



Forest Stewardship Council®



**Working Group to develop
International Generic Indicators (IGI)
and instructions for standard developers
for the implementation of the FSC Pesticides Policy
(FSC-POL-30-001 V3-0)**

Terms of Reference and Operating Rules

November 2018

WORKING GROUP SUMMARY

Type of Working Group:	Technical Working Group (TWG)
# of Working Group members:	6
Project supervisor	tbd
Project manager	tbd
WG coordinator	tbd
Technical writer	tbd
Working language	English (other languages may be supported as needed)

PROJECT SUMMARY

Project Title:	Implementation of the FSC Pesticides Policy (FSC-POL-30-001 V3-0).
Project Manager:	tbd
Contact:	FSC International Center - Performance and Standards Unit - Adenauerallee 134 53113 Bonn, Germany

@ psu@fsc.org

PROJECT INFORMATION

1 Background

The first version of the FSC Pesticides Policy was approved in 2002 to facilitate the implementation of the FSC-STD-01-001 *V4-0 FSC Principles and Criteria*. The policy was developed using a hazard-based approach to identify chemical pesticides that, due to their high toxicity, were prohibited unless a temporary derogation was granted for their use.

In line with the objectives of the 2015-2020 FSC Global Strategic Plan and stakeholder feedback, the FSC Pesticides Policy has been revised to incorporate a risk-based approach that considers not only the hazard of the active ingredient but also under what circumstances chemical pesticides could be used.

The revision has been conducted by an interest balanced working group formed by six (6) stakeholders and three (3) technical experts.

The working group is currently preparing the final draft of the policy to submit to the Policy and Standards Committee and the FSC Board of Directors for decision making in the first quarter 2019.

The full implementation of the revised FSC Pesticides Policy will require the development of International Generic Indicators (IGIs) for the use and risk management of chemical pesticides and their incorporation to national context.

This approach has received significant stakeholder support during the consultations. Taking this into consideration, and to accelerate the process of implementation of the policy, the Steering Committee has agreed on initiating the process for the development of the IGIs before the policy is approved.

2 Introduction

FSC requires certified Organizations to use integrated pest management (IPM) to avoid, or aim to eliminate, the use of chemical pesticides in management units (MU), and minimize risks to human health and the environment while maintaining economically viable management.

However, in certain circumstances, after having identified and determined likely impacts of a pest, weed or disease and considered all available pest management strategies, the use of chemical pesticides may be identified as the most suitable control. The FSC Pesticides Policy regulates the use of chemical pesticides in these situations.

The revised policy identifies highly hazardous pesticides (HHPs) and categorizes them into three hazard-based lists: Prohibited HHPs, Highly Restricted HHPs and Restricted HHPs.

FSC considers the risk associated with the use of FSC prohibited HHPs is unacceptable due to their high toxicity, even at low exposure.

Highly Restricted HHPs, Restricted HHPs and non-HHPs may be used only when an environmental and social risk assessment (ESRA) has been undertaken by different stakeholders at international, national and management unit levels to identify:

- Lower risk alternatives,
- Conditions for chemical pesticide use; and
- Adequate mitigation and monitoring measures.

AS part of the ESRA framework, the revised policy requires that FSC develop IGI for the use and risk management of HHPs for hazard groups.

The IGIs will be the starting point for Standard Development Groups to develop indicators and locally relevant thresholds (conditions) for the use of the relevant FSC Highly Restricted HHPs and FSC Restricted HHPs in the country.

In countries without Standard Development Groups, certification bodies will adopt the IGI or use the national indicators developed in country with similar forest and pest problems, upon approval of FSC.

Organizations shall conduct ESRA as part of their IPM systems in accordance with the policy and conform with the applicable international and/or national indicators and thresholds for the use of highly hazardous pesticides.

3 Set up of the project

In the context of this project, FSC will establish a **Technical Working Group (TWG)** with six (6) members, to advise and provide content related input to the development of the IGI and the instructions for its incorporation to national context, and to deliver on the tasks and responsibilities outlined in these Terms of Reference (TOR).

The TWG will consist of:

- **Three interest balanced members of the pesticides policy working group (PPWG) approved** by the BoD in 2016 (not necessarily FSC members). Their depth understanding of the policy, its intent and rationale will facilitate consistency between the policy and the development of its operational requirements for the implementation.
- **Three technical experts** (not necessarily FSC members) with operational expertise in the field of pesticides. In particular: audits, standard development and forest management.

FSC will strive to set up a group with gender balance, equitable geographical representation and representation from developing countries.

In addition, the following bodies are involved in the project, established in line with FSC-PRO-01-001 V3-0:

A **Project Supervisor**, appointed by the Director Policy Operations, to provide support and advice to the Coordinators, and support the TWG in reaching its goals.

A **Project Manager**, appointed by the Policy Director, to manage the project: keeping track of the work plan and timelines, and informing the rest of the participating bodies of the work plan milestones and upcoming deadlines;

A **WG Coordinator**, appointed by the Policy Director to set up, administering and managing the WG and the Consultative Forum. The Project Coordinator is responsible for ensuring that the WG operates responsibly and in accordance with its terms of reference and applicable procedures.

A **Technical Writer**, to draft the different versions of the documents, striving to achieve consensus between conflicting aspects.

A **Steering Committee** to provide oversight on all phases of the process until the final decision by the FSC Board of Directors. The Steering Committee will be composed of the FSC Managing Director, FSC Director Policy Operations and the Forest Management Program Manager.

A **Policy and Standards Committee Liaison Person** to keep the FSC Policy and Standards Committee closely informed about the process and to give advice to the Working Group on timely alignment to relevant processes within the FSC normative framework.

A **Board Liaison Person** to keep the FSC Board of Directors closely informed about the process and to give advice to the Working Group on timely alignment to relevant processes within the FSC normative framework.

Liaisons from the FSC Board of Directors and the Policy and Standards Committee can be invited to the Steering Committee, though they do not have a decision-making role on the Steering Committee.

A **Consultative Forum** is a self-selecting group of interested/affected members, certificate holders, certification bodies and other stakeholders interested in providing ongoing, direct and meaningful input into the process as follows:

- Prior to WG meetings, provide topics and papers to be discussed by the WG.
- Provide advice to the WG in specific aspects when required.

The consultative forum is not a decision-making body and has no formal responsibilities.

A **Facilitator**, to support the Working Group in running successful conference calls and face to face meetings.

An Organogram is provided in **Annex 2**.

WORKING GROUP INFORMATION

4 Objective

The TWG is expected to advise, provide content-related input and come to an agreement about the development of the IGI for the use of highly hazardous pesticides (HHP) and the instructions for its incorporation to national context.

In this context, the TWG shall:

- Develop IGI for the use and risk management of HHPs for hazard groups to enable the implementation of the FSC Pesticides Policy.

The IGI shall consider:

- the exposure elements and variables described in the revised FSC Pesticides Policy.
 - research into less hazardous alternatives.
 - engagement with interested and/or affected stakeholders.
 - training requirements (FSC Principles and Criteria V5-2, Criteria 2.5 and 4.3).
 - monitoring requirements (FSC Principles and Criteria V5-2, Criteria 8.2).
 - use of personal protective equipment (FSC Principles and Criteria V5-2, Criteria 2.3).
- Develop instructions for Standard Development Groups and Certification Bodies on how to incorporate the IGI to National Forest Stewardship Standards and Interim National Standards.

The instructions shall consider the 'Procedure to Implement Policy Requirements for ESRA framework at national level' developed by the PPWG to ensure consistency between documents.

- Address potential recommendations and conditions from the Policy and Standards Committee or Board of Directors resulting from the approval process of the revised policy.

5 Responsibilities of the Working Group

The members of the TWG will work together throughout the process, discussing issues and interacting with each other as a group in and outside of meetings as necessary and/or required by the Coordinator.

The members of the TWG shall:

- Provide detailed input to the draft versions of the IGI for the use of highly hazardous pesticides (HHP), instructions for standard developers and the different suggestions provided by the Coordinator and the Technical Writer;
- Ensure equal levels of participation from all members of the TWG, to have the opportunity to express their opinions and concerns;

- Seek, and consider with equal weighting, advice on all aspects of their work from the Consultative Forum members, FSC Global Network, FSC Board of Directors, FSC accredited Certification Bodies, FSC Certificate Holders, other FSC stakeholders and/or relevant Technical Experts;
- Participate in stakeholder outreach and information-sharing forums, as needed;
- Consider the input from the desk studies conducted during the revision of the FSC Pesticides Policy.
- Review and consider comments received in the public consultation round(s);
- Attend all conference calls and face-to-face meetings of the revision process;
- Recommend when a draft is ready for public consultation;
- Recommend the need to field test any subsequent draft of the IGI;
- Recommend when the final draft is ready to be submitted to the FSC Board of Directors for decision-making.

6 Selection of Working Group members

A call for expressions of interest (supported by Curricula Vitae) will be launched to the public for identifying the candidates for the TWG.

Members of the TWG will be selected by the Steering Committee according to the following criteria:

- a) Ability to provide specific technical input on:
 1. Integrated pest management in forestry.
 2. Mitigation of environmental and social impacts of pesticide use (health and safety, research into less hazardous pesticides, training, monitoring, use of personal protective equipment and engagement with interested and/or affected stakeholders)
- b) Understanding of the FSC system, in particular: audits and standards development.
- c) Understanding of the potential impact of a normative document on affected stakeholders;
- d) Understanding of and support for FSC's mission and vision;
- e) Desire to seek and reach consensus on controversial issues;
- f) Ability to review and comment on documents submitted in the working language(s) agreed for the WG;
- g) Track record on successful working groups is an asset;
- h) Gender balance and balance of geographical regions, where possible.

Applicants, who do not get chosen, will be invited to participate to the Consultative Forum.

7 Accountabilities

The TWG consists of 6 members.

Appointed TWG members are expected to adhere to the rules and regulations of this ToR and are expected to donate sufficient time to thoroughly fulfill their duties as outlined in the work plan (**Annex 3**).

Appointed TWG members shall sign a service and confidentiality agreement with FSC upon appointment.

The TWG is accountable to FSC. TWG members may be asked to leave the group by the Steering Committee if they are not fulfilling their duties properly.

The term of TWG members is expected to end with the submission of the final draft of the Standard to the Board of Directors, after Policy & Standards Committee review and recommendation for approval.

In the event of potential recommendations and conditions from the Policy and Standards Committee or Board of Directors resulting from the approval process of the document(s), this term may be extended.

8 Work plan and time commitment

The WG will be established after the approval of this ToR. The expected start-date for the TWG is May 2019, with a targeted completion by November 2020.

An estimated time table is provided in **Annex 3**. The timetable and the detailed work plan will be updated as necessary.

The WG will conduct most of its work via e-mail or similar means of electronic communication (e.g. Go-to meeting conference), and through one-on-one calls with the Coordinator when required.

4-5 calls are foreseen per Draft version (1, 2 and final draft), in addition to kick off meeting and a closing meeting.

At least two face-to-face meetings are envisaged: an opening meeting to provide input to Draft Zero and start developing Draft One, and a closing meeting after the first public consultation period to prepare the second draft. Approval to the final draft by the TWG will be given online at the last webinar.

9 Expenses and Remuneration

FSC is an international not-for-profit membership organization with limited funding. Participation in the TWG takes place on a voluntary non-paid basis.

If required, FSC will cover reasonable travel and accommodation expenses related to the work plan upon submission of the respective invoices and receipts, and if expenses are agreed upon in advance.

If required, a stipend can be granted by FSC on a case-by-case analysis.

10 Confidentiality and conflict of interest

TWG members shall sign a confidentiality and non-disclosure agreement with FSC at the beginning of their work.

TWG Members are expected to declare any conflicts of interest, where they arise. This will cause the person(s) to be excused from the discussion and to abstain from participating in decision-making of relevant issues.

Per default, non-attributable content of discussions and papers prepared by or presented to the TWG is not considered confidential, unless otherwise specified.

The TWG operates according to Chatham House Rules. So, while members of the TWG have full authority to share the non-confidential substance of discussions and papers, they shall not report or attribute neither the comments of individuals nor their affiliations outside of meetings, whether conducted face-to-face or virtual.

11 Language

The working language of the WG is English. Language support to Spanish is provided on request.

All drafts for public consultation, as well as other documents, as requested and as possible, will be translated into Spanish. Documents may also be translated into other languages if requested by the TWG and depending on resource availability

OPERATING RULES

12 Deliberations and Decision Making

For the TWG to meet and deliberate, there must be quorum, defined as a minimum 4 TWG members. The Project Coordinator will strive to select meeting dates and venues that allow for full participation of all TWG members.

NOTE: a neutral facilitator will be appointed for each working group meeting to support the Working Group in running a successful meeting.

All TWG members must participate in each point of decision-making. If any of the member(s) is not present for a decision, then a provisional decision may be made, subject to participation by the absent member(s). Quorum is desired for any provisional decisions, and full member participation is preferred.

The TWG shall strive and make every effort possible to take decisions by consensus (see **Annex 1**: Glossary).

If consensus cannot be achieved, outstanding concerns shall be documented and presented to the FSC Board of Directors in the final report that accompanies the document presented for decision.

The Coordinator, FSC Staff, Steering Committee members and any other supportive personnel shall not participate in any decision-making.

If the TWG is not able to agree on a final draft within six (6) months after the final round of public consultation, the Steering Committee shall take a decision on how to move forward with the process.

Annex 1: Glossary

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

Chairperson: a Working Group member, chosen by the other members, to act as a contact point and spokesperson for the Working Group. He/she brings together the shared concerns, suggestions and recommendations of the Working Group members and shares them with the other actors involved in the project. Having a chairperson is optional.

Interest balanced WG: a group of selected stakeholders (not necessarily FSC members) with professional experience in the field of question, to advise and provide content related input to the development or revision of a FSC normative document, equally representing the perspectives of the social, environmental and economic interests (and Southern and Northern perspectives in case of a Sub-interest balanced WG).

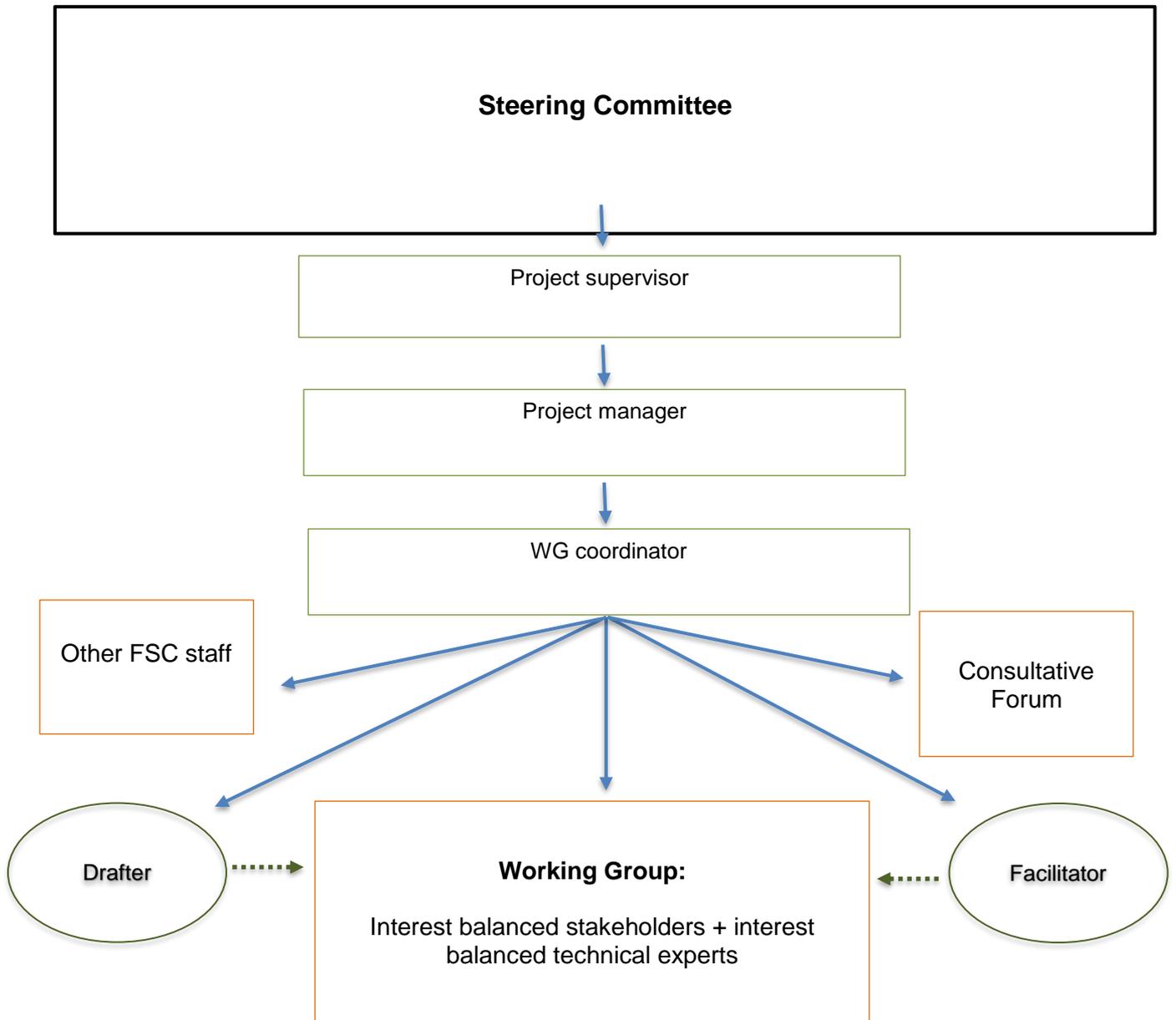
Chatham House Rule: "When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed". The Chatham House Rule has the aim to encourage openness and the sharing of information at meetings.

Consensus: general agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests.

NOTE: Consensus should be the result of a process seeking to take into account the views of interested parties, particularly those directly affected, and to reconcile any conflicting arguments. It need not imply unanimity (adapted from ISO/IEC Guide 2:2004).

Technical WG: a group of experts appointed by FSC with professional experience in the field of question, to advise and provide content related input to the development or revision of a FSC normative document.

Annex 2: Organogram



Annex 3: Estimated Workplan

Phases of the project	2018		2019												2020												
	Nov	Dec	Jan	Feb	Mar ¹	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	
Develop Draft 0-0	█	█	█	█	█																						
Develop ToRs	█																										
Draft workplan	█																										
Approval by PSC		█																									
Approval by BoD			Opt. 1 ²		Opt. 2																						
Nominate Project Coordinator			█																								
Establish Steering Committee			█																								
Call for TWG members (30 days)				█	█																						
WG selection and decision by SC					█	█																					
Agreements with TWG members						█																					
Establish CF						█																					
WG Kick -off call							█																				
First face-to-face meeting								█																			

¹ Expected approval date of the revised FSC Pesticides Policy.

² Option 1: ToR approved by BoD in conference call between meetings. Option 2: ToR approved by BoD in face to face meeting. In that case, the workplan would be postponed by two months.

Phases of the project	2018		2019												2020											
	Nov	Dec	Jan	Feb	Mar ¹	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Development of draft 1																										
60 days public Consultation of D 1-0																										
Analysis and development of synopsis																										
Second face to face meeting																										
Development of Draft 2.0																										
60 days public consultation Draft 2.0																										
Field testing of draft 2-0																										
Analysis and development of synopsis																										
Third face-to-face meeting ³																										
Developing final draft and decision package																										
Approval by PSC																										
Approval by BoD																										

³ The TWG will strive to prepare the final draft in conference calls. A face to face meeting will only be held if deemed necessary because of the number of changes between versions.

