

FSC Principles and Criteria

FSC-STD-01-001 V5-0 Draft 2-0

SUMMARY OF COMMENTS

Bonn, 26th March 2010

Introduction

- 1. A first draft of comprehensively revised Principles and Criteria (Version 5-0 Draft 2-0) was published for consultation in July and August 2009.
- 2. In order to prepare Draft 3-0 all comments submitted to FSC on Draft 2-0 were screened by the P&C Review WG and then again screened by PSU staff to ensure that all comments were taken into consideration.
- 3. Several other sources were analyzed by the P&C Review WG and PSU staff such as advice and recommendations from the Advisory Group of the P&C Review on the stakeholder comments and key issues as identified by the P&C Review WG, comments from 5 regional meetings of indigenous peoples, feedback from the FSC Forest Carbon Working Group.
- 4. This document provides a summary of the comments submitted on Draft 2-0. The document focuses on the most prevalent themes. Thus not all comments are reflected in this summary. As pointed out above all comments were analyzed by the P&C Review WG and PSU staff. Therefore, if certain comments are not reflected in this summary this does not mean that they were not taken into account or have not resulted in changes to the draft.
- 5. A document with all comments (in English) submitted by the deadline for comments as is published together with this summary on the P&C Review Section of the FSC website at: http://www.fsc.org/pcreview.html
- 6. For information on the major changes agreed upon by the P&C Review WG in response to the feedback received on Draft 2-0 please refer to the Section 2 of Draft 3-0, sub section 'What major changes have been proposed for Draft 3-0 in comparison with Draft 2-0?' which can also be downloaded from the P&C Review Section of the FSC website.

Overview of stakeholder submissions

7. FSC received 84 submissions of comments, some of which were joint submissions of several stakeholders, representing more than 100 stakeholders in total. Submissions were

1 of 19



made by certificate holders, members of all FSC sub chambers, certification bodies, national initiatives, and non-members as follows:

	Members	Non- members	Total
Certificate Holders North	9	15	24
Certificate Holders South	3	2	5
Economic North	5		5
Economic South	4		4
Environmental North	18		18
Environmental South	1		1
Social North	3		3
Social South	2		2
NIs North		5	5
NIs South			0
CBs North	2	3	5
CBs South	1		1
Others North		11	11
Others South			0
Total	48	36	84

8. The South and the Social Chamber were clearly underrepresented in the submissions. In order to avoid this shortcoming during the consultation on Draft 3-0 of the Principles and Criteria, FSC will conduct two meetings with members of the social chamber for the purpose of providing feedback on the draft. In addition FSC will take other measures to increase participation from the South.

General themes

- 9. This section provides a summary of the most important general themes provided in the form of general comments on draft 2-0.
- 10. There was a general concern that more time would be needed for the whole review and revision process.
- 11. Regarding the content of Draft 2-0 it was pointed out that the overall structure and organization of the Principles and Criteria had improved. Appreciation was expressed that the Principles and Criteria had been aligned with other FSC documents, e.g. Standards, Policies and Advice Notes.
- 12. However, it was felt that the proposed wording was sometimes very academic, confusing and difficult to understand. There was the impression that some of the requirements had become clearer, others vaguer and more abstract. It was pointed out that the wording had shifted towards procedures and systems rather than a clear level of performance and it was recommended, that the P&C should rather reflect desired outcomes, aims and objectives of responsible forest management.



- 13. Some stakeholders felt that the increased number of Criteria and detail would be positive and a good basis for worldwide harmonization of standards and the credibility of the system. Others were of the opinion that the P&C had become broader and therefore made interpretation more difficult. Some felt that many changes made the P&C less flexible, which would be good for auditability but negative in other cases, e.g. for small, medium and community forest management operations.
- 14. It was pointed out that by not addressing carbon sequestration an opportunity had been lost to strengthen the role of FSC certification in fighting climate change. Not to make a proposal for conversion was identified as one of the major gaps in Draft 2-0.
- 15. Several comments questioned the feasibility, suitability and appropriateness of including a new level of requirements in the form of normative guidance in addition to those requirements as formulated in the Principles and Criteria themselves. However, there were also several comments pointing out the usefulness of the guidance with regard to improving the understandability of the Principles and Criteria themselves.
- 16. Overall concern was expressed regarding the quality of the Guidance Notes. Several requests and proposals were made for improving the quality and clarification of the status of the Guidance Notes. More guidance related to the applicability of the P&C for SLIMFs, Community and Family forests was requested.
- 17. It was requested that a number of definitions of new and existing terms be included in the draft.

Chamber specific themes

18. This section provides an overview of the most important chamber specific issues and comments as provided in the form of general comments on Draft 2-0.

Economic Chamber

- 19. It was stated that Economic viability had become the poor second to environmental and social goals and that some changes in the draft would make certification of plantations with a small number of tree species impossible or financially unviable.
- 20. Concern was expressed regarding increasing requirements for stakeholder consultation and the increase in requirements in general. It was felt that the bureaucracy had increased due to new requirements on documentation and systems. The proposed revisions would result in higher costs for certificate holders. An extended period for the phasing-in of the new P&C was requested.
- 21. It was pointed out that the draft would not take into account the context of highly developed countries with highly developed regulatory systems, such that the application of some criteria would be unnecessary or in breach with national laws (Principle 2, 3 and 4). Clarification was requested concerning compliance with international conventions or



declarations for countries, which have not ratified or opposed these. Generally, by referencing external norms, e.g. UN declarations and conventions, FSC would surrender decision making to bodies outside the FSC system, not representing the will of the FSC membership, in relation to future changes to such international norms.

- 22. It was pointed out that more clarity and detail in wording would result in less flexibility and more strictness and thereby higher demands on certificate holders. Concerns were raised that because the level of detail had increased, and because the P&C had become more difficult as well as the strengthening of stakeholder engagement it would be more difficult to attract small holders and low impact operations. It was felt that the wording would need to be more general so that it fits all sizes of forest management, including SLIMF's.
- 23. There was disagreement with extending the scope of the P&C to include the protection of non-forest ecosystems.

Environmental Chamber

- 24. The P&C Review WG was urged to respect the recommendations of the Policy Working Group of the Plantations Review to use neutral terminology such as 'forest and plantations' and 'management unit'. It was also criticized that the PWG recommendation for field trials had not been adopted without sufficiently justifying this decision.
- 25. Many of the proposed revisions, for example moving items to the guidance, were considered an elimination of core requirements, e.g. requirements regarding the protection and restoration of natural forest ecosystem, chemical use, water resources and soils, and could also negatively impact some of the P&Cs social provisions. The changes would undermine the position of FSC as providing the only credible certification system for responsible forest management. It was also felt that these hallmarks would be needed to clearly differentiate FSC from competing certification schemes. Accordingly, many changes related to Principle 6 and resulting from the incorporation of Principle 10 on Plantations into the other Principles were considered unacceptable and revisions and reintroduction of missing elements was requested.
- 26. The incorporation of Principle 10 into Principle 1 to 9 was considered unacceptable by a few stakeholders. It was felt to be impossible to strike a balance in the requirements, especially under Principle 6, that would uphold the performance level required in current Principle 6 while at the same time not putting the bar to high for plantations.
- 27. Of concern was also that the revisions of Principle 9 were understood to require management intervention to maintain HCV, rather than recognizing that the best way for protecting HCV could be not to intervene at all.
- 28. The purpose of new Principle 10 was regarded as not being clear.

Social Chamber

29. It was pointed out that the draft would reflect well the changes proposed at the General Assembly 2005 and the recommendations of the Policy Working Group of the Plantations



Review. The changes were considered to strike a better balance between the social, environmental and economic aspects of FSC certification.

- 30. It was pointed out that weak or counterproductive laws or legal instruments could not be a justification for failing to meet FSC Standards.
- 31. It was felt to be important to include a criterion on transparency and corruption, on benefit sharing with the local and indigenous populations and a clearer position of the right of local and indigenous peoples to refuse and withdraw consent.
- 32. It was proposed to further strengthen the requirements on public participation (engagement).

Specific comments on the Principles and Criteria

- 33. This section provides a summary of the issues raised by stakeholders in relation to the proposed Preamble, each Principles and Criterion and the Glossary.
- 34. There were requests for introducing specific guidance or more flexibility for SLIMFs in several of the proposed Principles and Criteria. Proposals were also made to include specific wording on carbon sequestration measures and combating climate change in several Criteria. There were also many recommendations for editorial revisions. In several cases comments expressed support for the proposed revisions. Some comments were also clearly not aimed at the draft but FSC in general, e.g. improvements of existing procedures. All such comments are not repeated in the specific sections below.

Preamble

- Clarification on the status of the preamble was requested: Would it be mandatory? Some errors were pointed out.
- The preamble was felt to be too long and including content not really belonging into a
 preamble, e.g. reference to other FSC standards. This would require revision of the P&C
 whenever these other documents are updated.
- It was requested that information on the draft and drafting process be removed from the Preamble or relocated to the Introduction of the draft.

Principle 1: Compliance with legal requirements

- It was questioned whether it is needed to refer in the P&C itself to the need to comply with the P&C.
- It was felt that it is impossible to comply with and evaluate compliance with all laws
 regulations and nationally ratified treaties and therefore recommended to refer only to
 those applicable for forest management.

Criterion 1.1



- Concerns were expressed regarding the meaning and practicality of requiring delineation
 of the boundaries of the management unit, e.g. for concessions in tropical countries with
 uncertain/unclear or in some cases changing boundaries.
- The term "unchallenged" was considered ambiguous and as opening the doors for unjustified challenges aimed at gaining short term economic or other benefits.

Criterion 1.2

- Clarity was required regarding the body responsible for approving the management plan and the meaning of valid approval.
- It was pointed out that in some countries, while formal approval of the management plan is legally required there is no regulation clarifying the required structure and contents and/or no procedure for approving the management plan. This would create severe problems for managers in relation to compliance with the criterion.

Criterion 1.3

- It was questioned whether FSC should prohibit late or partial payments under all circumstances.
- It was pointed out that the wording could be interpreted to imply that the Organization would be responsible for payments related to resource uses by other organizations in the same management unit, e.g. in situations where the land is owned by the state, which grants different use rights to different organizations.
- Others pointed out that the criterion would require financial audits.

Criterion 1.4

- It was proposed that the criterion be split into two separate criteria, one dealing with the legal requirements in relation to the harvest of forest goods and services the other one dealing with legally required management and business/investment plans.
- Other stakeholders proposed to remove the requirement in relation to forest management and business/investment plans.

Criterion 1.5

- Compliance with 'Environmental obligations' was considered too weak a term for such a crucial topic.
- It was criticized that compliance with the CBD would be required while compliance with CITES would not be required(Guidance 4).

Criterion 1.6

- Problems were indicated in situations where a country has not ratified all ILO core conventions.
- This criterion was felt to be inconsistent with Principle 1 and several other criteria under Principle 1 because of not referring to binding international regulations.



- It was proposed to use a standard formulation in relation to compliance with binding international laws throughout Principle 1, e.g. by requiring compliance with "nationally-ratified" international conventions.
- It was stated that guidance 3 could mean that where customary laws are not recognized, the Organization could ignore them.

Criterion 1.7

- It was felt that the protection from unauthorized or illegal activities would be the responsibility of state authorities and not The Organization. The Organization could only be required to report observations concerning such activities to state authorities.
- It was questioned whether The Organization should be required to develop and implement measures against illegal activities if measures are already implemented by other actors.

Criterion 1.8

- The question was raised whether this criterion was geared towards addressing the
 particular circumstances of only a few management units, e.g. in the Congo Basin, within
 which transportation and trade of forest products is taking place. Transportation would
 normally be considered under CoC requirements.
- It was also pointed out that in many situations ownership is not transferred at the "forest gate" but for example at the stump, particularly in SLIMFs. It was proposed to refer to "at point at ownership transfer".

Criterion 1.9

- It was proposed that the requirement to engage and agree with stakeholders on mechanisms for resolving legal issues and disputes should be limited to tenure rights only.
- It was felt that moving the requirement of current Criterion 2.3 'that disputes of substantial magnitude involving a significant number of interests will normally disqualify from certification' to the guidance would represent a weakening of the P&C.
- FSC's ability to make a ruling in cases where non-compliances result from a failure of the government to implement laws and regulations as proposed in the criterion was doubted.

Criterion 1.10

- There was broad support that the requirement for long-term commitment to the P&C should only apply to management units under the managerial control of The Organization.
- It was proposed that greenwashing, rather than trying to tackle it in the P&C should be tackled through trademark approval requirements or the Policy of Association.
- It was pointed out that the criterion would entail the risk of discouraging Organizations to follow a step wise approach to obtaining certification for all management units in the long run.



 The criterion would also bear the risk of discouraging Organizations from testing FSC certification before seeking certification of all FMUs.

Principle 2: Workers' rights and employment conditions

- It was proposed to remove gender equality from the Principle because it was felt that this is only one worker rights issue amongst others of equal importance. Concerns were raised in relation to conflicts between the notion of gender equality and cultural and religious traditions.
- It was proposed to drop the objective of 'enhancing the social and economic well being of workers' from the Principle because enhancement is subjective and imprecise and cannot be accomplished in every situation, e.g. in highly developed economies.

Criterion 2.1

- Clarification was requested in relation to the implementation and operationalization of gender equality.
- Promoting gender equality was identified as being an unclear and specific performance thresholds for compliance with the criterion were felt to be necessary.

Criterion 2.2

- There was a significant majority of comments in favor of restricting the requirement to comply with the ILO core conventions to contractors while working for the management unit in question.
- The alternative of requiring contractors to implement the 8 ILO core conventions when or when not working for the management unit was considered as excessive extension of FSC's authority and considered not auditable and posing legal problems.
- Concern was expressed as to whether compliance with ILO Core Conventions could and should be required in countries which have not ratified the ILO core conventions.

Criterion 2.3

- It was stated that compliance with the ILO Code of Practice on Safety and Health in Forestry would be problematic in many countries/regions because of a lack of access to and knowledge about the Code.
- It was noted that the code is written in the form of recommendations rather than requirements and that the Criterion would have to address this.

Criterion 2.4

- Concerns were raised in relation to being able to identify industry minimum wages.
- Clarification was required for situations where wages are agreed between unions and employers.
- There was support for requiring wages beyond the legal minimum especially in developing countries or Less Developed Countries.



 It was proposed to refer to wages paid in comparable industries in the absence of established minimum wages in the forest sector.

Criterion 2.5

- It was on the one hand requested to only refer to legal mechanisms for resolving
 grievances and providing compensation for loss, damage, occupational diseases and
 injuries where these exist. On the other hand the opinion was expressed that mechanisms
 should always be developed by the Organization together with workers recognizing that
 there is not a fully functional legal system in every country.
- There was strong opposition against requiring a general "stakeholder engagement" in the development of mechanisms and it was proposed to refer to workers instead.

Principle 3: Indigenous and traditional peoples' rights

- The definitions of Indigenous and in particular Traditional People were felt to be inadequate.
- It was felt that it would be difficult to identify Traditional Peoples.
- The proposal to treat Traditional Peoples alongside Indigenous Peoples in Principle 3 did not receive support in the 5 regional meetings of indigenous peoples.
- The term 'acknowledge' in relation to indigenous peoples rights was considered weak.

Criterion 3.1

- Comments were made on the difficulty for The Organization to recognize customary rights in situations where the legal title to the land vests with governments which do not recognize the legal and customary rights of indigenous peoples.
- It was questioned whether forest operations should be launched in situations where land tenure conflicts resulting from inconsistencies between statute laws and customary practices have not been settled.
- It was proposed that Indigenous Peoples must be involved in the identification of their legal and customary rights.
- Further guidance on the identification and engagement of Indigenous and Traditional Peoples was requested.
- The proposal to seek advice from FSC in cases of disputes over legal or customary rights
 was criticized on the basis that FSC would not have the ability to resolve disputes in every
 situation and national context.

Criterion 3.2

- The formulation that 'The Organization shall and acknowledge and not infringe upon the rights of indigenous peoples' was regarded as weak.
- This criterion was considered unclear and difficult to comprehend due to its length and complex wording.



- The word "adjacent" was deemed inappropriate because it was felt the Organization can only control activities within the management unit.
- It was pointed out that safeguards would be needed for ensuring safe management operations and avoiding negative impacts as a result of the Indigenous Peoples exercising their rights.
- Using the term 'legitimately appointed representative' was not seen as sufficient for ensuring that 'delegation of control' is a true expression of the will of the community in question.

Criterion 3.3

- Many comments highlighted the fact that numerous Indigenous Peoples do not accept to sign agreements with the Organization for multiple reasons (culture, tradition, history, ongoing negotiations with governments regarding recognition of rights).
- It was pointed out that the criterion is not clear as to what the subject matter of the agreements should be.

Criterion 3.4

- It was questioned whether it is possible to enforce the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention 169 in the several countries that did not accept or ratify them.
- Clarity was requested on what the applicable requirements of the UNDRIP and Convention are.

Criterion 3.5

- It was requested that Indigenous Peoples be involved in identifying sites of cultural, ecological, economic etc. significance to them.
- It was felt to be inappropriate to restrict the exercise of rights in relation to such sites in a way that they would not impede the legitimate management activities of The Organization.

Criterion 3.6

- Clarification was requested on what "conformance with the CBD with regard to the protection and utilization of intellectual property rights" would mean.
- It is also requested that the Criterion should be amended to clarify that Indigenous Peoples must consent to the use of their knowledge.

Criterion 3.7

- It was criticized that the criterion would elevate traditional and customary rights over legal rights.
- It was proposed to limit the criterion to legitimate claims that have a legal basis.



• It was emphasized how impossible it would be to comply with the criterion in some countries especially where land title is held by governments which do not recognize customary or traditional land tenure and use rights.

Principle 4: Community relations and development

- It was stated that "enhancing social and economic wellbeing" would not be appropriate in all circumstances, e.g. in highly developed economies.
- Generally the Principle was seen to be clearer and more streamlined as well as understandable and usable.

Criterion 4.1

- It was expressed that the wording of the criterion is too complex and it was proposed to break it up to make it more comprehensible.
- Problems were indicated in relation to using the term 'adjacent'.

Criterion 4.2

- There was disagreement to use the formulation "give opportunity for employment, training and other services" and it was proposed to replace it with 'provide' or 'offer' opportunities.
- It was requested to clarify that the criterion refers to "local contractors and suppliers" rather than contractors and suppliers in general.
- Clarification was sought on the meaning of the term 'other services'

Criterion 4.3

- Several comments raised questions and sought clarification on the requirement to compensate for negative impacts with regard to the situations and types of impacts that would require compensation, stakeholders entitled to compensation and the kinds of compensation required.
- It was requested to differentiate between privileges granted by The Organization voluntarily and actual rights of stakeholders.
- It was pointed out that compensation should only be the last resort in cases where avoidance and mitigation have failed.

Criterion 4.4

- Clarification was sought on the responsibilities of the Organization in relation to contributing to social and economic development of local communities.
- It was proposed that the criterion should recognize the socio economic context within which the Management Unit is placed.

Criterion 4.5



- It was felt that the requirement for "stakeholder engagement in the development of mechanisms for resolving grievances" is an unnecessary burden particularly when there are legally defined processes.
- The Criterion was regarded as covering too many different aspects (stakeholder engagement, mechanism development, mechanism implementation, description of the mechanism and prevention). It was proposed to address these items in separate criteria.

Criterion 4.6

• It was commented that a criterion for protecting sites of cultural, ecological, economic etc. significance to local communities would be redundant because it addresses the same issues as Criterion 3.5.

Principle 5: Benefits from the forest

- Comments highlight that the requirement to use 'the multiple products and services of the
 management unit' would conflict with the free choice of the forest owner regarding setting
 management objectives, priorities and business decisions. It should be possible to simply
 utilize a very limited number of products or to focus solely on environmental and social
 objectives.
- Questions were raised in relation to the responsibilities of The Organization to enable other businesses in marketing products and services from the management unit.

Criterion 5.1

- There was the impression that by requiring long term economic viability and ecosystem productivity only, the criterion had lost its ecological pillar.
- It was proposed that as in the current P&C Criterion 5.1 be combined with Criterion 5.2. This would better reflect that a balance is needed between all these applicable factors (economic viability, ecosystem productivity, social and environmental costs).

Criterion 5.2

- It was felt that the examples of social costs and environmental costs were misleading and biased against plantation management units in certain regions.
- It was questioned whether it would be possible to actually assess the social costs and environmental costs.

Criterion 5.3

- Concerns were raised regarding the requirement to 'diversify the benefits and products'
 from the management unit. It would not be clear what level of diversification would suffice
 to satisfy the criterion. The criterion could be interpreted to require ad infinitum
 diversification.
- It was felt that for plantations, which often rely on one single forest product, it would be difficult if not impossible to comply with the criterion.



Criterion 5.4

- Clarification was sought on the meaning of economic viability as a factor for deciding whether or not to use local value adding and local services.
- Concerns were raised in relation to possible conflicts with competition laws in many countries.

Criterion 5.5

- It was highlight that there are situations where the requirement to avoid 'waste' could result in negative ecological impacts, e.g. stump removal or the collection of all biomass.
- It was also criticized that the scope of the criterion extended outside the management unit.

Criterion 5.6

- It was argued that the criterion would be a general repetition of the requirements in Principle 6.
- There was support for requiring maintenance and/or enhancement of the value of environmental services but also the feeling that this would leave to much leeway.

Criterion 5.7

- The criterion was considered complicated and difficult to understand.
- It was also felt that the important requirement of sustainable harvest rates as per the original criterion had been lost and should be re-introduced.

Principle 6: Ecosystem functions

- The focus on 'ecosystem functions' was considered a narrowing of the Principle, excluding important components.
- The following components were felt to have got lost:
 - o Conservation and protection of biodiversity, water resources and soils
 - Landscape level considerations
 - Conservation and restoration of ecosystems and natural forests.
- It was requested that the Principle refers to Ecosystem integrity, which embraces the entirety of the goals of the Principle.

Criterion 6.1

- It was felt to be important that the assessment ecological properties take places in a sequence which enables essential protections and precautions to be implemented before negative impacts occur.
- It was criticized that term 'ecological properties' is ambiguous and not defined.
- It was felt that landscape-level considerations would be missing in the criterion.



Criterion 6.2

- The use of the formulation 'prevent, mitigate and remediate negative impacts on ecosystem functions and environmental values' was felt to be contradictory, if prevented, mitigation and remediation of negative impacts would not be required.
- It was requested that the assessment of 'potential' negative impacts should take place prior to site disturbing activities.
- It was commented that 'environmental values' is would be assessed whereas 'ecosystem functions' are much more difficult to assess.

Criterion 6.3

- A strengthening of the requirements for the identification and protection of RTE species was requested.
- While protecting habitats within the FMU was considered essential it was felt that the criterion also needs to address the landscape level needs of RTE species.
- It was requested that the requirement to establish protection areas and conservation zones should depend on the need for protection: No need no protection.
- It was stated that the protection of RTE species is government responsibility and not a responsibility of The Organization.

Criterion 6.4

- The criterion was criticized for being difficult to understand and interpret.
- A fear was expressed that the requirement to 'offer samples of ecosystems for integration into habitat protection plans' would oblige the land owner to give away the land for free.
 Forest managers should not be obliged to carry out such integration.

Criterion 6.5

- It was felt that by focusing on the 'maintenance and/or enhancement of ecosystem functions' the original protection of biological diversity had been lost.
- It was felt to be unclear how plantations could comply with this criterion, which appeared to be focused on natural forests.

Criterion 6.6

- Again the reference to 'maintenance of ecosystem functions' was considered inappropriate.
- It was requested that 'natural disturbance regimes' should be recognized in the Criterion.

Principle 7: Management planning

- The details required to be provided in the management plan were considered to be beyond what should be included in the Principles and Criteria.
- Concerns were also expressed regarding the requirement for social management planning and the resulting costs.



Criterion 7.1

- Clarification was requested concerning the obligation to publicize the summaries of the Policies.
- It was proposed to change the order with Criterion 7.2 as it was felt that the required Policies and Objectives are elements of the management plan.

Criterion 7.2

- The relocation of the management plan elements to guidance was considered a weakening of the criterion by some stakeholders.
- Concerns were also expressed about requiring social management planning at all.

Criterion 7.3

- Clarification was requested on the concept of verifiable measures of success.
- Clarification was sought on the relationship between the objectives and policies of The Organization in relation to fulfilling the Principles and Criteria.
- Concerns were raised in relation to requiring involvement of stakeholders in reviewing the verifiable measures of success.

Criterion 7.4

- There were some proposals for revisions of the guidance.
- Clarification was sought on the inclusion of 'Procedural documentation".

Criterion 7.5

 The requirement to make the entire management plan available was considered impractical because of the complexity and technical nature of its content, as well as for confidentiality and cost reasons.

Criterion 7.6

- It was felt to be unnecessary and unjustified to engage interested stakeholders in the process of management planning.
- The criterion was interpreted to mean that it would be required to meet the desires, expectations and needs of all stakeholders in the management plan. This was felt to be impossible.

Principle 8: Monitoring and assessment

- Clarification was sought on the meaning of the term risk.
- It was pointed out that the proposed wording of Principle 8 as well as Criterion 8.1 and 8.2 aimed at a system of strategic and operational monitoring based on indicators. Rewording focusing on the management plan goals without focusing on indicators was proposed.



Criterion 8.1

- The requirement to establish progress indicators was criticized.
- It was argued that the proposed Criterion by simply referring to management objectives would not contribute to the achievement of compliance with the P&C.

Criterion 8.2

- It was pointed out that a monitoring scheme would not itself reduce the risks of negative impacts. This would be the function and result of the subsequent management review.
- It was proposed that third party monitoring should be allowed in order to comply with the criterion.

Criterion 8.3

- This criterion was criticized as requiring a new form of mandatory chain of custody for forest products going onto FMU in addition to the existing FSC CoC requirements.
- It was proposed to require a documented system.

Criterion 8.4

 Here it was mainly requested that only a summary of the monitoring results should be made available because of practical reasons and confidentiality aspects.

Principle 9: Management of High Conservation Values

- It was regarded as essential that the Principle continues to require organizations to avoid active management in HCVF where that is the most effective means of protecting the high conservation values.
- It was pointed out that the precautionary principle had been lost from the Principle and the associated Criteria and it was requested to reintroduce this concept.

Criterion 9.1

It was pointed out that field evaluations and stakeholder engagement are only two
methods by which the presence and status of HCV's could be assessed and that other
mechanisms should be included too, e.g. records review, existing inventories range,
maps, literature.

Criterion 9.2

- Concerns were raised concerning the requirement to agree with stakeholders on the strategies for maintenance of HCV. It was pointed out that agreement might not be reachable or that this requirement could be misused by stakeholders.
- It was requested to accept actions taken by legally mandated bodies concerning HCV in order to avoid duplication of efforts and conflicts with legal authorities.

Criterion 9.3



It was requested to re-introduce the precautionary principle in the criterion.

Criterion 9.4

- The term "periodic" was considered by some as implying the need for regular monitoring when it may not be needed.
- Other comments criticized that "periodic" could be interpreted to mean that a formalized, regular monitoring program is not required.

Principle 10: Management Activities

- Stakeholders felt that the focus of the Principle as a whole was not clear. Unlike intended by the WG it was felt to be geared towards plantations.
- It was criticized that the Principle would describe business-as-usual management practices and not set performance benchmarks thereby making environmental outcomes less certain.

Criterion 10.1

- It was pointed out that the proposed species selection if applied in natural and semi natural forest could result in gradual conversion.
- On the other hand related to plantations the wording was considered to make certification
 of plantations impossible because it would require structural and biological diversity, most
 plantations species would be invasive and would often have adverse ecological impacts.

Criterion 10.2

- Also here it was felt that the Criterion could lead to conversion of natural forests to nonnative forests on the one hand and exclusion of plantations from certification on the other hand
- Clarification was sought on the situations in which alien species could be used for regeneration.
- It was pointed out that, unlike explained in the Guidance Notes, native species are not always the best alternative for adaptation to climate change.

Criterion 10.3

- Additional requirements were requested regarding the protection of water resources from management activities.
- It was requested to require measures for the control of erosion during harvest, road construction and other mechanical disturbances.

Criterion 10.4

• The language was interpreted to possibly result in choices of silvicultural systems that are driven by species regeneration choices with a focus on non-native species and/or a very limited portion of the species that would naturally be found on the site.



- The criterion was also considered to focus on natural or semi natural forest management situations and exclude plantations by implying for example in guidance 3 that species and habitat diversity would have to be increased.
- It was stated that the term 'silvicultural practices' would narrowly focus on timber or tree related activities but that all management practices should meet the requirements of the criterion.

Criterion 10.5

- A possible overlap was identified with Criterion 6.2 which also dealt with negative impacts.
- Questions were raised in relation to the meaning of the word 'anthropogenic'.
- Several proposals were made for clarifying the Guidance.

Criterion 10.6

- It was proposed to treat the prohibition of GMO's and the use of biological control agents in two separate criteria.
- The requirement to minimize and control the use of biological control agents was seen to be in contradiction with the requirement to use integrated pest management systems which based on using inter alia biological control agents aim at reducing and eliminating chemical pesticides.
- Some criticism was expressed regarding retaining the prohibition of GMOs.

Criterion 10.7

- It was criticized that the criterion had removed the goal of moving toward environmentally friendly, non chemical methods of pest management. It was also criticized that the prohibition of specific toxic chemicals as per original criterion had been removed.
- Questions and concerns were raised in relation to the applicability of the criterion to nurseries.
- It was also felt that the proposed wording would not solve the problems with FSCs derogation process for highly hazardous pesticides.

Criterion 10.8

- It was requested by some stakeholders to develop a criterion directly dealing with carbon sequestration.
- Other stakeholders found it premature to include such a criterion.

Criterion 10.9

- It was proposed to clarify that the requirement for job specific training expands to workers
 of contractors.
- Other stakeholders found it inappropriate to make the Organization responsible for providing the necessary training.



Original Principle 10 on Plantations

- There was support for the incorporation of Principle 10 on Plantations into Principle 1 to 9
 and new Principle 10 as proposed by the Policy Working Group of the Plantations
 Review. However, it was pointed out that a key recommendation by the Policy Working
 Group that higher level of impact shall correspond to higher conservation efforts to
 maintaining ecosystem integrity was missing needed inclusion in the revised P&C.
- For other stakeholders the incorporation was the wrong approach because the specific problems related to plantations could only be addressed in specific requirements.
- It was felt that several key components of current Principle 10, such as the requirements of current 10.2, 10.4, 10.5, 10.6 and 10.7 were missing from the draft Principles and Criteria and would need to be re-introduced.

Glossary

- It was proposed to use internationally agreed definitions whenever possible.
- Several proposals were made for editorial changes and revisions.