. One example of procedures devised by FSC for the interpretation of the Principles and Criteria is the set of the standards and procedures for the development of FSC Forest Stewardship Standards (see Explanatory Notes to Section 2 of the Preamble).
2. Questions of interpretation of the Principles and Criteria are normally addressed by applicants or holders of FSC certificates to the conformity assessment body in the first instance, and may be referred upwards to the Policy and Standards Unit of FSC.
3. The relevant procedures for dispute resolution are prescribed in the following.
 - FSC-STD-01-005 FSC Dispute Resolution System
 - FSC-PRO-01-005 Processing Appeals,
 - FSC-PRO-01-008 Processing Complaints in the FSC Certification Scheme
 - FSC-PRO-01-009 Processing Formal Complaints in the FSC Certification Scheme

Rationales

1. The Preamble is intended to supplant the Introduction of the current Principles and Criteria.
2. In comparison with the Introduction to Version 4-0 of the current Principles and Criteria, the Preamble was updated to clarify the scope of the FSC Principles and Criteria, in line with a number of interpretive and clarifying decisions taken by FSC, subsequent to the approval of the current Principles and Criteria in November 1994.
3. These all confirm that the scope of the Principles and Criteria extends beyond the certification of natural forests and the production of timber to several vegetation types, products, services and purposes. The following are the applicable documents in their most current versions.
 - FSC-POL-10-004 Scope of Application of the FSC Principles and Criteria for Forest Stewardship (2005)
 - FSC-DIS-01-001 The Scope of Application of the FSC Principles and Criteria for Forest Stewardship (May 2005)
 - FSC-DIR-20-007 FSC Directive on Forest Management Evaluations
 - Motion 44 of the FSC General Assembly 2008, FSC Certification of Forest Conservation and Forest Protected Areas.
4. The Preamble was also revised to allow the possible future expansion of FSC certification to other services, for example carbon sequestration. See for example Motion 43 of the FSC General Assembly 2008.
5. In line with FSC-GUI-20-200 FSC Guidelines for Certification Bodies (March 2005), subject 2.12, the Preamble was clarified to reflect that some of Principles and Criteria have to be applied to facilities located in the Management Unit because of their social and environmental impacts. Compared with these guidelines, the scope was extended beyond integrated wood processing facilities to, for example, administrative offices, nurseries, etc., in order to make sure that their potential social and environmental impacts are also addressed.
6. The concept of scale and intensity has been included in the Principles and Criteria since their approval in November 1994, based on the assumption that the smaller the Management Unit or Organization and the lower the intensity, the lower the risk of



FINAL DRAFT

unacceptable environmental and social impacts. The word 'risk' was included in the Principles and Criteria to make this inherent concept more visible, and to align the Principles and Criteria with recent developments in other certification systems. Examples include those of the Marine Stewardship Council or the ISO 31000 series which both have adopted a risk based approach. The Preamble was revised to reflect this approach.



FINAL DRAFT

E. The FSC Principles and Criteria

1 Principle 1 (revised): Compliance with Laws

*The Organization** shall comply with all *applicable laws**, regulations and nationally-*ratified** international treaties, conventions and agreements.

Explanatory Notes

1. The first four Criteria of Principle 1 deal with the basic elements of legality for The Organization and its Management Unit. Criteria 1.1 and 1.2 deal with confirming the legal status of The Organization and the Management Unit. Criterion 1.3 addresses the rights of The Organization to operate in the Management Unit. Criterion 1.4 deals with the protection against unauthorized and illegal activities. The second four Criteria of Principle 1 deal with tracking and tracing (Criterion 1.5), legal issues (Criterion 1.6), anti-corruption (Criterion 1.7), and the long-term commitment to FSC (Criterion 1.8). These second four Criteria are not strictly related to compliance with laws, but with The Organization's management of legal issues and its corporate environmental and social commitment.
2. The following table provides an overview of the desired outcomes of all Criteria under Principle 1.

Criteria in Principle 1	Desired outcome for each Criterion
1.1 – Legal status of The Organization	Legal status of The Organization is confirmed.
1.2 – Legal status of the Management Unit	Legal status of the Management Unit is confirmed.
1.3 – Legal rights for The Organization to operate in the Management Unit	The Organization has obtained by valid process, and applies, all necessary licenses and permissions, and pays all prescribed charges.
1.4 – Protection against unauthorized and illegal activities	The Organization has taken and applies all permitted legal precautions.
1.5 – Compliance with transport and trade rules	The Organization has compliant tracking and tracing systems.
1.6 – Resolving disputes out of court	The Organization resolves legal issues out of court as far as possible.
1.7 – Anti-corruption in a legal context	The Organization does not participate in corruption.
1.8 – Long-term commitment by The Organization	The Organization demonstrates a long-term commitment to the Principles and Criteria and other relevant FSC standards and policies, however short the legal tenure over the Management Unit.

3. It might not be possible to comply with all Criteria under Principle 1 because one or



FINAL DRAFT

more Criteria require compliance with a legal obligation that does not exist in a specific country. Therefore, a Criterion under Principle 1 does not apply in countries where that specific legal obligation does not exist.

4. These Criteria under FSC Principle 1 concern the legal aspects of The Organization's work in and related to the Management Unit. The Criteria are grouped here to facilitate demonstration of compliance with legal requirements. The practical elements, performance and quality aspects of The Organization's work are covered by other Principles and Criteria. There may be some overlap with other Principles, in order to improve the intelligibility of the wording.
5. International treaties, conventions and agreements are only applicable – in the sense of Principle 1 – when through ratification they become part of the national domestic law in the country where the Management Unit is located. In these cases they may be associated legal obligations as referred to in Criterion 1.3.
6. In some countries, ratification of international conventions automatically makes such a convention part of national (domestic) law. In other countries, ratification may require a legislative process to convert the ratified convention into national law, and this process may involve considerable delay.
7. Where conventions have not been ratified nationally, or where during a period of delay the ratified international convention is not a national law, compliance may be an FSC requirement in these Principles and Criteria.
8. Conventions referenced in the FSC Principles and Criteria include:
 - Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES 1975) – see Explanatory Note 10 to Criterion 6.4;
 - Convention on Biological Diversity (CBD 1992) – see Explanatory Note 3 to Criterion 3.6, and Criterion 4.8;
 - International Labour Organization (ILO), including many separate Conventions, and the Declaration on Fundamental Principles and Rights at Work (1998) which links eight ILO Core Labour Conventions – see Criteria under Principles 2 and 3.
9. The ILO Code of Practice on Safety and Health in Forestry Work is non-binding guidance, and so is not referenced by FSC Principle 1. The Universal Declaration of Human Rights (UDHR 1948) and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP 2007) are non-justiciable and thus not referenced by FSC Principle 1. Compliance with both ILO Convention 169 and UNDRIP 2007 is required by FSC Principle 3, and compliance with the ILO Code of Practice on Safety and Health in Forestry Work is required by FSC Principle 2. All three requirements may be satisfied by national or local legislation if it meets or exceeds the ILO and UNDRIP specifications.
10. 'Customary rights' (see also Glossary of Terms) are defined as rights which result from a long series of habitual or customary actions, constantly repeated, which have by such repetition and by uninterrupted acquiescence, acquired the force of a law within a geographical or sociological unit (Source: FSC 1994).
11. In this sense, a customary right can be understood as a traditional behavior sanctioned by the community through years of socially approved practice. A customary right may be unwritten, is subject to variations in interpretation, and often evolves over time. Its application and interpretation may be situation-specific, including community-specific. A customary right may stand alone, and be unique. (Source: Adapted from A.J.N. Richards. 1962. Land law and adat in Sarawak. Kuching, Sarawak. Government Printing Office).



FINAL DRAFT

12. 'Customary laws' (see also Glossary of Terms) are defined as interrelated sets of customary rights may be recognized as customary law. In some jurisdictions, customary law is equivalent to statutory law, within its defined area of competence and may replace the statutory law for defined ethnic or other social groups. In some jurisdictions, customary law complements statutory law and is applied in specified circumstances. (Source: N.L. Peluso and P. Vandergeest. 2001. Genealogies of the political forest and customary rights in Indonesia, Malaysia, and Thailand. *Journal of Asian Studies*, 60 (3):761–812.)
13. Customary law and rights not organized into a system of law are treated in Principles 3 and 4. However, in countries where customary law is recognized by the government to have parallel legal status alongside statutory and common law, or civil law, such customary laws have the same status as statutory law in the FSC Principles and Criteria for the purpose of Principle 1, in their own areas of legal competence. For example, in some countries customary law may be invoked to settle territorial disputes between indigenous communities, or arguments over resource rights between indigenous peoples and non-indigenous land users. For most situations in the FSC Principles and Criteria, especially in Principle 3, stakeholders are referencing individual customary rights, not the entire system of rights. Customary rights may not be recorded in writing.
14. With respect to Principle 1, The Organization may have standard operating procedures (SOPs) which positively exceed the requirements of national and local laws. Note that other Principles and Criteria may set higher requirements than national and local laws. A SOP is a written document or instruction detailing all steps and activities of a process or procedure. For example, a SOP provides the documentation of all procedures used in any manufacturing process that could affect the quality of the product (Source: ISO 9000).
15. 'Applicable law' (see also Glossary of Terms) is defined as those that are applicable to The Organization as a legal person or business enterprise, in or for the benefit of the Management Unit, and those laws which affect the implementation of the FSC Principles and Criteria. This includes any combination of statutory law (Parliamentary-approved) and case law (court interpretations), subsidiary regulations, associated administrative procedures, and the national constitution (if present) which invariably takes legal precedence over all other legal instruments (Source: FSC 2011). Applicable law does not mean laws covering activities taking place in the Management Unit for which The Organization does not have legal responsibility; see also the Explanatory Notes on the responsibilities of The Organization in section 5 of the Preamble, and the Explanatory Notes concerning restoration in Principle 6. FSC has recognized since 1998 the problems which can be caused by overlapping managerial authorities in the Management Unit.
16. Demonstration of compliance with the Criteria of Principle 1 does not necessarily involve documentation. For example, small and low intensity managed forests (SLIMFs) may not have appropriate documentation, but may be able to demonstrate compliance by, for example, attested oral records or honor systems, or by visible evidence on the ground.
17. In case of conflict between legal instruments and the requirements of the FSC Principles and Criteria, FSC-STD-20-007 Forest Management Evaluations, section 8.20, applies, that 'the certification body shall evaluate any conflicts between laws/ regulations and certification requirements of the applicable Forest Stewardship



FINAL DRAFT

Standard, on a case by case basis, in arrangement with involved or affected parties'. 'Involved parties' has the same meaning as interested stakeholders as defined in the Principles and Criteria.

18. Compliance with Principle 1 also allows The Organization to demonstrate that it is implementing best efforts to avoid illegal harvesting of timber, and so probably comply with national legality verification systems in Voluntary Partnerships Agreements (VPAs) between the host government and the European Union (EU). VPAs are core processes under the EU's Forest Law Enforcement, Governance and Trade Action Plan (2003). Compliance with Criterion 1.5 also satisfies some of the requirements of the US Lacey Act (amended 2008) for timber and other wood products imported into the USA.

Rationale

1. Conforms to wording of guidelines of the International Standards Organization (ISO), deletes unnecessary words, and corrects misunderstanding about national application of international conventions.
2. Adapts wording proposed by some Accreditation Services International (ASI)-accredited conformity assessment bodies and by some environmental NGOs. This includes mainly SmartWood's Generic Standard for Verification of Legal Compliance, document code SW VL-02, 15 November 2007, by agreement with SmartWood. SmartWood gives examples of verifiable indicators (www.rainforest-alliance.org/forestry/documents/vlc_standard.pdf), but many more are being proposed in country-specific legality verification schemes.
3. The general rationale for more explicit Criteria in Principle 1 (compared with V4-0 of FSC-STD-01-001) is that the relationship with legality verification schemes is more clearly indicated and the existence of parallel but different legal procedures is recognized.
4. FSC has determined that a legality verification scheme (LVS) shall form part of a modular approach program (MAP), and that Principle 1 shall relate to such a LVS. For information on elements, perhaps sub-Criteria, which may be important for a LVS in a modular approach program, please refer to the Explanatory Notes on Principle 1 and legality verification schemes below. These elements do not have the status of Criteria.

Current Principle 1: 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.

1.1 (new) *The Organization** shall be a legally defined entity with clear, documented and unchallenged *legal registration**, with written authorization from the *legally competent** authority for specific activities.

Explanatory Notes

1. 'Legal registration' (see also Glossary of Terms) is defined as the national or local legal license or set of permissions to operate as an enterprise, with rights to buy and sell products and/or services commercially. The license or permissions can apply to an individual, a privately-owned enterprise or a publicly-owned corporate entity. The rights to buy and sell products and/or services do not carry the obligation to do so, so legal registration applies also to Organizations operating a Management Unit, that may not

FINAL DRAFT

sell products or services, but could for example, provide recreation, or conservation of biodiversity or habitat (Source: FSC 2011).

2. 'Legally competent' (see also Glossary of Terms) is defined as mandated in law to perform a certain function (Source: FSC 2011). In the context of Principle 1, to authorize The Organization to carry out specific activities.
3. If legal registration documents are lost, illegible or otherwise not available, perhaps as a result of storm damage or civil war, this Criterion would be satisfied by clear evidence of local stakeholder acceptance that The Organization did have such registration.
4. Examples of evidence of registration may include a valid business license to operate within the jurisdiction, and a tax registration number. SLIMFs may have other kinds of evidence of their legal existence (*persona juridica*), or may not need to be legally defined or registered; for example, entities managing some family-owned forests or Management Units on indigenous lands.
5. 'Unchallenged' in the context of Criterion 1.1 means that the legal registration of The Organization has not been persistently and publicly opposed.
6. The specific activities which are authorized may not include management of all the resources of the Management Unit but only a sub-set of those resources, such as timber, forage or fruit and nuts.

Rationale

This Criterion fills a gap in earlier versions of the Principles and Criteria in line with requirements in legality verification schemes.

1.2 (revised 2.1) *The Organization** shall demonstrate that the *legal status** of the *Management Unit**, including *tenure** and *use rights**, and its boundaries, are clearly defined.

Explanatory Notes

1. 'Legal status' (see also Glossary of Terms) is defined as the way in which the Management Unit is classified according to law. In terms of tenure, it means the category of tenure, such as communal land or leasehold or freehold, or State land or government land, etc. If the Management Unit is being converted from one category to another (for example, from State land to communal indigenous land), the status includes the current position in the transition process. In terms of administration, legal status could mean that the land is owned by the nation as a whole, but is administered on behalf of the nation by a government department, and is leased by a government ministry to a private sector operator through a concession (Source: FSC 2011).
2. This Criterion requires that The Organization demonstrates clear evidence of tenure and/or use rights to the land and/or resources, and the defined duration of the tenure and/or use rights. The long-term commitment to FSC which is required by Criterion 1.8 generally requires long-term tenure of the Management Unit but FSC accepts that there may be legal restrictions on the duration of use rights, such as logging concessions on national public forest assets. If the tenure is freehold, the duration may be indeterminate. Acceptable evidence of tenure includes land title, customary rights, concessions or lease agreements; see also Criterion 3.1.
3. According to Criteria 3.2 and 3.3 and 4.2, where the resource access rights of The Organization overlap with pre-existing tenures, resource or land use the holders of the pre-existing legal or customary rights maintain control over their tenure and resource



FINAL DRAFT

- rights unless they delegate their control to third parties with Free, Prior and Informed Consent. 'Pre-existing' means prior to the tenure and/or use rights of The Organization.
4. Where the Management Unit consists of many parcels of land under separate tenures or titles (for example, where the Management Unit consists of the holdings of an association of individual forest owners), the demonstration of the clear definition of the legal status may be the presentation of a process through which the individual tenures or titles could be retrieved if needed. It does not mean that all the separate tenures or titles would need to be assembled at each evaluation for certification, although that should be possible if there are doubts about or challenges to the tenure of some parcels of land.
 5. Clearly defined boundaries mean that the boundaries can be verified independently by conformity assessment bodies. This may be through delineation, which would mean that the boundaries have been surveyed, and either a detailed and legal boundary description is available or physical demarcation with landmarks has been completed, which would allow the entire boundary to be traced and verified on the ground. However, there may also be other options for defining boundaries in a way that they can be verified independently.

Rationale

The status of the Management Unit needs to be clearly established in its own right, apart from its relation to The Organization.

Current 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.

1.3 (revised 1.1, 1.2 and 1.3) *The Organization** shall have *legal** rights to operate in the *Management Unit**, which fit the *legal status** of The Organization and of the Management Unit, and shall comply with the associated legal obligations in applicable *national and local laws** and regulations and administrative requirements. The legal rights shall provide for harvest of products and/or supply of *ecosystem services** from within the Management Unit. The Organization shall pay the legally prescribed charges associated with such rights and obligations.

Explanatory Notes

1. Where this is legally required, The Organization must be able to demonstrate that the Management Unit is legally classified for the types of land use or commercial activities included in the legal right to operate. 'Legally classified' means designated or zoned by the competent legal authority controlling land use(s), such as a centralized land use planning agency of government.
2. Where legally required, The Organization is also required to have written authorization from the legally competent agency to operate or harvest within, or obtain ecosystem services, from the Management Unit. Legally competent means mandated in law to perform such a function.
3. A legal right to operate also only exists if the process by which The Organization has obtained the right to operate or harvest products and/or to obtain ecosystem services in the management unit, was legally valid. This right to operate may be shown by possession of permits and licenses. See FSC-STD-30-010 FSC Controlled Wood Standard for Forest Management Enterprises, Section 3.2.



FINAL DRAFT

4. Associated legal obligations are likely to be components of legality verification schemes. (See Explanatory Notes on Principle 1 and legality verification schemes below, and FSC-STD-30-010 FSC Controlled Wood Standard for Forest Management Enterprises, Table 1). They also include all applicable nationally ratified international treaties, conventions and agreements, which through ratification have been transformed into national law.
5. Legal obligations may include valid approval by the legally competent agency of the documents in the management plan which requires formal approval, if a management plan is legally required. Note that a management plan is a requirement of Criterion 7.2, even if not legally required. A management plan as such may not need to be approved, but some equivalent legal authorization may be necessary. Documents in the management plan may include production restrictions and quotas associated with permitted harvest rights for the Management Unit. Documents which may require legal approval by the legally competent agency can include any or all of the following: (1) valid annual operating or harvest plans (see Criterion 7.2); (2) assessments of social and environmental impact, and plans for countering negative impacts (see Criteria 4.3-4.8 (social) and Criteria 6.2-6.3 (environmental)); and (3) business/investment plans (see Criterion 5.5).
6. Forest management plans, business/ investment plans and annual operating plans of The Organization, if required by law, must be up to date, contain accurate information, and be implemented in full and on time as required by the law. Business/ investment and annual operating plans are included here because in some jurisdictions they are more important for regulation of the activities of The Organizations than the management plan. In jurisdictions which require that validly approved plans must be implemented, a change in circumstances requires a change in the annual operating plan and re-approval. In some countries, Codes of Practice are only advisory, or they may be obligatory only for administratively-determined enterprises or Management Units. Criterion 7.2 prescribes management plans, whether or not they are required by law.
7. The last sentence of this Criterion means that The Organization must comply with all applicable national and local laws, and administrative requirements concerning payment of taxes, import and export duties, royalties, fees and penalties concerning the resource management, use of and trade in the goods and services which The Organization derives from the Management Unit up to the first point of sale. Also, if required by the law, The Organization needs to make and document such payments in full, and according to the prescribed payment process schedule. See also FSC-STD-30-010 FSC Controlled Wood Standard for Forest Management Enterprises, Table 1.
8. The detail regarding payments for access to the resources and services from the Management Unit is to enable verification that all legal charges are invoiced and paid. Such payments may be intended to defray some or all of the legal owner's costs for administering the Management Unit, or may be a revenue generating exercise unrelated to sustainable management but legally required, or some combination of both purposes. See Principle 5.
 - Where required by law, The Organization must authenticate its payments to government agencies with validated and dated receipts. Authentication of payments also conforms with best international practice in the Extractive Industries Transparency Initiative (EITI) and the Publish-What-You-Pay campaign (www.publishwhatyoupay.org).
 - Where required by law, payments for resource access made to non-government land owners and right holders, and contracts relating to obligatory social development



FINAL DRAFT

services associated with forest harvesting permits (such as the 'cahiers des charges' imposed by some governments in francophone Africa), must be authenticated in the same way.

- Delayed and partial payments are not acceptable, unless permitted by law.
 - Surcharges on late payments are included, if legally required.
 - Administratively calculated ('compounded') and court-imposed penalties are included in this Criterion.
 - There is no obligation to make advance payments unless these are required by law.
- The list of charges in this Explanatory Note is not comprehensive or inclusive because nomenclature varies with jurisdictions. For example, 'fees' might include charges for making applications for licenses, the costs of due diligence checks, inspections, issue of licenses, and stamp duty on the issued licenses. The intention of the Criterion is that all kinds of resource access and relevant business taxes shall be paid according to the law.

9. Salaries are requirements in Principle 4.

Rationale

1. This replaces current Criteria 1.1 and 1.2, and that detailed procedures and permissions are required in legality verification schemes. See Explanatory Notes on Principle 1 and legality verification schemes below.
2. This also replaces the requirement of current Criterion 1.3 that in signatory countries, the provisions of all binding international agreements shall be respected. Through ratification, these international agreements become part of the national law and thus legal obligations associated with the right to operate in the Management Unit. The requirement to comply with CITES where ratified is now covered in Criterion 1.5. Compliance with the most relevant ILO Conventions (whether or not ratified), is required according to Criteria 3.4 and 2.1.

Current Criterion 1.1: Forest management shall respect all national and local laws and administrative requirements.

Current Criterion 1.2: All applicable and legally prescribed fees, royalties, taxes and other charges shall be paid.

Current 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.

1.4 (revised 1.5) *The Organization** shall develop and implement measures, and/or shall engage with regulatory agencies, to systematically protect the *Management Unit** from unauthorized or illegal resource use, settlement and other illegal activities.

Explanatory Notes

1. 'Systematically' means that this Criterion requires The Organization to develop a package or system of protection measures, and implement them, where this is appropriate and legally possible, emphasizing prevention rather than control 'after the event'.



FINAL DRAFT

2. This Criterion recognizes that this is not always possible, for example when The Organization is not the landowner or does not have appropriate legal rights of control. For example, The Organization may not have the right to erect fences, to lock gates, or to expel those carrying out such unauthorized or illegal activities. If and where the land is owned by a third party, The Organization should implement a collaborative strategy with the land owner and other stakeholders to prevent illegal activities by all reasonable means.
3. Where direct action is not legally possible, The Organization is required to engage with regulatory agencies to identify, report, and control the unauthorized or illegal activities that may occur within the Management Unit.
4. For resolution of problems when an activity is illegal by statutory law, but allowed under customary rights, see Criteria 3.1 and 4.1.
5. Poaching of wildlife is covered by this Criterion 1.4, but management of hunting, fishing, trapping and collecting is covered by Criterion 6.6.

Rationale

The wording prescribes a more active approach in relation to illegal or unauthorized activities than in FSC-STD-01-001 V4-0. It requires the identification and implementation of measures for protection from such activities.

Current Criterion 1.5: Forest management areas should be protected from illegal harvesting, settlement and other unauthorized activities.

1.5 (revised 1.3) *The Organization** shall comply with the applicable *national laws**, *local laws**, *ratified** international conventions and *obligatory codes of practice**, relating to the transportation and trade of forest products within and from the *Management Unit**, and/or up to the point of first sale.

Explanatory Notes

1. Compliance with the applicable provisions and requirements of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES 1975) is required where CITES has been ratified nationally. Compliance includes possession of permits for harvest or trade in any CITES-listed species, if applicable. CITES certificates require statement of geographic origin, scientific name of the species involved, and measurements taken and recorded as prescribed. See FSC-STD-30-010 FSC Controlled Wood Standard for Forest Management Enterprises, Table 1.
2. This Criterion requires The Organization to have, where these are legally required, procedures and practices which provide effective control of forest products from the point of origin (for example, the standing tree), until ownership is transferred. Where legally required, The Organization must also have and use a system to identify products as having verified legal compliance up to the point of first sale, for example, through documentation or marking and tracking systems.
3. Criterion 1.5 is not a substitute for the FSC Chain of Custody system for tracking and verifying progress through the market chain to the point of final sale. See Criterion 8.5.
4. Control of illegal timber outside the Management Unit is through implementation of Chain of Custody requirements and verifications, and is outside the scope of the FSC Principles and Criteria.



FINAL DRAFT

5. 'Obligatory code of practice' (see also Glossary of Terms) is defined as a manual or handbook or other source of technical instruction which The Organization must implement by law (Source: FSC 2011).

Rationale

This is a more workable Criterion than current Criterion 1.3, clarifying the need for tracking from the point of origin, and complementing FSC chain of custody requirements.

Current 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.

1.6 (revised 2.3) *The Organization** shall identify, prevent and resolve disputes over issues of statutory or *customary law**, which can be settled out of court in a timely manner, through *engagement** with *affected stakeholders**.

Explanatory Notes

1. This Criterion deals only with issues of law and cases which can be settled out of court. Some legal issues cannot be resolved out of court, because of their complexity or because the law requires that they be brought to court, or because a mediated solution is not feasible or not desired by some of the affected stakeholders. Dispute resolution for other matters is covered by Criterion 4.6. The intention of this Criterion is to require all parties to seek settlement out of court, before invoking the available legal procedures, as a way of minimizing cost and stakeholder friction.
2. Disputes may involve strictly legal issues as well as issues of customary tenure and use.
3. Stakeholder consultation and mechanisms agreed with stakeholders should be applied as preferred options for preventing and resolving civil disputes. These might include negotiation processes, mediation and other means of resolving legal disputes, and be based on existing legal frameworks. A neutral third party may be required for mediation. Law suits should be invoked only as a last resort. See Criteria 2.6, 4.6, and 7.6 and the definition of 'engagement' in the Glossary of Terms for details of engagement and dispute resolution mechanisms, and FSC-STD-30-010 FSC Controlled Wood Standard for Forest Management Enterprises, Section 1.3.
4. The intention is to ensure that within the Management Unit, there are no disputes of substantial magnitude, or involving a significant number of interests, that are unresolved over a prolonged period of time. The intention is also that disputes do not require recourse to legal or court procedures, if they can be resolved out of court. Disputes of a substantial magnitude or duration involving a significant number of interests will normally disqualify The Organization's Management Unit(s) from being certified.
5. This Criterion is also intended to avoid trivial but time-consuming challenges in court to the legality of The Organization's authority to operate in the Management Unit.
6. Legal issues such as infractions of logging rules, non-payments of forest charges, or environmental pollution, are subject to due legal procedures and are not correctly managed by negotiation processes.

Rationale



FINAL DRAFT

1. This Criterion is based on current Criterion 2.3. It has been included in Principle 1 because the existence of legal disputes can prevent granting certification, for example, where there is overlap between concession areas and community land.
2. Stakeholder consultation on potential and actual legal disputes is an important means to prevent conflicts and to contribute to a comprehensive resolution process if such disputes exist.
3. In accordance with Policy Motion 4 (converted to Statutory Motion 7) and approved at the FSC General Assembly 2005, which requested the removal of guidelines for the certification process from the Principles and Criteria, the second sentence of current Criterion 2.3 is to be transferred from the FSC Principles and Criteria to guidance for conformity assessment bodies.

Current 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.

1.7 (new) *The Organization** shall publicize a commitment not to offer or receive bribes in money or any other form of corruption, and shall comply with anti-corruption legislation where this exists. In the absence of anti-corruption legislation, The Organization shall implement other anti-corruption measures proportionate to the *scale** and *intensity** of management activities and the *risk** of corruption.

Explanatory Notes

1. This Criterion recognizes that corruption is generally regarded as illegal but not all countries have or implement anti-corruption laws and regulations.
2. Other anti-corruption measures include for example that, where national legislation permits, The Organization develops or participates in formal integrity pacts with other organizations in the public and private sectors, such that each participant agrees in well publicized statements not to engage in corruption by offering or receiving bribes, whether in money or in any other forms. Performance related to such statements should then be monitored by an independent third party.
Transparency International has especially promoted integrity pacts for public procurement and contracting. Transparency International published in 2002 'The integrity pact – the concept, the model and the present applications: a status report', part of the Transparency International Integrity Pact and Public Procurement Programme (www.transparency.org/global_priorities/public_contracting/integrity_pacts), with many examples.
An 'integrity pact' is an agreement between participants not to offer bribes to or demand bribes from the other members of the pact. The pact is enforced by ensuring maximum transparency in all transactions and by careful monitoring of transactions by independent observers such as NGOs. The pact requires the application of severe sanctions when violations occur. (Source: K. Rosenbaum. 2005. Tools for civil society action to reduce forest corruption: drawing lessons from Transparency International. The Forest Integrity Network, World Bank).
Integrity pacts usually cover the four kinds of bribes categorized by Transparency



FINAL DRAFT

International: (1) bribes which are paid to access a scarce benefit or to avoid a common cost; (2) bribes which are paid to receive a benefit that is not itself scarce but which is controlled through exercise of discretion; (3) bribes which are paid for incidental benefits such as speedy service or inside information; (4) bribes which are paid to entice the other side to withhold a benefit or impose a cost on someone else (Source: Transparency International Sourcebook 2000).

In addition to The Organization itself, integrity pacts should cover all contractors while working under a contract to The Organization for the Management Unit, and should include the conformity assessment body or bodies contracted to audit The Organization for FSC certification.

3. Bribes are usually in money but may be in other tangible or intangible benefits. Examples include 'a contribution to your favorite football team', indirect payments made to family relatives or close friends of the target person, gifts of food or drink or household items, overseas holidays, tickets to sporting events, and privileged access to otherwise inaccessible resources.
4. In situations where bribery and corruption are elements of the customary modes of business, and an enterprise cannot operate without making informal payments or gifts, The Organization should implement the Transparency International Business Principles for Countering Bribery (2009).
5. Risk of corruption may be determined at a country level by reference to the corruption perception index, published annually by Transparency International http://www.transparency.org/policy_research/surveys_indices.
6. Most governments have anti-corruption legislation, but the critical issue for The Organization is whether laws are actually applied, fully, transparently, objectively and equitably.
7. In some countries, anti-trust laws may prevent compliance with this Criterion 1.7.

Rationale

There are many examples of high levels of corruption in the forestry sector in many countries. In responding to Policy Motion 28 of FSC General Assembly 2008, calling for more effort in tropical countries, this Criterion addresses the issue while recognizing that the risk of corruption varies depending on specific situations.

1.8 (revised 1.6) *The Organization** shall demonstrate a long-term commitment to adhere to the FSC *Principles** and *Criteria** in the *Management Unit**, and to related FSC Policies and Standards. A statement of this commitment shall be contained in a *publicly available** document made freely available.

Explanatory Notes

1. 'The Organization' (see also Glossary of Terms) is defined as the person or entity holding or applying for certification, and therefore responsible for demonstrating compliance with the requirements upon which FSC certification is based (Source: FSC 2011).
2. The commitment of adherence to the FSC Principles and Criteria should be simultaneous with, or previous to, the application for certification.
3. The intention of Criterion 1.8 is that The Organization demonstrates that it is committed to and intends to continue to comply with the FSC Principles and Criteria as a prime and

FINAL DRAFT

explicit measure against 'greenwashing'. This Criterion 1.8 has been a key feature of the FSC Principles and Criteria since 1994 and has become more important as the commercial value of FSC certification has grown.

4. Related FSC Policies and Standards. As an additional means for preventing 'green washing', FSC has devised the Policy of Association. Therefore, the publicly available document should, in addition to the statement of commitment to adhere to the Principles and Criteria, contain the commitments listed for the self-declaration statement required by FSC-POL-01-004 Policy for the Association of Organizations with FSC. These are for non-involvement in the following unacceptable activities.
 - a. Illegal logging or the trade in illegal wood or forest products.
 - b. Violation of traditional and human rights in forestry operations.
 - c. Destruction of high conservation values in forestry operations.
 - d. Significant conversion of forests to plantations or non-forest use.
 - e. Introduction of genetically modified organisms in forestry operations.
 - f. Violation of any of the ILO Core Labour Conventions as defined in the ILO Declaration on Fundamental Principles and Rights at Work.
5. 'Greenwashing' is the promotion of deceitful claims made by enterprises which participate in the FSC system, while simultaneously engaging in unacceptable forestry practices in their non-FSC certified forest and plantation areas.
6. The Organization is required to declare all Management Units under its managerial control to the ASI-accredited conformity assessment body, and must be open for inspection by the conformity assessment body. See FSC-POL-20-002 Partial Certification of Large Ownerships, Annex 1. The Organization is not required to submit all its Management Units for certification.

Rationale

1. Current Criterion 1.6 is the principal defense against 'green washing', but gives no indication of how compliance should be demonstrated. Criterion 1.8 applied together with the Policy of Association retain this defense against 'green washing'.
2. Policy Motion 5 converted to Statutory Motion 7, approved at the FSC General Assembly 2005, proposed a demonstration of commitment in a public document.

Current Criterion 1.6: Forest managers shall demonstrate a long-term commitment to adhere to the FSC Principles and Criteria.

Explanatory Notes on Principle 1 and legality verification schemes

FSC has determined that a legality verification scheme (LVS) shall form part of a 'modular approach program' (MAP), and that Principle 1 shall relate to such verification. Elements, perhaps sub-Criteria, which may be important for legality verification schemes in a MAP are provided here, for information. These elements do not have the status of Criteria but include requirements which may also be components of the early stages of a MAP. Legality verification (or assurance) schemes have been developed for the following purposes.

- To be a component of a Voluntary Partnership Agreement under the Forest Law Enforcement, Governance and Trade (FLEGT) action plan of the European Commission (2003).
- To facilitate the operation of the Lacey Act of the USA (amended 2008) for control of



FINAL DRAFT

illegally harvested forest products in international trade.

- To be a component of a monitoring, reporting and verification scheme associated with UN-REDD and the REDD+ Readiness Preparation projects of the World Bank's Forest Carbon Partnership Facility. REDD means Reduced Emissions from Deforestation and forest Degradation, and REDD+ includes conservation of biodiversity, sustainable forest management, enhancement of stocks of forest carbon, and improved forest-based human livelihoods. These projects are expected to be consistent with the architecture of REDD+, when approved by the UN Framework Convention on Climate Change (UNFCCC).

The detailed prescriptions for national legality verification schemes (LVS) have come into the public domain in the second half of 2010. They are becoming much more prescriptive, are more closely connected to national laws (and so more variable between countries) and include activities far removed from responsible forest stewardship. It is not feasible for Principle 1 to track or mirror LVS closely, but some reference is needed to comply with the FSC determination for modular approach programs.

The following possible legal requirements for The Organization to operate in the Management Unit are addressed in the indicated Criteria of Principles 2 to 10. These requirements are, or may be, components of legality verification schemes.

- The Organization shall comply with applicable national and local laws, ratified international conventions, obligatory codes of practice and administrative procedures, relating to the health and safety of workers and their families, and labor conditions. Examples of such international conventions include the following.
 - The UN International Convention on the Elimination of All Forms of Racial Discrimination (UN-CERD 1965)
 - The UN International Covenant on Economic, Social and Cultural Rights (UN-CESR 1976), the UN Convention on the Elimination of All Forms of Discrimination against Women (UN-CEDAW 1981)
 - The social requirements of the UN Convention on Biological Diversity (1992), and applicable ILO conventions

Note that the Universal Declaration of Human Rights (1948) and the UN Declaration on the Rights of Indigenous Peoples (2007) are non-justiciable declarations and so do not appear directly in Principle 1. The ILO Code of Practice on Safety and Health in Forestry Work is advisory and so does not appear directly in Principle 1. Human rights and labor practices are covered by Principle 2. There may also be legal exemptions for small-scale and medium-scale forest enterprises and family businesses.

- The Organization shall comply with legal requirements for contracts to all workers, in appropriate local languages and with culturally intelligible wording. Such workers shall be paid not less than the legal minimum wage if such a standard exists, and shall be treated in conformity with national and local regulations. See also Principle 2, Criteria 2.3 and 2.5. There may be legal exemptions for small- and medium-scale forest enterprises and family businesses. 'Culturally intelligible wording' means that statements and explanations in contracts that are expressed in words which are entirely understood by the workers, appropriate to their native languages, cultures and educational attainments.
- The Organization shall comply with applicable national and local laws, ratified



FINAL DRAFT

international conventions and obligatory codes of practice relating to management of the environment in the Management Unit. See Criteria under Principle 6. These requirements include mitigation of impacts identified in any applicable and legally required environmental impact assessment and/or mitigation plan. See Criterion 6.3. 'Obligatory code of practice' means a manual or handbook or other source of technical instruction which The Organization must implement by law.

- The Organization shall comply with legally required procedures for surveying, managing and protecting rare, threatened or endangered species or habitats in the Management Unit. See Criteria 6.1–6.6 and Criteria 9.1–9.3.
- Unless legally permitted and with permission from the resource owner(s), workers and contractors of The Organization shall be prohibited from hunting, fishing, trapping, collecting and trading in wildlife. Legally required mechanisms or safeguards to control or prevent hunting, fishing, trapping, collecting and trading in wildlife are covered by Criterion 6.6. This paragraph deals with control within the full authority of The Organization, whereas Criteria 1.4 and 6.6 deal with control measures when The Organization may not have full authority in law. Also, there may be customary rights associated with hunting, fishing, trapping, collecting and trading in wildlife, which differ from statute law. 'Resource owner' of the wildlife may be an entity different from The Organization.
- The Organization shall comply with the environmental and social requirements of the Convention on Biological Diversity (CBD) (1992) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (1975), if these conventions have been ratified nationally. These two international conventions are not legally binding if they have not been ratified nationally. Compliance based on the CBD is covered by Explanatory Note 3 and 4 to Criteria 3.6 and 4.8. Compliance based on CITES is covered by Explanatory Note 10 to Criterion 6.4 and Explanatory Note 3 to Criterion 8.5.
- The Organization shall provide timely and culturally appropriate notice about major management activities where notification of affected or interested stakeholders is legally required. See Criterion 4.5 for affected stakeholders.

2 Principle 2 (revised): Workers Rights and Employment Conditions

*The Organization** shall maintain or enhance the social and economic wellbeing of *workers**.

Explanatory Notes

1. The following table provides an overview of the desired outcomes of all Criteria under Principle 2.

Criteria in Principle 2	Desired outcome for each Criterion
2.1 – Principles and rights at work	The principles and rights as further specified in the eight ILO Core Labour Conventions are upheld (acknowledged, respected, sustained and supported) by The Organization.
2.2 – Gender equality	The Organization promotes gender equality in its employment practices.
2.3 – Health and safety	The Organization implements legal occupational health



FINAL DRAFT

	and safety practices or those of the ILO Code of Practice on Safety and Health in Forestry Work.
2.4 – Minimum wages	The Organization pays suitable wages.
2.5 – Job specific training	Workers have received training adequate for the safe and effective implementation of the management plan.
2.6 – Grievance resolution and compensation for loss or damage	The Organization has mechanisms agreed with workers for resolving grievances and for providing fair compensation for loss or damage of workers.

2. There might be situations, especially in countries that have ratified the eight ILO Core Labour Conventions, where meeting most or all of the Criteria under this Principle will be fulfilled through compliance with national and local laws relating to labor conditions and occupational health and safety. In any case, compliance with legal provisions is subject to evaluation by conformity assessment bodies.
3. However, there might be situations where national and local social and labor laws are so weak that compliance with them will not be sufficient to comply with these Criteria. In these situations the Criteria under this Principle will prevail and compliance is required.
4. Compliance with national and local laws is required according to Criterion 1.3, which requires The Organization to comply with the legal obligations associated with the right to operate in the Management Unit.
5. The term ‘workers’ (see also Glossary of Terms) is defined as all employed persons including public employees as well as self-employed persons. This includes part-time and seasonal employees, of all ranks and categories, including laborers, administrators, supervisors, executives, contractor employees, self employed contractors and sub-contractors (Source: ILO Convention C155 Occupational Safety and Health Convention, 1981). The Criteria under this Principle apply to all these persons.
6. This Principle covers the rights of workers directly employed by The Organization and those workers employed by other entities or persons permitted or contracted by The Organization to operate in the Management Unit or for the benefit of the Management Unit. These other entities and persons are also required to comply with this Principle and all its Criteria.
7. Compliance with the Criteria of this Principle does not require The Organization to provide these contractors, their sub-contractors or their workers with other benefits that may be provided voluntarily to directly employed workers (such as pension schemes, bonuses, profit sharing), not obligated by labor legislation or other norms such as ILO Conventions.

Rationale

1. In line with the proposal in Statutory Motion 8 (converted to Statutory Motion 7) approved at the FSC General Assembly 2005, Principle 4, Community Relations and Workers Rights, was divided into two separate principles. In the light of the deletion of current Principle 2, Workers Rights and Employment Conditions has become the new Principle 2, and Principle 4 is now dedicated solely to Community Relations.
2. The new wording of Principle 2 is based on the current wording of relevant parts of current Principle 4.

Current Principle 4: Forest management operations shall maintain or enhance the long-

FINAL DRAFT

term social and economic well-being of forest workers and local communities.

2.1 (revised 4.3) *The Organization** shall *uphold** the principles and rights at work as defined in the ILO Declaration on Fundamental Principles and Rights at Work (1998) based on the eight ILO Core Labour Conventions.

Explanatory Notes

1. The ILO Declaration on Fundamental Principles and Rights at Work (1998) covers:
 - freedom of association and the effective recognition of the right to collective bargaining;
 - the elimination of all forms of forced or compulsory labor;
 - the effective abolition of child labor; and
 - the elimination of discrimination in respect of employment and occupation.
2. These fundamental principles and rights are based on the eight ILO Core Labour Conventions.

<ul style="list-style-type: none"> • ILO Convention 29 • ILO Convention 87 • ILO Convention 98 • ILO Convention 100 • ILO Convention 105 • ILO Convention 111 • ILO Convention 138 • ILO Convention 182 	<ul style="list-style-type: none"> Forced Labour Convention (1930) Freedom of Association and Protection of the Right to Organise Conventions (1948) Right to Organise and Collective Bargaining Convention (1949) Equal Remuneration Convention (1951) Abolition of Forced Labour Convention (1957) Discrimination (Occupation and Employment) Convention (1958) Minimum Age Convention (1973) Worst Forms of Child Labour Convention (1999)
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3. Compliance with this Criterion is required irrespective of whether a country has ratified the Declaration on Fundamental Principles and Rights at work or the eight ILO Core Labour Conventions. This Criterion only refers to those parts of the ILO Core Labour Conventions that clearly specify workers rights.
4. Hence, compliance with this Criterion means that The Organization and all contractors while working under a contract to The Organization for the benefit of the Management Unit:
 - 4.1 Do not use compulsory labor (see ILO Convention 29 and 105).
 - The term 'forced or compulsory' labor means all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily (see ILO Convention 29, Article 2, Paragraph 1).
 - Debt bondage is one example of forced labor.
 - Contractors have to comply with this Criterion. However, contractors themselves are also protected from forced or compulsory labor. The same applies to self-employed persons.
 - 4.2 Do not interfere with or impede the right of workers to establish and join organizations of workers (see ILO Convention 87 and 98).
 - The term 'organization of workers' means any organization for furthering and defending the interests of workers (see ILO Convention 87, Article 10).



FINAL DRAFT

- Interfering or impeding the right to establish and join organizations includes anti union discrimination and acts of interference by employers or employers organizations in the establishment, functioning or administration of workers organizations.
 - Anti union discrimination in particular means:
 - Acts calculated to make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership.
 - Acts calculated to cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours (see ILO Convention 98, Article 1, Paragraph 2).
 - Interference in the establishment, functioning or administration of workers organizations means in particular acts which are designed to promote the establishment of workers' organizations under the domination of employers or employers' organizations, or to support workers' organizations by financial or other means, with the object of placing such organizations under the control of employers or employers' organizations (see ILO Convention 98, Article 2, Paragraph 1).
- 4.3 Promote equality of opportunity and treatment through eliminating any discrimination in respect of access to vocational training, access to employment and to particular occupations and terms and conditions of employment including remuneration (see ILO Convention 100 and 111).
- The term 'discrimination' includes:
 - Any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation (see ILO Convention 111, Article 1, Paragraph 1 (a)).
 - Such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member [of the ILO] concerned after consultation with representative employers' and workers' organizations, where such exist, and with other appropriate bodies (see ILO Convention 111, Article 1, Paragraph 1 (b)).
 - Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof is not deemed to be discrimination (based on ILO Convention 111, Article 1, Paragraph 2).
 - The term 'remuneration' includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment (see ILO Convention 100, Article 1).
- 4.4 Do not employ persons below the age of completion of compulsory schooling and in any case no person below the age of 15 years, and do not employ persons below the age of 18 years for work that is likely to jeopardize their health, safety or morals (see ILO Convention 138 and 182).
- Criteria for determining the types of work which is likely to harm the health,



FINAL DRAFT

safety or morals of persons are:

- work which exposes children to physical, psychological or sexual abuse;
- work underground, under water, at dangerous heights or in confined spaces;
- work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health; or
- work under particularly difficult conditions such as work for long hours or during the night, or work where the child is unreasonably confined to the premises of the employer (Based on ILO Convention 182, Article 4, Paragraph 1; and ILO Worst Forms of Child Labour Recommendation, 1999, Paragraph 3).

- 4.5 ILO Convention 138 and 182 provide exceptions to these rules under specific circumstances; such as for family and small scale holdings (see for example, ILO Convention 182, Article 5, Paragraph 3; Article 6, Paragraph 1; and Article 7, Paragraph 1 and 2).

Rationale

1. Policy Motion 40 for inclusion of all ILO Conventions was approved at the FSC General Assembly 1999. Following up on Policy Motion 40, the Board of Directors approved FSC-POL-30-401 FSC Certification and the ILO Conventions in March 2002, clarifying the following.
 - Forest managers are legally obliged to comply with all ILO Conventions which have been ratified in that country.
 - Forest managers are expected to comply with the eight ILO Core Conventions in all ILO member countries, by virtue of their country's ILO membership, even if not all the conventions have been ratified. This is an obligation arising from the ILO Declaration on Fundamental Principles and Rights at Work as endorsed by all ILO member countries. The Declaration states that 'all Members, even if they have not ratified the Conventions in question, have an obligation, arising from the very fact of membership in the [International Labour] Organization, to respect, promote and to realize, in good faith with the Constitution, the principles concerning the fundamental rights which are the subject of those conventions'.
 - FSC's policy for voluntary certification expects managers to comply with all the ILO Conventions that have an impact on forestry operations and practices, in all countries, including countries which are not ILO members, and have not ratified the Conventions.
2. The approach to make the implementation of the ILO Core Labour Conventions obligatory was reiterated by the FSC membership at the FSC General Assembly 2008 when approving motion 39. In these Principles and Criteria, this obligation is translated into Criteria which are FSC requirements. Thus Criterion 2.1 is an update of current Criterion 4.3, in order to refer more specifically to the ILO Declaration on Fundamental Principles and Rights at Work based on the eight ILO Core Labour Conventions, and to also include contractors.
3. Following up on FSC-POL-30-401 the Principles and Criteria Review Working Group analyzed which other ILO Conventions have an impact on forestry operations. The

FINAL DRAFT

analysis by the Principles and Criteria Review Working Group showed that there are four non-core ILO Conventions also addressing issues with an impact on forestry operations and practices. These are ILO Convention 131, Minimum Wage Fixing Convention (1970); ILO Convention 142, Human Resources Development Convention (1975); ILO Convention 155, Occupational Safety and Health Convention (1981); and ILO Convention 169, Indigenous and Tribal Peoples Convention (1989). However, compliance with ILO Convention 169 is now addressed in Principle 3. The issues relevant for forestry operations and practices addressed in ILO Convention 131 are addressed in Criterion 2.4. Job-specific human resource development is addressed in Criterion 2.5. Occupational Health and Safety are addressed in Criterion 2.3.

4. This Criterion only refers to those parts of the ILO Core Labour Conventions explicitly dealing with workers rights. The ILO Core Labour Conventions also address obligations for states regarding enforcing these worker rights. FSC as a voluntary certification scheme cannot influence if and how states enforce the ILO Core Labour Conventions, but can require certified Organizations to comply with the ILO Declaration on Principles and Rights of Workers as defined in these Core Labour Conventions.

Current 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).

2.2 (new) *The Organization* shall promote gender equality* in employment practices, training opportunities, awarding of contracts, processes of engagement* and management activities.*

Explanatory Notes

1. Specific actions to promote gender equality cannot be strictly determined at the international level, but should be decided according to local circumstances (for example cultural, religious, traditional), national laws and the size of the enterprise (remembering that promoting equality does not simply mean doing something to benefit women).
2. Many of the appropriate measures concern the management of the forest enterprise rather than the forest itself, and are therefore fully within the scope of FSC and certification. The following examples may be appropriate, but are not exclusive nor have to be in place simultaneously.
 - Engagement and information in local languages as well as in national languages, especially when there is a possibility that women and some minority groups may be unfamiliar with the national language.
 - Meetings and management committees organized to include women and men, and to facilitate the active participation of both.
 - Any payments to local residents or community members go to women and men, avoiding the assumption that payments to men always equally benefit women and children.
 - Specific efforts to provide appropriate employment opportunities for women, and to adapt existing employment opportunities and conditions to make them suitable for women and compatible with women's role in the family and society.
 - Salary scales and employment conditions to promote equality of opportunity, and



FINAL DRAFT

common pay and grading systems (equal pay for similar work), and equitable participation in job responsibilities, promotions, positions and training opportunities for men and women.

- Maternity and paternity leave, and other provisions for parents.
 - Flexible working policies and practices (variable hours, part-time, home-working, work during school terms, etc.) and vacation policies.
 - Procedures for preventing and eliminating sexual harassment and discrimination based on gender, marital status, parenthood or sexual orientation.
3. FAO has published training materials on gender analysis and mainstreaming in forestry (for example, the Gender Analysis and Forestry Training Package: www.fao.org/forestry/foris/pdf/gender/tr-e01/tr-e01.0.pdf) and guidance on considering gender in national forest programs (for example www.fao.org/docrep/W6206E/w6206e04.htm). FAO has also published reports on gender mainstreaming in forestry in individual countries (for example for Kenya, <ftp://ftp.fao.org/docrep/fao/010/k0744e/k0744e00.pdf>). ILO has also published a large number of gender strategy and standards documents (for example www.ilo.org/public/english/support/lib/resource/subject/gender.htm#standards).
4. This Criterion does not require that the workforce will be proportionate by gender. This Criterion requires that The Organization does not discriminate in its employment practices and that the working conditions and terms of employment take appropriate account of gender-based needs.

Rationale

1. Statutory Motion 12 approved at the FSC General Assembly 2002 mandated the addition of gender equality to the Principles and Criteria.
2. Gender equality is not covered by the eight ILO Core Labour Conventions.
3. Gender equality is enshrined in the Universal Declaration of Human Rights (1948), and more specifically in the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979).
4. The legal context of gender equality in the workplace is changing rapidly. Many countries have introduced legislation for gender equity, equality and/or quotas. In the European Union for example, public authorities have a duty to incorporate gender equality requirements into their employment practices and into the obligations of contractors. This means that the gender equality record of a company bidding for a public authority contract can be taken into account in decisions about awarding contracts. 'A contractor's gender equality track record is ... a relevant indicator of their ability to deliver the specified goods, works or services effectively, efficiently and to a high standards' (EU Equality and Human Rights Commission, 2007. Gender Equality Duty of Public Authorities – Procurement Guide).

2.3 (revised 4.2) *The Organization** shall implement health and safety practices to protect *workers** from occupational safety and health hazards. These practices shall, proportionate to *scale, intensity and risk** of management activities, meet or exceed the recommendations of the ILO Code of Practice on Safety and Health in Forestry Work.

Explanatory Notes



FINAL DRAFT

1. This Criterion refers to the ILO Code of Practice on Safety and Health in Forestry Work in its most current version.
2. Compliance with national laws regarding health and safety according to Criterion 1.3, which The Organization to comply with the legal obligations associated with the right to operate in the Management Unit. Complying with these national laws if their provisions meet or exceed the recommendations of the code will suffice to comply with this Criterion.
3. Where no national laws exist or where national laws do not meet the ILO Code, the recommendations of the ILO Code will have to be implemented proportionate to the scale, intensity and risk of management activities.
4. This Criterion is important for maintaining core elements of health and safety rights for all workers so that they enjoy labor rights that are fair and equitable regarding health and safety.
5. For further guidance on traditional family-managed harvesting of timber and non timber forest products (NTFPs), reference is made to GUI-60-001 Guidance on the Interpretation of FSC Principles and Criteria to Take Account of Small Scale and Low Intensity.

Rationale

The wording is based on current Criterion 4.2 but was revised for compliance with FSC-POL-30-401 FSC Certification and ILO Conventions which requires compliance with the ILO Code on Safety and Health in Forestry.

Current Criterion 4.2: Forest management should meet or exceed all applicable laws and/or regulations covering health and safety of employees and their families.

2.4 (new) *The Organization** shall pay wages that meet or exceed minimum forest industry standards or other recognized forest industry wage agreements or *living wages**, where these are higher than the legal minimum wages. When none of these exist, The Organization shall through *engagement** with *workers** develop mechanisms for determining living wages.

Explanatory Notes

1. The establishment of legal minimum wages is addressed in ILO Convention 131, Minimum Wage Fixing Convention (1970).
2. In line with Article 2 of this ILO Convention, by requiring compliance with the legal obligations associated with the right to operate in the Management Unit, Criterion 1.3 requires The Organization to pay legal minimum wages.
3. The terms forest industry minimum standard and recognized forest industry wage agreements refer to wages paid for a specific task area or field of functions or position.
4. This Criterion addresses situations where living wages, wages according to industry minimum standards or wages according to wage agreements for the forestry sector are higher than the legal minimum. Where none of these exist The Organization is required to establish the level of living wages through engagement with workers.
5. Recognized wage agreements include those established in collective bargaining agreements as negotiated between employers or employers' organizations and employee organizations (trade unions).



FINAL DRAFT

6. Where no legal minimum wages exist, by default, industry minimum standards or wage agreements or living wages will be higher and must therefore be applied.
7. The legal minimum applies where it is higher than forest industry minimum standards or wage agreements.
8. In 2006, according to the ILO more than 90% of all countries had legislation regarding minimum wage fixing (Source: Minimum Wages Policy, Conditions of Work and Employment Program, ILO Information Sheet No. W-1 2006).
9. A 'living wage' (see also Glossary of Terms) is defined as the level of wages sufficient to meet the basic living needs of an average-sized family in a particular economy (Source: International Labour Organization (ILO). Bureau of Library and Information Services. ILO Thesaurus as provided on ILO website).
10. In order to establish the level of a living wage, reference could be made to minimum legal or minimum industry standards or wage agreements for comparable task areas or the field of functions or positions in comparable sectors in the region or country. For example, where no legal and no industry minimum standard or wage agreement exists for the province/federal state, the national legal or industry minimum standard applies. Where none exist on the national level, reference could be made to legal or industry minimum standards as established in neighboring countries.
11. This Criterion does not apply for persons that are owners or part owners, or belong to the group of owners of the Management Unit. Examples could be family members in the case of small scale family owned Management Units or community members whose income in part or in total depends on the profits generated from the Management Unit.

Rationale

This Criterion is needed for situations where no legal minimum wage has been established. Also, it is important that all FSC certified companies pay at least the standard established in the forestry sector to avoid unfair competition on the basis of personnel costs.

2.5 (revised 7.3) *The Organization** shall demonstrate that workers have job-specific training and supervision to safely and effectively implement the *management plan** and all management activities.

Explanatory Notes

1. Workers such as self-employed persons, might be responsible for themselves for obtaining the necessary training themselves. However, The Organization must be able to demonstrate that all workers have received the necessary training to implement the management plan and all management activities.
2. The key is the ability to implement the management plan and all management activities safely and effectively. This implies appropriate re-training, for example, after changes to the management plan have occurred.
3. Training is especially important in relation to the use of chemicals, for example, pesticides or fertilizers, to avoid adverse health impacts on workers and other stakeholders as well as negative environmental impacts, for example, pollution of water resources.

Rationale

This requirement is important to ensure those that are charged with carrying out the

FINAL DRAFT

activities have the proper skill set to do so and oversight by The Organization to ensure it is done properly and safely.

Current Criterion 7.3: Forest workers shall receive adequate training and supervision to ensure proper implementation of the management plan.

2.6 (new) *The Organization** through *engagement** with *workers** shall have mechanisms for resolving grievances and for providing fair compensation to workers for loss or damage to property, *occupational diseases**, or *occupational injuries** sustained while working for The Organization.

Explanatory Notes

1. Resolving grievances means striving towards satisfying the demands of every party. In the event that not every party is completely satisfied, an agreement should be reached not to pursue further actions related to that specific grievance.
2. 'Loss' refers to the private property of workers.
3. 'Damage' refers to both private property and the health and life of workers.
4. Fair compensation for loss and damage to property means that compensation has to be provided when caused through a fault of The Organization.
5. Fair compensation for damage to the health and life of workers means that compensation has to be provided for occupational diseases or injuries and deaths incurred while working for The Organization.
6. Where local or national laws for resolving grievances and compensation exist, compliance with these laws is required according to Criterion 1.3. Criterion 1.3 also requires The Organization to comply with the legal obligations associated with the right to operate in the Management Unit. These legal obligations might suffice to comply with this Criterion if agreed through engagement with workers. Otherwise additional mechanisms developed through engagement with workers are required.
7. Through engagement it will be possible to define what appropriate mechanisms for decision making are, as well as what is considered fair compensation.
8. Mechanisms may include insurance.
9. Engagement with workers and establishment of mechanisms might be through third parties chosen by workers to negotiate on their behalf (for example unions, worker councils, lawyers).

Rationale

This Criterion addresses a gap in the current FSC Principles and Criteria.

3 Principle 3 (revised): Indigenous Peoples' Rights

*The Organization** shall identify and *uphold** *indigenous peoples'** legal and *customary rights** of ownership, use and management of land, territories and resources affected by management activities.

Explanatory Notes

1. The following table provides an overview of the desired outcomes of all Criteria under Principle 3.



FINAL DRAFT

Criteria in Principle 3	Desired outcome for each Criterion
3.1 – Identification of indigenous peoples and their rights	The Organization identifies indigenous peoples within the management unit and affected by management activities. The rights of indigenous peoples applying within the management unit are identified.
3.2 – Rights of indigenous peoples to control management activities	The indigenous peoples control management activities to the extent necessary to protect their rights, resources lands and territories. Delegation of control is based on Free, Prior and Informed Consent.
3.3 – Binding agreements for delegation of control	A binding agreement, based on Free' Prior and Informed Consent, clarifies the conditions and limitations under which control over management activities is delegated.
3.4 – Recognition and upholding of UNDRIP and ILO Convention 169.	The Organization recognizes and upholds the applicable provisions of the United Nations Declaration on the Rights of Indigenous Peoples and ILO Convention 169.
3.5 – Management and protection of sites of special significance	Sites of special cultural, ecological, economic, religious or spiritual significance to indigenous peoples have been identified and are protected and/or managed as agreed with these indigenous peoples.
3.6 – Protection, utilization and compensation for traditional knowledge	The rights of indigenous peoples to protect and utilize their traditional knowledge are upheld by The Organization. The Organization shall compensate indigenous peoples for the utilization of their traditional knowledge as defined in a binding agreement.

2. Criteria 3.1, 3.2 and 3.3 describe a sequence of events (identification, engagement, agreement) which The Organization should follow. Criteria 3.4, 3.5 and 3.6 describe outcomes which The Organization is required to demonstrate with regard to indigenous peoples' rights.
3. There might be situations, especially in countries that have ratified the United Nations Declaration on the Rights of Indigenous Peoples (2007) and ILO Convention 169 (1989), where meeting most or all of the Criteria under this Principle will be fulfilled through compliance with national and local laws pertaining to the protection of the rights of indigenous peoples. Compliance with the applicable national and local laws pertaining to indigenous peoples' rights is also required according to Criterion 1.3, which requires The Organization to comply with the legal obligations associated with the right to operate in the Management Unit.
4. Some indigenous peoples may not own the resources (legal title or legal ownership), but may continue to have resource access rights, for example the collective or communal collecting of non-timber forest products not only for economic but also for cultural reasons.
5. 'Uphold' (see also Glossary of Terms) is defined as, to acknowledge, respect, sustain and support (Source: FSC 2011). In the case of Principle 3 this refers to indigenous



FINAL DRAFT

peoples' legal and customary rights. By upholding rights, The Organization will therefore neither diminish the de facto rights exercised by indigenous peoples nor their claim to legal rights.

6. Other entities or persons permitted or contracted by The Organization to work in the Management Unit or undertake related operations are also required to comply with this Principle and its Criteria.

Rationale

The current wording of this Principle recognizes that rights exist, but did not clarify that The Organization must identify and uphold these rights. It is now does so and is therefore a much stronger directive.

Current Principle 3: The legal and customary rights of indigenous peoples to own, use and manage their lands, territories, and resources shall be recognized and respected.

3.1 (new) *The Organization** shall identify the *indigenous peoples** that exist within the *Management Unit** or are affected by management activities. The Organization shall then, through *engagement** with these indigenous peoples, identify their rights of *tenure**, their rights of access to and use of forest resources and *ecosystem services**, their *customary rights** and legal rights and obligations, that apply within the Management Unit. The Organization shall also identify areas where these rights are contested.

Explanatory Notes

1. This Criterion requires identification of indigenous people with a fair and legitimate claim, to be allowed access to benefits, goods or ecosystem services from the Management Unit. They include those who have affirmed their rights to land, forests and other resources based on long established use, and also those who have not yet done so (due for example, to a lack of awareness or empowerment). Organizations should record all existing claims of rights.
2. Indigenous peoples affected by management activities include those neighboring the Management Unit, and those that are more distant, who may experience negative impacts as a result of activities within the Management Unit. In these cases they would be affected stakeholders according to Criterion 7.6.
3. This Criterion requires that the nature of the rights in question, and the precise groups or sub-groups who affirm these rights, and who can be recognized as holding these rights, are identified and analyzed locally through engagement with the indigenous peoples. This process may also require the involvement of local institutions, organizations and authorities.
4. In some regions, there may be no written language or records supporting claims made by indigenous people with regards to customary rights. In these cases, other culturally acceptable ways for identifying, agreeing and documenting the rights need to be applied, for example, oral and honor systems, written accounts, audio and film records, etc.
5. Identification of rights through engagement would normally include collecting and documenting information (records, maps, etc.) on rights and claims, whether or not supported by written documentation or records. This includes collection and documentation of overlapping claims of indigenous peoples, and distinctions between

FINAL DRAFT

rights of ownership and other legal or customary rights. There may be exceptions to the need for documentation. Other types of proof might be acceptable as well, especially in the case of small holders, if agreed with the indigenous peoples.

6. Information to be recorded by The Organization when the rights of indigenous peoples are contested or cannot be identified may include, for example, the de facto situation with regard to legal and customary rights, the nature of the rights being contested and the positions of the parties involved. Such recording should be undertaken in collaboration with the relevant indigenous peoples.

Rationale

This Criterion addresses a gap in the current Principles and Criteria.

3.2 (revised 3.1 and 3.2) *The Organization* shall recognize and uphold* the legal and customary rights* of indigenous peoples* to maintain control over management activities within or related to the Management Unit* to the extent necessary to protect their rights, resources and lands and territories. Delegation by indigenous peoples of control over management activities to third parties requires Free, Prior and Informed Consent*.*

Explanatory Notes

1. The terminology 'within or related to' clarifies that this Criterion covers the protection of the rights, resources, land and territories inside and outside the Management Unit as affected by management activities related to the Management Unit.
2. 'Rights to resources, lands and territories' refers to the rights of indigenous peoples to access, use and manage land and resources, and their rights to consume and sell forest products, as defined under prevailing legislation or customary rights, as identified in Criterion 3.1.
3. This Criterion 3.2 does not preclude the right of indigenous people to operate their own Management Unit (see also FSC-GUI-30-004 FSC Principles 2 and 3: Guidance on Interpretation, Section 4.1).
4. A demonstration by indigenous people of effective control over their land and resources would be the implementation of their own management plan which had been prepared according to Criterion 7.2 (see also FSC-GUI-30-004 FSC Principles 2 and 3: Guidance on Interpretation, Section 5.7.1).
5. This Criterion also covers situations where indigenous people have residual rights of resource access but no longer have formal tenure of the land and territories, for example situations where the State owns the land and the State has granted licenses/concessions for forest management directly to The Organization.
6. The first sentence of this Criterion applies in situations where actors other than the indigenous peoples themselves (for example state authorities) have delegated control to The Organization. In these cases the indigenous peoples have a right to control the management activities to the extent necessary to protect their rights, resources and territories.
7. In cases where the indigenous peoples have themselves delegated control of management activities to The Organization, Criterion 3.3 applies.
8. 'Free, prior and informed consent' (see also Glossary of Terms) is defined as a legal condition whereby a person or community can be said to have given consent to an action prior to its commencement, based upon a clear appreciation and understanding

FINAL DRAFT

of the facts, implications and future consequences of that action, and the possession of all relevant facts at the time when consent is given. Free, prior and informed consent includes the right to grant, modify, withhold or withdraw approval (Source: Based on the Preliminary working paper on the principle of Free, Prior and Informed Consent of Indigenous Peoples (...) (E/CN.4/Sub.2/AC.4/2004/4 8 July 2004) of the 22nd Session of the United Nations Commission on Human Rights, Sub-commission on the Promotion and Protection of Human Rights, Working Group on Indigenous Populations, 19–23 July 2004).

Rationale

1. The revision clarifies the rights of indigenous peoples as inherently provided in this Principle.
2. The wording is more legally defensible and globally applicable than current Criteria 3.1 and 3.2. It also strengthens the rights of indigenous peoples by referring explicitly to prior consent.

Current 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.

Current Criterion 3.2: Forest management shall not threaten or diminish, either directly or indirectly, the resources or tenure rights of indigenous peoples.

3.3 (new) In the event of delegation of control over management activities, a binding agreement between *The Organization** and the *indigenous peoples** shall be concluded through *Free, Prior and Informed Consent**. The agreement shall define its duration, provisions for renegotiation, renewal, termination, economic conditions and other terms and conditions. The agreement shall make provision for monitoring by indigenous peoples of The Organization's compliance with its terms and conditions.

Explanatory Notes

1. 'Binding agreements' may be but are not limited to written agreements. They may also be based on oral and honor systems, to be applied in cases where written agreements are not favored by indigenous peoples, either for practical reasons or on principle. The Organization must maintain appropriate records of these agreements which may include written accounts, audio or film records, etc.
2. Any agreements reached should be considered part of a continuous process, based on dialogue and negotiation.
3. The process of Free, Prior and Informed Consent applies not only in the case of legally recognized rights, but may also include cases where rights of indigenous peoples are unclear or under negotiation.
4. Other terms and conditions include, amongst others: provisions for protecting the rights, resources, land and territories of the indigenous peoples, ownership, use and confidentiality of indigenous knowledge, intellectual property rights, provisions for dispute resolution, identification and protection of sites of special cultural, ecological, economic, spiritual or religious significance.
5. The binding agreement also needs to define the terms for negotiating, changing, giving



FINAL DRAFT

- or withdrawing consent, including voting systems.
6. Economic conditions include, for example, cost and benefit sharing.
 7. There might be situations where a binding agreement means a need for continued renegotiation and readjustment of its terms and conditions, for example *adat*-like customs in which no subject or decision is ever regarded as finally closed or where the operational status of a decision is situation-specific.

Rationale

See Criterion 3.2 above.

3.4 (revised 3.2) *The Organization** shall recognize and *uphold** the rights, customs and culture of *indigenous peoples** as defined in the United Nations Declaration on the Rights of Indigenous Peoples (2007) and ILO Convention 169 (1989).

Explanatory Notes

1. This Criterion refers to those articles of the UN Declaration and ILO Convention which cover explicitly the rights, customs and culture and spiritual relationship between indigenous peoples and the Management Unit. This Criterion applies also in countries and jurisdictions that have not ratified the UN Declaration and/or ILO Convention 169.
2. In this context, 'uphold' does not imply an unlimited responsibility for The Organization, and this responsibility should be further defined in endorsed national or regional standard setting processes.
3. Compliance with this Criterion may exceed The Organization's legal obligations in the country or jurisdiction within which the Management Unit lies. In cases where there are conflicts between the legal or customary rights of indigenous peoples and other resource users, such conflicts will be settled on a case by case basis, and if necessary, with recourse to dispute resolution mechanism specified in Criterion 1.6 or the grievance mechanism specified in Criterion 4.6.
4. Where this Criterion is in conflict with laws, separate FSC procedures apply (see FSC-STD-20-007 Forest Management Evaluations). Such 'conflicts' (see also Glossary of Terms) are defined as situations where it is not possible to comply with the Principles and Criteria and a law at the same time (Source: FSC 2011). In the case of this Criterion, an example would be that one or more articles of the ILO Convention 169 are in conflict with a specific law.
5. The applicable articles of the United Nations Declaration on the Rights of Indigenous Peoples (2007) are:
 - Article 1: Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.
 - Article 2: Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.
 - Article 3: Indigenous peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.



FINAL DRAFT

- Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
- Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their rights to participate fully, if they so choose, in the political, economic, social and cultural life of the State.
- Article 7: (1) Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
(2) Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.
- Article 8: (1) Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
- Article 9: Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.
- Article 10: Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the Free, Prior and Informed Consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.
- Article 11: (1) Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
- Article 12: (1) Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
- Article 17 (1) Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.
(3) Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.
- Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
- Article 20: (1) Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
(2) Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.



FINAL DRAFT

- Article 21: (1) Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
- Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- Article 24: (1): Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
- Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
- Article 26: (1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
(2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
- Article 28: (1) Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, of a just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their Free, Prior and Informed Consent.
(2): Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.
- Article 29: (1) Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources.
- Article 31: (1) Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.
- Article 32: (1) Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other



FINAL DRAFT

- resources.
- Article 34: Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.
- Article 40: Indigenous peoples have the right to have access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.
6. The relevant articles of the ILO Convention 169 (1989).are:
- Article 1: (1) This Convention applies to:
- (a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;
 - (b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.
- (2) Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.
- Article 3: (1) Indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination. The provisions of the Convention shall be applied without discrimination to male and female members of these peoples.
- (2) No form of force or coercion shall be used in violation of the human rights and fundamental freedoms of the peoples concerned, including the rights contained in this Convention.
- Article 4: (1) Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.
- (2) Such special measures shall not be contrary to the freely-expressed wishes of the peoples concerned.
- Article 5: In applying the provisions of this Convention:
- (a) the social, cultural, religious and spiritual values and practices of these peoples shall be recognised and protected, and due account shall be taken of the nature of the problems which face them both as groups and as individuals;
 - (b) the integrity of the values, practices and institutions of these peoples shall be respected;
 - (c) policies aimed at mitigating the difficulties experienced by these peoples in facing new conditions of life and work shall be adopted, with the participation



FINAL DRAFT

- and co-operation of the peoples affected.
- Article 7: (1) The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programs for national and regional development which may affect them directly.
- Article 8: (1) In applying national laws and regulations to the peoples concerned, due regard shall be had to their customs or customary laws.
- Article 14: (1) The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognized. In addition, measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect.
- Article 15: (1) The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management and conservation of these resources.
- Article 16: (1) Subject to the following paragraphs of this Article, the peoples concerned shall not be removed from the lands which they occupy.
(2) Where the relocation of these peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.
(3) Whenever possible, these peoples shall have the right to return to their traditional lands, as soon as the grounds for relocation cease to exist.
(4) When such return is not possible, as determined by agreement or, in the absence of such agreement, through appropriate procedures, these peoples shall be provided in all possible cases with lands of quality and legal status at least equal to that of the lands previously occupied by them, suitable to provide for their present needs and future development. Where the peoples concerned express a preference for compensation in money or in kind, they shall be so compensated under appropriate guarantees.
(5) Persons thus relocated shall be fully compensated for any resulting loss or injury.
- Article 17: (1) Procedures established by the peoples concerned for the transmission of land rights among members of these peoples shall be respected.
(2) The peoples concerned shall be consulted whenever consideration is being given to their capacity to alienate their lands or otherwise transmit their rights outside their own community.
(3) Persons not belonging to these peoples shall be prevented from taking advantage of their customs or of lack of understanding of the laws on the part of their members to secure the ownership, possession or use of land



FINAL DRAFT

- belonging to them.
- Article 20: (2) ('Governments') shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards:
- (a) admission to employment, including skilled employment, as well as measures for promotion and advancement;
 - (b) equal remuneration for work of equal value;
 - (c) medical and social assistance, occupational safety and health, all social security benefits and any other occupationally related benefits, and housing;
 - (d) the right of association and freedom for all lawful trade union activities, and the right to conclude collective agreements with employers or employers' organizations.
- (3) The measures taken shall include measures to ensure:
- (a) that workers belonging to the peoples concerned, including seasonal, casual and migrant workers in agricultural and other employment, as well as those employed by labor contractors, enjoy the protection afforded by national law and practice to other such workers in the same sectors, and that they are fully informed of their rights under labor legislation and of the means of redress available to them;
 - (b) that workers belonging to these peoples are not subjected to working conditions hazardous to their health, in particular through exposure to pesticides or other toxic substances;
 - (c) that workers belonging to these peoples are not subjected to coercive recruitment systems, including bonded labor and other forms of debt servitude;
 - (d) that workers belonging to these peoples enjoy equal opportunities and equal treatment in employment for men and women, and protection from sexual harassment.
- Article 21: Members of the peoples concerned shall enjoy opportunities at least equal to those of other citizens in respect of vocational training measures.
- Article 23: (1) Handicrafts, rural and community-based industries, and subsistence economy and traditional activities of the peoples concerned, such as hunting, fishing, trapping and gathering, shall be recognized as important factors in the maintenance of their cultures and in their economic self-reliance and development.

Rationale

1. See Criterion 3.2 above.
2. This Criterion is strengthened by the link to the UN Declaration on the Rights of Indigenous Peoples (2007) and ILO Convention 169 (1989).
3. This is an incorporation of FSC-POL-30-401 FSC Certification and ILO Conventions which requires that managers comply with all ILO conventions that have an impact on forestry operations and practices (see also Rationale 1 to Criterion 2.1).

Current Criterion 3.2: Forest management shall not threaten or diminish, either directly or indirectly, the resources or tenure rights of indigenous peoples.

FINAL DRAFT

3.5 (revised 3.3) *The Organization**, through *engagement** with *indigenous peoples**, shall identify sites which are of special cultural, ecological, economic, religious or spiritual significance and for which these indigenous peoples hold legal or *customary rights**. These sites shall be recognized by The Organization and their management, and/or protection shall be agreed through engagement with these indigenous peoples.

Explanatory Note

1. Mapping of such sites at appropriate scales might be needed to ensure that they can be identified and protected from damage before management activities take place. However, there might be situations where indigenous peoples do not wish to identify precisely such sites on maps. These situations are addressed in FSC-GUI-30-004 FSC Principles 2 and 3: Guidance on Interpretation.
2. Such sites might be but are not necessarily High Conservation Values (HCV 6); see Principle 9.

Rationale

1. This Criterion addresses concerns expressed repeatedly by indigenous peoples about damage caused by careless or uninformed field crews.
2. This Criterion recognizes that there might be certain situations where management rather than total protection of such sites is possible, provided that the affected local communities agree.

Current 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.

3.6 (revised 3.4): *The Organization** shall *uphold** the right of *indigenous peoples** to protect and utilize their traditional knowledge and shall compensate indigenous peoples for the utilization of such knowledge and their *intellectual property**. A binding agreement as per Criterion 3.3 shall be concluded between The Organization and the indigenous peoples for such utilization through *Free, Prior and Informed Consent** before utilization takes place and shall be consistent with the protection of intellectual property rights.

Explanatory Notes

1. Examples of traditional knowledge include, amongst others, the identification and use of particular species and varieties of flora and fauna and their products, traditional management systems and innovations.
2. Upholding in this context means the following.
 - The Organization does not compete with the indigenous peoples in relation to legally registering their traditional knowledge as intellectual property, for example in the form of patents.
 - Respect, preservation and maintenance of knowledge, innovations and practices of indigenous peoples and promotion of their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices (based on the Convention on Biological Diversity, Article 8



FINAL DRAFT

- (j))
 - Protection of customary use of biological resources in accordance with traditional cultural practices (based on the Convention on Biological Diversity, Article 10 (c)).
- 3. If the country has ratified the Convention on Biological Diversity, The Organization is also required to comply with its provisions under Criterion 1.3. Criterion 1.3 requires The Organization to comply with the legal obligations associated with the right to operate in the Management Unit.
- 4. Intellectual property rights of indigenous peoples apply to knowledge, which is not in the public domain, as covered in the Convention on Biological Diversity, Articles 8(j) and 10(c)).
- 5. This Criterion does not apply to traditional knowledge that is already in the public domain.

Rationale

Clarification of the current Criterion. The wording takes into account that current Criterion 3.4 does not require prior informed consent to actually use the knowledge of indigenous peoples as long as compensation is being paid.

Current 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.

4 Principle 4 (revised): Community Relations

*The Organization** shall contribute to maintaining or enhancing the social and economic wellbeing of *local communities**.

Explanatory Notes

1. The following table provides an overview of the desired outcomes of all Criteria under Principle 4.

Criteria in Principle 4	Desired outcome for each Criterion
4.1 – Identification of local communities and their rights	The Organization identifies local communities within the management unit and affected by management activities. The rights of local communities applying within the management unit are identified.
4.2 – Rights of local communities to control management activities	The local communities control management activities to the extent necessary to protect their rights, resources, lands and territories. Delegation of control is based on Free, Prior and Informed Consent.
4.3 – Provision of employment, training and other services	The Organization provides opportunities to local communities including contractors and suppliers for employment, training and other services.
4.4 – Social and economic development	The Organization applies additional activities that contribute to the social and economic development of



FINAL DRAFT

	local communities.
4.5 – Negative impacts	Negative social, environmental and economic impacts of management activities on local communities are identified, avoided and mitigated.
4.6 – Grievance resolution and compensation for loss or damage	The Organization has mechanisms agreed with local communities and individuals for resolving grievances and for providing fair compensation regarding the impacts of management activities.
4.7 – Management and protection of sites of special significance	Sites of special cultural, ecological, economic, religious or spiritual significance to local communities have been identified and are protected and/or managed as agreed with these local communities.
4.8 – Protection, utilization and compensation for traditional knowledge	The rights of local communities to protect and utilize their traditional knowledge are upheld by The Organization. The Organization shall compensate local communities for the utilization of their traditional knowledge as defined in a binding agreement.

2. This Principle applies to indigenous peoples in addition to Principle 3. Criteria 4.3, 4.4, 4.5 and 4.6 deal with issues which are not covered under the Criteria of Principle 3.
3. Traditional peoples whose rights are not acknowledged in national law as equivalent to those of indigenous people in the context of the Management Unit shall be treated as local communities for the purpose of the Principles and Criteria. Traditional peoples whose rights are acknowledged in national law to be the equivalent of those of indigenous people in the context of the Management Unit shall be treated as equal to indigenous peoples for the purpose of the Principles and Criteria (see also the Preamble, Section 3 on Scope).
4. ‘Traditional peoples’ (see also Glossary of Terms) are defined as social groups or peoples who do not self-identify as indigenous, and who affirm rights to their lands, forests and other resources based on long established custom or traditional occupation and use (Source: Forest Peoples Programme (Marcus Colchester, 7 October 2009).
5. Criteria 4.1 and 4.2 describe a sequence of events: identification, engagement and agreement with local communities. Criteria 4.3 to 4.8 describe the outcomes, which The Organization needs to achieve with regards to community relations: Ensuring positive social impacts from The Organization’s management of the Management Unit (Criteria 4.3, 4.4, 4.7 and 4.8), addressing negative impacts (Criterion 4.5), and resolving grievances (Criterion 4.6), protection of significant sites (Criterion 4.7) and protection of traditional knowledge and intellectual property (Criterion 4.8).
6. There may be national or local laws about enterprise contribution to local community development and about local employment which, under Criterion 1.3, override the guidance in these Explanatory Notes for Principle 4 and the Criteria under Principle 4. For example, there may be requirements for positive discrimination to assist previously disadvantaged ethnic groups, women, disabled people, etc.
7. The suggestions in the Explanatory Notes for auditable evidence impose no extra burdens on The Organization for documentation. All the suggested kinds of evidence would be held anyway in the business records of The Organization or in the oral records of some small low intensity managed forests (SLIMFs).



FINAL DRAFT

Rationale

1. In line with Statutory Motion 8 (converted to Statutory Motion 7) approved at the FSC General Assembly 2005, Principle 4 was unfolded in order to improve clarity of the FSC Principles and Criteria. Current Principle 4 Community Relations and Workers Rights was divided into two separate Principles. In the light of the deletion of Principle 2, Workers Rights has become Principle 2.
2. The wording of this Principle is based on current wording of Principle 4, but is now focused on local communities based on the decision to divide Principle 4.
3. 'Long term' is redundant because it is difficult to audit in this context. Also, it could have implied that commitments by The Organization extended into the unlimited future. For these reasons it was removed.

Current Principle 4: Community relations and worker's rights

Forest management operations shall maintain or enhance the long-term social and economic well-being of forest workers and local communities.

4.1 (new) *The Organization** shall identify the *local communities** that exist within the *Management Unit** and those that are affected by management activities. The Organization shall then, through *engagement** with these local communities*, identify their rights of *tenure**, their rights of access to and use of forest resources and *ecosystem services**, their *customary rights** and legal rights and obligations, that apply within the Management Unit.

Explanatory Notes

1. This Criterion requires identification of communities with a fair and legitimate claim to be allowed access to benefits, goods or services from the Management Unit. They include those communities, which have affirmed rights to lands, forests and other resources based on long established use, and also those who have not yet done so (from a lack of awareness or empowerment). The Organization should take account of all existing claims of rights.
2. Communities affected by management activities include those neighboring the Management Unit and those that are more distant who may experience negative impacts as a result of activities within the Management Unit. In these cases, they would be 'affected stakeholders' (see also Glossary of Terms) according to Criterion 7.6.
3. This Criterion requires that the nature of the rights in question, and the precise groups or sub-groups who affirm these rights, and who can be recognized as holding these rights, are identified and analyzed locally, through engagement with the communities. This process may also require the involvement of local institutions, organizations and authorities.
4. In some regions, there is often no written language or records supporting claims made by local communities with regards to customary rights. In these cases, other culturally acceptable ways for identifying, agreeing and documenting the rights need to be applied, for example, oral and honor systems, written accounts, audio and film records, etc.
5. Identification of rights through engagement would normally include collecting and documenting information (records, maps, etc.) on rights and claims, whether or not supported by written documentation or records. This includes collection and when



FINAL DRAFT

needed documentation of overlapping claims of communities and distinctions between rights of ownership and other legal or customary rights. There may be exceptions to the need for documentation. Other types of proof might be acceptable as well, especially in the case of small holders, if agreed with the local communities.

Rationale

This Criterion addresses a gap in the Principles and Criteria. In order to be able to recognize and uphold the legal and customary rights of local communities according to Criterion 4.2, The Organization must at first identify the local communities that hold such rights.

4.2 (revised 2.2) *The Organization* shall recognize and uphold* the legal and customary rights* of local communities* to maintain control over management activities within or related to the Management Unit* to the extent necessary to protect their rights, resources, lands and territories. Delegation by local communities of control over management activities to third parties requires Free, Prior and Informed Consent*.*

Explanatory Notes

1. The terminology 'within or related to' clarifies that this Criterion covers the protection of the rights, resources, lands and territories inside and outside the Management Unit, as affected by management activities related to the Management Unit.
2. 'Resources, land and territories' refers to the rights of local communities to access, use and manage land and resources, and their rights to consume and sell forest products, as defined under prevailing legislation or customary rights, as identified in Criterion 4.1.
3. This Criterion does not preclude the customary right of communities to operate their own Management Unit; see FSC-GUI-30-004 FSC Principles 2 and 3: Guidance on Interpretation, Section 4.1.
4. One means for a community to demonstrate effective control over their land and resources, would be to implement their own forest management plan, prepared according to Criterion 7.2; see FSC-GUI-30-004 FSC Principles 2 and 3: Guidance on Interpretation, Section 5.7.1.
5. The first sentence of this Criterion applies in situations where actors other than the communities themselves (for example state authorities) have delegated control to The Organization. In these cases, the communities have a right to control the management activities to the extent necessary to protect their rights, resources and territories.
9. 'Free, prior, and informed consent' (see also Glossary of Terms) is defined as a legal condition whereby a person or community can be said to have given consent to an action prior to its commencement, based upon a clear appreciation and understanding of the facts, implications and future consequences of that action, and the possession of all relevant facts at the time when consent is given. Free, prior and informed consent includes the right to grant, modify, withhold or withdraw approval (Source: Based on the Preliminary working paper on the principle of Free, Prior and Informed Consent of Indigenous Peoples (...) (E/CN.4/Sub.2/AC.4/2004/4 8 July 2004) of the 22nd Session of the United Nations Commission on Human Rights, Sub-commission on the Promotion and Protection of Human Rights, Working Group on Indigenous Populations, 19–23 July 2004).

Rationale



FINAL DRAFT

1. This Criterion is based on current Criterion 2.2, which deals with local communities and was therefore moved to Principle 4.
2. Redundancies were removed, the wording was clarified, and rights of local communities regarding delegation were strengthened as compared to current Criterion 2.2, by requiring prior consent.

Current 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.

4.3 (revised 4.1) *The Organization** shall provide *reasonable** opportunities for employment, training and other services to *local communities**; contractors and suppliers proportionate to scale and intensity of its management activities.

Explanatory Notes

1. The employment, training, and other services referred to in this Criterion are provided by The Organization to local communities, local contractors and local suppliers. They are directly or indirectly linked to its management activities. This is different from Criterion 4.4, which requires that additional activities, not linked directly or indirectly to management activities, need to be implemented.
2. This Criterion is also different from Criterion 5.4, which deals with services and goods provided by local providers to The Organization.
3. In order to comply with this Criterion, a needs assessment would normally be undertaken, for example in relation to training.
4. Under this Criterion, training opportunities and other services to be provided by The Organization, include those necessary to enable local communities to participate fully in forest management activities according to the rights identified in Criterion 4.1.
5. Another example would be training provided by The Organization to local contractors and local suppliers, to enable these to provide the services and local value adding to The Organization required according to Criterion 5.4. Compliance with this Criterion 4.3 does not require The Organization to enable or to underwrite the formation of new local businesses where none existed previously. However, the training and services that The Organization provides according this Criterion could improve the conditions necessary for such local businesses to emerge.
6. Examples of services provided to local communities may be but are not limited to:
 - Transportation provided by The Organization to its workers is made available to the local community.
 - Access is provided to the local community to health care facilities and services provided by The Organization.
 - Access roads built by The Organization can be used by local communities. However, The Organization is also required to establish safeguards against possible negative impacts of such access roads, for example, facilitated access resulting in illegal hunting, fishing, trapping, etc.; see also Criterion 1.4 on safeguards required against unauthorized activities.
7. Examples of activities related to providing reasonable opportunities for employment, include advertisement of jobs and training available with The Organization in local newspapers or shop windows, along with employment fairs, notices of free or

FINAL DRAFT

- subsidized transport and health care, etc. Economic liberalization laws such as the EU Competition Directive prevent The Organization from restricting employment and training solely to people in local communities, but those people should be able to compete alongside others. Job descriptions may favor the skills or experience of local people but cannot prevent outsiders also from competing.
8. Another example might be training provided to potential local workers, to enable these to work for The Organization in the Management Unit.
 9. FSC does not imply that The Organization must provide employment or training to anyone in local communities. The test of 'reasonable opportunities' would allow The Organization not to employ people who have a record of poor attendance at work, or who could pose a threat to existing workers, or whose health might make them unsuitable as users of sharp tools or operators of machinery.
 10. Auditable evidence includes locally distributed public advertisements for available jobs and training, employment contracts with local addresses, payrolls including the names of local people.

Rationale

Expanding the scope to contractors and suppliers clarifies the aim of improving local benefits from forest management, and integrating it into the local economy.

Current Criterion 4.1: The communities within, or adjacent to, the forest management area should be given opportunities for employment, training, and other services.

4.4 (revised 4.4) *The Organization** shall implement additional activities, through *engagement** with *local communities**, that contribute to their social and economic development, proportionate to the scale, intensity and socio-economic impact of its management activities.

Explanatory Notes

1. Criterion 4.3 is directly or indirectly linked to the management activities. According to this Criterion 4.4, additional activities which are not linked directly or indirectly to management activities, need to be implemented.
2. Examples of such additional activities may be but are not limited to the following.
 - Support provided to local communities or individuals in managing and certifying their own forests and marketing of their products.
 - Participation in economic and social initiatives of other local players, for example local governments.
 - Contributions to social and economic development activities.
 - Investments in community infrastructure, such as roads, health care and services, etc.

This Explanatory Note exemplifies support to marketing efforts, local government and community infrastructure. However, there is no implication that The Organization should be encouraging or supporting enterprises or activities, which are not themselves sustainable in the long term.
3. The engagement required by this Criterion will provide the basis for determining the needs of local communities and the appropriate activities by The Organization. For

FINAL DRAFT

example, the needs of local communities and the level and extent of efforts required to meet these needs depend on the socio-economic conditions, and will therefore differ between countries but also between sub-national regions within countries and even between local communities within such sub-national regions. Socio-economic conditions that will affect the needs and efforts may include, for example, the size of the community, its accessibility and its poverty status.

4. The Organization's capacity to meet the needs of local communities consistently over time will depend on The Organization's economic cycle. The desired outcome is that The Organization plays an effective part in local community development, at a level of effort or investment which does not threaten the long-term existence of The Organization. The requirement is for a contribution, not for The Organization to be the sole provider of assistance to community development. Nor can the local community make demands which would threaten the long-term profitability and existence of The Organization. Equally, The Organization cannot withhold contribution to local community development on the grounds that local government or other enterprises are making adequate provision.
5. Just how much local effort is 'reasonable', will depend in part on national and local laws. For example, in the Congo Basin, it is usual to attach to the licenses of large-scale logging concessions, a subsidiary license obliging The Organization to provide specified social services ('cahiers des charges') and to support to local government.

Rationale

See Criterion 4.5 below.

4.5 (revised 4.4) *The Organization**, through *engagement** with *local communities**, shall take action to identify, avoid and mitigate significant negative social, environmental and economic impacts of its management activities on affected communities. The action taken shall be proportionate to the *scale, intensity and risk** of those activities and negative impacts.

Explanatory Notes

1. Criteria 4.3 and 4.4 address positive impacts of management and other activities implemented by The Organization. This Criterion 4.5 addresses any negative impacts.
2. This Criterion prescribes a sequential process:
 - a Social Impact Assessment (SIA);
 - measures to avoid potential negative impacts identified in the SIA; and
 - mitigation measures if avoidance was not possible.
3. Compensation for cases where avoidance or mitigation have failed is addressed in Criterion 4.6.
4. Examples of negative social and economic impacts could be but are not limited to:
 - Marginalization of other players in the local economy, for example small farmers or local businesses;
 - increased local unemployment;
 - out-migration of local people or decline of local skills and labor;
 - road and industrial accidents; and
 - loss or damage affecting legal or customary rights, property, or livelihoods of local

FINAL DRAFT

- communities.
5. This Criterion does not prohibit The Organization from providing services to local communities and thereby competing with services provided by local businesses, for example transport services or company stores that are open not only to workers but also to contractors and local people. However, the company has a responsibility to contribute to mitigating the resulting negative effects on affected communities.
 6. Examples of mitigation measures include the following.
 - Hiring of laid off workers, or small farmers.
 - Contributing to local economic development initiatives by other actors, for example local governments, aimed at mitigating the negative effects of social and economic changes.
 - Increased use of local services and value adding (see Criterion 5.4).
 7. Other examples are situations where management activities could result in the establishment of remote local villages. In these cases, The Organization would be required to take measures to avoid or mitigate the negative effects of its future withdrawal from the affected area.
 8. This Criterion applies to situations where local communities need access to resources in the Management Unit, for human survival, but where there are no legal or customary rights. For example, at forest frontiers where there are sudden fluxes or flows of migrants, or in or near camps of economic or ecological refugees.

Rationale

Criteria 4.4 and 4.5 are based on current Criterion 4.4. These Criteria more clearly differentiate between positive impacts (Criterion 4.4) and negative impacts (Criterion 4.5). The planning and consultation components of current Criterion 4.4 are now addressed in Principle 7.

Current 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.

4.6 (revised 4.5) *The Organization**, through *engagement** with *local communities**, shall have mechanisms for resolving grievances and providing fair compensation to local communities and individuals with regard to the impacts of management activities of The Organization.

Explanatory Notes

1. Avoidance and mitigation of negative social and environmental impacts is required in Criterion 4.5. This Criterion 4.6 requires compensation for negative social and environmental impacts when avoidance and mitigation have failed, as determined through engagement with the affected stakeholders.
2. Negative social and environmental impacts include, for example, loss or damage affecting legal or customary rights, property, resources or livelihoods of local communities.
3. Resolving grievances means striving towards satisfying the demands of every party. In the event that not every party is completely satisfied, an agreement should be reached not to pursue further actions related to that specific grievance.



FINAL DRAFT

4. Where local or national laws for resolving grievances and compensation exist, implementation of their provisions might suffice to comply with this Criterion, if agreed through engagement with the local communities. If there is no agreement with local communities that these laws suffice, then additional mechanisms developed through engagement with local communities, are required.
5. Mechanisms also include third party mediation.
6. Fairness is subjective, therefore the engagement process and resulting mechanisms are also important to determine what is considered fair by all involved actors. This process might also include the involvement of third party mediation.

Rationale

1. Clarification of the responsibilities of The Organization.
2. The requirement of current Criterion 4.5 to avoid loss or damage is covered as a negative impact by Criterion 4.5. Criterion 4.5 requires measure for avoiding negative social or environmental impacts.

Current 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.

4.7 (new) *The Organization**, through *engagement** with *local communities**, shall identify sites which are of special cultural, ecological, economic, religious or spiritual significance, and for which these local communities hold legal or *customary rights**. These sites shall be recognized by The Organization, and their management and/or protection shall be agreed through engagement with these local communities.

Explanatory Notes

1. Mapping of such sites at appropriate scales might be needed to ensure that they can be identified and protected from damage before management activities take place. There might be situations where local communities do not wish to precisely identify such sites. These situations are addressed in FSC-GUI-30-004 FSC Principles 2 and 3: Guidance on Interpretation.
2. Such sites might be but are not necessarily High Conservation Values (HCV 6); see Principle 9.
3. The responsibility for protection as well as compliance with all agreements between The Organization and the local communities extends to all contractors and all other persons or organizations permitted by The Organization to operate in the Management Unit.
4. This Criterion clarifies that the activities of local communities in these sites must be justified by legal or customary rights.

Rationale

1. This Criterion addresses concerns expressed repeatedly by communities about damage caused by careless or uninformed field crews.
2. The Criterion also recognizes that there might be certain situations where management rather than total protection of such sites is possible, provided that the affected local communities agree.



FINAL DRAFT

4.8 (new) *The Organization* shall uphold* the right of local communities* to protect and utilize their traditional knowledge and shall compensate local communities for the utilization of such knowledge and their intellectual property. A binding agreement as per Criterion 3.3 shall be concluded between The Organization and the local communities for such utilization through Free, Prior and Informed Consent* before utilization takes place, and shall be consistent with the protection of intellectual property rights.*

Explanatory Notes

1. Examples of traditional knowledge include, amongst others, the identification and uses of particular species and varieties of flora and fauna and their products, traditional management systems and innovations.
2. Upholding in this context means the following.
 - The Organization does not compete with the local communities in relation to legally registering their traditional knowledge as intellectual property, for example in the form of patents.
 - Respect, preservation and maintenance of knowledge, innovations and practices of local communities, and promotion of their wider application with the approval and involvement of the holders of such knowledge, innovations and practices, and the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices (based on the Convention of Biological Diversity, Article 8 (j))
 - Protection of customary use of biological resources in accordance with traditional cultural practices (based on the Convention on Biological Diversity, Article 10 (c))
3. If the country has ratified the Convention on Biological Diversity, The Organization is also required to comply with its provisions under Criterion 1.3. Criterion 1.3 requires The Organization to comply with the legal obligations associated with the right to operate in the Management Unit.
4. Intellectual property rights of local communities apply to knowledge, which is not in the public domain, as covered in the Convention on Biological Diversity, Articles 8(j) and 10(c).
5. This Criterion does not apply to knowledge that is already in the public domain.

Rationale

This Criterion addresses a gap in the Principles and Criteria with regards to the intellectual property rights of communities. The Convention on Biological Diversity, Article 8 (j), specifically addresses local communities.

Criteria that were relocated to other Principles

Current Criterion 4.2 (occupational health and safety) and current Criterion 4.3 (the right to organize and negotiate voluntarily) were revised and relocated to Principle 2 (Criteria 2.1 and 2.3).

Rationale

Principle 2 now deals exclusively with workers' rights.

FINAL DRAFT

5 Principle 5 (revised): Benefits from the Forest

*The Organization** shall efficiently manage the range of multiple products and services of the *Management Unit** to maintain or enhance long term *economic viability** and the range of environmental and social benefits.

Explanatory Notes

- The following table provides an overview of the desired outcomes of all Criteria under Principle 5.

Criteria in Principle 5	Desired outcome for each Criterion
5.1 – Production of diversified benefits and products	The Organization has identified and produces or enables others to produce diversified benefits and products to strengthen and diversify the local economy.
5.2 – Sustained harvesting levels	The harvest of products and services from the management unit is permanently sustained.
5.3 – Externalities	The positive and negative externalities of operation are included in the management plan.
5.4 – Local processing, services and value adding	The Organization uses local processing, services and value adding, as needed by The Organization. Where not locally available, it helps to create such services.
5.5 – Long term economic viability	The Organization through its planning and expenditures can demonstrate its long-term commitment to economic viability.

- This Principle requires The Organization to address three objectives. These are: (1) the maintenance or enhancement of long term economic viability, (2) the maintenance or enhancement of environmental benefits, and (3) the maintenance or enhancement of social benefits. These objectives are of equal importance, and the Principles and Criteria prescribe the requirements to be followed to achieve the required balance.
- Criterion 5.1 requires the identification and the production of diversified products and benefits in order to contribute to local economic development. Criterion 5.2 requires measures to ensure that this production can be sustained in the long term without impairing ecosystem functions and ecosystem services. Criterion 5.3 requires the consideration of positive and negative externalities. Criterion 5.4 requires use of local providers where reasonable, as one means to contribute to local economic development. Criterion 5.5 requires The Organization to demonstrate that it is committed to being economically viable, and that planning and expenditures are appropriate for maintaining long-term economic viability.
- 'Economic viability' (see also Glossary of Terms) is defined as the capability of developing and surviving as a relatively independent social, economic or political unit. Economic viability may require but is not synonymous with profitability (Source: Based on WEBSTEEa as provided on the website of the European Environment Agency).
- A Management Unit may simply be run on a not-for-profit basis. In these cases, economic viability of the Management Unit may be achieved through donations, or by establishing a fund dedicated to providing the financial means required to ensure the

FINAL DRAFT

- economic viability of the Management Unit.
6. Long-term economic viability in this context is used to acknowledge the need that 'for-profit' business enterprises need to accommodate short-term market fluctuations. However, in order to be considered economically viable, 'for-profit' Organizations also need to make a reasonable return on investment in the longer term.
 7. Efficient management of the range of multiple products and services means that the management aims at maintaining or enhancing both long-term economic viability and the ecosystem services and social benefits that can be provided by the Management Unit. It would require that The Organization does not knowingly limit another viable business opportunity through its activities, even though The Organization cannot be expected to anticipate all possible opportunities in the future.
 8. Maintaining and enhancing social benefits may include providing opportunities to local entrepreneurs in order to comply with Criteria 5.1 and 5.4.
 9. The management objectives may exclusively aim at providing ecosystem services and social benefits, such as conservation and biodiversity protection.
 10. Benefit sharing agreements are based on contracts or otherwise binding agreements and rights, as required and defined in Principles 2, 3 and 4.

Rationale

This revision improves auditability by removing the term 'encourage' from current Principle 5. It also emphasizes the difference between long-term viability and short-term efficiency, and adds clarification by the removal of ambiguity.

Current Principle 5: 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.

5.1 (revised 5.2 and 5.4) *The Organization** shall identify, produce, or enable the production of, diversified benefits and/or products, based on the range of resources and *ecosystem services** existing in the *Management Unit** in order to strengthen and diversify the local economy proportionate to the *scale** and *intensity** of management activities.

Explanatory Note

1. The Organization is expected to make reasonable attempts to identify the range of products and benefits available in the Management Unit. This may be assisted by using the results of engagement activities identified in Criterion 7.6, as well as local knowledge of the Management Unit and feedback from indigenous peoples.
2. This Criterion is different from Criterion 5.4. According to Criterion 5.4, local entrepreneurs are commissioned to provide services or products to The Organization. According to Criterion 5.1, The Organization is expected to diversify the production of benefits and services from the Management Unit. For commercial operations, a diversification of commercial opportunities is expected to increase adaptability to market fluctuations and thereby increase the likelihood of long-term economic viability of The Organization. On the other hand, diversification provides the basis for contributing to a diversified and more stable local economy.
3. This requirement does not require that all products and services are always harvested, developed or marketed by The Organization itself. However, it is expected that The



FINAL DRAFT

Organization provides opportunities to interested local entrepreneurs and individuals to develop, process and market products and services derived from the Management Unit, to retrieve products and services from the Management Unit, or to allow them to enjoy the benefits and products from the Management Unit. The Organization is not required to provide opportunities or allow activities that would prevent it from achieving its own management objectives or compliance with the Principles and Criteria.

4. Examples of how The Organization can provide such opportunities may include allowing local people and enterprises to harvest non-timber forest products, to provide recreational or (eco-)tourism activities within the Management Unit, to collect dead wood for local processing, or to graze livestock.
5. This Criterion recognizes that the extent of possible diversification depends on the specific situation (existing range of resources, ecosystem services and opportunity costs) of the Management Unit. For example, it would be expected there is less variation in a plantation relative to a complex natural forest. This Criterion also recognizes that continual diversification (ad infinitum) is not required. Not all potentially marketable products from a Management Unit are always saleable, nor do they always command a consistent price. Numbers of saleable products may be proportionately less in more biologically diverse Management Units.
6. This Criterion requires the production of benefits and/or products. Thus the delivery of products is not always required. Furthermore, benefits produced by the Management Unit may not be of direct commercial or economic benefit but they may well be of indirect benefit for the local economy. Management Units, whose sole or main management objective is conservation or protection, may provide benefits that indirectly contribute to strengthening the local economy. Examples include avoiding adverse impacts on the local economy through regulation of floods, drought, land degradation, air quality, climate and disease; and other nonmaterial benefits. Also as explained in Explanatory Note 3 above The Organization is not required to provide opportunities or allow activities that prevent it from achieving its own management objectives. For these reasons, in Management Units exclusively or almost exclusively managed for conservation or protection The Organization is not required to engage in the commercial use of the products and benefits of the Management Unit if such use would have negative impacts on the primary objectives of conservation or protection. Nor is The Organization required to enable other stakeholders to engage in such commercial uses. However, this Criterion does not prevent stakeholders, for example local communities or indigenous peoples, from exercising their legal or customary rights in relation to the commercial and non-commercial use of the products and benefits of the Management Unit; see also Criterion 3.2.

Rationale

1. This Criterion addresses a gap in the current Principles and Criteria by requiring The Organization to take a stock of potential products and benefits from the Management Unit, regardless of whether those particular benefits are of direct interest to The Organization or not.
2. In addition, in line with the decision to move away from a focus on timber, the scope of Criterion 5.1 is wider (existing resources and services) than that of current Criteria 5.2 and 5.4, which both focus on products.

Current Criterion 5.2: Forest management and marketing operations should encourage the



FINAL DRAFT

optimal use and local processing of the forest's diversity of products.

Current Criterion 5.4: Forest management should strive to strengthen and diversify the local economy, avoiding dependence on a single forest product.

5.2 (revised 5.6) *The Organization** shall normally harvest products and services from the *Management Unit** at or below a level which can be permanently sustained.

Explanatory Notes

1. FSC acknowledges that Management Units offer a mixture of tangible products and ecosystem services which vary over time. FSC also acknowledges that human harvests change over time in response to changing local and domestic needs and markets. Likewise, profits also rise and fall with changing human needs and markets. Although outputs may vary in species composition, dimensions and qualities, this Criterion requires that the capacity of the Management Unit to regenerate its full potential range of products and services is maintained or enhanced.
2. Examples where harvest rates may exceed long-term sustainable production levels may be naturally occurring unforeseen events such as windthrow, fire damage and trees killed by epidemic pest or disease attacks. In such cases, restoration of the affected portion(s) of the Management Unit to the desired social, economic and ecological objectives as outlined in the management plan (Criterion 7.2) may require accelerated harvests.
3. FSC also recognizes that it is often appropriate for the first timber harvests in previously unharvested forests (where net long-term volume increment is close to zero) to be larger than the subsequent long-term sustainable yields. Successful natural regeneration and increasing growth rates of the preferred species may require an initial harvest larger than the long-term annual allowable cut. An increase in the numbers of trees felled per unit area may include previously non-commercial timber species. At the same time, reduced impact harvesting, where appropriate, will retain and protect preferred tree species in size classes below the prescribed felling limit. The intent is that this initial harvest does not impair the longer term sustainable harvest rate of the Management Unit, and the trends towards this sustainable level remain positive.
4. This Criterion requires that harvest cycles for specific products such as timber are in accordance with:
 - size or volume limitations, for example felling diameter limits which sustain the flows specified in the forest management plan; and
 - the consistent application of reduced impact harvesting techniques where appropriate to do so, although some forest types actually require disturbance to facilitate regeneration of desirable species.Harvest cycles for timber may be legally required to be shorter than rotations where trees are felled at the time of maximum volume increment'.
5. This is a defense against incautious 're-entry' into already harvested forest in search of newly profitable species of timbers during the regeneration period after first logging. The danger of re-entry is that it may cause such heavy and frequent damage that many species are prevented from developing to maturity. It is important to understand the ecological requirements of the species targeted for regeneration as they vary



FINAL DRAFT

widely.

Rationale

1. FSC recognizes that the previous focus on timber did not reflect the variety of goods and services available from most Management Units. The implication of even flows of yields did not match the reality that natural events occur in Management Units may require variations in harvest levels.
2. The proposed version responds to stakeholder concerns to require The Organization to manage for long-term sustainability, but add enough flexibility in shorter time periods to cover unforeseen natural events.
3. The wording has reverted back to current Criterion 5.6 but revised in a positive manner to be consistent with the rest of the Principles and Criteria.

Current Criterion 5.6: The rate of harvest of forest products shall not exceed levels which can be permanently sustained.

5.3 (revised 5.1) *The Organization** shall demonstrate that the positive and negative externalities* of operation are included in the *management plan**.

Explanatory Notes

1. The engagement process required in Criterion 7.6 will help identify positive and negative externalities. This would also complement existing known externalities and requirements of local and national laws.
2. 'Externalities' (see also Glossary of Terms) are defined as positive and negative impacts of activities on stakeholders that are not directly involved in those activities, or on a natural resource or the environment, which do not usually enter standard cost accounting systems, such that the market prices of the products of those activities do not reflect the full costs or benefits (Source: FSC 2011).
3. Externalities may result in costs because of the need to prevent, mitigate, restore or compensate negative impacts as required in these Principles and Criteria. This will therefore require appropriate financial planning and cost accounting by The Organization for the Management Unit.
4. Examples of potential negative externalities (and Criteria whose implementation should prevent them from occurring), could be but are not limited to:
 - Tree plantations may substantially decrease the water that is available to neighboring communities and farmers for domestic and agricultural uses, especially where rainfall is low (Criterion 6.7).
 - Disturbance of local populations during harvest, if trucks transport logs out of the Management Unit during day and night (Criterion 4.5).
 - Damage to rural roads (Criterion 10.10).
 - Fencing of Management Units may prevent local people from exercising their 'customary rights' to cross the unit or collect non-timber forest products (Criterion 4.2).
 - The hiring of specialized non-local contractors rather than local contractors where these exist, may have a negative effect on local employment (Criterion 4.3).
 - The export of logs and other products, instead of selling them to local processors



FINAL DRAFT

- may depress industries and employment (Criterion 4.5).
 - Contamination of water courses that result in reduced fishing opportunities, changes in diversity of aquatic fauna and flora, etc. (Criterion 6.7).
 - Land degradation, for example from soil erosion or extraction of road building materials, which may result in decreased opportunities for such land for forestry or other uses (Criterion 10.10).
 - Loss of species (Criteria 6.6 and 9.1).
 - Release of stored carbon (Criterion 9.1).
5. Examples of potential positive externalities (and Criteria whose implementation could contribute to achieving them) could be but are not limited to:
- Direct local employment (Criteria 4.3).
 - Provision of clean water through reduction in nutrient loading by nitrogen and phosphorus (Criterion 6.7).
 - Provision of access to Management Units for recreational purposes or collection of non-timber forest products (Criterion 5.1).
 - Use of hauling roads by local populations (Criterion 4.3).
 - Use of local processing, local services and value adding (Criterion 5.4).
 - Local entrepreneurs to develop, process and market products and services as provided by the Management Unit (Criterion 5.1).
 - Potential restoration of a previously denuded area unrelated to normal forest management (Criterion 6.8)
 - Provision of biodiversity refugia (Criteria 6.5 and 6.6).
 - Carbon sequestration (Criterion 6.3).
 - Protection of High Conservation Values (Criterion 9.1).
 - Reduction or stabilization of soil erosion (Criterion 10.10).
6. In the identification of these externalities, the scale and the intensity of proposed operations is important to identify risks and possible consequences associated with these risks.

Rationale

The current Criterion 5.1 was divided into two separate Criteria (Criteria 5.3 and 5.5) in order to avoid compound Criteria.

Current 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.

5.4 (revised 5.2) *The Organization** shall use local processing, local services, and local value adding to meet the requirements of The Organization where these are available, proportionate to *scale, intensity and risk**. If these are not locally available, The Organization shall make *reasonable** attempts to help establish these services.

Explanatory Notes

1. The intention of this Criterion is for The Organization to promote further socio-economic benefits through economic opportunities beyond the direct employment by The Organization. The desired outcome is that The Organization stimulates the local



FINAL DRAFT

economy through the purchase of relevant local services and products, or supports the creation of relevant new local services and supply of relevant local products. 'Relevant' means useful to' or needed by' The Organization. The Organization is not required to purchase local goods or services which it does not need, nor is it required to establish processing facilities or services which do not address its management objectives. The criterion requires 'reasonable attempts' and thereby prevents local communities from demanding preferential treatment which could threaten the long-term existence of The Organization.

2. There is a further obligation for The Organization, especially in areas where economic development history has been limited, to provide training opportunities (Criterion 4.3). These training opportunities could be used to help foster (new) local processing, local services and local value adding.
3. This Criterion is also different from Criterion 4.3, in the sense that Criterion 4.3 deals with opportunities and services provided by The Organization to local communities, whereas Criterion 5.4 deals with products and services that are provided by local actors to The Organization.
4. In areas where local service providers are already in place, the preference is to support these businesses before hiring other service providers who are not local. Further guidance on defining 'local' is to be provided in national, regional or generic FSC Forest Stewardship Standards.
5. Scale, intensity and risk is applied in this context because the intention of this Criterion is the mutual benefit of The Organization and service providers (existing and/or new) over time. The Organization will receive a reliable service that was safely produced, of good quality and at a reasonably competitive price (not necessarily the cheapest). To help interpret 'reasonable', neither the service provider nor The Organization should receive an extraordinary benefit at the expense of the other.
6. This Criterion applies within the limits of applicable laws on regulating competition. That is, it does not require infringements of the EU Competition Directive for example, which generally prevents explicit favoring of local entities over more distant entities.
7. The Organization is not required to outsource those services that can be provided by an existing branch or affiliate of The Organization.
8. Auditable evidence for compliance with this Criterion includes contracts for collaborative enterprise creation or development.

Rationale

1. This Criterion covers the local processing component of current Criterion 5.2.
2. This Criterion is now legally more compatible with international and national competition regulations.

Current Criterion 5.2: Forest management and marketing operations should encourage the optimal use and local processing of the forest's diversity of products.

5.5 (revised 5.1) *The Organization** shall demonstrate through its planning and expenditures proportionate to *scale, intensity and risk**, its commitment to long-term *economic viability**.

Explanatory Notes



FINAL DRAFT

1. This Criterion deals with the planning and expenditures required to demonstrate that The Organization is committed to survive and develop in the long term (see Explanatory Note 2 of Principle 5 and Glossary of Terms for a definition of 'economic viability'). This commitment matches long-term strategies anticipated in Criterion 1.8. This would require, for example: strategic capital investments in the Management Unit and (when applicable) its facilities included in the Management Unit as defined in the Principles and Criteria (see Glossary of Terms as well as Explanatory Notes 1 and 2 to Section 3 of the Preamble).
2. The long-term focus requires that planning takes account of short-term and long-term issues. This includes effective cost control, use of industry best practices, research and development (from either internal and/or external sources).
3. In the case of 'for-profit' Organizations, an economically viable Organization is able to withstand short-term adverse market conditions, and show financial health in the long term.
4. 'Demonstration of commitment' means using best practice with current knowledge, recognizing that in reality, long-term economic viability cannot be guaranteed no matter how well The Organization manages and plans.
5. The expenditures referred to in this Criterion include, for example:
 - costs related to safeguards against 'mining' (over-exploitation) of the resources or 'creaming' (excessive selective harvesting or high grading) of the Management Unit's most valuable species, according to Criterion 5.2; and
 - costs related to preventing, mitigating or compensating for negative externalities as required in the Principles and Criteria (see Criterion 5.3).

Rationale

1. This Criterion is a culmination of the previous four Criteria which requires planning and expenditures adequate for showing actual commitment to the long-term success of The Organization, regardless if it is a 'for-profit' entity or not and regardless of the products and services it provides.
2. The current Principle 5 does not follow a logical sequence, and as such was often considered confusing in what its overall intent was.
3. The environmental and social costs of current Criterion 5.1 are now addressed in Criterion 5.3.

Current 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.

Criteria that were removed from Current Principle 5

Current Criterion 5.3 was replaced by Criterion 10.11. Current Criterion 5.5 was removed from the Principles and Criteria.

Current Criterion 5.3: Forest Management should minimize waste associated with harvesting and on-site processing operations and avoid damage to other forest resources.

Current Criterion 5.5: Forest Management operations shall recognize, maintain, and where appropriate, enhance the value of forest services and resources such as watersheds



FINAL DRAFT

and fisheries.

Rationale

1. The subject matter dealt with in current Criterion 5.3 was moved to Principle 10, Criterion 10.11. Principle 10 now focuses on management activities, including harvesting.
2. The subject matter dealt with in current Criterion 5.5 is addressed elsewhere in the revised Principle and Criteria. The assessment of environmental values which include water resources, potential risks of management activities and the measures to protect and maintain environmental values, are covered in Criteria 6.1 to 6.3. In addition, environmental values and ecosystem services are covered in general and specific ways in many Criteria. Measures to ensure the continued existence of populations of native species, including fisheries, are covered in Criterion 6.6.
3. Although the term 'watershed' is not used in the revised Principles and Criteria, adequate management and protection of 'water catchments' and 'water resources' are covered by Criterion 6.7, High Conservation Value 4 in Criterion 9.1, Criteria 10.10 and 10.11, and as elements of management planning and monitoring under Criteria 7.2, 8.1 and 8.2 which include the monitoring of management impacts on soil and water resources.

6 Principle 6 (revised): Environmental Values and Impacts

The Organization shall maintain, conserve and/or restore ecosystem services* and environmental values* of the Management Unit*, and shall avoid, repair or mitigate negative environmental impacts.*

Explanatory Notes

1. The following table provides an overview of the desired outcomes of all Criteria under Principle 6.

Criteria in Principle 6	Desired outcome for each Criterion
6.1 – Assessment of environmental values	Environmental values in the Management Unit and those outside the Management Unit potentially affected by management activities, have been assessed.
6.2 – Impact assessment	Prior to site disturbing activities, The Organization has assessed the scale, intensity and risk of potential negative impacts on the identified environmental values.
6.3 – Prevention, mitigation and repair of negative impacts	Negative impacts on environmental values are prevented. Negative impacts that occur are mitigated and repaired.
6.4 – Protection of rare and threatened species	The Organization protects rare and threatened species through conservation zones, protection areas, connectivity, and other direct measures where needed.
6.5 – Protection and restoration of native	Representative sample areas of native ecosystems in the management unit are protected or restored. Where

FINAL DRAFT

ecosystems	none exist, a proportion of the Management Unit is restored to more natural conditions.
6.6 – Biodiversity protection	The Organization maintains the continued existence of naturally occurring native species and genotypes, and prevents losses of biological diversity. Effective measures are in place to manage and control hunting, fishing, trapping and collecting.
6.7 – Water protection	Water bodies, water courses, connectivity and riparian areas are protected or restored. Negative impacts on water quality and quantity are mitigated or remedied.
6.8 – Landscape	The Organization maintains or restores a varying mosaic of species, sizes, ages, spatial scales and regeneration cycles appropriate for landscape values and for enhancing environmental and economic resilience.
6.9 – Current and future conversion	Natural forests are not converted to plantations, and natural forests and plantations are not converted to other land uses, unless they fulfill specific conditions.
6.10 – Post 1994 conversion	Plantations established on areas converted from natural forests after November 1994 are not eligible for certification unless they fulfill specific conditions.

2. This Principle and its Criteria refer to a wide range of elements, including ecosystem functions, biological diversity, biomass resources, water, soils, the atmosphere and landscape values. They are included in the term ‘environmental values’. This term does not have an internationally recognized definition, and was not included in the current Principle and Criteria, but it is used in the Criteria of this and other Principles to avoid repeating a list of the technical elements. Some of these elements are also covered under Principle 10, especially those directly affected by site-disturbing activities.
3. ‘Environmental values’ (see also Glossary of Terms) are defined as the following set of elements of the biophysical and human environment:
 - a. ecosystem functions (including carbon sequestration and storage),
 - b. biological diversity,
 - c. water resources,
 - d. soils,
 - e. atmosphere,
 - f. landscape values (including cultural and spiritual values).

The actual worth attributed to these elements depends on human and societal perceptions (Source: FSC 2011).
4. ‘Biological diversity’ (see also Glossary of Terms) is defined as the variability among living organisms from all sources including, amongst others, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part. This includes diversity within species, between species and of ecosystems (Source: Convention on Biological Diversity 1992, Article 2).
5. ‘Ecosystem function’ (see also Glossary of Terms) is defined as an intrinsic ecosystem characteristic related to the set of conditions and processes whereby an ecosystem maintains its integrity, such as primary productivity, the food chain and biogeochemical



FINAL DRAFT

cycles. Ecosystem functions include such processes as decomposition, production, nutrient cycling, and fluxes of nutrients and energy. For FSC purposes, this definition includes ecological and evolutionary processes such as gene flow and disturbance regimes, regeneration cycles and ecological seral development (succession) stages (Source: Based on R. Hassan, R. Scholes and N. Ash. 2005. *Ecosystems and Human Well-being: Synthesis*. The Millennium Ecosystem Assessment Series. Island Press, Washington DC; and R.F. Noss. 1990. *Indicators for monitoring biodiversity: a hierarchical approach*. *Conservation Biology* 4(4):355–364).

6. 'Ecosystem services' (see also Glossary of Terms) are defined as the benefits people obtain from ecosystems. These include
 - a. provisioning services such as food, forest products and water;
 - b. regulating services such as regulation of floods, drought, land degradation, air quality, climate and disease;
 - c. supporting services such as soil formation and nutrient cycling;
 - d. and cultural services and cultural values such as recreational, spiritual, religious and other non-material benefits.

(Source: Based on R. Hassan, R. Scholes and N. Ash. 2005. *Ecosystems and Human Well-being: Synthesis*. The Millennium Ecosystem Assessment Series. Island Press, Washington DC).

7. Environmental values consist of a combination of biophysical assets (biological diversity, water resources, soils and atmosphere), ecosystem functions (including carbon sequestration and storage), and landscape values (including cultural and spiritual values). The ecosystem consists of the biophysical assets and ecosystem functions. Ecosystem services are the benefits people obtain from ecosystems. It logically follows that the objective of maintaining or restoring ecosystem services can be achieved by maintaining or restoring environmental values. Therefore, ecosystem services are covered collectively through the Criteria for this Principle.
8. The first three Criteria of Principle 6 deal with procedures which are elements of responsible forest stewardship.
 - An assessment of environmental values (Criterion 6.1).
 - The identification of potential negative impacts of management activities on environmental values, such as environmental impacts, site-disturbing activities, stress factors and risks(Criterion 6.2)
 - The identification and implementation of measures to prevent, mitigate and repair negative impacts (Criterion 6.3).
9. This is in an approximately chronological order, but this should not be applied rigidly. Assessments of environmental values and impacts may be simultaneous. Assessments of environmental values may have to be iterative, repeated whenever necessary to keep pace with changes in management practices and increased understanding of the environmental risks of those practices, as well with the natural and induced changes in the Management Unit. Some assessments may need to be repeated in more detail if risk assessments or monitoring show greater risks or negative impacts.
10. Where applicable, the results of the assessment are to be incorporated in the management plan according to Criterion 7.2. This includes the identification of environmental values and potential negative impacts (including potential impacts of external events such as storms, fires, pests, and changes to habitats and environments outside the Management Unit), and prevention, mitigation and repair measures. However, in Management Units where no site-disturbing activities are taking place or

FINAL DRAFT

planned, such elements do not need to be included in the Management Plan. It is for these and other cases that Criterion 7.2 does not prescribe a list of elements that must always be included in the management plan.

11. The following Criteria (6.4 to 6.10) deal with elements which are important for preventing negative impacts on particular environmental values as follows; rare and threatened species (Criterion 6.4), ecosystems (Criterion 6.5), biological diversity (Criterion 6.6), wetlands (Criterion 6.7), landscape characteristics (Criterion 6.8), conversion of natural forests (Criteria 6.9 and 6.10).
12. The words 'maintain, conserve and/or restore' are used in this Principle to make it clear that The Organization is obliged to maintain environmental values that exist at the time of certification. It is also obliged to restore those values that have been negatively impacted by the activities of The Organization, as far as is reasonably possible, to the status that existed before they were negatively impacted.
13. 'Restore' and 'restoration' (see also Glossary of Terms) are used in different senses according to the context, and in everyday speech. In some cases 'restore' means to repair the damage to environmental values that resulted from management activities or other causes. In other cases 'restore' means the formation of more natural conditions in sites which have been heavily degraded or converted to other land uses. In the Principle and Criteria, the word 'restore' is not used to imply the recreation of any particular previous, pre-historic, pre-industrial or other pre-existing ecosystem (Source: FSC 2011).
14. The Organization is not necessarily obliged to restore those environmental values that have been affected by factors beyond the control of The Organization, for example by natural disasters, by climate change, or by the legally authorized activities of third parties, such as public infrastructure, mining, hunting or settlement. FSC-POL-20-003 The Excision of Areas from the Scope of Certification describes the processes by which such areas may be excised from the area certified, when appropriate.
15. The Organization is also not obliged to restore environmental values that may have existed at some time in the historic or pre-historic past, or that have been negatively affected by previous owners or organizations. However, The Organization is expected to take reasonable measures to mitigate, control and prevent environmental degradation which is continuing in the Management Unit as a result of such previous impacts.
16. Cycling and fluxes of carbon and other elements are covered by the definition of ecosystem functions, and are therefore included in environmental values. The role of carbon in air quality regulation and climate regulation is also included among ecosystem services. The Principles and Criteria do not explicitly require the monitoring of stocks and flows of carbon, but they require The Organization to take reasonable measures to maintain environmental values, which might include monitoring, according to the scale, intensity and risks of management activities.

Rationale

1. The current wording of Principle 6 uses the undefined terms 'ecological functions' and 'integrity of the forest' which are not generally used by international conservation organizations.
2. This Principle removes the association with the forest as the primary focus, because the Principles and Criteria cover all tree-related space in the Management Unit. See also FSC-POL-10-004 Scope of Application of the FSC Principles and Criteria for Forest



FINAL DRAFT

Stewardship, and the supporting DIS-01-001 Scope of Application of the FSC Principles and Criteria for Forest Stewardship. This Principle moves the focus from a spatially undefined area to the Management Unit, and expands coverage to all types of ecosystems and landscapes, not only the unique and fragile ones. Unique, rare or threatened habitats and ecosystems are elements of High Conservation Value 3. Fragility of ecosystems is widely covered by the concepts of scale, intensity and risk and by Principle 9.

3. The word 'enhance' is avoided because it is almost impossible to define it for purposes of certification. Many comments were registered against some uses of 'enhance', for example, 'it does not provide a meaningful ecological benchmark'. In the sense that enhancement includes the concepts of increase and improvement, it is covered by this Principle.

Current Principle 6: 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.

6.1 (new) *The Organization* shall assess environmental values* in the Management Unit* and those values outside the Management Unit potentially affected by management activities. This assessment shall be undertaken with a level of detail, scale and frequency that is proportionate to the scale, intensity and risk* of management activities, and is sufficient for the purpose of deciding the necessary conservation measures, and for detecting and monitoring possible negative impacts of those activities.*

Explanatory Notes

1. The objective of this Criterion is to ensure an adequate and appropriate assessment, description and/or spatial mapping of environmental values in the Management Unit.
2. The assessment of environmental values should be carried out before introducing, starting, or changing the nature of site-disturbing activities that create a risk of new negative environmental impacts. It will be necessary to repeat assessments when new information provides evidence of increased risks and impacts.
3. The assessment must be sufficient to provide a basis for deciding on necessary conservation measures, and as a baseline for detecting and monitoring future changes (caused by factors internal and external to the Management Unit), proportionate to the scale, intensity and risks of the planned management activities. It will include assessments of the rarity, vulnerability and conservation status of their component elements. Assessments may (and usually should) make use of studies carried out in neighboring or similar ecosystems.
4. In the case of small low intensity managed forests (SLIMFs) and other very small, simple, non-controversial situations with minimal impacts, these assessments may be brief and simple documents.
5. Assessments should cover seasonal variation during the year, especially for annual and migratory species.
6. Assessments may include the recording of previously unwritten traditional knowledge if agreed by the people holding that knowledge, in line with Criteria 3.6 and 4.8.
7. Re-assessments of biomass and biodiversity are likely to be needed more frequently

FINAL DRAFT

than for soils, which generally change more slowly. Water resources may need the most frequent surveys, in order to comply with legislation on pollution, and to sustain the human health of the populations in and adjacent to the Management Unit.

8. This Criterion supports the information requirements of Criterion 7.2 and the monitoring requirements under Principle 8. FSC does not prescribe the methods or techniques to be used. They are likely to require consultations with specialists.

Rationale

There is no Criterion under the current Principle 6 which requires assessments before deciding on conservation measures and precautions against negative environmental impacts. Therefore, this Criterion is an essential and logical precursor to Criterion 6.2. An assessment of the nature of the environmental values in a Management Unit is an essential basis for an assessment of the potential impacts of management activities.

6.2 (revised 6.1) Prior to the start of site-disturbing activities, *The Organization** shall identify and assess the *scale, intensity and risk** of potential impacts of management activities on the identified *environmental values**.

Explanatory Notes

1. Prior to site-disturbing activities means that the impact assessment is carried out before introducing, starting, or changing the nature of site-disturbing activities that create a risk of new negative environmental impacts, or when new information provides evidence of increased risks and impacts. It is not normal practice to repeat impact assessments every time a similar operation is repeated in the same way in similar situations. Impact assessments include the evaluation of impacts on local communities, and will require engagement of interested and affected stakeholders, as appropriate. The scale, intensity and risk, i.e. (the danger or importance of the impacts) may be assessed by standardized methodologies for environmental impact assessments, or environmental and social impact assessments, as prescribed in national law or adapted from the procedures of international development banks.
2. The Criterion does not apply retroactively. FSC does not require that impact assessments were carried out before previous site-disturbing activities. However, the identification and assessment of ongoing site disturbing activities must be carried out before compliance with this Criterion is achieved. This applies even if no new site-disturbing activities are immediately anticipated.
3. Assessments of environmental impacts and their importance (scale, intensity and risk) may be part of the same exercise as identifying the environmental values, or they may be carried out afterwards, but clearly cannot be carried out before complying with Criterion 6.1.
4. Engagement of stakeholders (local communities for example) will be required according to Criterion 7.6, if they may be affected negatively by management activities.
5. Assessments of negative impacts specifically include the environmental values identified in the Management Unit under Criterion 6.1, but they must also consider potential negative impacts on environmental values outside the Management Unit caused by management activities of The Organization inside and related to the Management Unit. This addition covers infrastructural works and additional effects of water management, waste disposal, etc.



FINAL DRAFT

6. Impact assessments by The Organization may be needed for activities carried out by other entities (for example, by government agencies in accordance with their legal mandate), when such activities may interact with the management activities of The Organization (see FSC-POL-20-003 FSC Policy on the Excision of Areas from the Scope of Certification).
7. Where applicable, the results of this identification and assessment must be included in the management plan. For further information on situations where this might not be needed, see Explanatory Note 10 to Principle 6, above.

Rationale

See the Rationale to Criterion 6.3.

6.3 (revised 6.1) *The Organization** shall identify and implement effective actions to prevent negative impacts of management activities on the *environmental values**, and to mitigate and repair those that occur, proportionate to the *scale, intensity and risk** of these impacts.

Explanatory Notes

1. This Criterion covers all kinds of environmental values, including ecosystem functions, biological diversity, water, soil and biomass resources and landscape values, each of which includes many elements including climate regulation. So, it covers any negative impacts on any environmental values that are not explicitly covered by Criteria 6.4 to 6.8. It also complements the requirements of Criterion 5.3 for environmental and social impact assessments of externalities.
2. Where applicable, measures for prevention, mitigation and repair will be included in the management plan, to comply with Criterion 7.2. For further information on situations where this might not apply, see Explanatory Note 10 to Principle 6, above.
3. Prevention is the preferred option.
4. The actions that should be planned and implemented to prevent, mitigate and repair potential and actual negative impacts, are covered in more detail in Criteria 6.4 to 6.8.
5. Proportionate to scale, intensity and risk, means that higher levels of potential and actual negative impacts of management activities require larger efforts in relation to measures for prevention, mitigation and repair.
6. This Criterion refers to the negative impacts that occur inside and outside the Management Unit as a result of site-disturbing activities, and any other management activities including on-site infrastructure. The actions to prevent negative impacts should be identified and planned before introducing, starting, or changing the nature of site-disturbing activities that may create a risk of new negative environmental impacts. The actions should also be revised whenever new information provides evidence of increased risks and impacts.
7. Engagement with stakeholders (for example, local communities) is required according to Criterion 7.6, when deciding on measures for prevention, mitigation and repair, if the stakeholders may be affected negatively by management activities.

Rationale (for Criteria 6.2 and 6.3)

1. These Criteria cover all kinds of certified Management Units, and address the



FINAL DRAFT

recommendation of the Policy Working Group of the Plantations Review that ‘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’.

2. Criterion 6.2 complements the requirements for environmental impact assessments which exist in the regulations of many countries, and ensures that such assessments are based on an adequate assessment of environmental values, and that the results are incorporated into management planning and actions.
3. Criterion 6.2 also complements some of the requirements of Principle 10, which apply at all times, and not only before the start of site-disturbing activities.
4. The reference to ‘on-site processing facilities’ in current Criterion 6.1 was removed because there is no reason to treat these as different from other facilities and sites within the boundary of the Management Unit. For further information on how the Principles and Criteria apply to other facilities and sites, see Explanatory Note 1 in Section 3 of the Preamble.

Current 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.

6.4 (revised 6.2) *The Organization* shall protect rare species* and threatened species* and their habitats* in the Management Unit* through conservation zones*, protection areas*, connectivity* and/or (where necessary) other direct measures for their survival and viability. These measures shall be proportionate to the scale, intensity and risk* of management activities and to the conservation status and ecological requirements of the rare and threatened species. The Organization shall take into account the geographic range and ecological requirements of rare and threatened species beyond the boundary of the Management Unit, when determining the measures to be taken inside the Management Unit.*

Explanatory Notes

1. This Criterion deals with the survival of ‘rare species’ and ‘threatened species’ (see Glossary of Terms) as identified according to Criterion 6.1. This is different from Criterion 6.5, which deals with conservation of ecosystems not especially linked to rare or threatened species, and Criterion 6.6, which deals with biological diversity in general. Rare, fragile and threatened habitats and ecosystems are covered in HCV 3 in Criterion 9.1. For the purposes of this Criterion, rare species include known local rarity, as well as global, regional or national rarity.
2. Habitats for rare and threatened species include areas for procreation, feeding and shelter, including seasonal cycles of breeding, migration, hibernation, etc.
3. The objective of this Criterion is to ensure the survival and viability of rare and threatened species and their habitats. Therefore, the required conservation zones and protection areas may include or consist of areas that provide full protection and security against human interference and site-disturbing activities, with natural processes and/or



FINAL DRAFT

- areas that provide long-term spatial protection, where this is necessary for their survival and viability.
4. This criterion does not require that population levels of individual species be individually monitored, an impossible task. Available information, including appropriate stakeholder engagement, will be used for evaluating the expected impacts of management activities on the species, recognizing that some may be condemned to decreases or local extinction for reasons beyond the reasonable control of The Organization. Such reasons include climate change, or landscape changes outside the Management Unit, such that the conditions under which certain rare or threatened species became established no longer exist.
 5. Conservation zones and protection areas in general are covered by Criterion 6.5. This Criterion 6.4 covers the special requirements of those rare and threatened species, which may require other measures in addition to other designated conservation zones and protection areas, such as the scheduling of management activities during breeding seasons. Some areas may require deliberate management interventions to maintain or improve attributes of the area for the benefit of rare and threatened species.
 6. The survival of rare and threatened species does not always require habitats that are completely protected from human activities. Therefore, depending on the specific situation, controlled forest management, harvesting and other interventions in the Management Unit and in some of the Management Unit conservation zones, may be fully compatible with objectives of ensuring the survival and viability of rare and threatened species and their habitats.
 7. 'Proportionate to scale, intensity and risk' means that higher levels of potential and actual negative impacts of management activities require larger efforts in relation to species protection. Other direct measures may include restoration of habitats, introduction or enrichment with animal or plant species, the control of alien predators and pests, the scheduling of management activities to avoid disturbance during nesting or fruiting seasons, the implementation of reduced impact harvesting, and other prevention remedial or mitigation measures.
 8. 'Rare species' (see also Glossary of Terms) are defined as species that are uncommon or scarce, but not classified as threatened. These species are located in geographically restricted areas or specific habitats, or are scantily scattered on a large scale. They are approximately equivalent to the IUCN (2001) category of Near Threatened (NT), including species that are close to qualifying for, or are likely to qualify for, a threatened category in the near future. They are also approximately equivalent to 'imperiled' species (Source: Based on IUCN. (2001). IUCN Red List Categories and Criteria: Version 3.1. IUCN Species Survival Commission. IUCN. Gland, Switzerland and Cambridge, UK).
 9. 'Threatened species' (see also Glossary of Terms) are defined as species that meet the IUCN (2001) criteria for Vulnerable (VU), Endangered (EN) or Critically Endangered (CR), and are facing a high, very high or extremely high risk of extinction in the wild. These categories may be re-interpreted for FSC purposes according to official national classifications (which have legal significance) and to local conditions and population densities (which should affect decisions about appropriate conservation measures) (Source: Based on IUCN. (2001). IUCN Red List Categories and Criteria: Version 3.1. IUCN Species Survival Commission. IUCN. Gland, Switzerland and Cambridge, UK.).
 10. Compliance with this Criterion will contribute to compliance with CITES rules, especially for CITES listed species that are intended for export.

FINAL DRAFT

11. 'Geographic range and ecological requirements of rare and threatened species beyond the boundary of the Management Unit' means, for example, that rare and threatened species whose range outside a Management Unit is small, fragile and heavily threatened, may require greater protective measures inside the Management Unit than other rare and threatened species that have wide and secure ranges.
12. 'Conservation zones' and 'Protection areas' (see also Glossary of Terms) are defined as areas that are designated and managed primarily to safeguard species, habitats, ecosystems, natural features or other site-specific values because of their natural environmental or cultural values, or for purposes of monitoring, evaluation or research, not necessarily excluding other management activities. For the purposes of the Principles and Criteria, these terms are used interchangeably, without implying that one always has a higher degree of conservation or protection than the other. The term 'protected area' is not used for these areas, because this term implies legal or official status, covered by national regulations in many countries. In the context of the Principles and Criteria, management of these areas should involve active conservation, not passive protection' (Source: FSC 2011).
13. Conservation zones and protection areas are areas of land and ecosystems actively managed, to provide a credible assurance of achieving any one or more of the following objectives:
 - To achieve the long-term maintenance of viable populations of species resident in the Management Unit (Criterion 6.6), with special reference to rare and threatened species and their habitats (Criterion 6.4).
 - To achieve the long-term maintenance of samples of native ecosystems found in, or typical of, the Management Unit. This includes their characteristic age and size distributions and soil characteristics, with special reference to rare and threatened ecosystems and habitats, and those that are vulnerable to disturbances, sufficient to serve as baseline reference points for detecting and monitoring environmental changes in other parts of the Management Unit (Criterion 6.5).
 - To establish and maintain native ecosystems, adapted to the site (Criterion 6.5), as a contribution to the conservation of flora and fauna in the region (Criterion 6.6), and to their resilience and adaptability to climate change. Conservation zones and protection areas are managed in ways that provide credible assurances these or other objectives are achieved, to be determined case by case. These may require interventions, and may not necessarily exclude other practices such as reduced impact harvesting. Conservation areas may be moved from time to time within the Management Unit, when necessary to fulfill their objectives.

Rationale

1. The revised wording addresses landscape level considerations regarding the ecological needs of rare and threatened species (as defined in the Glossary of Terms).
2. The terms 'rare' and 'threatened' replace the term 'rare, threatened and endangered', because this is in line with the more current use and definitions by IUCN (2001) and subsequent definitions.
3. Management of hunting, fishing, trapping and collecting is dealt with in Criterion 6.6.

Current Criterion 6.2: Safeguards shall exist which protect rare, threatened and endangered species and their habitats (for example, nesting and feeding areas). Conservation zones and protection areas shall be established, appropriate to the scale and

FINAL DRAFT

intensity of forest management and the uniqueness of the affected resources. Inappropriate hunting, fishing, trapping and collecting shall be controlled.

6.5 (revised 6.4 and 10.5) *The Organization** shall identify and protect representative sample areas of native ecosystems and/or restore them to more natural conditions. Where representative sample areas do not exist, The Organization shall restore a proportion of the *Management Unit** to more natural conditions. The size of the areas and the measures taken for their protection or restoration shall be proportionate to the conservation status and value of the ecosystems at the landscape level, and the *scale, intensity and risk** of management activities.

Explanatory Notes

1. This Criterion deals with protection and restoration of ecosystems which are not especially linked to rare or threatened species, whereas Criterion 6.4 deals with the protection of rare and threatened species and their habitats.
2. The purpose of the samples is to provide long-term protection of the ecosystems, to help ensure the viability of the species living in the Management Unit. The purpose is also to help maintain the resilience and adaptability of the Management Unit to climate change, and at to provide baseline data for assessment and monitoring of the effects of management in the Management Unit as a whole, and of natural cyclical and secular changes including climate change.
3. 'Natural conditions/native ecosystem (see also Glossary of Terms). For the purposes of the Principles and Criteria and any applications of restoration techniques, terms such as 'more natural conditions', 'native ecosystem' provide for managing sites to favor or restore native species and associations of native species that are typical of the locality, and for managing these associations and other environmental values so that they form ecosystems typical of the locality. Further guidelines may be provided in FSC Forest Stewardship Standards (Source: FSC 2011).
4. This Criterion makes it clear that every Management Unit will include sample areas which are managed primarily (but not necessarily exclusively) for the purpose of protection (and where necessary, restoration) of native ecosystems. Other management objectives may be applied in the same areas, if they are compatible with the primary objective of conservation. In this context, protection does not imply that these representative sample areas should be unmanaged, or simply protected by isolation with no management interventions. They may require active management to protect them from negative influences, and/or to maintain their conservation values. Each case is determined according to the specific circumstances, and requires a location-specific decision.
5. The scale of protection and/or restoration is determined by the conservation status and value of the ecosystem as well as the scale, intensity and risk of management activities in the Management Unit as a whole. The magnitude of the protection and restoration efforts, including the size, design and connectivity of sample areas, should be proportionate to the scale, intensity and risks of management activities and impacts. Thus, special rules may be applied to very small properties among small and low intensity managed forests, and to group certificates.
6. This Criterion refers to both, protection or restoration, because restoration might not be required in Management Units with intact examples of native ecosystems.

FINAL DRAFT

7. 'Restore' in the context of this Criterion means that in Management Units with only degraded (or no) examples of native ecosystems, The Organization designates and manages sample areas principally for the protection of biological diversity, using appropriate restoration techniques where necessary to create areas of adaptable and resilient ecosystems of native species. It may take some considerable time to establish such areas. Their location, designation, objectives and management programs should be covered in the management planning documentation, and on maps when appropriate.
8. 'Conservation status' refers to the formal status of the ecosystem, in national regulations or habitat classification systems.
9. Conservation value concerns how rare or uncommon (unique) an ecosystem is, how important it is to the species that occupy or use it, and how vulnerable it is to disturbance. The concept of uniqueness takes account of the extent and range of these ecosystems inside and outside the Management Unit. Uniqueness of an ecosystem is high if the Management Unit contains a large proportion of a native ecosystem with limited distribution. Uniqueness is low when the Management Unit contains only a small proportion of the natural range of that ecosystem.
10. This Criterion clarifies that the size, the management practices and level of protection of the sample must be proportionate to the conservation status and conservation value of the native ecosystems represented. Accordingly, The Organization has a greater responsibility to protect native ecosystems or restore samples to more natural conditions, where there is good reason to believe that specific native ecosystems are inadequately protected in the landscape, according to available stakeholder and expert opinion. Accordingly, samples may be smaller or fewer when these ecosystems are effectively protected elsewhere in the landscape, and when they are common or widespread.
11. Guidelines for the appropriate management of conservation zones and protection areas, and for their size, design and connectivity, should be included in generic, regional or national FSC Forest Stewardship Standards according to circumstances and priorities.
12. The identification of suitable sample areas, and compliance with this Criterion, may require engagement of national and local authorities, scientific experts and/or other knowledgeable stakeholders mandated for or specialized in the ecosystem conservation, protection or restoration.
13. This Criterion does not require that these conservation zones and protection areas in each Management Unit should be given legal protection status under national laws and regulations. Such legal status may be appropriate and beneficial in some circumstances, to be considered by The Organization on a case by case basis. The sample areas may be integrated into national or regional habitat protection plans, to contribute to landscape level conservation, but this does not imply a transfer of ownership or responsibility.
14. Designation and management of sample areas for protection and conservation in FSC group certification schemes may be undertaken by only some members of the smallholder Forest Management Group on behalf of the Group as a whole. FSC does not require that all members of a smallholder group designate and manage such protection areas on their own holdings; see FSC Technical Series No. 2009-T003 FSC User-friendly Guide to FSC Certification for Smallholders: Making More out of your Forest, Section 7.1.

FINAL DRAFT

Rationale

1. This Criterion covers a topic where there is a difference of opinion between those who feel that no conservation areas should be required within the Management Unit wherever there is adequate ecosystem protection outside the Management Unit (where national conservation systems are well developed and well implemented), and those who insist that every Management Unit must provide ecosystem conservation areas, regardless of the scale and effectiveness of conservation efforts in the surrounding landscape outside the Management Unit. The wording takes account of these opposing views by clarifying that the effort required by The Organization should be proportionate to the conservation status and value of the ecosystems existing in the wider landscape context within which the Management Unit is located.
2. The Working Group considered proposals for off-sets outside the Management Unit, but there was not sufficient support for these proposals.
3. The Criterion does not require that any portion of existing plantations be converted or restored to some native ecosystems, as implied by the ambiguous current Criterion 10.5, which refers to 'a proportion of the overall forest management area'. The exception is when the Management Unit does not contain sufficient representative samples of native ecosystems to fully satisfy the requirements of this criterion and of the national standard with respect to their size, conservation status and value, taking account of the scale and intensity of management activities and the risk of negative environmental impacts. This approach is fully compatible with the precedents set during 15 years of FSC certification, as shown in FSC-GUI-60-004 Structure and Content of Forest Stewardship Standards, Draft Generic Indicators 6.2.8L and 6.2.8LP. These were developed in 2007, taking into account the 12 certification body generic standards and 17 FSC national or regional standards that existed at that time.

Current 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.

Current 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.

6.6 (revised 6.2 and 6.3) *The Organization** shall effectively maintain the continued existence of naturally occurring native species and genotypes, and prevent losses of *biological diversity**, especially through habitat management in the *Management Unit**. The Organization shall demonstrate that effective measures are in place to manage and control hunting, fishing, trapping and collecting.

Explanatory Notes

1. This Criterion concerns biological diversity, including genetic, species and ecosystem diversity, beyond the rare and threatened species covered in Criterion 6.4. It aims to ensure the continued existence in the Management Unit of the naturally occurring native species, and to help prevent their local extinction, inside or outside the Management Unit, and irreversible losses of biological diversity.
2. Forest regeneration, succession and natural cycles are among the components required



FINAL DRAFT

- for maintaining the continued existence of the naturally occurring native species in the long term.
3. FSC recognizes that not all biological diversity can be maintained intact and unaltered in all management situations, and that it is seldom possible for The Organization to identify the status of all species, or to guarantee the survival of every one. Responsible forest stewardship may lead to changes in the population densities of species, but The Organization is required to work for a balance, ensuring that no biological diversity is put at risk by its activities. Losses may be caused by factors beyond the control of The Organization. These might include regional population declines, land use changes outside the Management Unit, climate change, and other situations in which the population of some native species in a particular Management Unit may no longer be viable in the long term. Therefore, negative impacts on some elements of biological diversity in a Management Unit will not necessarily lead to cancelling a certificate. However, it may lead to recommendations from ASI-accredited conformity assessment bodies for measures to improve the safeguards against such impacts, if it is evident that avoidable losses have occurred. These measures complement some of the requirements of Principle 10.
 4. As for Criterion 6.4, this Criterion does not require that population levels of individual species be individually monitored, an impossible task. Available information, including appropriate stakeholder engagement, will be used for evaluating the expected impacts of management activities on species, recognizing that some may be condemned to decreases or local extinction for reasons beyond the reasonable control of The Organization. These reasons can include climate change, or landscape changes outside the Management Unit, such that the conditions under which certain rare or vulnerable species became established exist.
 5. This Criterion requires decisions not only about the implementation of management activities, but also about the addition of safeguards and mitigation measures to avoid or reduce the negative impacts of management activities, to maintain and avoid loss of biological diversity.
 6. Management activities which maintain or enhance within-stand habitat diversity will usually also contribute to within-stand biological diversity.
 7. Compliance with this Criterion will be highly sensitive to the scale, intensity and risks of The Organization's management activities, and to the size of the Management Unit.
 8. The current state of knowledge rarely allows prediction of the environmental impacts caused by the variable scales, intensities and directions of climate change. Most current opinion favors maintaining biological diversity to provide a range of options for future management. Traditional long-term management of some vegetation types including forests sustains enhanced habitat and biological diversity compared with unmanaged forest.
 9. The management and control of hunting, fishing, trapping and collecting, etc., are part of the package required for conservation of biological diversity. This Criterion also covers non-timber forest products. The requirement to demonstrate that 'effective measures are in place' recognizes that The Organization may not have the mandate to manage these activities, where they are enforced or implemented by state agencies or other authorized parties. This Criterion does not require or empower The Organization to take over the lawful or exclusive duties of other licensed controlling agencies, even when such obligations are not being carried out effectively. Control of illegal activities is covered under Criterion 1.4.



FINAL DRAFT

10. Regarding group certification schemes, see also Explanatory Note 14 to Criterion 6.5.

Rationale

1. This Criterion has been revised for two main reasons. Firstly, to improve the terminology and clarify what is expected, in ways that can be audited and measured. The second was to make sure that the requirements are applicable in the full range and variety of management situations and intensities, and not only in 'natural forests'.
2. Criterion 6.3 was drafted and approved in 1994 as a component of the Forest Stewardship Standard for Natural Forests, and it remained unchanged when Principle 10 Plantations was added in 1996. The Principles and Criteria were then applied to all communities dominated by trees, but it has not been clear how Criterion 6.3 could be properly applied in plantations and other areas subject to more intensive management. The Policy Working Group of the Plantations Review recommended work '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 levels'. Expert Team B of the Technical Phase of the Plantations Review was convened for this purpose, and made specific recommendations in terms of cycles of nutrient and energy flows that were applicable to Criterion 6.3.
3. The wording acknowledges that it is not possible or necessary to maintain environmental values unaltered in all management situations.
4. Items such as forest regeneration, succession and natural cycles figure in the existing Principle and Criteria, but are no longer explicitly mentioned in the Criteria, since they are among the components required for ensuring viable populations in the long term.
5. The requirement to manage hunting, fishing, trapping and collecting was moved from the Criterion dealing with rare and threatened species (current Criterion 6.2) because hunting, fishing, trapping and collecting can pose a problem not only for rare and threatened species, but species in general.

Current Criterion 6.2: Safeguards shall exist which protect rare, threatened and endangered species and their habitats (for example, 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.

Current 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.

6.7 (revised 6.5 and 10.2) *The Organization** shall protect or restore natural water courses, water bodies, riparian zones and their connectivity. The Organization shall avoid negative impacts on water quality and quantity and mitigate and remedy those that occur.

Explanatory Notes

1. Water bodies include, for example, riparian or wetland systems, lakes, swamps, bogs,



FINAL DRAFT

springs and their associated seasonal zones and vegetation. Water courses include seasonal, temporary and permanent brooks, creeks, streams and rivers, including their riparian or edge vegetation.

2. The requirement for protection includes conservation, and the obligation to avoid negative impacts caused by management activities. Requirements for ensuring management activities are appropriate for the protection of water resources are addressed in Principle 10 (see Criteria 10.5, 10.6 and 10.10).
3. The requirement for restoration refers primarily to the responsibility to repair the negative impacts of The Organization's own activities, to apply mitigation measures, including appropriate restoration techniques.
4. This Criterion requires The Organization to mitigate, avoid or repair negative impacts through measures which are proportionate to the scale and intensity of management activities and to the risks of negative impacts on water quantity and quality. There may be legal obligations to maintain prescribed levels of water quantity and/or quality.
5. This Criterion is not sensitive to scale, intensity and risk, since The Organization has full responsibility to protect, and avoid damage to, all water resources. However, the management activities needed to avoid, repair and mitigate negative impacts will certainly be sensitive to scale, intensity and risk. Special provisions in Indicators may be introduced for small and low intensity managed forests (SLIMFs), and other very small, simple, non-controversial situations with minimal impacts.
6. The Organization is not responsible for repairing all damage caused by previous owners, concession holders or other users, but has a responsibility for preventing or mitigating continued environmental degradation caused by previous owners and the activities of third parties, depending on the terms of its use or ownership rights.
7. In order to protect connectivity, The Organization should avoid creating dams or bars across water courses which interrupt the natural flows of water, especially during road building and harvesting operations. Any such dams or bars created by other entities should be broken up as part of restoration activities planned and implemented by The Organization, if such restoration is legally permitted, unless such barriers are components of anti-erosion, anti-sedimentation or flood control measures.

Rationale

1. In line with the decision to incorporate Principle 10 on plantations, this Criterion now combines some of the requirements of current Criteria 6.5 and 10.2, focused on water resources and aquatic habitats.
2. However, some items from current Criterion 6.5 are covered elsewhere in Principles 6 and 10. Negative impacts on soil must be prevented, mitigated or repaired according to Criterion 6.3. Additionally, soil protection is addressed in Criteria 10.10 and 10.11, which also address prevention of negative impacts resulting from road construction, harvesting and associated activities.
3. Restoration and conservation of native ecosystems of current Criterion 10.2, for example natural forests, including full protection where appropriate, are addressed in Criteria 6.4 and 6.5 (including connectivity) and Criteria 6.9 and 6.10 (in relation to conversion). The other requirements of Criterion 10.2 are now addressed in Criterion 6.8.

Current Criterion 6.5: Written guidelines shall be prepared and implemented to: control erosion; minimize forest damage during harvesting, road construction, and all other



FINAL DRAFT

mechanical disturbances; and protect water resources.

Current 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.

6.8 (revised 10.2 and 10.3) *The Organization** shall manage the *landscape** in the *Management Unit** to maintain and/or restore a varying mosaic of species, sizes, ages, spatial scales and regeneration cycles appropriate for the *landscape values** in that region, and for enhancing environmental and economic *resilience**.

Explanatory Notes

1. This Criterion covers the structure and layout of the Management Unit, both internally and in relation to the surrounding landscape. It has the following purposes: enhancing environmental and economic resilience, and enhancing landscape values. The landscape values covered by this Criterion include connectivity between vegetation types and ecosystems, partly to provide wildlife corridors and partly for aesthetic reasons. Landscape values also include the values assigned by individuals as well as those assigned by communities'.
2. The Organization is not required to maintain landscapes unchanged in their current states in the Management Unit. Principle 6 requires the maintenance (or restoration) of a wide variety of environmental values and ecosystem functions, but it does not stipulate or imply returning to any previous, historic, pre-historic or 'natural' environment or landscape.
3. 'Environmental and economic resilience' means the ability to endure pests, changes in demand for forest products and services, climate change and other hazards. These can be enhanced by, for example, a mosaic or other pattern of conservation zones and protection areas, connectivity (Criteria 6.4 and 6.5), riparian zones (Criterion 6.7), or mosaics of species, age classes and structures (Criterion 6.8).
4. 'Landscape values' (see also Glossary of Terms) can be visualized as layers of human perceptions overlaid on the physical landscape. Some landscape values, like economic, recreation, subsistence value or visual quality, are closely related to physical landscape attributes. Other landscape values such as intrinsic or spiritual value are more symbolic in character and are influenced more by individual perception or social construction than physical landscape attributes (Source: Based on website of the Landscape Value Institute).
5. According to Criterion 7.6, The Organization is required to take account of the opinions and needs of affected stakeholders in evaluating landscape values and in planning and executing management activities. It is especially important, because local communities and individuals may have strong emotional attachments to a particular landscape pattern arising from historical sequences of human interventions, even when these did not necessarily reflect best environmental and social land use practices. Priority should be given to the preferences of people and communities who are traditionally connected to the land, especially indigenous peoples, traditional peoples and long-established



FINAL DRAFT

- communities.
6. Landscapes, and perceptions of their values, change and evolve on all scales of time and space, and the Management Unit landscape may also do so. However, changes in the Management Unit caused by management activities should not prejudice these values. The Organization must implement measures to maintain these values and to avoid or mitigate damage. The Organization may also be required to repair past negative impacts, subject to legal and licensing requirements and obligations, while recognizing that such measures may have to be spread over many years, and should not put at risk FSC's overall goals regarding social benefits and economic viability.
 7. Improvement or enhancement of degraded areas is not prevented by this Criterion, while respecting environmental values and local opinions.
 8. FSC recognizes that all landscapes are 'dynamically varying mosaics', at different scales of space and time, and that landscape values are important in artificial or man-made landscapes as well as in 'natural or semi-natural' landscapes.

Rationale

1. This Criterion addresses the landscape elements of current Criteria 10.2 and 10.3, in line with the decision to incorporate Principle 10 on plantations into Principles 1 to 9.
2. Those elements of current Criterion 10.2 that are not covered in this Criterion are covered by other Criteria under Principle 6 (Criteria 6.4, 6.5 and 6.7).
3. These and other elements help to maintain the resilience of the Management Unit in the face of pests, changes in demand, climate change and other hazards.
4. Landscape values are not mentioned in the current Principles and Criteria. However, there is a strong perception that the references to mosaics and the natural landscape in the current Criteria 10.2 and 10.3 were partly motivated by a concern to protect those features of the landscape that are valued by affected stakeholders, and to avoid major changes to the 'cultural landscapes'.

Current 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.

Current 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.

- 6.9 (revised 6.10)** *The Organization** shall not convert *natural forest** to *plantations**, nor natural forests or plantations to any other land use, except when the conversion:
- a) affects a very limited portion of the area of the *Management Unit**, and
 - b) will produce clear, substantial, additional, secure long-term conservation benefits in the Management Unit, and
 - c) does not damage or threaten *High Conservation Values**, nor any sites or resources necessary to maintain or enhance those High Conservation Values.



FINAL DRAFT

Explanatory Notes

1. 'A very limited portion' is currently defined as 'no more than 0.5% of the area of the Management Unit in any one year, and no more than 5% in total. See FSC-STD-30-010 Controlled Wood Standard for Forest Management Enterprises, FSC-STD-40-005 Standard for Company Evaluation of Controlled Wood, and FSC-STD-01-002 Glossary of Terms. Conversion from plantations to more native ecosystems should not be limited by this rule. Conversion of plantations to other land uses such as urban areas would continue to be covered by this rule. The construction of forest roads and other essential infrastructure for forest management are not considered as a conversion process. For further information on conversion rules, see FSC-DIR-20-007 FSC Directive on Forest Management Evaluations.
2. High Conservation Values are protected by Principle 9, but this Criterion strengthens their protection. FSC generic guidelines for High Conservation Values will be prepared to give more guidance on the kinds of habitats, sites and ecosystems included as High Conservation Values.
3. This Criterion applies to current and future or planned conversion. Past conversion is covered by Criterion 6.10.
4. The requirement for 'conservation benefits' applies to different situations, to be judged by conformity assessment bodies and National Offices, and included in national regional or generic Forest Stewardship Standards. Examples of 'other land uses inside the Management Unit which may produce conservation benefits may include the following.
 - Shelterbelts or windbreaks to protect sensitive sites and ecosystems.
 - Fuelwood plantations for a community that would otherwise collect fuel in a High Conservation Value ecosystem.
 - Infrastructure, watch towers and facilities which help with protection, environmental education, sustainable tourism, etc.
5. A 'forest' (see also Glossary of Terms) is defined as a tract of land dominated by trees (Source: FSC 2011. Derived from FSC Guidelines for Certification Bodies, Scope of Forest Certification, Section 2.1 first published in 1998, and revised as FSC-GUI-20-200 in 2005, and revised again in 2010 as FSC-DIR-20-007 FSC Directive on Forest Management Evaluations).
6. A 'natural forest' (see also Glossary of Terms) is defined as a forest area with many of the principal characteristics and key elements of native ecosystems, such as complexity, structure and biological diversity, including soil characteristics, flora and fauna, in which all or almost all the trees are native species, not classified as plantations. For the purposes of FSC Criteria 6.9 and 6.10, 'natural forest' includes the following categories which are protected from conversion by these Criteria.
 - Forest affected by harvesting or other disturbances, in which trees are being or have been regenerated by a combination of natural and artificial regeneration with species typical of natural forests in that site, and where many of the above-ground and below-ground characteristics of the natural forest are still present. In boreal and north temperate forests which are naturally composed of only one or few tree species, a combination of natural and artificial regeneration to regenerate forest of the same native species, with most of the principal characteristics and key elements of native ecosystems of that site, is not by itself considered as conversion to

FINAL DRAFT

plantations.

- Natural forests which are maintained by traditional silvicultural practices including natural or assisted natural regeneration.
- Well-developed secondary or colonizing forest of native species which has regenerated in non-forest areas.
- The definition of 'natural forest' may include areas described as wooded ecosystems, woodland and savanna.

The description of natural forests and their principal characteristics and key elements may be further defined by national, regional or generic FSC Forest Stewardship Standards, with appropriate descriptions or examples. The definition of natural forest is designed specifically to clarify the application of Criteria 6.9 and 6.10. For purposes of Criteria 6.9 and 6.10, natural forest does not include land which is not dominated by trees, was previously not forest, and which does not yet contain many of the characteristics and elements of native ecosystems. Young regeneration may be considered as natural forest after some years of ecological progression. National or regional FSC Forest Stewardship Standards may indicate when such areas may be excised from the Management Unit, should be restored towards more natural conditions, or may be converted to other land uses (Source: FSC 2011).

7. A 'plantation' (see also Glossary of Terms) is defined as a forest area established by planting or sowing using either alien or native species, often with one or few species, regular spacing and even ages, and which lacks most of the principal characteristics and key elements of natural forests.

The definition of plantation is designed specifically to clarify the application of Criteria 6.9 and 6.10. The description of plantations and the rules for conversion of other ecosystems to plantations may be further defined by national, regional or generic Forest Stewardship Standards, with appropriate descriptions or examples, such as:

- Areas which would initially have complied with this definition of 'plantation' but which, after the passage of years, contain many or most of the principal characteristics and key elements of native ecosystems, may be classified as natural forests.
- Plantations managed to restore and enhance biological and habitat diversity, structural complexity and ecosystem functionality may, after the passage of years, be classified as natural forests.
- Boreal and north temperate forests which are naturally composed of only one or few tree species, in which a combination of natural and artificial regeneration is used to regenerate forest of the same native species, with most of the principal characteristics and key elements of native ecosystems of that site, may be considered as natural forest, and this regeneration is not by itself considered as conversion to plantations.

(Source: FSC 2011)

8. FSC has not developed quantitative thresholds between different categories of forests in terms of area, density, height, etc. National, regional or generic Forest Stewardship Standards may provide such thresholds and other guidelines, with appropriate descriptions or examples. Pending such guidance, areas dominated by trees, mainly of native species, may be considered as natural forest, and therefore covered by Criteria 6.9 and 6.10. Thresholds and guidelines may cover areas such as:
 - Other vegetation types and non-forest communities and ecosystems included in the Management Unit, including grassland, bushland, wetlands, and open woodlands.



FINAL DRAFT

- Very young pioneer or colonizing regeneration in a primary succession on new open sites or abandoned farmland, which does not yet contain many of the principal characteristics and key elements of native ecosystems. This may be considered as natural forest through ecological progression after the passage of years.
- Young natural regeneration growing in natural forest areas may be considered as natural forest for purposes of Criteria 6.9 and 6.10, even after logging, clearfelling or other disturbances, since many of the principal characteristics and key elements of native ecosystems remain, above-ground and below-ground.
- Areas where deforestation and forest degradation have been so severe that they are no longer 'dominated by trees' may be considered as non-forest, when they have very few of the principal above-ground and below-ground characteristics and key elements of natural forests. Such extreme degradation is typically the result of combinations of repeated and excessively heavy logging, grazing, farming, fuelwood collection, hunting, fire, erosion, mining, settlements, infrastructure, etc. National or regional FSC Forest Stewardship Standards may help to decide when such areas should be excised from the Management Unit, should be restored towards more natural conditions, or may be converted to other land uses.

Rationale

1. This confirms the prohibition included in current Criterion 6.10, while extending the prohibition to sites, ecosystems or habitats needed for protecting High Conservation Values, including any endangered ecosystems. This addresses the recommendation of the Policy Working Group of the Plantations Review that FSC should clarify how other High Conservation Values ecosystems should be dealt with in relation to conversion.
2. This Criterion is in line with current FSC standards and policies in relation to conversion, for example in relation to the conversion of plantations to other land uses, see FSC-DIR-20-007 FSC Directive on Forest Management Evaluations.
3. Draft 4-0 of the revised Principles and Criteria included proposals for new definitions for forest, natural forest and plantations, based on those used by FAO and the World Bank. These were not generally supported in comments on Draft 4-0 and during subsequent discussions with stakeholders. So it was decided to base the definitions closely on existing, approved FSC definitions, including necessary clarifications.
4. The inclusion of areas described as wooded ecosystems in the definition of natural forests is in line with FSC-STD-30-010 FSC Controlled Wood Standard for Forest Management Enterprises, section 6.1.

Current 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.

6.10 (revised 10.9) *Management Units** containing *plantations** that were established on areas converted from *natural forest** after November 1994 shall not qualify for certification, except where:

- a) clear and sufficient evidence is provided that *The Organization** was not directly or indirectly responsible for the conversion, or



FINAL DRAFT

- b) the conversion affected a very limited portion of the area of the Management Unit and is producing clear, substantial, additional, secure long term conservation benefits in the Management Unit.

Explanatory Notes

1. This Criterion applies only to plantations established by conversion of natural forests after November 1994 and not to conversion of natural forest to 'other land uses'. Areas that were converted to non-forest uses can be excluded from the Management Unit by application of FSC-POL-20-003 The Excision of Areas from the Scope of Certification, or can be covered by elements of management planning documents (Criterion 7.2).
2. In this Criterion, 'directly or indirectly responsible' means that The Organization in its currently registered or incorporated legal state (Criterion 1.1), was directly responsible for the conversion of natural forest to plantations after November 1994; or was indirectly responsible through its supervision of contractors; or had transferred the conversion areas to another entity or entities, by sale or by management contract or similar arrangement, but had retained control over the policies and practices for the management of the conversion areas. This Criterion also applies to The Organization through any changes in name or other institutional arrangements, which have allowed continuity of the management intentions for the plantation from the time of the conversion from natural forest.
3. This retains November 1994 as the deadline, being the date on which the FSC Principles and Criteria were approved. Therefore, by natural justice, previous conversion of natural forest to plantation could not subsequently be penalized by FSC.

Rationale

1. This retains the current prohibition of post November 1994 conversion of natural forests to plantations of current Criterion 10.9. Other land uses are not covered by the current Criterion 10.9. However, areas that were converted to non-forest uses do not require a new Criterion. They can already be excluded from the Management Unit by application of FSC-POL-20-003 The Excision of Areas from the Scope of Certification.
2. The phrase 'directly or indirectly' is in current Criterion 10.9.
3. Bullet point b in this Criterion replaces the term 'normally' in current Criterion 10.9, which indicates that exceptions to the cut-off date might be possible. However, only in one case an exception was approved by FSC, allowing post-November 1994 conversion in national standards, in cases where the converted area is reconverted to a natural condition. Only once was this option used by an FSC National Initiative as a temporary solution, to end in 2001; see FSC-ADV-31-001 Interpretation of C10-9. Therefore, there does not seem to be a need to keep the term 'normally'. Also, the current Principles and Criteria created a contradiction, by practically disallowing any kind of conversion of natural forest after November 1994 (current Criterion 10.9), but at the same time allowing post-November 1994 conversion under circumstances defined in current Criterion 6.10. The revised Principle and Criteria address this contradiction by incorporating the criteria for acceptable conversion of current Criterion 6.10 into both Criteria 6.9 and 6.10. Regarding High Conservation Values, see the Rationale 5 below.
4. This Criterion deals with 'Management Units containing plantations' rather than only plantations as used in current Criterion 10.9, because Forest Management Certificates



FINAL DRAFT

- cover whole Management Units rather than specific vegetation types. This corresponds to current practice in relation to FSC certification.
5. High Conservation Values are not covered in this Criterion for four reasons. (a) HCVs are not mentioned in current Criterion 10.9, which was drafted by the original Principle 9 Working Group, and adopted at the same time as Principle 9. (b) It is against natural justice to backdate a provision for High Conservation Values to 1994, when the concept did not exist until 1999. (c) A requirement to identify the previous existence of High Conservation Values in forest which was cleared up to 15 years ago is not readily auditable. (d) To avoid introducing a new backdated element, possibly back to 1999.
 6. This wording represents current policies, and does not respond to the recommendations of the Policy Working Group of the Plantations Review, nor to those of Expert Team D of the technical phase of the plantations review. Many stakeholders have made strong and conflicting criticisms of the current rules for the implementation of current Criterion 10.9 and have proposed a wide variety of changes. These cannot now be reconciled by the Principles and Criteria Working Group. New policies will be required in due course, especially to cover management of degraded forest and conversion of highly degraded forest. The response to policy motion 18 'FSC Certification of Plantations' approved at the FSC General Assembly 2011 should include such policy development.

Current 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.

Criteria that were removed from current Principle 6

Criteria dealing with operational issues (waste management, pesticides, biological control agents, exotic species) have been moved to Principle 10 Management Activities. Current Criterion 6.6 is now covered by Criterion 10.7; current Criterion 6.7 is covered by Criterion 10.12; current Criterion 6.8 is covered by Criterion 10.8; and current Criterion 6.9 is covered by Criterion 10.3.

Rationale

1. Stakeholders and conformity assessment bodies have requested a clearer separation of field activities, silvicultural systems and other stand management works. The relocated Criteria address more field level issues, and have therefore been moved to Principle 10.
2. Principle 6 now concentrates on the ecological bases for responsible management.

Principle 7 (revised): Management Planning

*The Organization** shall have a *management plan** consistent with its policies and *objectives** and proportionate to *scale, intensity and risks** of its management activities. The management plan shall be implemented and kept up to date based on monitoring information in order to promote *adaptive management**. The associated planning and procedural documentation shall be sufficient to guide staff, inform *affected stakeholders** and *interested stakeholders** and to justify management decisions.



FINAL DRAFT

Explanatory Notes

1. The following table provides an overview of the desired outcomes of all Criteria under Principle 7.

Criteria in Principle 7	Desired outcome for each Criterion
7.1 – Policies and objectives for forest management	The Organization has policies and objectives for environmentally sound, socially beneficial and economically viable forest management.
7.2 – Management planning	The Organization has and implements a management plan that is consistent with the policies and objectives required by Criterion 7.1 and FSC requirements, covering forest and social management planning.
7.3 – Verifiable targets of progress	The management plan includes verifiable targets for assessing progress with achieving the objectives as established according to Criterion 7.1.
7.4 – Updating and revision of the management plan	The management plan is updated periodically in response to results of monitoring, evaluation, stakeholder engagement, new information and changes in environmental, social and economic circumstances.
7.5 – Publication of management plan	The Organization publicizes a summary of the management plan. Excluding confidential information other components of the management plan are made available to affected stakeholders if relevant to them.
7.6 – Engagement in management planning	Affected stakeholders are proactively and transparently engaged in management planning and monitoring. Interested stakeholders are engaged upon request.

2. This Principle and its Criteria indicate that the management plan must be prepared and approved prior to the start of new management activities.
3. This Principle covers the whole process of management planning. That is the setting of policies (visions and values) and corresponding objectives (Criterion 7.1), development and implementation of corresponding management plans (Criterion 7.2), establishment of indicators for evaluating success in achieving defined objectives (Criterion 7.3), revision of management plans (Criterion 7.4), and information and engagement of affected and interested stakeholders (Criteria 7.5 and 7.6).
4. The design of the management planning depends on the scale, intensity, risks, policies (visions and values) and objectives of The Organization. This ensures that every type of Management Unit has planning and a management system, but provides flexibility to adapt these to the type and situation of a Management Unit and the objectives of The Organization.
5. The amount of documentation needs to be sufficient to guide staff in the implementation of the management plan, to provide justification of management decisions to affected and interested stakeholders, and for internal and external (certification) audits. The performance of staff and others charged with implementing the plan will be a gauge as to the effectiveness of the level of documentation and other forms of communication. In

FINAL DRAFT

evaluating the management planning, the primary focus should be on results rather than the level of documentation.

6. 'Adaptive management' (see also Glossary of Terms) is defined as a systematic process of continually improving management policies and practices by learning from the outcomes of existing measures (Source: Based on World Conservation Union (IUCN). Glossary definitions as provided on IUCN website).

Rationale

1. The title of this Principle was changed in order to reflect that this Principle covers the entire process of management planning, and not just the documentation.
2. This Principle focuses on objectives, irrespective of what these are, and recognizes that management objectives often extend beyond, or are different from, timber production.

7.1 (revised 7.1a): *The Organization** shall, proportionate to *scale, intensity and risk** of its management activities, set policies (visions and values) and *objectives** for management, which are environmentally sound, socially beneficial and economically viable. Summaries of these policies and objectives shall be incorporated into the *management plan**, and publicized.

Explanatory Notes

1. 'Policies' as used in this Criterion, express the long term vision and values of The Organization with regards to complying with the FSC Principles and Criteria, as a minimum.
2. Policies and objectives regarding environmentally sound management (environmental policies and objectives), express the long term vision, values and objectives of The Organization with regards to achieving compliance with the environmental requirements in the Principle and Criteria, as a minimum; see Principles 6, 9 and 10). Policies and objectives dealing with the social benefits of management express the long-term vision, values and objectives of The Organization with regards to fulfilling the social requirements of the Principles and Criteria (see Principles 2, 3, 4 and –5), as a minimum. Policies and objectives dealing with economic viability express the long-term vision and values and objectives of The Organization to comply with the relevant requirements in the Principles and Criteria (see Principle 5), as a minimum.
3. In this context, publicizing means that the policies and objectives are adequately communicated to all persons in The Organization, including contractors and suppliers. These persons would be required to understand the management planning because they are involved in its implementation. Examples include the preparation and fixing of posters or information bulletins in prominent locations throughout the work place.
4. If monitoring (see Principle 8), shows that the original objectives are not fully rational or achievable the adaptive management approach requires that they are changed. However, changed management objectives must still ensure compliance with the Principles and Criteria.
5. For certified groups, this Criterion applies to the entire group rather than every individual Management Unit. Therefore, there is a need to have overall policies and objectives for the entire group, rather than for every individual unit. However, these do need to be broken down into more detail, for example, individual plans, targets, etc., for the different units.

FINAL DRAFT

Rationale

The establishment of policies and objectives is necessary as the basis for developing corresponding management plans.

Current Criterion 7.1: The management plan and supporting documents shall provide:

a) Management objectives.

(...)

7.2 (revised 7.1) *The Organization** shall have and implement a *management plan** for the *Management Unit** which is fully consistent with the policies and *objectives** as established according to Criterion 7.1. The management plan shall describe the natural resources that exist in the Management Unit and explain how the plan will meet the FSC certification requirements. The management plan shall cover forest management planning and social management planning proportionate to *scale, intensity and risk** of the planned activities.

Explanatory Notes

1. The level of detail provided in management plans depends on the scale, intensity and risk of the management activities. Some management plans may be extremely short simple documents, perhaps only two pages, for very small, simple, minimal impact and uncontroversial situations. Other management plans may consist of a collection of documents, plans, maps, records, reports and/or field guides, and may be extremely long, detailed and complex. The key point is that the package of forest management planning documents is sufficiently comprehensive and detailed to ensure it can be effectively communicated and implemented, but no more than is necessary.
2. Implementation of the plan is covered in the remainder of the Principles and Criteria.
3. The level of detail provided in the management plan must be sufficient to:
 - Provide managers and decision-makers with information about the key elements of the Management Unit and the management system to enable them to implement the system, to ensure continuity of management in the event of staff changes, and for the information of stakeholders.
 - Explain and justify management decisions and planned activities.
 - Enable conformity assessment bodies to determine whether The Organization is effectively addressing the Principles and Criteria. Specifically, how appropriately The Organization has assessed the environmental, social and economic aspects of the Management Unit and the context in which it is situated. In addition, enable conformity assessment bodies to determine if and whether The Organization's monitoring programs and environmental and social safeguards are sufficient to prevent, avoid, mitigate and repair any negative impacts that may result from its management activities.
4. In order to fulfill these functions, the management plan must be approved before activities take place, and must include some or all of the following elements of management planning to a level of detail that is proportionate to the scale, intensity and risk of the management activities. It should not be inferred that larger organizations automatically require more documentation as compared to small low intensity managed forests. In many cases, risks for larger organizations may be lower because local laws

FINAL DRAFT

are already working adequately enough to ensure compliance with these requirements. In such cases, the level of extra documentation compared to existing guidance documents in rules and regulations should be minimal. The important aspect is the practical application of the planned management activities, and the demonstration of performance on the ground.

Elements of forest management planning include the following.

- A summary of the existing natural resources and environmental values.
- A description of the existing and planned management practices and systems.
- The rationale and justification for the selection of the resources and services to be utilized.
- The rationale and justification for planned harvesting of natural resources, including volumes and rates.
- Plans for monitoring growth and estimating and allocating yields of natural resources.
- Environmental and biological monitoring systems planned or in place.
- A description of the monitoring information to be collected according to Criteria 8.1 to 8.4, and how and when this information can be accessed.
- Safeguards and measures to identify, assess, analyze, prevent, avoid, repair and mitigate actual and potential negative impacts on environmental values.
- Strategies, safeguards and measures for the identification and protection of endemic, rare and threatened species and habitats, and High Conservation Values.
- Safeguards and measures to identify, protect, and/or restore representative sample areas of native ecosystems.
- Safeguards and measures to maintain or enhance or restore ecosystem functions and environmental values.
- Safeguards and measures to conserve or enhance water courses, riparian zones, landscape connectivity including wildlife corridors, and the variety and scales of stands in the Management Unit.
- Maps and plans for land use zoning, conservation zones and protection areas, harvesting, planting, infrastructure or other elements of planning.
- Technical descriptions of any high impact activities, such as mechanical harvesting or processing, within the Management Unit.
- Data sufficient to show the overall economic viability of the Management Unit in the short, medium, and long term.
- Measures for the diversification of products and services.
- Investments made or planned to maintain economic viability and ecosystem productivity.
- Clear references to other documents used to support the management plan.
- Linkages between planned activities and the stated management objectives.
- Where the law requires it, an assessment of the carbon stocks and flows required, to be part of the management plan.

Elements of social management planning include the following.

- An overview of the local socio-economic situation.
- An overview and brief description of major stakeholder groups that are affected or

FINAL DRAFT

- potentially affected by The Organization.
- An overview of local government and development institutions and programs.
 - An analysis of the major social and environmental issues and conflicts in the area that may be impacted by activities in the Management Unit.
 - Safeguards and measures to identify, assess, analyze, prevent, avoid, mitigate and remedy actual and potential negative social impacts.
 - Programs and activities regarding workers' rights, occupational health and safety, gender equality, indigenous peoples, community relations, local economic and social development, land acquisition (if applicable), stakeholder engagement and resolution of grievances, in line with The Organization's policies and objectives for socially beneficial management.
 - Social monitoring systems planned or in place.
 - References to existing documents used to support the management plan, so as to avoid unnecessary duplication in documentation.
5. Whereas the focus is medium and long term, the management planning may often need to be supplemented by shorter-term annual or operational plans which describe in detail the planned management activities needed to attain the prescribed objectives.
 6. Whenever separate planning documents are needed to give adequate treatment to any of the elements of management planning, such documents are required to comply with any existing FSC guidance.

Rationale

1. This Criterion is designed to ensure appropriate management planning that explicitly and visibly correlates the planned management activities with the available natural resources, and with the social, environmental and economic situation prevailing in and around the Management Unit.
2. Moving the management planning elements into the Explanatory Notes recognizes the need to provide flexibility depending on scale, intensity, and risk and management objectives. This is in line with ISO 14001 and other standards which expect tailor-made planning rather than predefined management plans.
3. The inclusion of social management planning as one component of the management plan is based on the recommendations of the Policy Phase and Technical Phase of the Plantations Review. One of the recommendations of the Policy Working Group of the Plantations Review was that forest managers shall adopt a systematic approach to social issues through implementing a social management system appropriate to the scale and intensity of the operation. Expert Team A of the Technical Phase of the Plantations Review concluded that this could be best achieved through a social management plan.
4. The wording is outcome-orientated, because the required documentation does not follow fixed prescriptions but depends on scale, intensity and risk, the management objectives, and on whether it ensures plans are clearly understood and effectively implemented.
5. The wording improves practicability by clarifying that adjustments can be made, proportionate to scale, intensity and risk, and the management objectives of The Organization. In order to reflect this, elements of the management plan required in current Criterion 7.1 have been moved to Explanatory Note 4 of Criterion 7.2.



FINAL DRAFT

Current 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.

7.3 (new) The *management plan** shall include verifiable targets by which progress towards each of the prescribed management *objectives** can be assessed.

Explanatory Note

1. This Criterion requires the establishment of verifiable targets that allow for measuring how successful the implementation of the management plan is in achieving the objectives as set according to Criterion 7.1. These indicators are the basis for Criterion 8.1, which requires that the achievement of management objectives is monitored.
2. Targets should be expressed quantitatively if possible, to facilitate representation of rates of progress. Examples may include graphs, tables or other forms that are easy to visualize or something easy to verify on the ground.
3. In order to enable The Organization to assess progress towards the management objectives, targets must be selected with regards to their suitability in providing the most direct indication of deviations from predictions and plans.
4. According to Criterion 7.6, affected stakeholders must be engaged in the management planning process, and therefore their input be appropriately considered when the targets require review and revision during periodic updating of the plans. If targets are amended, the reasoning should be carefully recorded in the amended forest management plan.

Rationale

1. Both National Offices and conformity assessment bodies have reported the need for requiring The Organization to define its goals, and means for measuring progress towards these goals.
2. The inclusion of this Criterion is in line with the 'ISO approach' which requires reporting on performance in relation to defined goals.

7.4 (revised 7.2) The Organization shall update and revise periodically the management planning and procedural documentation to incorporate the results of monitoring and evaluation, stakeholder *engagement** or new scientific and technical information, as well as to respond to changing environmental, social and economic

FINAL DRAFT

circumstances.

Explanatory Notes

1. Changing environmental circumstances include effects from climate change.
2. The updating includes feedback in order to close the loop for adaptive management.
3. Examples of changing circumstances include the following.
 - Unforeseen events that cause short-term increases in production which significantly exceed normal levels of responsible forest stewardship, for example, areas damaged by windthrow, fire damage or epidemic pest attack.
 - Surges or collapses in production, or changes in desirable tree species as a result of changing market opportunities.
4. Periodically was retained to allow proper flexibility to ensure the planning remains relevant subject to changes that have occurred since the last planning was completed. Setting a rigid schedule is too prescriptive.

Rationale

As compared to current Criterion 7.2, this revision clarifies that management plan revision and updating needs to take into account the results of stakeholder engagement.

Current 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.

7.5 (revised 7.4) *The Organization* shall make publicly available* a summary of the management plan* free of charge. Excluding confidential information, other relevant components of the management plan shall be made available to affected stakeholders* on request, and at cost of reproduction and handling.*

Explanatory Note

1. The respective elements of the management plan are identified in the Explanatory Note to Criterion 7.2. The elements to be included in the summary depend on the design of the management plan, which in turn must be proportionate to the scale, intensity and risk of the planned management activities (see Criterion 7.2).
2. This Criterion assumes that the publicly available summary of the management plan by its nature excludes confidential information.
3. There is also recognition that the publicly available summary of the management plan may not provide all the detail on issues relevant to an affected stakeholder. In such cases, The Organization needs to provide this necessary detail to the affected stakeholder, at the cost of reproduction and handling, to ensure fairness for all parties.
4. Notwithstanding Explanatory Note 3 above, Principle 3 on indigenous peoples' Rights requires Free, Prior, and Informed Consent. Therefore, the level of detail provided to indigenous peoples needs to be sufficient for informed decisions.
5. Examples of potentially confidential information may include information:
 - related to investment decisions;
 - about intellectual property rights;

FINAL DRAFT

- which is client confidential;
 - which is by law confidential;
 - whose provision could put at risk the protection of wildlife species and habitats; and
 - about sites which are of special cultural, ecological, economic, religious or spiritual significance to indigenous peoples or local communities (see Criteria 3.5 and 4.7) as requested by these groups.
6. For some types of management units with very short and simple management plans, for example small and low intensity managed forests, it might be easier, more effective and efficient to simply make publicly available the entire management plan. If the entire management plan is made publicly available, then a summary is not required.

Rationale

1. This revision clarifies and simplifies the wording as compared to current Criterion 7.4.
2. This wording also distinguishes between affected stakeholders, who may have particular interests that may require more detail than required by the general public, for who a summary management plan is sufficient.

Current Criterion 7.4: While respecting the confidentiality of information, organizations shall make publicly available a summary of the primary elements of the management plan, including those listed in Criterion 7.1.

7.6 (revised 4.4) *The Organization** shall, proportionate to *scale, intensity and risk** of management activities, proactively and transparently engage *affected stakeholders** in its management planning and monitoring processes, and shall engage *interested stakeholders** on request.

Explanatory Notes

1. 'Engaging' or 'engagement' (see also Glossary of Terms) is defined as the process by which The Organization communicates, consults and/or provides for the participation of interested and/or affected stakeholders, ensuring that the concerns, desires, expectations, needs, rights and opportunities for the stakeholders are considered in the establishment, implementation and updating of the management plan (Source: FSC 2011).
2. 'Considered' in the context of engagement, means that The Organization, based on a review of the input and requests put forward by stakeholders, determines the degree to which their concerns, desires, expectations, needs, rights and opportunities must be addressed in the management plan. The Organization is not necessarily required to respond positively to all requests being made.
3. There are two types of stakeholders: interested and affected. Although FSC recognizes that both types may have legitimate interests in being engaged, FSC also recognizes that The Organization has higher responsibilities towards affected stakeholders. For example, unlike interested stakeholders, affected stakeholders may suffer from direct negative impacts from management activities. The level of response to interested stakeholders needs to be reasonable, in order to address new and legitimate issues not raised by affected stakeholders, while not causing unnecessary burden on The Organization.



FINAL DRAFT

4. This Criterion clarifies the differences between stakeholders by requiring The Organization to proactively engage affected stakeholders in planning and monitoring related to the Management Unit. Such proactive engagement is not required for interested stakeholders. Additional guidance on consultation processes is provided in of FSC-STD-30-010 Controlled Wood Standard for Forest Management Enterprises, Section 1.3.
5. 'Proactively' in this context means that The Organization takes the initiative in identifying, informing, reaching out to, and leading the engagement with affected stakeholders concerning planning and monitoring processes, rather than waiting for the stakeholders to approach The Organization. Informing stakeholders requires that they are aware of their rights for engagement as provided in the Principles and Criteria.
6. The different levels of responsibility also become clear from the definitions of interested and 'affected stakeholders' (see Glossary of Terms). The definition of interested stakeholder makes clear that the effort required to identify them (they have already indicated an interest or are known to have an interest), is lower than the effort required to identify affected stakeholders, who may not be known or have not made their interests known. It is assumed that interested stakeholders make themselves known to The Organization. In areas where established engagement practices are perceived to be working well, National Offices provide direction in this area, such as in countries with many small landowners and Organizations that act on their behalf.
7. An 'affected stakeholder' (see also Glossary of Terms) is defined as any person, group of persons or entity that is, or is likely to be, subject to the effects of the activities of a Management Unit. Examples include, but are not restricted to (for example in the case of downstream landowners), persons, groups of persons or entities located in the neighborhood of the Management Unit. The following are examples of affected stakeholders; see also FSC-STD-20-012 Standard for Evaluation of FSC Controlled Wood in Forest Management Enterprises.
 - Local communities
 - Indigenous peoples
 - Workers
 - Forest dwellers
 - Neighbors
 - Downstream landowners
 - Local processors
 - Local businesses
 - Tenure and use rights holders, including landowners
 - Organizations authorized or known to act on behalf of affected stakeholders, for example social and environmental NGOs, labor unions, etc.(Source: FSC 2011)
8. An 'interested stakeholder' (see also Glossary of Terms) is defined as any person, group of persons, or entity that has shown an interest, or is known to have an interest, in the activities of a Management Unit. The following are examples of interested stakeholders.
 - Conservation organizations, for example environmental NGOs
 - Labor (rights) organizations, for example labor unions
 - Human rights organizations, for example social NGOs
 - Local development projects



FINAL DRAFT

- Local governments,
 - National government departments functioning in the region
 - FSC National Offices
 - Experts on particular issues, for example High Conservation Values.
- (Source: FSC 2011)
9. It is not always possible to clearly differentiate between affected and interested stakeholders. The same stakeholder may be an interested stakeholder in one situation and an affected stakeholder in another. Local National Offices can provide clarification.
 10. There will likely to be three forms of response to requests and input from interested and affected stakeholders.
 - Modification of the management plan based on full incorporation of requests or inputs.
 - Modification of the management plan based on partial incorporation.
 - No modification of the management plan based on rejection of requests or input.
 11. Complaints arising from how The Organization responds to requests from affected stakeholders are subject to the mechanisms required according to Criteria 2.6 and 4.6. If these do not address the issue(s), then the complaint may be addressed through dispute resolution mechanisms of the conformity assessment body, and ultimately FSC itself if needed; see also FSC-STD-01-005 FSC Dispute Resolution System, FSC-PRO-01-005 Processing Appeals, FSC-PRO-01-008 Processing Complaints in the FSC Certification Scheme, and FSC-PRO-01-009 Processing Formal Complaints in the FSC Certification Scheme.
 12. While recognizing that the Aarhus Convention is aimed at public authorities, further guidance on how to engage stakeholders transparently can also be found in of the Aarhus Convention on Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters (June 1998), Articles 4 to 8, and in many national 'freedom of information' acts.
 13. In order to achieve transparency, stakeholder input as well as decisions made in response to that input must be documented. Ideally, this could be in a separate schedule to the management plan, to be able to demonstrate in the final plan at a later date how input received was incorporated or not, and the reasons for doing so. ISEAL E029 Emerging Initiatives Module 6 (November 2007), Engaging Stakeholders, provides further guidance on engagement.
 14. In some cases, Free, Prior and Informed Consent is required (see Principle 3 for example). In such cases, this will be the basis for decision making, and engagement alone will not suffice.
 15. When engaging indigenous peoples, culturally appropriate methods should be used.

Rationale

1. This Criterion goes back to the recommendations of the Policy Phase and Technical Phase of the Plantations Review, which clearly identified that the responsibility for active stakeholder engagement should lie with the forest manager; in the terminology of the Principles and Criteria, this means 'The Organization'. The need to differentiate between interested stakeholders and affected stakeholders was also recommended, to indicate a different level of required engagement.
2. This is also not an entirely new requirement as suggested in previous drafts of the revised Principle and Criteria, because current Criterion 4.4 already requires



FINAL DRAFT

consultation.

Current 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.

8 Principle 8 (revised): Monitoring and Assessment

*The Organization** shall demonstrate that, progress towards achieving the management objectives*, the impacts of management activities and the condition of the *Management Unit**, are monitored and evaluated, proportionate to the *scale, intensity and risk** of management activities, in order to implement *adaptive management**.

Explanatory Notes

1. The following table provides an overview of the desired outcomes of all Criteria under Principle 8.

Criteria in Principle 8	Desired outcome for each Criterion
8.1 – Management plan monitoring	The Organization monitors the implementation of the management plan, its policies and objectives as well as its progress with planned activities and achievement of its targets.
8.2 – Monitoring and evaluation of social and environmental impacts	The Organization monitors and evaluates the environmental and social impacts of its management activities and changes in environmental conditions.
8.3 – Analysis of monitoring and evaluation	The results of monitoring and evaluation are analyzed and fed back into the planning process.
8.4 – Publication of monitoring results	A summary of the monitoring results is publicly available free of charge.
8.5 – Tracking and tracing	The Organization has a tracking and tracing system for documenting the source and volume of products from the Management Unit in proportion to the projected output of each year.

2. The main objective of monitoring is to allow The Organization to implement adaptive management. This objective also determines the intensity, frequency, scheme, schedules and procedures for monitoring. There is flexibility regarding all these factors, as long as the monitoring enables adaptive management.
3. Also, in order to fulfill this objective, monitoring procedures need to be ‘fit for purpose’, consistent and replicable over time, suitable for quantifying changes over time, and suitable for identify risks and unacceptable impacts.
4. The overall set up of the monitoring system also depends on the scale, intensity and risk of management activities. Some monitoring variables deal with issues with high levels of risk. Examples include variables for which there is a high risk of not achieving targets, or management activities which could cause negative social, economic or

FINAL DRAFT

- environmental impacts. Risk is also high when knowledge of the likelihood of negative impacts is weak. Such variables need to receive priority in monitoring systems.
5. In small operations, the risk is normally low enough that the level of monitoring required will be small.
 6. For adaptive management, The Organization needs to be able to estimate the level of changes that occur and what proportion of changes can be attributed to the following.
 - Management activities, and hence to the cost-efficiency and technical effectiveness of management plans and their implementation for attaining The Organization's objectives.
 - Natural processes such as seasonal changes within each year, or climate changes.
 - External changes such as market changes, economic cycles, etc.
 - Inexplicable, residual effects.
 7. Criterion 8.1 deals with monitoring the implementation of the management plan.
 8. Criterion 8.2 deals with monitoring and evaluation of the environmental and social impacts of management activities, as well as changes in the environmental condition of the Management Unit.
 9. Criterion 8.3 deals with the analysis of the results of monitoring and evaluation, for feedback into the periodic revision of the management plan, as required according to Criterion 7.4. The objective is to ensure lesson-learning and continuous improvement in the quality of management, consistent with the adaptive management approach described in Principle 7.
 10. To improve transparency, Criterion 8.4 requires The Organization to publish non-confidential results of monitoring, and Criterion 8.5 requires that not only activities, objectives and impacts are monitored, but also the provenance and quantity of products.
 11. This Principle requires that monitoring is carried out. However, monitoring does not have to be implemented by The Organization itself. The Organization can draw upon monitoring undertaken by third parties if the data are relevant, comparable and transferrable.
 12. According to Criterion 7.6, affected stakeholders need to be engaged in the monitoring processes.

Rationale

1. Risk was added to ensure the appropriate level of monitoring, and to minimize the hazards of negative impacts which might be caused by management activities.
2. The wording was updated to emphasize the adaptive management process.
3. The wording incorporates quality aspects of monitoring such as appropriateness to scale and intensity, replicability, etc., of current Principle 8 and Criterion 8.1.

Current Principle 8: 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.

Current 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.

FINAL DRAFT

8.1 (new) *The Organization** shall monitor the implementation of its *management plan**, including its policies and *objectives**, its progress with the activities planned, and the achievement of its verifiable targets.

Explanatory Notes

1. Management objectives have to be established according to Criterion 7.1. Verifiable targets must be established and integrated into the management plan (Criterion 7.2) according to Criterion 7.3. One example would be that The Organization establishes according to Criterion 7.1 and 7.3, the objectives and targets for harvesting rates and yields of products and services that according to Criterion 5.2 do not impair the long term ability of the Management Unit to continue providing these products and services. Monitoring according to Criterion 8.1 then assesses whether these targets are met. Preferably, this should be done in line with the planning cycles, so that timely data can influence decision making at an early stage. Since the objective includes 'not impairing the ecosystem functions', monitoring would need to include the changes of the conditions of the Management Unit, with and without interventions.
2. Some examples of variables for which verifiable targets could be established based on the management objectives include the following.
 - Site productivity, yield of all products harvested
 - Growth rates, regeneration and condition of the vegetation
 - Composition and observed changes in the flora and fauna
 - Water quality and quantity
 - Soil erosion, compaction, fertility and carbon content
 - Wildlife populations, biodiversity and status of High Conservation Values
 - Stakeholder satisfaction with engagement
 - Benefits of management operations provided to local communities
 - Number of occupational accidents
 - Overall economic viability of the Management Unit

Rationale

This Criterion links monitoring to the implementation of the management plan, as one step in the process of adaptive management, and thus closes a gap in the current Principles and Criteria.

8.2 (revised 8.2) *The Organization** shall monitor and evaluate the environmental and social impacts of the activities carried out in the *Management Unit**, and changes in its environmental condition.

Explanatory Notes

1. Environmental conditions could include reference and current levels of :
 - carbon stock in biomass;
 - growth rates, regeneration and condition of the vegetation
 - water quality and quantity;

FINAL DRAFT

- soil erosion, compaction, fertility and carbon content; and
 - wildlife populations, biodiversity and status of High Conservation Values.
2. This Criterion provides flexibility with regards to the intensity, frequency, scheme, schedules and procedures for monitoring chosen by the manager as long as they enable The Organization to detect negative impacts, and deviations from its management objectives.
 3. In order to assess changes that take place over time, monitoring procedures need to allow for comparison of results between assessment periods, and for estimations of rates and directions of change. This implies that baseline data exists. For example, Criterion 6.1 requires the assessment of environmental values in the Management Unit.

Rationale

1. Monitoring of the impacts of activities and changes in environmental conditions is another step in the process of adaptive management.
2. This Criterion allows adaptation of monitoring to scale, intensity and risk, by removing 'at a minimum' as used in current Criterion 8.2.

Current 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.

8.3 (revised 8.4) *The Organization** shall analyze the results of monitoring and evaluation and feed the outcomes of this analysis back into the planning process.

Explanatory Notes

1. Management objectives, targets and activities are interrelated. The management objectives will determine the targets and the planned management activities. The actual implementation of these management activities on the ground and their impacts will affect achievement of the predetermined targets and management objectives.
2. This Criterion closes the adaptive management loop by linking the results of monitoring with the planning process. According to Criterion 7.4, the management planning must be updated periodically in response to the results of monitoring and evaluation.
3. If the analysis shows that the original management objectives, planned targets and progress of management activities are not fully appropriate or achievable, the adaptive management approach requires that they are changed. The changed management objectives and plans must still ensure compliance with the Principles and Criteria.

Rationale

This Criterion links monitoring to the periodic updating of the management plan and thus closes the loop of adaptive management.

Current Criterion 8.4: The results of monitoring shall be incorporated into the implementation and revision of the management plan.



FINAL DRAFT

8.4 (revised 8.5) *The Organization** shall make *publicly available** a summary of the results of monitoring free of charge, excluding confidential information.

Explanatory Notes

1. 'Publicly available' (see also Glossary of Terms) is defined as in a manner accessible to or observable by people generally (Source: Collins English Dictionary, 2003 Edition). In this Criterion it means that anybody can access the summary at any time, without having to request its reproduction or other form of making it available. This could be by depositing briefs in offices that are publicly accessible, on websites etc. or any form of communication that allows the reader to remain incognito.
2. For some types of Management Units with very short and simple management plans, for example small and low intensity managed forests, it might be easier, more effective and efficient to simply make publicly available the entire monitoring report. If the entire monitoring report is made publicly available, a separate summary is no longer required.
3. Potential examples of confidential information include information related to intellectual property rights and traditional ecological knowledge, and commercially sensitive material.
4. This Criterion also applies to the result of monitoring of High Conservation Values according to Criterion 9.4.

Rationale

Clarification of the right to exclude confidential information and simplification of wording.

Current 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.

8.5 (revised 8.3) *The Organization** shall have and implement a tracking and tracing system proportionate to *scale, intensity and risk** of its management activities, for demonstrating the source and volume in proportion to projected output for each year, of all products from the *Management Unit** that are marketed as FSC certified.

Explanatory Notes

1. Forest products must be covered by a valid chain of custody certificate or by a joint forest management/chain of custody certificate, in order to carry the FSC Logo and to enter into further chains of custody; see FSC-STD-20-007 Forest Management Evaluations. The tracking and tracing system referred to in this Criterion is the basis for assessing whether a chain of custody or joint forest management/chain of custody certificate can be issued to The Organization. Hence, this Criterion only applies to situations where the intent is that products from the Management Unit are marketed as FSC certified.
2. Criterion 1.5 stipulates compliance with legal requirements in relation to transport and trade from stump or other location within the Management Unit to the forest gate or the first point of sale. Criterion 1.5 applies whether or not FSC Chain of Custody certification is sought.



FINAL DRAFT

3. This Criterion also supports compliance with CITES requirements.
4. This Criterion requires the demonstration of the source and volume of all products in proportion to projected outputs to ensure that claimed volumes of output do not exceed actual volumes of output. This is needed as one of the checks against 'greenwashing' of uncertified products including the intrusion of products that have been illegally harvested inside or outside the Management Unit.

Rationale

1. The revision clarifies that chain of custody certification allows flexibility depending on scale, intensity and risk.
2. This is in agreement with FSC-STD-20-007 Forest Management Evaluations, Section D, which stipulates that chain of custody certification is only required when products from the Management Unit are intended to be marketed as FSC certified.

Current Criterion 8.3: Documentation shall be provided by The Organization to enable monitoring and certifying organizations to trace each forest product from its origin, a process known as the 'chain of custody'.

9 Principle 9 (revised): High Conservation Values

The Organization shall maintain and/or enhance the High Conservation Values* in the Management Unit* through applying the precautionary approach*.*

Explanatory Notes

1. The following table provides an overview of the desired outcomes of all Criteria under Principle 9.

Criteria in Principle 9	Desired outcome for each Criterion
9.1 – Assessment of High Conservation Values	The Organization through engagement with stakeholders has assessed and recorded the presence of High Conservation Values in the Management Unit.
9.2 – Maintenance and enhancement of High Conservation Values	The Organization through engagement with affected and interested stakeholders has developed effective strategies that maintain and/or enhance the High Conservation Values as identified according to Criterion 9.1.
9.3 – Implementation of strategies and actions	Strategies and actions that maintain or enhance the identified High Conservation Values are implemented in line with the precautionary approach.
9.4 – Monitoring	Periodic monitoring for assessing changes in the status of High Conservation Values is carried out. When needed, The Organization adapts its management strategies to ensure the effective protection of the High Conservation Values.



FINAL DRAFT

2. The Criteria under this Principle are structured to follow a process of assessing the presence of High Conservation Values (Criterion 9.1), the development of strategies for their maintenance and enhancement (Criterion 9.2), the implementation of these strategies and activities (Criterion 9.3), and finally, monitoring of changes and adaptive management, where needed for protection of the High Conservation Values (Criterion 9.4).
3. This Principle uses the term High Conservation Values (HCVs) and not High Conservation Value Areas/areas (HCV Areas), to avoid the confusions that arose with the term High Conservation Value Forests (HCVFs). Some people interpreted the HCVFs as being the whole certified Management Unit, since these Management Units 'contain' the significant concentrations, rare or threatened ecosystems, basic ecosystem services, etc. Some people interpreted the HCVFs as the separate, strictly defined sites actually occupied by each HCV attribute, such that a certified Management Unit may contain several different HCVFs, each with different HCVs. Other people interpreted the HCVFs as the areas that require special management provisions in order to 'maintain or enhance the attributes' of HCVs. It is now proposed that the main obligation is to maintain or enhance the specific HCVs themselves. This requires particular management activities ranging over different areas as needed. The protection of any one HCV may require management decisions governing logging, hunting, collection of non-timber forest products, etc. with management rules or guidelines extending over areas of different sizes. There is no single 'HCV Area'.
4. The 'precautionary approach' (see also Glossary of Terms) requires that when the available information indicates that management activities pose a threat of severe or irreversible damage to the environment or a threat to human welfare, The Organization will take explicit and effective measures to prevent the damage and avoid the risks to welfare, even when the scientific information is incomplete or inconclusive, and when the vulnerability and sensitivity of environmental values are uncertain (Source: Based on Principle 15 of Rio Declaration on Environment and Development, 1992, and Wingspread Statement on the Precautionary Principle of the Wingspread Conference, 23-25 January 1998). The reference to 'severe or irreversible damage' comes directly from Principle 15 of the Rio Declaration on Environment and Development (1992). For FSC purposes, High Conservation Values are considered so valuable for the environment or for human welfare that a threat to a High Conservation Value is considered to be a 'threat of severe or irreversible damage'.
5. A 'threat' (see also Glossary of Terms) is defined as an indication or warning of impending or likely damage or negative impacts (Source: Based on Oxford English Dictionary).
6. Principle 6 deals with routine protection of environmental values, for example species and habitats. In contrast, this Principle deals with unique or exceptional concentrations or exceptionally important values which require extra precautions by The Organization including the precautionary approach amongst others, to maintain and/or enhance those values.
7. The FSC Principles and Criteria cover all types of vegetation and space within the boundary of the certified Management Unit. Any High Conservation Values that occur in the management unit, including those in non-forest ecosystems, are covered by Principle 9; see Criterion 9.1.
8. Where High Conservation Values have been identified in the Management Unit, activities related to their protection and maintenance should be described in the



FINAL DRAFT

- management planning documents, in order to comply with Criterion 7.2 (see Criterion 7.2, Explanatory Notes 3 and 4).
9. Where High Conservation Values have been identified in the Management Unit, monitoring to detect changes in the status of High Conservation Values would be required for compliance with Criteria 8.2 and 9.4.
 10. The Organization is obliged to maintain or enhance the High Conservation Values at the time of certification. By implication, and under Principle 6, it is also expected to restore High Conservation Values and other values that have been negatively affected by the activities of The Organization, as far as is reasonable and possible, to the levels that existed before they were negatively affected. However, The Organization is not necessarily obliged to restore High Conservation Values that were affected by factors beyond the control of The Organization, for example by natural disasters, climate change, previous managers, or the legally authorized activities of third parties (such as public infrastructure, mining, hunting or settlement). The Organization is also not obliged to restore High Conservation Values that may have existed at some time in the historic or pre-historic past. The word 'enhance' indicates that The Organization is expected to take measures to improve the scale or quality of existing High Conservation Values, responding to suggestions from experts and affected stakeholders where these are feasible and cost-effective.

Rationale

1. The revision of the title and this Principle is in line with the FSC Policy that all vegetation types within the management unit are covered by the Principles and Criteria; see FSC-POL-10-004 Scope of Application of the FSC Principles and Criteria for Forest Stewardship.
2. The condensing of the Principle reduces ambiguity.

Current 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.

9.1 (revised 9.1) *The Organization**, through *engagement** with *affected stakeholders**, *interested stakeholders** and other means and sources, shall assess and record the presence and status of the following *High Conservation Values** in the *Management Unit**, proportionate to the *scale, intensity and risk** of impacts of management activities, and likelihood of the occurrence of the High Conservation Values:

HCV 1 - Species diversity. Concentrations of *biological diversity** including endemic species, and *rare, threatened or endangered** species, that are significant at global, regional or national levels.

HCV 2 - Landscape-level ecosystems and mosaics. Large landscape-level *ecosystems** and ecosystem mosaics that are significant at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.

HCV 3 - Ecosystems and habitats. Rare, threatened, or endangered ecosystems, *habitats** or *refugia**.

HCV 4 - Critical ecosystem services. Basic *ecosystem services** in critical situations,



FINAL DRAFT

including protection of water catchments and control of erosion of vulnerable soils and slopes.

HCV 5 - Community needs. Sites and resources fundamental for satisfying the basic necessities of *local communities** or *indigenous peoples** (for livelihoods, health, nutrition, water, etc.), identified through engagement with these communities or indigenous peoples.

HCV 6 - Cultural values. Sites, resources, habitats and *landscapes** of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or indigenous peoples, identified through engagement with these local communities or indigenous peoples.

Explanatory Notes

1. This Criterion requires the assessment of the entire space of the Management Unit for the presence and status of all six kinds of High Conservation Values. The six are now in this Criterion instead of only the Glossary of Terms, to make it clear that Principle 9 refers to High Conservation Values as defined by FSC, and to avoid the impression that different High Conservation Values may be developed in different standards. HCVs 1, 2, 3 are values which are significant mainly at the global, regional and national levels. HCVs 4, 5 and 6 are values which are significant mainly at the local levels.
2. Consultations should include engagement with affected and interested stakeholders and local communities (see Explanatory Notes of Criterion 7.6), and also with relevant specialists, experts and authorities in these fields.
3. Other sources may include the following:
 - The FSC Global Risk Register: <http://globalforestrisk.nepcon.net>
 - HCV maps, records, inventories provided for example by local or national authorities'
 - Literature and databases, range maps, field evaluations, etc., and
 - The HCV Resource network.
4. Compliance with this Criterion would require that records of the results of the assessment are provided in formats which are accessible and meaningful to stakeholders, for example maps of appropriate scales. This is an important component for ensuring appropriate stakeholder engagement.
5. Some national or local authorities implement strategies for maintaining and/or enhancing High Conservation Values in the Management Unit, based on national or local laws that equal or exceed the Criteria under Principle 9. In these cases, The Organization is not required to duplicate the efforts of the authority. The Organization's strategy may simply be to collaborate with the appropriate authority.
6. For the purposes of Principal 9, HCVs 1, 2 or 6, there are three main forms of recognizing significance (see also Glossary of Terms).
 - A designation, classification or recognized conservation status, assigned by an international agency such as IUCN or Birdlife International.
 - A designation by national or regional authorities, or by a responsible national conservation organization, on the basis of its concentration of biodiversity.
 - A voluntary recognition by the manager, owner or Organization, on the basis of available information, or of the known or suspected presence of a significant biodiversity concentration, even when not officially designated by other agencies.



FINAL DRAFT

Any one of these forms will justify designation as HCVs 1, 2 or 6. Many regions of the world have received recognition for their biodiversity importance, measured in many different ways. Existing maps and classifications of priority areas for biodiversity conservation play an essential role in identifying the potential presence of HCVs 1, 2 and 6 (Source: FSC 2011).

7. A 'concentration of biodiversity' is designated as HCV 1 when it is 'significant' at global, regional or national level.
8. Effective protection of High Conservation Values will often require mapping, delimitation and signposts, but these are not always necessary or appropriate.
9. 'Likelihood of their occurrence' means that the intensity of assessments should be proportionate to the scale, intensity and risk of negative impacts of management activities. For High Conservation Values, the intensity of assessments should also take account of the likelihood of discovering any HCVs. If local expert and stakeholder opinion has a clear consensus opinion about what High Conservation Values are believed to occur, and especially if the danger of negative impacts of management is minimal, then it should not be necessary to carry out detailed and costly surveys at an early stage. For example, if rare or threatened ecosystems are known to occur, if they are not believed to be at risk, and if the area is assigned to full protection, then detailed biological surveys are not always or immediately necessary.
10. HCV 6 makes it clear that (1) the values with recognized national or global importance should be conserved, even when they are not necessarily valued by the communities now living in or near the Management Unit, and (2) values of critical importance to indigenous peoples should be conserved even when those indigenous peoples are not now living in or near the Management Unit.
11. HCV 2 does not require detailed surveys of species and eco-site designations, but it does require a general understanding of whether the great majority of the species typical of the ecosystems in the Management Unit are still present in viable populations. Assessment of viable populations should not require scientific monitoring, but rather a conclusion based on the presence of effectively regenerating populations, or the retained capacity to regenerate and survive, as demonstrated by the presence of relevant habitats and habitat structure, condition, composition and connectivity.
12. The concept of fundamentality (or criticality), relates to irreplaceability, and cases where loss or major damage to a High Conservation Value would cause serious prejudice or suffering to affected stakeholders.
13. An ecosystem service is considered to be 'critical' (see HCV 4), where a disruption of that service is likely to cause, or poses a threat of, severe negative impacts on the welfare, health or survival of local communities, on the environment, on High Conservation Values, or on the functioning of significant infrastructure (roads, dams, buildings, etc.). The notion of criticality here refers to the importance and risk for natural resources and environmental and socio-economic values.
14. The attributes which constitute the High Conservation Values are associated with biological diversity, ecosystems, habitats, sites, services and resources of exceptional value for ecological and environmental conservation, or for their socio-economic importance for directly affected stakeholders and communities.
15. Climate regulation is one of the ecosystem services included in HCV 4.
16. The storage, sequestration, fluxes and cycling of carbon, and of other elements and compounds, are treated here as ecosystem functions, and are protected under Principle 6.

FINAL DRAFT

17. HCV 2 is mainly designed to cover large forests, but the reference to ecosystem mosaics ensures that other large ecosystems, or mosaics of ecosystems, are also included, when they are recognized as being significant, and fulfilling the requirement for species and populations.
18. 'Refugia' are included with ecosystems and habitats in HCV 3. Exceptional species which may be found in, for example, Pleistocene refugia, would normally be covered in HCV 1. The same areas, if they are rare ecosystems and habitats, and also seasonal refugia, are covered in HCV 3.
19. The wording of HCV 5 does not exclude the cash economy as derived from the Management Unit, but it is not expected to cover reserves of land for future cultivation.

Rationale

1. The revision of Criterion 9.1 is in line with the FSC policy that all vegetation types in the Management Unit are covered by the FSC Principles and Criteria.
2. The revised wording clarifies this Criterion because it identifies the relevant High Conservation Values.
3. This Criterion replaces the definition of the four attributes of High Conservation Value Forests (HCVF) in the Glossary of the current Principles and Criteria, and FSC-STD-30-010 Controlled Wood Standard for Forest Management Enterprises. The wording has been revised to focus on all ecosystems, not only forests, and to raise the profile of the High Conservation Values up to the level of a Criterion. Glossaries in other FSC standards will have to be revised once the revised Principles and Criteria have been adopted.
4. The current High Conservation Values, especially HCV 2, use words which were considered difficult to audit, such as significant, large, major, viable, most, natural, basic, critical and fundamental. The main effect of HCV 2 is to give special protection to large, relatively intact natural forests, although this protection is already provided by other Criteria, including those that protect biological diversity and landscape values and prevent conversion.
5. Several FSC members have suggested that High Carbon Forests and Intact Forest Landscapes should be classified as HCVs, especially to avoid release of their stored carbon, but there is to date, no consensus for how these concepts can best be incorporated into the Principles and Criteria.

Current 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.

9.2 (revised 9.2) *The Organization** shall develop effective strategies that maintain and/or enhance the identified *High Conservation Values**, through *engagement** with *affected stakeholders**, *interested stakeholders** and experts.

Explanatory Notes

1. For likely groups of affected and interested stakeholders to be engaged, see FSC-STD-20-012 Standard for Evaluation of FSC Controlled Wood in Forest Management, Annex 2. See also Criterion 7.6 which addresses management planning engagement.



FINAL DRAFT

2. Strategies may or may not require active interventions or documentation, to be decided on a case by case basis. Some High Conservation Values are best protected by avoiding all interventions.
3. This Criterion requires maintenance and/or enhancement of the identified High Conservation Values in the Management Unit, irrespective of whether they are already protected outside the Management Unit or in other Management Units of The Organization.
4. Where High Conservation Values exist, the measures for their identification and maintenance must be included in the management plan (see Explanatory Notes of Criterion 7.2).

Rationale

This Criterion implements and clarifies the requirement in line with FSC-ADV-30-901 Interpretation of Criterion 9-2, and Statutory Motion 4 (incorporated in Statutory Motion 7) approved at the FSC General Assembly 2005. This removes from the Criterion the directive to conformity assessment bodies regarding the consultative portion of the certification process, and places the requirement on The Organization.

Current Criterion 9.2: The consultative portion of the certification process must place emphasis on the identified conservation attributes, and options for the maintenance thereof.

9.3 (revised 9.3) *The Organization** shall implement strategies and actions that maintain and/or enhance the identified *High Conservation Values**. These strategies and actions shall implement the *precautionary approach** and be proportionate to the *scale, intensity and risk** of management activities.

Explanatory Notes

1. According to Criterion 7.2, where High Conservation Values exist the strategies must be included in the management plan and published according to Criterion 7.5.
2. The FSC definition of 'precautionary approach' (see also Glossary of Terms) is to be used for applying this Criterion. Not all management impacts on environmental and social values pose a threat of severe or irreversible damage to the environment or a threat to human welfare. However, High Conservation Values are considered to be critical, fundamental, significant or valuable, so any threat to a High Conservation Value is considered to be a threat of severe or irreversible damage, and The Organization will take explicit and effective measures to prevent the damage and avoid risks. In cases of doubt about the presence of High Conservation Values, The Organization should take measures to resolve the doubts, and to set appropriate management strategies, actions and monitoring. These measures are required even when the scientific information is incomplete or inconclusive (remembering that scientific information is never complete), so decisions should be based on the reasonable likelihood or meaningful probability of the occurrence of High Conservation Values, according to the information available.

Rationale

The revision removes ambiguous words from the current Criterion 9.3.

Current Criterion 9.3: The management plan shall include and implement specific



FINAL DRAFT

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.

9.4 (revised 9.4) *The Organization** shall demonstrate that periodic monitoring is carried out to assess changes in the status of *High Conservation Values**, and shall adapt its management strategies to ensure their effective protection. The monitoring shall be proportionate to the *scale, intensity and risk** of management activities, and shall include *engagement** with *affected stakeholders**, *interested stakeholders** and experts.

Explanatory Notes

1. This Criterion recognizes that the frequency of monitoring depends on the specific situation, for example:
 - nature of the High Conservation Values (for example, its ecology and particular attributes);
 - options for the management of the High Conservation Values; and
 - scale, intensity and risk of impacts.This could require regular monitoring as well as sporadic monitoring. It could range from daily monitoring during management activities, to monthly, annually or less frequently.
2. The results of the assessment according to Criterion 9.1 provide the baseline for determining whether changes are taking place.
3. Intensity and frequency of monitoring are also addressed in Principle 8.
4. This Criterion does not assume that changes in status are always a result of the management activities. Monitoring also includes changes which are not caused by human activities.
5. This Criterion requires that monitoring is carried out. However, monitoring does not have to be implemented by The Organization itself. The Organization can draw upon monitoring undertaken by third parties if the data are relevant, comparable and transferrable (see also Explanatory Notes to Principle 8).

Rationale

1. This revision recognizes that changes are not always caused by human activities.
2. The deletion of 'annual' allows the monitoring frequency to vary according to the nature of the High Conservation Values.

Current Criterion 9.4: Annual monitoring shall be conducted to assess the effectiveness of the measures employed to maintain or enhance the applicable conservation attributes.

Principle 10 (new): Implementation of Management Activities

Management activities conducted by or for *The Organization** for the *Management Unit** shall be selected and implemented consistent with The Organization's economic, environmental and social policies and *objectives** and in compliance with the *Principles** and *Criteria** collectively.

Explanatory Notes

1. The following table provides an overview of the desired outcomes of all Criteria under



FINAL DRAFT

Principle 10.

Criteria in Principle 10	Desired outcome for each Criterion
10.1 – Regeneration methods	Natural or artificial regeneration methods start in a timely fashion after harvesting and result in pre-harvesting or more natural vegetation cover.
10.2 – Species selection for regeneration	Species ecologically well adapted to the site and management objectives are used for regeneration. Native species and local genotypes are used unless the use of others is justified.
10.3 – Alien species	Alien species are only used if invasive impacts can be controlled and are effectively mitigated.
10.4 – Genetically modified organisms	The Organization does not use genetically modified organisms in the Management Unit.
10.5 – Silvicultural practices	The silvicultural practices used by The Organization are appropriate for the vegetation, species, sites and management objectives.
10.6 – Fertilizers	The Organization aims at avoiding or eliminating fertilizers, and when using them, prevents, mitigates and repairs any damage caused.
10.7 – Pesticides	The Organization uses integrated pest management and silviculture systems which avoid or aim to eliminate chemical pesticides, and when using pesticides, prevents, mitigates and repairs damage. FSC-prohibited pesticides are not used.
10.8 – Biological control agents	The Organization uses biological control agents in accordance with internationally accepted scientific protocols and prevents, mitigates and/or repairs damage.
10.9 – Natural hazards	The Organization implements activities that reduce potential negative impacts from natural hazards.
10.10 – Infrastructure and silviculture	Infrastructural development, transport activities and silviculture are managed so that water resources and soils are protected. Disturbance and damage to rare and threatened species, habitats, ecosystems and landscape values are prevented, mitigated and/or repaired.
10.11 – Harvesting and extraction	Activities associated with harvesting and extraction of products are managed so that environmental values are conserved, merchantable waste is reduced and damage to other products and services is avoided.
10.12 – Waste disposal	Waste is disposed of in an environmentally appropriate manner.

- This Principle covers the operational aspects of the policies, objectives and procedures developed and described through the planning processes covered by Principle 7. This



FINAL DRAFT

Principle lays down the requirements to be fulfilled by management activities without being technically prescriptive, to allow The Organization to comply with the environmental requirements of Principles 6 and 9 and the economic elements of Principle 5.

3. This Principle starts with implementation activities related to regeneration, then stand tending and silviculture, and finally harvesting activities.
4. Management activities typically include road building, harvesting, and silvicultural practices.
5. This Principle is not specific to plantations. It is applicable to all vegetation types and management systems. However, at national and regional levels, additional Criteria may be provided for locally important and/or special types of vegetation and categories of products and ecosystem services from Management Units (FSC-STD-60-002 Structure and Content of National Forest Stewardship Standards, Section 3.2).

Rationale

1. Current Principle 10 is confined to plantations, and added to the Principles and Criteria in February 1996. The final report of the Policy Working Group of the Plantations Review (October 2006) recommended dissolution of Principle 10 into Principles 1 to 9.
2. This recognizes that it is not useful for FSC to have a policy that indicates that all kinds of vegetation within the Management Unit are covered by the Principles and Criteria (see FSC-POL-10-004 The Scope of Application of the FSC Principles and Criteria for Forest Stewardship, and supporting FSC-DIS-01-001), and at the same time make separate provision for just one category of vegetation (plantations).

10.1 (new) After harvest or in accordance with the *management plan*^{*}, *The Organization*^{*} shall, by natural or artificial regeneration methods, regenerate vegetation cover in a timely fashion to pre-harvesting or more natural conditions.

Explanatory Notes

1. The pre-harvest condition provides the baseline for regeneration requirements after harvest.
 - For an existing plantation, the species harvested may be the same as the one(s) used to regenerate. However, there may be solid ecological, social and economic reasons for changing the species. The chosen species must be ecologically well adapted to the site and the management objectives (Criterion 10.2). For alien species, it must be shown that the invasive impacts can be controlled and that effective mitigation measures are in place (Criterion 10.3).
 - For natural forests, the first consideration for regeneration is to determine if the pre harvest condition was indeed purely natural, or the result of previous harvesting activities or natural events that have left the area in a degraded condition. The objective may be to improve degraded areas, once harvested, to more natural conditions.
2. For natural forests, the ultimate objective is to ensure a relatively natural abundance of species for both population and size range, across the space of the Management Unit. This may be demonstrated by following the concept of 'range of natural variation', since forests do not remain static over time. This allows The Organization some flexibility on a stand level or harvest area level as long as the species diversity across the Management

FINAL DRAFT

Unit is within the range of natural variation, while allowing native species the possibility of migration resulting from climate change.

3. The period required for regeneration is typically shorter for areas to be planted (artificial regeneration) than areas assigned or selected for natural regeneration. However, this Criterion does not give preference to planting as a way to shorten the period for regeneration, because in certain cases natural regeneration approaches are more suitable.
4. Regeneration practices must not violate the requirements under Principle 6. They cannot lead to conversion (Criteria 6.9 and 6.10), losses of genetic and species diversity measured at the Management Unit level, or damage to other environmental values.
5. The potential positive and negative impacts of the chosen regeneration practices need to be addressed in compliance with Criteria 6.2 and 6.3. This Criterion is not only applicable after harvest. Regeneration might be needed because of a variety of other reasons as specified in the management plan.
6. 'Timely fashion' means that The Organization cannot unduly postpone regeneration. This means that regeneration after harvesting takes place within a timeframe
 - that protects affected environmental values, for example, exposed soils where these are at risk of erosion, and
 - is suitable to recover the productivity, full stocking and optimum growth rates of the managed species in order to maintain or enhance overall production from the Management Unit.

Rationale

1. This Criterion requires The Organization to regenerate the products and services it harvests from the Management Unit.
2. This Criterion also ensures that regeneration is conducted in a timely fashion, allowing for differences between artificial and natural approaches.
3. Appropriate differences are made between plantations and natural forests, as well as natural forests in a degraded state.

10.2 (revised 10.4 and 10.8) *The Organization** shall use species for regeneration that are ecologically well adapted to the site and to the management *objectives**. The Organization shall use *native species** and local *genotypes** for regeneration, unless there is clear and convincing justification for using others.

Explanatory Notes

1. Recognizing that this might not always be the case, and that each situation must be considered on its merits, FSC prefers the use of local species and genotypes. This is because the communities they form are (1) usually more favorable for other local species of plants and animals than communities dominated by alien species, and (2) expected to be more resilient to unpredictably changing circumstances including the effects of climate change. This resilience may require using genotypes from different climatic regions, or improvement through plant breeding.
2. This approach is also supported by legal requirements increasingly including recognition of the need for genetic diversity, in order to accommodate unpredictable effects of climate change; for example, the EU Directive on Forest Reproductive Material.
3. The preference for native species extends to all species in the Management Unit, not

FINAL DRAFT

- only the trees for harvesting; for example, soil cover crops and understory shrubs for feeding and browsing by wildlife and domesticated animals.
4. Notwithstanding Criterion 10.1, ecologically well adapted species may include alien species. However, The Organization needs to demonstrate that alien species have the ability to thrive in local conditions, and any invasive tendencies will need to be controlled as per Criterion 10.3.
 5. Clear and convincing justification for using species other than native species and local genotypes, includes ecological elements as well as other reasons.

10.3 (revised 6.9 and 10.8) *The Organization** shall only use *alien species** when knowledge and/or experience have shown that any invasive impacts can be controlled and effective mitigation measures are in place.

Explanatory Notes

1. The term 'alien species' is used in accordance with the definition in the Convention on Biological Diversity. Alien species (see also Glossary of Terms) is defined as a species, subspecies or lower taxon, introduced outside its natural past or present distribution; includes any part, gametes, seeds, eggs, or propagules of such species that might survive and subsequently reproduce (Source: Convention on Biological Diversity (CBD), Invasive Alien Species Programme. Glossary of Terms as provided on CBD website).
2. Any species may become invasive in some situations, but this Criterion is designed to prevent or deal with invasiveness in and around the Management Unit. The ability to manage a community by natural regeneration may be a major advantage, and requires some small degree of invasiveness in the regenerated species. The 'reasonableness test' for controlling invasive impacts is intended to be used so that it is not meant to be a 'zero tolerance' interpretation.
3. According to Criterion 1.3, which requires The Organization to comply with the legal obligations associated with the right to operate in the Management Unit, The Organization must comply with national and/or local laws for monitoring and control of alien species. Note that this legal compliance may involve management activities which are contrary to Criterion 10.2. According to FSC-STD-20-007 Forest Management Evaluations, Section 8.20, conflicts between laws or regulations and the Principles and Criteria shall be evaluated by the certification body on a case by case basis, in arrangement with the involved or affected parties.
4. Justifications for the use of alien species and non-local genotypes, compatible with Criteria 10.2 and 10.3, may arise in a wide variety of situations and objectives, including resilience to climate change, and should be stated in the management planning documents. National or generic indicators may describe some of these situations.
5. By requiring regeneration of pre-harvest vegetation cover or more natural conditions, Criterion 10.1 would normally prevent the use of alien species for regeneration in natural forests. However, there may be situations where their use is justified, for example as temporary nurse crops to shelter and enhance the growth of preferred native species.
6. The use of alien species is justified if they have been used traditionally, especially before FSC came into existence in 1994, and if the supply of wood or ecosystem services from the Management Unit has demonstrably reduced the degradation of natural forest in the region or country. This can be demonstrated where there is significant natural forest formally protected and managed by a legally recognised

FINAL DRAFT

conservation agency for conservation purposes, and where wood supply is primarily from plantations.

Rationale (for Criteria 10.2 and 10.3)

1. The intention here is to ensure the managed species thrive into the future without invasive behaviour that cannot be controlled. Also, for natural forest regeneration, the genotypes of the species used should usually come from local areas, as they are most likely to be well adapted for local growing conditions.
2. Alien species or genotypes may also help mitigate the effects of climate change if previously suitable species or genotypes are no longer able to thrive.
3. This Criterion gives clear directions regarding when alien species can be used.

Current Criterion 6.9: The use of exotic species shall be carefully controlled and actively monitored to avoid adverse ecological impacts.

Current 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.

Current 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.

10.4 (revised 6.8) *The Organization* shall not use genetically modified organisms* in the Management Unit*.*

Explanatory Note

Further interpretation of this Criterion is provided in FSC-POL-30-602 FSC Interpretation on GMOs (Genetically Modified Organisms).

Rationale

The subject matter of the Criterion has not been changed. The Explanatory Note explains where further interpretation of this Criterion can be found. This issue was separated from the issue of biological control as that is an independent issue.

Current Criterion 6.8: Use of biological control agents shall be documented, minimized, monitored and strictly controlled in accordance with national laws and internationally



FINAL DRAFT

accepted scientific protocols. Use of genetically modified organisms shall be prohibited.

10.5 (new) *The Organization** shall use *silvicultural** practices that are ecologically appropriate for the vegetation, species, sites and management *objectives**.

Explanatory Notes

1. This Criterion deals specifically with silvicultural practices as one subset of all management activities. These would normally include such activities as site preparation, spacing, cleaning, and pruning. Other tending activities such as chemical pesticides and fertilizer applications are covered in other Criteria.
2. Selected silviculture practices must meet the objectives established in the management plan according to Criterion 7.2.
3. Soil and water conservation requirements in Principle 6 need to be complied with while implementing activities related to silviculture, including control of soil erosion and sedimentation.

Rationale

1. This Criterion is intended to logically follow the ecologically based decisions from Criterion 10.1, to ensure regenerated areas develop appropriately to ensure ecosystem functions are protected, as well as other objectives such as production of timber and NTFPs.
2. This Criterion is also intended to ensure site disturbing activities conducted in silviculture, demonstrate proper soil and water conservation.

10.6 (revised 10.7) *The Organization** shall avoid, or aim at eliminating, the use of fertilizers. When fertilizers are used, The Organization shall prevent, mitigate, and/or repair damage to *environmental values**.

Explanatory Note

Possible negative impacts of fertilizers include decreased water quality, as a result of contamination of water supplies and eutrophication of water bodies.

10.7 (revised 6.6. and 10.7) *The Organization** shall use integrated pest management and *silviculture** systems which avoid, or aim at eliminating, the use of chemical *pesticides**. The Organization shall not use any chemical pesticides prohibited by FSC policy. When pesticides are used, The Organization shall prevent, mitigate, and / or repair damage to *environmental values** and human health.

Explanatory Notes

1. This Criterion refers to FSC's policy for prohibiting chemical pesticides. FSC has in place a policy, procedures and criteria for the identification and prohibition of highly hazardous pesticides. This system also includes options for allowing the temporary use of highly hazardous pesticides (derogations). The process and criteria for prohibiting, listing and issuance of derogations for the use of highly hazardous pesticides are laid down in FSC-POL-30-001 FSC Pesticides Policy and FSC-GUI-30-001 FSC Pesticides



FINAL DRAFT

- Policy: Guidance on Implementation.
2. The Integrated Pest Management (IPM) approach aims at eliminating the use of chemical pesticides but recognizes that it is not always possible to manage pests effectively without the use of pesticides.
 3. An example of best international practice in relation to integrated pest management and measures to reduce the use of chemical pesticides is provided in the FSC Guide to Integrated Pest, Disease and Weed Management in FSC Certified Forests and Plantations, FSC Technical Series No. 2009 – 001. FSC will further assist managers by establishing and maintaining a web-based guide to best practice.
 4. In integrated pest management systems, biological control measures and other non-chemical approaches are the preferred option for dealing with pest, weed and disease problems and for reducing and eliminating the use of chemical pesticides. Biological control measures must be applied in compliance with Criterion 10.8.
 5. Examples of other non-chemical measures include silvicultural systems, managing shade, reducing secondary hosts, cultivation, mulches, hand or manual mechanical weeding, and sanitary methods such as felling to prevent the spread of new introduced pests.
 6. This Criterion requires that an effective program is in place and operating successfully, for using pesticides and fertilizers in a way that proactively avoids damage to the environment and risks to workers or neighbors, if it has been determined that non pesticide approaches are not effective.
 7. Some types of tree nurseries that would normally be included in the Management Unit as defined in the Principles and Criteria may be exempt from the requirements of this Criterion on the use of chemical pesticides. A 'Management Unit' (see also Glossary of Terms) is defined as a spatial area or areas submitted for FSC certification with clearly defined boundaries managed to a set of explicit long term management objectives which are expressed in a management plan. This area or areas include(s):
 - all facilities and area(s) within or adjacent to this spatial area or areas under legal title or management control of, or operated by or on behalf of The Organization, for the purpose of contributing to the management objectives; and
 - all facilities and area(s) outside, and not adjacent to this spatial area or areas and operated by or on behalf of The Organization, solely for the purpose of contributing to the management objectives. (Source: FSC 2011).

Normally tree nurseries covered by this definition would need to comply with Criterion 10.7. However, in the case of tree nurseries that are outside, not adjacent to and not embedded within the spatial area or areas submitted for FSC certification, chemicals that are on the FSC list of prohibited chemicals may be used, on the following condition.

- The Organization operates an effective and secure integrated pest management system in these tree nurseries.
- The prohibited chemicals to be used are not classified as extremely hazardous (Class 1a) or highly hazardous (Class 1b) according to the WHO Recommended Classification of Pesticides, and are not prohibited by national laws.
- Strict security measures are documented, implemented and verified by the ASI-accredited conformity assessment body at each evaluation.

A justification for this variation for nurseries is that there is likely to be tighter control of

FINAL DRAFT

chemical use in the horticultural environment of a nursery, compared with the more hazardous conditions in the open Management Unit; for example, when applying chemicals by aerial spraying. This exception does not apply to any other requirements of the Principles and Criteria. Any nursery included in the Management Unit as defined in the Principles and Criteria will have to meet all other requirements of the Principles and Criteria, for example regarding occupational health and safety or waste disposal.

Rationale (Criterion 10.6 and 10.7)

1. Criterion 10.6 addresses the use of fertilizers, whereas this Criterion addresses the use of pesticides and integrated pest management addressed in current Criteria 6.6 and 10.7.
2. The issue of fertilizers has been separated from that of pesticides because it is not normally addressed in integrated pest management.
3. The prescriptive detail on defining highly hazardous chemicals as in current Criterion 6.6 was removed, as the definition has changed and is better described in the FSC Pesticides Policy and related documents.
4. Inconsistencies between current Criterion 6.6 and FSC policy have been eliminated. For example, the chemical class 'chlorinated hydrocarbon' is no longer an indicator for a 'highly hazardous' pesticide, and metabolites ('derivatives') have been omitted.

Current 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.

Current 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.

10.8 (revised 6.8) *The Organization* shall minimize, monitor and strictly control the use of biological control agents* in accordance with internationally accepted scientific protocols*. When biological control agents* are used, The Organization shall prevent, mitigate, and/or repair damage to environmental values*.*

Explanatory Notes

1. 'Biological control agents' (see also Glossary of Terms) are defined as organisms used to eliminate or regulate the populations of other organisms (Source: Based on FSC 1994 and World Conservation Union (IUCN). Glossary definitions as provided on IUCN website).



FINAL DRAFT

2. Biological control agents together with other non-chemical approaches, form an essential part of an integrated pest management strategy aiming at the reduction or elimination of chemical pesticides. The requirement to minimize, monitor and strictly control the use of biological control agents recognizes the potential dangers of these agents. It is important to find a balance between these dangers and the objective of reducing or eliminating chemical pesticides.
3. In the case of epidemic pest outbreaks or the threat of their occurrence, it may be the best practice or required by law to increase temporarily the use of either chemical control or biological control agents, on a case by case basis.

Rationale

The subject matter of this Criterion has not been changed. The prohibition of genetically modified organisms is now addressed in Criterion 10.4.

Current 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.

10.9 (new) *The Organization** shall assess risks and implement activities that reduce potential negative impacts from natural hazards proportionate to *scale, intensity, and risk**.

Explanatory Notes

1. This Criterion deals with negative impacts from natural hazards. Criteria 6.2 and 6.3 deal with the negative impacts of management activities.
2. Examples of natural hazards include droughts, floods, fires, landslides, storms, plant diseases, pest insects, invasive weeds.
3. The following are some example strategies to reduce potential negative impacts.
 - Fire damage. Fire detection systems and control measures, fire management plans, including preparation and training of fire crews, provision and regular maintenance of suitable equipment, creation and maintenance of fire breaks and reservoir ponds.
 - Storm damage and windthrow. These can be reduced by wind mapping and silvicultural regimes including those that avoid unstable stand boundaries.
 - Pests, plant diseases, pathogens, invasive weeds.
 - These can be minimized by clearance of fallen wood, standing dead wood and coarse woody debris, in line with best scientific and local knowledge. This needs to balance the amount of such material removed with the dual objectives of reducing habitats for pests and pathogens with that needed for healthy decomposition cycles and populations of predators and parasites to exert natural control over pests.
 - These can also be minimized by decreasing stress on species through species-site matching in accordance with Criterion 10.2, monitoring (Principle 8), together with integrated pest management (Criterion 10.7), controlled burning, cover crops, species diversification, silvicultural practices which prevent weed growth and maintain growth of crop species at optimum levels and reduced harvest intensity.
 - Flood damage. This may be reduced by preserving natural patterns of drainage and wetlands (see also Criterion 6.7) and by installing effective drainage structures.



FINAL DRAFT

4. Negative impacts also refer to impacts on local communities. Therefore, where relevant, detection systems must be associated with warning systems to alert local communities, for example, in fire detection systems.

Rationale

A pro-active Criterion to reduce the possible negative impacts of from natural hazards that are not management activities. It thereby also responds to Policy Motion 12 on public warning of fire danger incorporated into Statutory Motion 7 at the FSC General Assembly 2005.

10.10 (revised 6.5) *The Organization** shall manage infrastructural development, transport activities and *silviculture** so that water resources and soils are protected, and disturbance of and damage to *rare* and threatened species**, *habitats**, *ecosystems** and *landscape values** are prevented, mitigated and/or repaired.

Explanatory Notes

1. Activities associated with infrastructure development and transport include the construction and maintenance of permanent and temporary forest roads, tracks, railways, bridges, culverts, drainage channels, borrow-pits and log-collection areas, and the transport of forest products and personnel.
2. This Criterion deals with road and rail construction, storage and transportation implementation activities and their potential effects on other environmental values in a similar way to Criterion 10.5.
3. The Organization needs to show how it facilitates access for third parties, for authorized harvesting, hunting, recreation, communications, trade, etc.
4. This Criterion includes maintaining water quality, drainage, infiltration and seasonal lows, and conserving rivers, streams, wetlands and other aquatic habitats and resources.
5. This Criterion includes conserving soils, and avoiding flooding, erosion, compaction, sedimentation and interruption of drainage lines associated with roads, etc.
6. This Criterion requires protecting rare and threatened species, and avoiding disturbance to their habitats associated with roads, etc.
7. This Criterion also includes protecting the environmental and visual elements of landscape values from negative effects caused by roads, etc. Input from engagement activities (Criterion 7.6) and the management plan (Criterion 7.2) can be used for direction.

Rationale

Activities associated with roads have the potential to affect environmental and social values in the other Principles.

Current 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.

10.11 (revised 5.3 and 6.5) *The Organization** shall manage activities associated with harvesting and extraction of timber and *non-timber forest products** so that *environmental*



FINAL DRAFT

*values** are conserved, merchantable waste is reduced, and damage to other products and services is avoided.

Explanatory Notes

1. This Criterion deals with potential effects from the harvesting of products and services from the Management Unit and complements Criteria 10.5 and 10.10.
2. This Criterion covers potential damage to the residual stand during harvesting, and implies the need for reduced impact harvesting techniques.
3. 'Reduced impact harvesting' (see Glossary of Terms) is defined as harvesting (including logging) using techniques to reduce the impact on the residual stand (Source: Based on Guidelines for the Conservation and Sustainable Use of Biodiversity in Tropical Timber Production Forests. IUCN, 2006).
4. This Criterion refers to utilization of products and services, to ensure no excessive waste of merchantable products is left behind, to prevent 'high grading' or 'creaming' of these products and services. The Organization may need to diversify markets for varied dimensions and grades of forest products in order to achieve reduced waste and to facilitate regeneration of the next tree crop.
5. This Criterion refers to the protection of riparian vegetation along water courses and around wetlands; see also Criterion 6.7.
6. This Criterion also refers to the protection of soils and the maintenance of water quality, drainage, infiltration and seasonal flows, and conserving rivers, streams, wetlands and other aquatic habitats and resources; see also Criteria 6.3 and 6.7.

Rationale

As in Criterion 10.10, this Criterion refers to the other major form of site disturbing activities undertaken primarily during harvesting operations.

Current Criterion 5.3: Forest Management should minimize waste associated with harvesting and on-site processing operations and avoid damage to other forest resources.

Current 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.

10.12 (revised 6.7) *The Organization** shall dispose of waste materials in an environmentally appropriate manner.

Explanatory Notes

1. Waste materials include, amongst others, chemicals, containers, fuel and oil, human waste and sewage, rubbish and litter, and abandoned buildings, machinery and equipment.
2. Whereas it is often most environmentally appropriate to dispose of waste at off-site locations, there might be cases where the most appropriate location may be within the Management Unit, for example with regards to the treatment of human sewage. 'Environmentally appropriate' means that damage to the environment, for example contamination off health of workers and other people, is prevented. It is not



FINAL DRAFT

environmentally appropriate to simply bury waste or create landfills.

3. This also refers to the control of contamination caused by dust, waste, rubbish, exhaust fumes, etc.

Rationale

This revision acknowledges that the most environmentally appropriate manner could be disposal either on-site or off-site.

Current 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.



FINAL DRAFT

F. Glossary of Terms

This glossary includes internationally accepted definitions from a limited number of sources whenever possible. These sources include the Convention on Biological Diversity (1992), the Millenium Ecosystem Assessment (2005) as well as definitions from online glossaries as provided on the websites of the World Conservation Union (IUCN), the International Labour Organisation (ILO) and the Invasive Alien Species Programme of the Convention on Biological Diversity. When other sources have been used they are referenced accordingly.

Definitions developed in the course of the Principles and Criteria Review are referenced as FSC 2011. Definitions derived from Version 4-0 of the Principles and Criteria as originally published in November 1994 are referenced as FSC 1994.

The term 'based on' means that a definition was adapted from an existing definition as provided for example in Version 4-0 of the Principles and Criteria or other international source.

Words used in this version of the Principles and Criteria, if not defined in this Glossary of Terms or other normative FSC documents, are used as defined in most standard English language dictionaries.

Adaptive management (new): A systematic process of continually improving management policies and practices by learning from the outcomes of existing measures (Source: Based on World Conservation Union (IUCN). Glossary definitions as provided on IUCN website).

Alien species (new): A species, subspecies or lower taxon, introduced outside its natural past or present distribution; includes any part, gametes, seeds, eggs, or propagules of such species that might survive and subsequently reproduce (Source: Convention on Biological Diversity (CBD), Invasive Alien Species Programme. Glossary of Terms as provided on CBD website).

Affected stakeholder (new): Any person, group of persons or entity that is or is likely to be subject to the effects of the activities of a Management Unit. Examples include, but are not restricted to (for example in the case of downstream landowners), persons, groups of persons or entities located in the neighborhood of the Management Unit. The following are examples of affected stakeholders:

- Local communities
- Indigenous peoples
- Workers
- Forest dwellers
- Neighbors
- Downstream landowners
- Local processors
- Local businesses
- Tenure and use rights holders, including landowners
- Organizations authorized or known to act on behalf of affected stakeholders, for example social and environmental NGOs, labor unions, etc.



FINAL DRAFT

(Source: FSC 2011).

Applicable law (new): Means applicable to The Organization as a legal person or business enterprise in or for the benefit of the Management Unit and those laws which affect the implementation of the FSC Principles and Criteria. This includes any combination of statutory law (Parliamentary-approved) and case law (court interpretations), subsidiary regulations, associated administrative procedures, and the national constitution (if present) which invariably takes legal precedence over all other legal instruments (Source: FSC 2011).

Biological diversity (original definition): The variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species and of ecosystems (Source: Convention on Biological Diversity 1992, Article 2).

Biological control agents (revised): Organisms used to eliminate or regulate the population of other organisms (Source: Based on FSC 1994 and World Conservation Union (IUCN). Glossary definitions as provided on IUCN website).

Conflicts between the Principles and Criteria and laws (new): Situations where it is not possible to comply with the Principles and Criteria and a law at the same time (Source: FSC 2011).

Connectivity (new): A measure of how connected or spatially continuous a corridor, network, or matrix is. The fewer gaps, the higher the connectivity. Related to the structural connectivity concept; functional or behavioral connectivity refers to how connected an area is for a process, such as an animal moving through different types of landscape elements (Source: Based on R.T.T. Forman. 1995. Land Mosaics. The Ecology of Landscapes and Regions. Cambridge University Press, 632pp). Aquatic connectivity deals with the accessibility and transport of materials and organisms, through groundwater and surface water, between different patches of aquatic ecosystems of all kinds.

Conservation/Protection (new): These words are used interchangeably when referring to management activities designed to maintain the identified environmental or cultural values in existence long-term. Management activities may range from zero or minimal interventions to a specified range of appropriate interventions and activities designed to maintain, or compatible with maintaining, these identified values (Source: FSC 2011).

Conservation zones and protection areas (new): Defined areas that are designated and managed primarily to safeguard species, habitats, ecosystems, natural features or other site-specific values because of their natural environmental or cultural values, or for purposes of monitoring, evaluation or research, not necessarily excluding other management activities. For the purposes of the Principles and Criteria, these terms are used interchangeably, without implying that one always has a higher degree of conservation or protection than the other. The term 'protected area' is not used for these areas, because this term implies legal or official status, covered by national regulations in many countries. In the context of the Principles and Criteria, management of these areas should involve active conservation, not passive protection' (Source: FSC 2011).



FINAL DRAFT

Critical (new): The concept of criticality or fundamentality in Principal 9 and HCVs relates to irreplaceability, and to cases where loss or major damage to this HCV would cause serious prejudice or suffering to affected stakeholders. An ecosystem service is considered to be critical (HCV 4) where a disruption of that service is likely to cause, or poses a threat of, severe negative impacts on the welfare, health or survival of local communities, on the environment, on HCVs, or on the functioning of significant infrastructure (roads, dams, buildings etc.). The notion of criticality here refers to the importance and risk for natural resources and environmental and socio-economic values (Source: FSC 2011).

Criterion (pl. Criteria) (original definition): A means of judging whether or not a Principle (of forest stewardship) has been fulfilled (Source: FSC 1994).

Customary law (new): Interrelated sets of customary rights maybe recognized as customary law. In some jurisdictions, customary law is equivalent to statutory law, within its defined area of competence and may replace the statutory law for defined ethnic or other social groups. In some jurisdictions customary law complements statutory law and is applied in specified circumstances (Source: Based on N.L. Peluso and P. Vandergeest. 2001. Genealogies of the political forest and customary rights in Indonesia, Malaysia and Thailand, Journal of Asian Studies 60(3):761–812).

Customary rights (original definition): Rights which result from a long series of habitual or customary actions, constantly repeated, which have, by such repetition and by uninterrupted acquiescence, acquired the force of a law within a geographical or sociological unit (Source: FSC 1994).

Economic viability (new): The capability of developing and surviving as a relatively independent social, economic or political unit. Economic viability may require but is not synonymous with profitability (Source: Based on WEBSTeA as provided on the website of the European Environment Agency).

Ecosystem (revised): A dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit (Source: Convention on Biological Diversity 1992, Article 2).

Ecosystem function (new): An intrinsic ecosystem characteristic related to the set of conditions and processes whereby an ecosystem maintains its integrity (such as primary productivity, food chain, biogeochemical cycles). Ecosystem functions include such processes as decomposition, production, nutrient cycling, and fluxes of nutrients and energy. For FSC purposes, this definition includes ecological and evolutionary processes such as gene flow and disturbance regimes, regeneration cycles and ecological seral development (succession) stages. (Source: Based on R. Hassan, R. Scholes and N. Ash. 2005. Ecosystems and Human Well-being: Synthesis. The Millennium Ecosystem Assessment Series. Island Press, Washington DC; and R.F. Noss. 1990. Indicators for monitoring biodiversity: a hierarchical approach. Conservation Biology 4(4):355–364).

Ecosystem services (new): The benefits people obtain from ecosystems. These include

- provisioning services such as food, forest products and water;
- regulating services such as regulation of floods, drought, land degradation, air quality,



FINAL DRAFT

climate and disease;

- c. supporting services such as soil formation and nutrient cycling;
- d. and cultural services and cultural values such as recreational, spiritual, religious and other non-material benefits.

(Source: Based on R. Hassan, R. Scholes and N. Ash. 2005. Ecosystems and Human Well-being: Synthesis. The Millennium Ecosystem Assessment Series. Island Press, Washington DC).

Engaging or engagement (new): The process by which The Organization communicates, consults and/or provides for the participation of interested and/or affected stakeholders ensuring that their concerns, desires, expectations, needs, rights and opportunities are considered in the establishment, implementation and updating of the management plan (Source: FSC 2011).

Environmental values (new): The following set of elements of the biophysical and human environment:

- a. ecosystem functions (including carbon sequestration and storage)
- b. biological diversity
- c. water resources
- d. soils
- e. atmosphere
- f. landscape values (including cultural and spiritual values).

The actual worth attributed to these elements depends on human and societal perceptions (Source: FSC 2011).

Externalities (new): The positive and negative impacts of activities on stakeholders that are not directly involved in those activities, or on a natural resource or the environment, which do not usually enter standard cost accounting systems, such that the market prices of the products of those activities do not reflect the full costs or benefits (Source: FSC 2011).

Forest (new): A tract of land dominated by trees (Source: FSC 2011. Derived from FSC Guidelines for Certification Bodies, Scope of Forest Certification, Section 2.1 first published in 1998, and revised as FSC-GUI-20-200 in 2005, and revised again in 2010 as FSC-DIR-20-007 FSC Directive on Forest Management Evaluations, ADVICE-20-007-01).

Free, Prior, and Informed Consent (new): A legal condition whereby a person or community can be said to have given consent to an action prior to its commencement, based upon a clear appreciation and understanding of the facts, implications and future consequences of that action, and the possession of all relevant facts at the time when consent is given. Free, prior and informed consent includes the right to grant, modify, withhold or withdraw approval (Source: Based on the Preliminary working paper on the principle of Free, Prior and Informed Consent of Indigenous Peoples (...) (E/CN.4/Sub.2/AC.4/2004/4 8 July 2004) of the 22nd Session of the United Nations Commission on Human Rights, Sub-commission on the Promotion and Protection of Human Rights, Working Group on Indigenous Populations, 19–23 July 2004).

Gender equality (new): Gender equality or gender equity means that women and men have equal conditions for realizing their full human rights and for contributing to, and benefiting



FINAL DRAFT

from, economic, social, cultural and political development (Source: Adapted from FAO, IFAD and ILO workshop on 'Gaps, trends and current research in gender dimensions of agricultural and rural employment: differentiated pathways out of poverty', Rome, 31 March to 2 April 2009.).

Genetically modified organism (revised): An organism in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination. (Source: Based on FSC-POL-30-602 FSC Interpretation on GMO (Genetically Modified Organisms)).

Genotype (new): The genetic constitution of an organism (Source: FSC 2011).

Habitat (new): The place or type of site where an organism or population occurs (**Source:** Based on the Convention on Biological Diversity, Article 2).

High Conservation Value (HCV) (revised): Any of the following values:

HCV1 - Species Diversity. Concentrations of *biological diversity** including endemic species, and *rare, threatened or endangered** species, that are significant at global, regional or national levels.

HCV 2 - Landscape-level ecosystems and mosaics. Large landscape-level *ecosystems** and ecosystem mosaics that are significant at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.

HCV 3 - Ecosystems and habitats. Rare, threatened, or endangered ecosystems, *habitats** or *refugia**.

HCV 4 - Critical ecosystem services. Basic *ecosystem services** in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.

HCV 5 - Community needs. Sites and resources fundamental for satisfying the basic necessities of local communities or *indigenous peoples** (for example for livelihoods, health, nutrition, water), identified through engagement with these communities or indigenous peoples.

HCV 6 - Cultural values. Sites, resources, habitats and *landscapes** of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or indigenous peoples, identified through engagement with these local communities or indigenous peoples.

(Source: FSC 2011).

Indigenous peoples (revised): People and groups of people that can be identified or characterized as follows:

- The key characteristic or criterion is self identification as indigenous peoples at the individual level and acceptance by the community as their member
- Historical continuity with pre-colonial and/or pre-settler societies
- Strong link to territories and surrounding natural resources
- Distinct social, economic or political systems
- Distinct language, culture and beliefs



FINAL DRAFT

- Form non-dominant groups of society
- Resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities.

(Source: Adapted from United Nations Permanent Forum on Indigenous, Factsheet 'Who are indigenous peoples' October 2007; United Nations Development Group, 'Guidelines on Indigenous Peoples' Issues' United Nations 2009, United Nations Declaration on the Rights of Indigenous Peoples, 13 September 2007).

Intellectual property (new): Practices as well as knowledge, innovations and other creations of the mind. (Source: Based on the Convention on Biological Diversity, Article 8(j); and World Intellectual Property Organization. What is Intellectual Property? WIPO Publication No. 450(E). No Date.).

Intensity (new): A measure of the force, severity or strength of a management activity or other occurrence affecting the nature of the activity's impacts (Source: FSC 2011).

Interested stakeholder (new): Any person, group of persons, or entity that has shown an interest, or is known to have an interest, in the activities of a Management Unit. The following are examples of interested stakeholders.

- Conservation organizations, for example environmental NGOs
- Labor (rights) organizations, for example labor unions
- Human rights organizations, for example social NGOs
- Local development projects
- Local governments
- National government departments functioning in the region
- FSC National Offices
- Experts on particular issues, for example High Conservation Values

(Source: FSC 2011)

Internationally accepted scientific protocol (new): A predefined science-based procedure which is either published by an international scientific network or union, or referenced frequently in the international scientific literature (Source: FSC 2011).

Invasive species (new): Species that are rapidly expanding outside of their native range. Invasive species can alter ecological relationships among native species and can affect ecosystem function and human health (Source: Based on World Conservation Union (IUCN). Glossary definitions as provided on IUCN website).

Lands and territories (revised): For the purposes of the Principles and Criteria these are lands or territories that indigenous peoples or local communities have traditionally owned, or customarily used or occupied, and where access to natural resources is vital to the sustainability of their cultures and livelihoods. (Source: Based on World Bank safeguard OP 4.10 Indigenous Peoples, section 16 (a). July 2005.)

Landscape (original definition): A geographical mosaic composed of interacting ecosystems resulting from the influence of geological, topographical, soil, climatic, biotic and human interactions in a given area (Source: Based on World Conservation Union (IUCN)).



FINAL DRAFT

Glossary definitions as provided on IUCN website).

Landscape values (new): Landscape values can be visualized as layers of human perceptions overlaid on the physical landscape. Some landscape values, like economic, recreation, subsistence value or visual quality are closely related to physical landscape attributes. Other landscape values such as intrinsic or spiritual value are more symbolic in character and are influenced more by individual perception or social construction than physical landscape attributes (Source: Based on website of the Landscape Value Institute).

Legal (new): In accordance with primary legislation (national or local laws) or secondary legislation (subsidiary regulations, decrees, orders, etc.). 'Legal' also includes rule-based decisions made by legally competent agencies where such decisions flow directly and logically from the laws and regulations. Decisions made by legally competent agencies may not be legal if they do not flow directly and logically from the laws and regulations and if they are not rule-based but use administrative discretion (Source: FSC 2011).

Legally competent (new): Mandated in law to perform a certain function (Source: FSC 2011).

Legal registration (new): National or local legal license or set of permissions to operate as an enterprise, with rights to buy and sell products and/or services commercially. The license or permissions can apply to an individual, a privately-owned enterprise or a publicly-owned corporate entity. The rights to buy and sell products and/or services do not carry the obligation to do so, so legal registration applies also to Organizations operating a Management Unit without sales of products or services; for example, for unpriced recreation or for conservation of biodiversity or habitat (Source: FSC 2011).

Legal status (new): The way in which the Management Unit is classified according to law. In terms of tenure, it means the category of tenure, such as communal land or leasehold or freehold or State land or government land, etc. If the Management Unit is being converted from one category to another (for example, from State land to communal indigenous land) the status includes the current position in the transition process. In terms of administration, legal status could mean that the land is owned by the nation as a whole, is administered on behalf of the nation by a government department, and is leased by a government Ministry to a private sector operator through a concession (Source: FSC 2011).

Living wage (new): The level of wages sufficient to meet the basic living needs of an average-sized family in a particular economy (Source: International Labour Organization (ILO). Bureau of Library and Information Services. ILO Thesaurus as provided on ILO website).

Local communities (new): Communities of any size that are in or adjacent to the Management Unit, and also those that are close enough to have a significant impact on the economy or the environmental values of the Management Unit or to have their economies, rights or environments significantly affected by the management activities or the biophysical aspects of the Management Unit (Source: FSC 2011).

Local laws (revised): The whole suite of primary and secondary laws (acts, ordinances,



FINAL DRAFT

statutes, decrees) which is limited in application to a particular geographic district within a national territory, as well as secondary regulations, and tertiary administrative procedures (rules / requirements) that derive their authority directly and explicitly from these primary and secondary laws. Laws derive authority ultimately from the Westphalian concept of sovereignty of the Nation State (Source: FSC 2011).

Management plan (new): The collection of documents, reports, records and maps that describe, justify and regulate the activities carried out by any manager, staff or organization within or in relation to the Management Unit, including statements of objectives and policies (Source: FSC 2011).

Management Unit (new): A spatial area or areas submitted for FSC certification with clearly defined boundaries managed to a set of explicit long term management objectives which are expressed in a management plan. This area or areas include(s):

- all facilities and area(s) within or adjacent to this spatial area or areas under legal title or management control of, or operated by or on behalf of The Organization, for the purpose of contributing to the management objectives; and
- all facilities and area(s) outside, and not adjacent to this spatial area or areas and operated by or on behalf of The Organization, solely for the purpose of contributing to the management objectives.

(Source: FSC 2011).

Managerial control (new): Responsibility of the kind defined for corporate directors of commercial enterprises in national commercial law, and treated by FSC as applicable also to public sector organizations (Source: FSC 2011).

National laws (new): The whole suite of primary and secondary laws (acts, ordinances, statutes, decrees), which is applicable to a national territory, as well as secondary regulations, and tertiary administrative procedures (rules / requirements) that derive their authority directly and explicitly from these primary and secondary laws (Source: FSC 2011).

Native species (revised): Species, subspecies, or lower taxon, occurring within its natural range (past or present) and dispersal potential (that is, within the range it occupies naturally or could occupy without direct or indirect introduction or care by humans) (Source: Convention on Biological Diversity (CBD). Invasive Alien Species Programme. Glossary of Terms as provided on CBD website).

Natural conditions/native ecosystem (new): For the purposes of the Principles and Criteria and any applications of restoration techniques, terms such as 'more natural conditions', 'native ecosystem' provide for managing sites to favor or restore native species and associations of native species that are typical of the locality, and for managing these associations and other environmental values so that they form ecosystems typical of the locality. Further guidelines may be provided in FSC Forest Stewardship Standards (Source: FSC 2011).

Natural forest (revised): A forest area with many of the principal characteristics and key elements of native ecosystems, such as complexity, structure and biological diversity, including soil characteristics, flora and fauna, in which all or almost all the trees are native



FINAL DRAFT

species, not classified as plantations. 'Natural forest' includes the following categories.

- Forest affected by harvesting or other disturbances, in which trees are being or have been regenerated by a combination of natural and artificial regeneration with species typical of natural forests in that site, and where many of the above-ground and below-ground characteristics of the natural forest are still present. In boreal and north temperate forests which are naturally composed of only one or few tree species, a combination of natural and artificial regeneration to regenerate forest of the same native species, with most of the principal characteristics and key elements of native ecosystems of that site, is not by itself considered as conversion to plantations.
- Natural forests which are maintained by traditional silvicultural practices including natural or assisted natural regeneration.
- Well-developed secondary or colonizing forest of native species which has regenerated in non-forest areas.
- The definition of 'natural forest' may include areas described as wooded ecosystems, woodland and savanna.

The description of natural forests and their principal characteristics and key elements may be further defined in FSC Forest Stewardship Standards, with appropriate descriptions or examples.

Natural forest does not include land which is not dominated by trees, was previously not forest, and which does not yet contain many of the characteristics and elements of native ecosystems. Young regeneration may be considered as natural forest after some years of ecological progression. FSC Forest Stewardship Standards may indicate when such areas may be excised from the Management Unit, should be restored towards more natural conditions, or may be converted to other land uses.

FSC has not developed quantitative thresholds between different categories of forests in terms of area, density, height, etc. FSC Forest Stewardship Standards may provide such thresholds and other guidelines, with appropriate descriptions or examples. Pending such guidance, areas dominated by trees, mainly of native species, may be considered as natural forest. Thresholds and guidelines may cover areas such as:

- Other vegetation types and non-forest communities and ecosystems included in the Management Unit, including grassland, bushland, wetlands, and open woodlands.
- Very young pioneer or colonizing regeneration in a primary succession on new open sites or abandoned farmland, which does not yet contain many of the principal characteristics and key elements of native ecosystems. This may be considered as natural forest through ecological progression after the passage of years.
- Young natural regeneration growing in natural forest areas may be considered as natural forest, even after logging, clearfelling or other disturbances, since many of the principal characteristics and key elements of native ecosystems remain, above-ground and below-ground.
- Areas where deforestation and forest degradation have been so severe that they are no longer 'dominated by trees' may be considered as non-forest, when they have very few of the principal above-ground and below-ground characteristics and key elements of natural forests. Such extreme degradation is typically the result of combinations of repeated and excessively heavy logging, grazing, farming, fuelwood collection, hunting, fire, erosion, mining, settlements, infrastructure, etc. FSC Forest Stewardship Standards



FINAL DRAFT

may help to decide when such areas should be excised from the Management Unit, should be restored towards more natural conditions, or may be converted to other land uses.

(Source: FSC 2011).

Non-timber forest products (NTFP) (revised): All products other than timber derived from the Management Unit (Source: FSC 2011).

Objective (new): The basic purpose laid down by The Organization for the forest enterprise, including the decision of policy and the choice of means for attaining the purpose (Source: Based on F.C. Osmaston. 1968. The Management of Forests. Hafner, New York; and D.R. Johnston, A.J. Grayson and R.T. Bradley. 1967. Forest Planning. Faber & Faber, London).

Obligatory code of practice (new): A manual or handbook or other source of technical instruction which The Organization must implement by law (Source: FSC 2011).

Occupational accident (new): An occurrence arising out of, or in the course of, work which results in fatal or non-fatal injury (Source: International Labour Organization (ILO). Bureau of Library and Information Services. ILO Thesaurus as provided on ILO website).

Occupational disease (new): Any disease contracted as a result of an exposure to risk factors arising from work activity (Source: International Labour Organization (ILO). Bureau of Library and Information Services. ILO Thesaurus as provided on ILO website).

Occupational injuries (new): Any personal injury, disease or death resulting from an occupational accident (Source: International Labour Organization (ILO). Bureau of Library and Information Services. ILO Thesaurus as provided on ILO website).

Organism (new): Any biological entity capable of replication or of transferring genetic material (Source: Council Directive 90/220/EEC).

The Organization (new): The person or entity holding or applying for certification and therefore responsible for demonstrating compliance with the requirements upon which FSC certification is based (Source: FSC 2011).

Pesticide (new): Any substance or preparation prepared or used in protecting plants or wood or other plant products from pests; in controlling pests; or in rendering such pests harmless. This definition includes insecticides, rodenticides, acaricides, molluscicides, larvaecides, fungicides and herbicides (Source: FSC-POL-30-001 FSC Pesticides Policy (2005)).

Plantation (revised): A forest area established by planting or sowing with using either alien or native species, often with one or few species, regular spacing and even ages, and which lacks most of the principal characteristics and key elements of natural forests. The description of plantations may be further defined in FSC Forest Stewardship Standards, with appropriate descriptions or examples, such as:

- Areas which would initially have complied with this definition of 'plantation' but which, after the passage of years, contain many or most of the principal characteristics and key

FINAL DRAFT

- elements of native ecosystems, may be classified as natural forests.
- Plantations managed to restore and enhance biological and habitat diversity, structural complexity and ecosystem functionality may, after the passage of years, be classified as natural forests.
 - Boreal and north temperate forests which are naturally composed of only one or few tree species, in which a combination of natural and artificial regeneration is used to regenerate forest of the same native species, with most of the principal characteristics and key elements of native ecosystems of that site, may be considered as natural forest, and this regeneration is not by itself considered as conversion to plantations.
- (Source: FSC 2011)

Precautionary approach (revised): An approach requiring that when the available information indicates that management activities pose a threat of severe or irreversible damage to the environment or a threat to human welfare, The Organization will take explicit and effective measures to prevent the damage and avoid the risks to welfare, even when the scientific information is incomplete or inconclusive, and when the vulnerability and sensitivity of environmental values are uncertain (Source: Based on Principle 15 of Rio Declaration on Environment and Development, 1992, and Wingspread Statement on the Precautionary Principle of the Wingspread Conference, 23–25 January 1998).

Principle (original definition): An essential rule or element; in FSC's case, of forest stewardship (Source: FSC 1994).

Protection (new): See definition of Conservation.

Protection Area (new): See definition of Conservation Zone.

Publicly available (new): In a manner accessible to or observable by people generally (Source: Collins English Dictionary, 2003 Edition).

Rare species (new): Species that are uncommon or scarce, but not classified as threatened. These species are located in geographically restricted areas or specific habitats, or are scantily scattered on a large scale. They are approximately equivalent to the IUCN (2001) category of Near Threatened (NT), including species that are close to qualifying for, or are likely to qualify for, a threatened category in the near future. They are also approximately equivalent to imperiled species (Source: Based on IUCN. (2001). IUCN Red List Categories and Criteria: Version 3.1. IUCN Species Survival Commission. IUCN. Gland, Switzerland and Cambridge, UK).

Ratified (new): The process by which an international law, covenant or agreement (including multilateral environmental agreement) is legally approved by a national legislature or equivalent legal mechanism, such that the international law, covenant or agreement becomes automatically part of national law or sets in motion the development of national law to give the same legal effect (Source: FSC 2011).

Reasonable (new): Judged to be fair or appropriate to the circumstances or purposes, based on general experience (Source: Shorter Oxford English Dictionary).



FINAL DRAFT

Reduced impact harvesting (new): Harvesting (including logging) using techniques to reduce the impact on the residual stand (Source: Based on Guidelines for the Conservation and Sustainable Use of Biodiversity in Tropical Timber Production Forests, IUCN 2006).

Refugia (new): An isolated area where extensive changes, typically due to changing climate or by disturbances such as those caused by humans, have not occurred and where plants and animals typical of a region may survive (Source: Glen Canyon Dam, Adaptive Management Program Glossary as provided on website of Glen Canyon Dam website).

Resilience (new): The ability of a system to maintain key functions and processes in the face of stresses or pressures by either resisting or adapting to change. Resilience can be applied to both ecological systems and social systems (Source: IUCN World Commission on Protected Areas (IUCN-WCPA). 2008. Establishing Marine Protected Area Networks – Making it Happen. Washington D.C.: IUCN-WCPA National Oceanic and Atmospheric Administration and The Nature Conservancy.)

Restore / Restoration (new): These words are used in different senses according to the context and in everyday speech. In some cases 'restore' means to repair the damage done to environmental values that resulted from management activities or other causes. In other cases 'restore' means the formation of more natural conditions in sites which have been heavily degraded or converted to other land uses. In the Principles and Criteria, the word 'restore' is not used to imply the recreation of any particular previous, pre-historic, pre-industrial or other pre-existing ecosystem (Source: FSC 2011)

The Organization is not necessarily obliged to restore those environmental values that have been affected by factors beyond the control of The Organization, for example by natural disasters, by climate change, or by the legally authorized activities of third parties, such as public infrastructure, mining, hunting or settlement. FSC-POL-20-003 The Excision of Areas from the Scope of Certification describes the processes by which such areas may be excised from the area certified, when appropriate.

The Organization is also not obliged to restore environmental values that may have existed at some time in the historic or pre-historic past, or that have been negatively affected by previous owners or organizations. However, The Organization is expected to take reasonable measures to mitigate, control and prevent environmental degradation which is continuing in the Management Unit as a result of such previous impacts.

Risk (new): The probability of an unacceptable negative impact arising from any activity in the Management Unit combined with its seriousness in terms of consequences (Source: FSC 2011).

Scale (new): A measure of the extent to which a management activity or event affects an environmental value or a management unit, in time or space. An activity with a small or low spatial scale affects only a small proportion of the forest each year, an activity with a small or low temporal scale occurs only at long intervals (Source: FSC 2011).

Scale, intensity and risk (new): See individual definitions of the terms 'scale', 'intensity', and 'risk'.



FINAL DRAFT

Shall (new): Indicates a requirement of the standard.

Shall not (new): Indicates a prohibition.

Should/ and should not (new): Indicate a recommendation.

(Source: Based on ISO Guide 2, General Vocabulary section 7.1; and ISO/IEC Directives Part 2, Fifth edition. 2004. Annex H, Verbal forms for the expression of provisions).

Significant (new): For the purposes of Principal 9, HCVs 1, 2 and 6 there are three main forms of recognizing significance.

- A designation, classification or recognized conservation status, assigned by an international agency such as IUCN or Birdlife International.
- A designation by national or regional authorities, or by a responsible national conservation organization, on the basis of its concentration of biodiversity.
- A voluntary recognition by the manager, owner or Organization, on the basis of available information, or of the known or suspected presence of a significant biodiversity concentration, even when not officially designated by other agencies.

Any one of these forms will justify designation as HCVs 1, 2 and 6. Many regions of the world have received recognition for their biodiversity importance, measured in many different ways. Existing maps and classifications of priority areas for biodiversity conservation play an essential role in identifying the potential presence of HCVs 1, 2 and 6 (Source: FSC 2011).

Silviculture (new): The art and science of controlling the establishment, growth, composition, health and quality of forests and woodlands to meet the targetted diverse needs and values of landowners and society on a sustainable basis (Source: Nieuwenhuis, M. 2000. Terminology of Forest Management. IUFRO World Series Vol. 9. IUFRO 4.04.07 SilvaPlan and SilvaVoc).

Stakeholder (new): See definitions for 'affected stakeholder' and 'interested stakeholder'.

Statutory law or statute law (new): The body of law contained in Acts of Parliament (national legislature) (Source: Oxford Dictionary of Law).

Tenure (original definition): Socially defined agreements held by individuals or groups, recognized by legal statutes or customary practice, regarding the 'bundle of rights and duties' of ownership, holding, access and/or usage of a particular land unit or the associated resources there within (such as individual trees, plant species, water, minerals, etc.) (Source: World Conservation Union (IUCN). Glossary definitions as provided on IUCN website).

Threat (new): An indication or warning of impending or likely damage or negative impacts (Source: Based on Oxford English Dictionary).

Threatened species (revised): Species that meet the IUCN (2001) criteria for Vulnerable (VU), Endangered (EN) or Critically Endangered (CR), and are facing a high, very high or extremely high risk of extinction in the wild. These categories may be re-interpreted for FSC purposes according to official national classifications (which have legal significance) and to local conditions and population densities (which should affect decisions about appropriate conservation measures) (Source: Based on IUCN. (2001). IUCN Red List Categories and Criteria: Version 3.1. IUCN Species Survival Commission. IUCN. Gland, Switzerland and



FINAL DRAFT

Cambridge, UK.).

Traditional peoples (new): Traditional peoples are social groups or peoples who do not self-identify as indigenous and who affirm rights to their lands, forests and other resources based on long established custom or traditional occupation and use (Source: Forest Peoples Programme (Marcus Colchester, 7 October 2009)).

Uphold (new): To acknowledge, respect, sustain and support (Source: FSC 2011).

Use rights (revised): Rights for the use of resources of the Management Unit that can be defined by local custom, mutual agreements, or prescribed by other entities holding access rights. These rights may restrict the use of particular resources to specific levels of consumption or particular harvesting techniques (Source: FSC 2011).

Workers (new): All employed persons including public employees as well as ‘self-employed’ persons. This includes part-time and seasonal employees, of all ranks and categories, including laborers, administrators, supervisors, executives, contractor employees as well as self employed contractors and sub-contractors (Source: ILO Convention C155 Occupational Safety and Health Convention, 1981).

Rationale for Glossary revisions

The Glossary definitions were revised and updated, whenever possible in line with internationally accepted definitions. This is in line with the principle mandate of the P&C Review to clarify the wording of the Principles and Criteria.

Current Definitions

Biological diversity: The variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species and of ecosystems. (see Convention on Biological Diversity, 1992)

Biological diversity values: The intrinsic, ecological, genetic, social, economic, scientific, educational, cultural, recreational and aesthetic values of biological diversity and its components. (see Convention on Biological Diversity, 1992)

Biological control agents: Living organisms used to eliminate or regulate the population of other living organisms.

Chain of custody: The channel through which products are distributed from their origin in the forest to their end-use.

Chemicals: The range of fertilizers, insecticides, fungicides, and hormones which are used in forest management.



FINAL DRAFT

Criterion (pl. Criteria): A means of judging whether or not a Principle (of forest stewardship) has been fulfilled.

Customary rights: Rights which result from a long series of habitual or customary actions, constantly repeated, which have, by such repetition and by uninterrupted acquiescence, acquired the force of a law within a geographical or sociological unit.

Ecosystem: A community of all plants and animals and their physical environment, functioning together as an interdependent unit.

Endangered species: Any species which is in danger of extinction throughout all or a significant portion of its range.

Exotic species: An introduced species not native or endemic to the area in question.

Forest integrity: The composition, dynamics, functions and structural attributes of a natural forest.

Forest management/manager: The people responsible for the operational management of the forest resource and of the enterprise, as well as the management system and structure, and the planning and field operations.

Genetically modified organisms: Biological organisms which have been induced by various means to consist of genetic structural changes.

Indigenous lands and territories: The total environment of the lands, air, water, sea, sea-ice, flora and fauna, and other resources which indigenous peoples have traditionally owned or otherwise occupied or used. (Draft Declaration of the Rights of Indigenous Peoples: Part VI)

Indigenous peoples: "The existing descendants of the peoples who inhabited the present territory of a country wholly or partially at the time when persons of a different culture or ethnic origin arrived there from other parts of the world, overcame them and, by conquest, settlement, or other means reduced them to a non-dominant or colonial situation; who today live more in conformity with their particular social, economic and cultural customs and traditions than with the institutions of the country of which they now form a part, under State structure which incorporates mainly the national, social and cultural characteristics of other segments of the population which are predominant." (Working definition adopted by the UN Working Group on Indigenous Peoples).

High Conservation Value Forests: High Conservation Value Forests are those that possess one or more of the following attributes:

- a) forest areas containing globally, regionally or nationally significant : concentrations of biodiversity values (e.g. endemism, endangered species, refugia); and/or 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
- b) forest areas that are in or contain rare, threatened or endangered ecosystems



FINAL DRAFT

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

d) forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health) and/or critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).

Landscape: A geographical mosaic composed of interacting ecosystems resulting from the influence of geological, topographical, soil, climatic, biotic and human interactions in a given area.

Local laws: Includes all legal norms given by organisms of government whose jurisdiction is less than the national level, such as departmental, municipal and customary norms.

Long term: The time-scale of the forest owner or manager as manifested by the objectives of the management plan, the rate of harvesting, and the commitment to maintain permanent forest cover. The length of time involved will vary according to the context and ecological conditions, and will be a function of how long it takes a given ecosystem to recover its natural structure and composition following harvesting or disturbance, or to produce mature or primary conditions.

Native species: A species that occurs naturally in the region; endemic to the area.

Natural cycles: Nutrient and mineral cycling as a result of interactions between soils, water, plants, and animals in forest environments that affect the ecological productivity of a given site.

Natural Forest: Forest areas where many of the principal characteristics and key elements of native ecosystems such as complexity, structure and diversity are present, as defined by FSC approved national and regional standards of forest management.

Non-timber forest products: All forest products except timber, including other materials obtained from trees such as resins and leaves, as well as any other plant and animal products.

Other forest types: Forest areas that do not fit the criteria for plantation or natural forests and which are defined more specifically by FSC-approved national and regional standards of forest stewardship.

Plantation: Forest areas lacking most of the principal characteristics and key elements of native ecosystems as defined by FSC-approved national and regional standards of forest stewardship, which result from the human activities of either planting, sowing or intensive silvicultural treatments.

Precautionary approach: Tool for the implementation of the precautionary principle.

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



FINAL DRAFT

Silviculture: The art of producing and tending a forest by manipulating its establishment, composition and growth to best fulfil the objectives of the owner. This may, or may not, include timber production.

Succession: Progressive changes in species composition and forest community structure caused by natural processes (nonhuman) over time.

Tenure: Socially defined agreements held by individuals or groups, recognized by legal statutes or customary practice, regarding the "bundle of rights and duties" of ownership, holding, access and/or usage of a particular land unit or the associated resources there within (such as individual trees, plant species, water, minerals, etc).

Threatened species: Any species which is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.

Use rights: Rights for the use of forest resources that can be defined by local custom, mutual agreements, or prescribed by other entities holding access rights. These rights may restrict the use of particular resources to specific levels of consumption or particular harvesting techniques.



FINAL DRAFT

Annex 1. Rationales for deletion of Principle 10

Current Principle 10 - Rationales for deletion

Current Principle 10 and all Criteria under current Principle 10 are proposed for replacement by incorporation into other Criteria under proposed Principles 2 to 10.

This section provides an overview of how the Criteria of current Principle 10 have been incorporated into Principles 2 to 10.

Principle 10: Plantations

Current Principle 10 is proposed for deletion.

Rationale

With the incorporation of Principle 10 into Principle 2 to 9, this Principle is no longer needed. See also Rationales under Principle 10.

Current Principle 10: Plantations shall be planned and managed in accordance with Principles and Criteria 1 to 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.

10.1 Current Criterion 10.1 is proposed for replacement.

Rationale

Proposed Criterion 7.1 requires the establishment of policies and objectives that are environmentally sound, socially beneficial and economically viable. Criterion 7.2 requires the establishment and implementation of a corresponding management plan. The Explanatory Notes to Criterion 7.2 explain the elements to be included in the management plan, including conservation and restoration.

Current 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.

10.2 Current Criterion 10.2 is proposed for replacement.

Rationale

The issues addressed in current Criterion 10.2 are covered by Criterion 6.4 (species conservation and connectivity), Criterion 6.5 (protection, conservation and restoration of native ecosystems and connectivity), Criterion 6.7 (protection and restoration of natural water courses, riparian zones) and Criterion 6.8 (mosaic of stands).



FINAL DRAFT

Current 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.

10.3 Current Criterion 10.3 is proposed for replacement.

Rationale

Size and spatial distribution, composition of species, and structure (including age classes) are addressed in Criterion 6.8.

Current 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.

10.4 Current Criterion 10.4 is proposed for replacement.

Rationale

Species selection, the use of native species and the requirements for the management of exotic (alien) species are covered by Criterion 10.2 and 10.3.

Current 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.

10.5 Current Criterion 10.5 proposed for replacement.

Rationale

Restoration of native ecosystems (including natural forests) is addressed in Criterion 6.5.

Current 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.

10.6 Current Criterion 10.6 is proposed for replacement.



FINAL DRAFT

Rationale

Soil and water are environmental values and are therefore covered by proposed Criterion 6.3. Proposed Criteria 10.10 and 10.11 also address soil conservation.

Requirements for ensuring management activities are appropriate for the protection of water resources are addressed in Criteria 10.5, 10.6 and 10.10.

Current 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.

10.7 Current Criterion 10.7 is proposed for replacement.

Rationale

Pest management is covered in Criteria 10.7 and 10.8.

Current 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.

10.8 Current Criterion 10.8 is proposed for replacement.

Rationale

Positive and negative social and economic impacts, and local resource rights, are addressed in Principles 3 and 4. Ecological impacts are addressed in Principle 6. Requirements in relation to using locally well adapted and non-invasive species are covered by Criteria 10.2 and 10.3.

Current 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.

10.9 Current Criterion 10.9 is proposed for replacement.

Rationale



FINAL DRAFT

See proposed Criteria 6.9 and 6.10.

Current 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.