



## Report P&C Review Workshop

25 and 26 of June 2011

Kota Kinabalu, Malaysia

22 September 2011

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**Author:** Matthias Fecht

### 1. 25 June 2011 – Introduction and Agenda

Andre De Freitas, FSC-IC Executive Director, welcomed all participants and emphasized the importance of this event for making progress with the completion of the P&C Review.

Due to the large number of attendees there was no general introduction of all participants. However, the facilitator Rodger O'Connell asked the P&C Review WG members to introduce themselves. A list of participants is provided at the end of this report (Annex 2). The facilitator gave a presentation on the purpose authority, agenda and methodology for the Workshop (See Annex 1). He reiterated that the purpose of the workshop would be to reach a 'soft consensus' among the Workshop participants on the 23 issues as identified in the survey on Draft 4-0 of the revised P&C. A framework including draft agenda and list of the issues proposed for discussion had been circulated previously.<sup>1</sup> The soft consensus and authority of the workshop were to give further guidance and direction to the P&C Review WG in the form of recommendations.

It was agreed to follow a triage approach in such a way that the first part of discussion would take place in the plenary and the second part would take place in smaller cross-chamber break out teams. During the first part, all participants were invited to raise their problems and concerns regarding the 23 issues. The P&C Review WG was then asked respond to these concerns. Subsequently, a decision was taken whether the response sufficiently addressed the problem or concern or if further discussion was needed. Where needed and possible the issue was tabled for direct discussion between the P&C Review WG and Workshop participants. These were scheduled to take place after the Workshop until the end of the General Assembly in so called One-on-One discussions. Workshop participants were asked to

<sup>1</sup> The framework, proposed agenda and list of issue was circulated on 02 June 2001 for comments to all persons that had registered for the Workshop (download here: [http://www.fsc.org/fileadmin/web-data/public/document\\_center/Current\\_consultations/2011-06\\_GA\\_Workshop\\_Framework\\_Final\\_EN\\_ES.pdf](http://www.fsc.org/fileadmin/web-data/public/document_center/Current_consultations/2011-06_GA_Workshop_Framework_Final_EN_ES.pdf)). Taking into account the comments received an update was sent on 16 June for comments to all person that had registered workshop (download here: [http://www.fsc.org/fileadmin/web-data/public/document\\_center/Current\\_consultations/2011-06-16\\_GA\\_Workshop\\_Update\\_EN\\_ES.pdf](http://www.fsc.org/fileadmin/web-data/public/document_center/Current_consultations/2011-06-16_GA_Workshop_Update_EN_ES.pdf)).



register for the One-on-One discussions. A schedule for these discussions was subsequently sent via email to all participants that registered for one or more of the One-on-One discussions and posted on the General Assembly bulletin board.

When One-on-One discussion were felt not be sufficient to address the identified concerns or problems the issue was passed on for discussion in cross-chamber teams, scheduled for the 26<sup>th</sup> of June. The members of these cross chamber teams were selected by their chambers on the 25<sup>th</sup> of June. The agreements of these cross chamber teams were scheduled for presentation to the plenary on the 26<sup>th</sup> of June.

Observers were asked not to participate actively in discussions. While originally observers were also not invited to participate in cross-chamber discussions they were later on admitted subject to agreement by the specific cross chamber team.

The following Section 2 provides an overview of the problems and concerns raised by FSC members, the responses of the P&C Review WG and decision on the appropriate mechanism for follow up (Cross-chamber team or One-on-One discussion) as discussed on the 25<sup>th</sup> of June. Section 3 provides the response provided by the Cross-chamber teams on the 26<sup>th</sup> of June. Section 4 of these minutes deals with the One-on-One discussions between the P&C Review WG and FSC members.

## 2. 25 June 2011 - Identification of problems and concerns and follow up discussions

This section provides an overview of the problems and concerns raised by FSC members in relation to the 23 issues during the plenary session on the 25<sup>th</sup> of June and the P&C Review Working Group responses to these concerns and problems. Subsequent to this dialogue the plenary was asked to decide by show of hands (green cards indicating agreement, red cards indicating disagreement) whether an issue would require the establishment of a cross-chamber team or direct dialogue (One-on-One) with the P&C Review WG.

### Issue 1: Preamble, Section 3 – Scope of the FSC Principles and Criteria

The following problems and concerns were raised by FSC members:

- By referring 'other vegetation types' the proposed scope is missing a clear link between FSC and forests.
- The term 'other vegetation types' muddies the diffuses what is the scope of the P&C
- The scope does not cover semi-natural forests. It is unclear if and how semi-natural forests are covered by the proposed definition of forest, natural forests and plantations.

The WG responded that it had simply quoted an existing FSC policy (FSC-POL-10-004 Scope of application of the P&C (2005) as backed by the preceding discussion paper, which had not been amended since its adoption in 2005

It was agreed to address this in a One-on-One session with the P&C Review WG.

### Issue 2: Criterion 1.8 – Long term commitment to comply with the P&C

It was stated that the problem with the proposed wording would be that the definition of managerial control was not auditable.

The P&C Review WG responded that:

- Proposed criterion 1.8 would continue the current P&C requirement for long-term commitment (criterion 1.6) and would reflect FSC's existing Policy on Association.
- The requirement was retained because the current Policy of Association, which could be a replacement of current Criterion 1.6, is not yet operable.
- Therefore, the criterion would be needed as a safeguard against green washing.

It was agreed to address this in a One-on-One session with the P&C Review WG.

### Issue 3: Criterion 3.4 – Compliance with UNDRIP and ILO Convention 169

It was stated that the need to 'uphold' every part of ILO Convention 169 even if not ratified by a country would lead to problems, e.g. conflicts between existing laws and the P&C.

The P&C Review WG responded that it had simply incorporated the requirements of current FSC POL 30 401 (2002) FSC certification and ILO Conventions, which would already require compliance with ILO Convention 169. This was approach was also supported by Policy Motion 8 of the General Assembly 2008.



It was agreed to address this in a One-on-One session with the P&C Review WG.

#### **Issue 4: Criterion 4.1 – Identification of local communities and their rights**

The following problems and concerns were raised by FSC members:

- The new definition of customary rights is much weaker than the current definition by making it a subset of customary laws, which do not always exist. Customary laws exist independent of customary rights.
- It would unclear and possibly very difficult for small holders comply with the proposed requirement.

The P&C Review WG responded that:

- It should be much easier for small-holders to identify the affected stakeholders and their rights. Scale, Intensity and Risk, even though not specifically mentioned in the Criterion, would apply as well as explained in the Preamble of the revised P&C.
- It had not been the intent of the working group to weaken customary rights. Further revisions should address this.

The Workshop agreed to pass this issue on to a One-on-One session with the P&C Review WG.

#### **Issue 5: Criterion 4.4 – Additional activities for contributing to local development**

The following problems and concerns were expressed:

- The criterion should take into account Scale, Intensity and Risk.
- The term additional activity has no meaning. It should be specified as follows:
  - The term should be replaced by 'Sustainable community development activities'.
  - There should be a minimum limit on organizations to invest on sustainable community development. It may be a % of the total turn-over or of profit made in previous year.
  - Social Impact Assessment should be inbuilt in P&Cs rather left to Explanatory Notes.
  - There should be a time limit on starting these activities as provided for in proposed Criterion 6.2 for environmental issues.

The P&C Review WG clarified that the Criterion already specifically refers to Scale, Intensity and Risk and agreed to discuss the proposed changes with the proposer.

It was agreed to discuss this in a One-on-One session with the P&C Review WG.

#### **Issue 6: Criterion 5.1 – Diversification of benefits from the management unit**

FSC members put forward the following problems and concerns:

- The presumption of the criterion seemed to be that every management unit is managed for commercial purposes. It would be unclear what the consequences are when the management objective is conservation. Would the criterion force The Organization to produce diversified product and benefits?



- The consequences of the criterion would be unclear for situations where the management system/vegetation type would not allow the production of ecosystem services.

The WG concluded that these problems could be addressed by editorial changes, for example including 'and/or' in the wording.

It was decided to pass this on for discussion in a One-on-One session.

#### **Issue 7: Criterion 5.2 – Sustained yield**

FSC members felt that:

- The proposed criterion would undermine the clarity of current Criterion 5.6 by not requiring sustained yield.
- The criterion would not establish a clear performance threshold.
- The current criterion is not about sustained yield per se, but rather about cumulative depletion over time.
- If FMUs are exceeding sustained yield then this could become a problem for FSC's credibility
- There should not be broad exemptions opened up for natural disturbance events.

The WG responded that:

- For a limited time, e.g. in the case of natural events such as wind blow, it should be allowed to exceed sustained yield levels.
- Even flows would not make sense ecologically. Therefore, proposed Criterion attempts to maintain the values underlying the sustained yield concept while allowing The Organization to have a range of management objectives and strategies which take advantage of the elasticity of forest ecology.

The work shop decided to that the issues would require the establishment of a cross-chamber team.

#### **Issue 8: Criterion 5.4 – Use of local value adding and services**

The following issues were raised regarding the proposed wording:

- The meaning of the word 'local' would be unclear in the context of this criterion.
- The proposed wording would not reflect market realities, for example the non-existence of local saw mills.
- There could be possible conflicts with state procurement laws which prohibit favoring local suppliers.

The WG responded that all these issues were addressed in the explanatory notes.

It was decided to discuss this issue in a One-on-One session with the P&C Review WG.

#### **Issue 9: Criterion 5.5 – Compliance with credible forest carbon standards**



**Regarding this issue the following problems and concerns were raised by FSC members:**

- The criterion would not establish requirements concerning forest management performance and should therefore be addressed outside the P&C; that is in the Policy of Association.
- The criterion would refer to a non-existing component (FSC endorsed carbon standards).
- It could result in additional bureaucracy, especially for small holders in the South, by requiring compliance with yet another standard.
- It would be unclear how the criterion could be applied in practice.

The P&C Review WG response was that:

- The subject matter of the criterion was not yet addressed in the Policy of Association and that FSC would need to move quickly in order to remain relevant in the context of carbon markets.
- FSC would need to recognize already existing systems rather than developing its own system.

It was decided that this issue would require discussion by a cross-chamber team.

**Issue 10: Principle 6 – Environmental values and impacts**

The FSC members stated that:

- It would be unclear what the end state of restoration should be (restore to what?). It was proposed to use 'develop' instead of 'restoration'.
- It is unclear whether the definition of 'The Organization' would require compliance with the P&C on the entire management unit. This would have to be ensured.
- The requirement to maintain and restore all the mentioned 'environmental values' would pose an impossibility for forest managers.
- The text of the Principle would miss the 'impacts' referred to in the title.

The P&C Review WG responded that:

- The Explanatory Notes would provide clarification concerning the responsibilities in relation to restoration. Depending on the criterion restoration might mean 'repairing the damage done' by The Organization. It might also mean restoration of degraded ecosystems towards natural conditions but not necessarily to some (unknown) historic state.
- Clarification might be needed concerning the responsibilities of The Organization in relation to the entire management unit.

It was decided to pass this issue on for discussion by a cross-chamber team.

**Issue 11: Criterion 6.5 - Identification, conservation and restoration of natural ecosystem samples**

The following problems and concerns were expressed:



- The criterion would be weaker than the current requirements by replacing the word 'protection' as used in current Criterion 6.4 with the word 'conservation'.
- The obligations of the manager would not be exactly clear.
- It would be unclear, which activities are allowed in an area designated for conservation.

The P&C Review WG responded that:

- It had used the term conserve because the 'protect' would sometimes interpreted to mean 'no management at all'. However, while this is an option possible within the proposed wording, sample areas may need active management against external negative influences. Also, 'conserve' would be a stronger term in Spanish.
- The obligations in relation to protection would be further explained in the explanatory notes.

It was decided to pass this on to a cross-chamber team.

#### **Issue 12: Criterion 6.6 – Biodiversity Maintenance**

The following problems and concerns were raised by FSC members:

- Viable populations cannot be defined in an auditable way. Therefore the criterion is not implementable.
- The wording in relation to manage hunting, trapping etc. is a weakening compared to wording of the current P&C.
- It is unclear how the criterion can be applied in plantations.

The P&C Review WG response was that:

- The previous wording in relation to controlling hunting, trapping etc. was not implementable in countries where The Organization is not legally entitled to control such activities.
- Viable populations could be defined through population analysis techniques and this could be addressed in the Explanatory Notes.

The Workshop agreed to pass this on for discussion in a cross-chamber team.

#### **Issue 13: Criterion 6.7 – Protection and restoration of water courses**

The following problems and concerns were stated:

- Restoration of water courses would be a problem in general but especially if the damage was done a long time ago.
- Measures for maintaining or restoring water quality would be missing from the criterion.
- The criterion would prevent certification when planted trees use more water than natural vegetation.
- The requirement would too wide. The criterion could not be complied with because of the long time scales of natural water cycles and may be indeterminate and/or unusable for forest management in drought-affected areas.
- Erosion control would be missing from the criterion.



- The criterion would have to require the protection and restoration of 'all' natural water cycles.

The P&C Review WG responded that

- Restoration, water quality, erosion control and sedimentation would be addressed in the Explanatory Notes and elsewhere in the P&C.
- It had refrained from using 'all' throughout the P&C because it was felt to be impractical to identify and manage all and any feature of the management unit.

The Workshop agreed to pass this on for discussion by a cross-chamber team.

#### **Issue 14: Criterion 6.9 - Conversion**

The following problems were identified:

- The proposed definition of plantation would not be appropriate.
- The 5% threshold would prohibit certification of plantations established by IP's in New Zealand on previously abandoned farmlands that have in the meantime regenerated to natural forest vegetation.
- The prohibition of conversion of plantations to other land uses prohibits conversion for the purpose of conservation or more useful agricultural uses.

The P&C Review WG responded that:

- It had simply retained the current conversion rules.
- It had not been the intent of the WG to prevent the restoration to higher conservation values.
- A better definition of plantation might be needed.

The Workshop agreed to pass this issue on to a cross-chamber team for further discussion.

#### **Issue 15: Criterion 7.6 – Engagement of stakeholders in management planning**

The following problems and concerns were put forward:

- Engagement is acceptable when it comes to activities but not when it comes to management planning, especially in the case of SLIMFs.
- The meaning of 'transparently' is unclear.
- Unclear how publicly traded companies can comply with the criterion.

The P&C Review WG responded as follows:

- The requirements for SLIMFs, also in relation to engagement, would need to be defined in national indicators.
- The definition of 'transparently' should be reviewed.
- It would be unclear why publicly traded companies are especially unable to comply with the proposed criterion.

It was decided to hand this over to a cross-chamber team for further discussion.

**Issue 16: Principle 9 – High Conservation Values**

The following concerns and problems by the workshop participants:

- The proposed wording would be lacking the clarity of the current Principle.
- The principle should refer to 'all' HCV values.
- It would be unclear whether the definition of The Organization is clear enough to ensure that the P&C would be applied across the entire management unit.

The P&C Review WG responded that:

- It was not clear why the new wording would lack the clarity of the current Principle, as it is shorter and more precise.
- As pointed out before it would be impractical to require detecting or managing 'all' or any feature of a MU, including its HCVs.

The workshop decided to pass this on to a One-on-One session for direct discussion with the P&C Review WG.

**Issue 17: Criterion 9.1 – Identification and definition of HCVs**

The following problems and concerns were raised:

- The criterion is too long and too detailed as a result of including the HCV definitions.
- The term stakeholder should not be used. Instead it should be clarified whether the criterion refers to affected or interested stakeholders.

**The P&C Review WG responded that:**

- The definitions of HCV's were previously included in the glossary but often overlooked by stakeholders and national initiatives in the development of national standards. The definitions were included in the criterion in order to increase visibility and improve common interpretation.
- It agreed that terms affected and interested stakeholder should be used rather than stakeholder.

It was decided to pass this on to a One-on-One session.

**Issues 18-20: Criterion 10.1 to 10.3 – Regeneration practices and use of alien species**

The following problem and concerns were raised regarding Criterion 10.1 to 10.3:

- The meaning of timely fashion would be unclear.
- It would be unclear whether the wording allows regeneration to a previously degraded state.
- Would economic reasons be a sufficient justification for using non-native and non-local species?
- What is the definition of local species?
- Some of the requirements of current 10.4 and 10.8 are missing from the proposed wording for 10.2.
- Trials take too much time to be effective to determine whether or not species are invasive.



- Invasive tendencies cannot be controlled only the invasiveness itself can be controlled.
- Further clarity is needed to avoid slow conversion taking place over a longer period of time.

The P&C Review WG responded that:

- The meaning of timely fashion would depend on the specific situation and needs to be defined in national standards.
- The proposed wording of Criterion 10.1 would allow regeneration to the pre-harvesting conditions, even if these were degraded.
- Economic reasons would not be sufficient by themselves for allowing the use of non-native / non-local species and genotypes.
- Local species would be defined for example in the EU Directive on Forest Reproductive Material. However this may be lacking in other countries so a glossary definition would be needed.
- The Organization could refer to published results of scientifically and statistically valid trials.
- It agreed that it is the invasiveness which should be monitored and controlled, not the tendency.

It was decided to pass these issues on for discussion by a cross-chamber team.

#### **Issue 21: Criterion 10.4 – Use of GMOs**

This criterion was considered a problem because it would limit the use of GMO's by The Organization within the management unit but not outside. It was felt that this would be a violation of the Policy of Association.

The P&C Review WG explained that the proposed wording reflects FSC's current GMO policy FSC-POL-30-602 (2000) FSC Interpretation of GMO's and that the P&C govern activities within and related to the management unit. Anything outside the management unit should be covered by the Policy of Association.

It was decided to discuss this issue in a One-on-One session.

#### **Issues 22 and 23: Criterion 10.6 and 10.7 – Use of fertilizers and pesticides**

The following problems and concerns were raised by the Workshop:

- There would be a lack of clarity regarding what is included in the term fertilizers, e.g. does it include organic fertilizers?
- Some felt that proposed Criterion 10.7 weakens the requirements of current criterion 6.6 because it is a processed based rather than performance based requirement.
- Others were of the opinion that both Criterion 10.6 and 10.7 would result in a raising of the requirements in relation to fertilizer and pesticide use. It was proposed to retain 'strive to avoid the use of chemical pesticides' as per the current P&C.
- There would be a lack of clarity in relation to what is meant with elimination.



The P&C Review WG response was that:

- The word 'strive' as in the current Criterion 6.6 would not be auditable. The proposed wording would clarify the requirements in relation to fertilizer and pesticides use in line with FSC-POL-30-001 (2005) FSC Pesticides Policy. The policy would also use the term eliminate.
- The proposed wording would not be a weakening of current requirements, and would neither be process-type requirements as opposed to performance requirements.
- Organic fertilizers are included because of the increasing legislation for reducing nutrient loading to prevent excessive run-off into and consequent eutrophication of water bodies.

It was agreed that further discussion by cross-chamber team would be needed.

### 3. 26<sup>th</sup> June 2011 – Agreements and feedback by cross-chamber teams

This section provides an overview of the agreements reached and feedback provided by the cross-chamber teams as assigned on the 25<sup>th</sup> of June 2011. Not all cross-chamber teams were able to provide final agreements by the end of the business session on the 26<sup>th</sup> of June. These teams agreed to continue their discussions after the business session and provide their final agreements and conclusions to Matthias Fecht. The agreements and comments provided by the Cross-chamber teams after the 26<sup>th</sup> of June are included in Annex 3 of these minutes.

#### Issue 7: Cross chamber team feedback on Criterion 5.2 – Sustained yield

**Cross chamber team members:** Ronny Jonsson, Claes-Goran Johansson, Hubertus van Hensbergen, Robert Hrubes, Miguel Sampol Pol, Krishna Kumar Singh, Dr. DPS Verma, Christoph Thies, Bill Barclay, Sean Cadman, Achim Droste, Shoana Humphries

This team had agreed upon a revision of Criterion 5.2 as follows:

- **Criterion 5.2** The harvest/use rates of forests products and services shall not normally exceed levels that can be permanently sustained.

The following issues had also been raised (but not agreed) during the Cross-chamber team discussions:

- **Notes on abnormal circumstances for explanatory notes:**
  - Overharvesting of one or more species may be necessary when management objectives for the forest require that the forest be taken in a different direction or for the purpose of restoration; this change of direction should be supported by ecological/environmental and/or social justification. Reference should be made to Principles 6 and 9 in cases where restoration is an objective.
  - Examples discussed in the group included the FSC certified Zonienwoud in Belgium where after considerable stakeholder consultation a decision has been made to increase the representation of Oak dominated forests in the complex at the expense of beech dominated forests in order to increase the diversity of the forest. The case of a tropical forest in Ghana where overharvesting of non-commercial species would be required in order to allow the commercial species space for regeneration in order to re-establish a previous pattern of species occurrence in the forest.
  - In some cases forest managers will need to exceed the sustained yield in order to normalize the age structure of the forest.
  - Not all natural disasters warrant exceeding the sustained yield. It should be clear that the exceptions must be justified in ecological terms.
  - Unexpected harvest should count against the sustained yield before green trees are harvested.
  - SLIMF owners should be permitted to harvest according to the management plan.
- **Issues associated with the original wording of Criterion 5.6:**
  - The use of the word 'sustained' in the criterion is considered important by environmental chamber since it is considered by them to be an issue of brand value for FSC.
  - Environmental issues relate to sustainability and the maintenance of ecosystem function.
  - Language used in the original criterion is difficult to develop indicators for.



- There is a need for a link between the yields taken and the objectives of and activities required in the management plan.

**Issue 8: Cross chamber team feedback on Criterion 5.5 – Compliance with credible forest carbon standards**

**Cross chamber team members:** Pina Gervassi, Margaret Stern, Celina Yong

This team had agreed upon a revision of Criterion 5.5 and as well as a new definition and additional feedback and recommendations as follows:

- **Criterion 5.5:** If The Organization seeks rewards for the provision of ecosystem services, a mechanism for equitable benefit sharing shall be implemented.”
- **Definition:** The benefits people obtain from ecosystem services. These include provisioning services such as food, forest products and water, regulating services such as regulation of floods, drought, land degradation, air quality, climate regulation, carbon sequestration and storage, biodiversity conservation, soil formation and nutrient cycling.
- **Further feedback/recommendations:**
  - Implement a communication strategy to highlight the contribution of FSC certified forests to climate change mitigation.
  - There are concerns about associating FSC to carbon standards and the issue should be dealt with in an FSC Policy.

**Issue 10+11: Cross chamber team feedback on Principle 6 and Criterion 6.5 – Environmental Values and Impacts / Identification, conservation and restoration of natural ecosystem samples**

**Cross chamber team members:** Jakob Ryding, Lena Dahl, Grant Rosoman, Colin Maunder, Richard Donovan, Brad Young, Nancy Vallejo

This team had agreed upon revisions of Principle 6 and Criterion 6.5 as well as additional feedback as follows:

- **Principle 6:** The Organization shall avoid, remedy or mitigate environmental impacts, and actively maintain, protect and/or restore environmental values and ecosystem services of the Management Unit.
- **Criterion 6.5:** Representative sample areas of natural ecosystems shall be identified, actively protected and/or restored towards [natural conditions] by the Organization in the Management Unit. The sum of these measures shall be proportional to the conservation status and value of those ecosystems at the landscape level, and the scale, intensity and risk of management activities.
- **Assumptions:**
  - All certified organizations have to do a conservation effort.
  - Magnitude of the effort in all management units is linked to the impact of operations (as per Plantation WG outcomes).
  - Major component of the effort is normally areas are maintained and/or restored to a more natural state.
  - Provide for exceptions/alternatives for SLIMF in the Explanatory Notes.
  - Restore is linked to areas in 6.5 (not the whole FMU).
  - Hierarchy:



1. Identify, maintain and protect
  2. Identify gaps, restore (active) if needed
  3. Maximize the benefits/outcomes for the environmental values per investments made
- Economic viability in the P&C? Add to the preamble?
  - Add clarification that gap analysis should be part of Explanatory Notes.

No agreement had been reached on how to incorporate current Criterion 10.5 in the revised P&C. Members of the Environmental Chamber felt that the proposed wording for 6.5 would not cover the requirements of current Criterion 10.5, as in particular 'representative samples' has in some countries been interpreted as a very small proportion. Options for inclusion that were discussed and not agreed were: specifying a minimum % or proportion that is consistent with conservation science on representativeness, and a specific additional criteria just focused on plantations.

#### **Issue 12: Cross chamber team feedback on Criterion 6.6 – Biodiversity Maintenance**

**Cross chamber team members:** Fran Price, Kerry Cesario, Kevin O'Grady, Tim Rayden, Aisyah Sileuw, Maria Tysiachniouk

This cross chamber team had not come to a final agreement by the end of the business session on the 26<sup>th</sup> of June but had agreed to continue working on the issue after the workshop.

#### **Issue 13: Cross chamber team feedback on Criterion 6.7 - Protection and restoration of water courses**

**Cross chamber team members:** Peter Gardiner, Ricardo Cardoso, Joao Augusti, Luis Astorga, Doralice Ortiz, Apolinar Tolentino, Hernan Versheure, Jens Holm-Kanstrup

**Proposed Revisions:** There was a feeling that the draft criterion was generally acceptable but that further clarification would be needed on specific terms. The final agreed wording by the cross chamber team would be provided after the workshop.

#### **Issue 14: Cross chamber team feedback on Criterion 6.9 – Conversion**

**Cross chamber team members:** Daniel Hall, Irene Wabiwa, Aditya Bayunanda, Volga Lipworni, Jim Newberry, Hans Djurberg, Estevao Braga, George Asher

This cross chamber team had not come to a final agreement by the end of the business session on the 26<sup>th</sup> of June but had agreed to continue working on the issue after the workshop.

#### **Issue 15: Cross chamber team feedback on Criterion 7.6 – Engagement of stakeholders in management planning**

**Cross chamber team members:** Coen van der Veer, Valeria Moreva, Maria Tysiachiouk, Klara Helstad, Jun Yen Lee, Paulo Dantas, Lincoln Quevedo



This team came to the following conclusions and agreement on revising Criterion 7.6:

- **Main issues:**
  - The wording “respond transparently” is ambiguous and could cut legitimate stakeholders out of the process, while also compromising confidential information.
  - “Proactive” should be in glossary (is explained in Explanatory Note)
  - “Affected stakeholder” definition should be revised to be more exclusive
  - Should “all affected stakeholders” be specified?
  - Translation of “engagement” in Spanish is not adequate
- **Criterion 7.6** The Organization, proportionate to scale, intensity and risk of management activities, shall proactively and transparently engage affected stakeholders in its management planning and monitoring processes, and shall engage interested stakeholders upon request.
- **Further feedback/recommendations:**
  - Include concerns of “transparently engage” regarding it being verifiable and reasonable in definition of “engagement”.
  - “Proactive” explanation in Explanatory Note for P5 should go in the Glossary as well.
  - “Affected stakeholders” definition will have to be explored by WG to exclude remote possibilities of being affected.

#### **Issues 18-20: Cross chamber team feedback on Criterion 10.1 to 10.3 – Regeneration practices and use of alien species**

**Cross chamber team members:** Andrew Heald, Karin Faellman, Tim Rayden, DPS Verma, Susie Russell, Volga Lipwoni, David Everard

This team had agreed on a number of revisions to Criterion 10.1 to 10.3. However, the discussions would have to continue after the business sessions.

#### **Issues 22 and 23: Cross chamber team feedback on Criterion 10.6 and 10.7 – Use of fertilizers and pesticides**

**Cross chamber team members:** Emilie Westman, Chris McDonnell, Ricardo Austin, Jonathan La Nauze, Christoph Thies, Aditya Bayunanda, Lynn Jungwirth, Apolinar Tolentino

This team had not come to a final agreement on proposed revisions but would provide those after the workshop.



#### 4. 27 June to 01 July 2011 – One-on-One discussions

This section provides an overview of the discussions between FSC-members and the P&C Review WG on those issues that had been passed on to the so-called One-on-One discussions.

##### **Issue 1: One-on-One session on Preamble, Section 3 – Scope of the FSC Principles and Criteria**

**Participants:** Hans Djurberg, Daniel Hall, Jens Holm Kanstrup, Bill Barclay, John R. Palmer, Timothy J. Synnott, Al Thorne

The following concerns regarding the Preamble, extending to some degree beyond issues covered by Section 3, were raised:

- The scope was expanded to agricultural issues – this would be inconsistent with FSC's mission.
- The normative status of the Explanatory Notes would be unclear.
- Semi natural forests must be covered by the definition of natural forests. The definition of forest would be too reductionist. NTFPs need to be defined to come from forests and not from orchards etc.
- The definition of Landscape Values was felt to be inappropriate because of the reference to social landscape.
- Economic viability would have to be covered by the preamble.
- The rules for large scale operations in relation to Scale, Intensity and Risk would be unclear. The Explanatory Notes regarding SIR are better than the definition. The definition of Risk would confuse risk and uncertainty.

The following solutions were discussed:

- The revised statutory motions as tabled for approval during GA should provide consistent wording to clarify FSCs mission in relation to vegetation types as well as the mission and purpose / objectives of FSC.
- Definition of Natural Forest/Forest: A definition closer to the one in current P&C, based on a biome approach as defined on the national level. The definition was under discussed by the cross chamber team dealing with Criterion 6.9 and would be provided after completion of their discussion.
- Revision of section 4 of the preamble to better address Economic Viability
- To remove the reference to “geographic and social landscapes” from section 3 of preamble.

##### **Issue 2: One-on-One session on Criterion 1.8 – Long term commitment to comply with the P&C**

**Participants:** Jim Newberry, Peter Weir, Fran Price, Colin Maunder, Karen Steer, John R. Palmer, Alan Thorne, Timothy J. Synnott



The problem caused by this criterion would be in situations where the manager does not own (some of) the managed land so that the decision to get certified and to what certification scheme lies with the owner. In these situations the manager would be certified and not the owner. There would also be a problem for Organizations that hold certificates but also management units, which are simply managed for conservation purposes but are not intended for certification.

The following possible solutions were discussed:

- To remove the words 'management units under the managerial control of The Organization' from the Criterion.
- To include the six criteria of Policy of Association in the criterion.

### **Issue 3: One-on-One session on Criterion 3.4 - Compliance with UNDRIP and ILO Convention 169**

**Participants:** Anders Blom, Hans Djurberg, Karin Faellmann, Chris McDonnell, Anders Blom, Per Larrson, John R. Palmer, Ben Vickers, Alan Thorne, Timothy J. Synnott

Regarding this criterion it was pointed out that it would be difficult and challenging to implement in Sweden and other countries that have not yet ratified the convention, such as e.g. China and Russia. It seemed that The Organization is the only entity responsible for implementing the criterion, while some responsibility should be with the state. There was concern especially in relation to the need for paying financial compensation. For Canada there would be concerns in relation to certification on public lands. Uphold seems to remove the responsibility of the state in relation to indigenous peoples rights. For the Sami in Sweden ILO 169 is of high symbolic importance and must be retained in the P&C.

It was agreed that a rewording of the definition of the term 'uphold' could possibly resolve the issue.

### **Issue 4: One-on-One session on Criterion 4.1 – Identification of local communities and their rights**

**Participants:** Bertie van Hensbergen, Klara Helstad, Daniel Forsberg, John R. Palmer, Al Thorne, Luis Astorga

The following concerns were raised regarding the criterion:

- The definition of customary rights would not cover situations when there is no customary law.
- It is unclear what is expected from small holders organized in groups in relation to identification. Would they be required to document all the information related to their stakeholders?

The WG members clarified that in the context of small holders the concept of Scale, Intensity and Risk would apply. Documentation would not a prerequisite. Other types of proof would be acceptable as well. It was agreed that the definition of customary rights would require revision.



**Issue 5 and 8: One-on-One session on Criterion 4.4 and 5.4 – Additional activities for contributing to local development / Use of local value adding and services**

**Participants:** Colin Maunder, Jim Newberry, Peter Weir, D. Forsberg, Karin Fallman, John R. Palmer, Luis Astorga, Bastiaan Louman, Ben Vickers

The main problem identified in this context was the requirement of proposed Criterion 5.4 to establish businesses, especially processing facilities. This would not be applicable in the context of highly developed economies.

The P&C Review WG members explained that the criterion would mostly be applicable in the context of developing countries. The criterion should not pose a problem to organizations operating in developed countries. Interpretation of how to apply this criterion in developed countries are addressed in the Explanatory Notes, see especially note 5.

**Issue 6: One-on-One discussions on Criterion 5.1 – Diversification of benefits from the management unit**

No participants showed up at the time scheduled for discussing this issue.

**Issue 16 and 17: One on one discussions on Principle 9 and Criterion 9.1 – High Conservation Values**

**Participants:** Anders Lindhe, Daniel Hall, Bill Barclay, Timothy J. Synnott, John R. Palmer

The following concerns were raised regarding proposed Principle 9 and Criterion 9.1:

- The proposed definition of precautionary approach by referring to “severe or irreversible” would set such a high threshold so that in many cases the requirements under P9 would not apply.
- It would be unclear whether or not the definition of The Organization would be sufficient to ensure that all forest management activities in the management unit, not only that of The Organization but also other entities, comply with the P&C. The current criteria would ensure this because they refer to forest management and not The Organization.
- There would be some wording inconsistencies and lack of clarity on terms as used. For example, the term critical is used with different meanings. The meaning of the word ‘most’ in HCV 2’ was felt to be unclear. There are also problems with HCV 6 because of the reference to cultural landscapes and the removal of the reference to traditional cultural identity as compared to the current P&C.
- It was proposed to require the involvement of experts in the identification of HCV’s.
- The relationship between the proposed HCV definitions and the Intact Forest Landscapes concept would require clarification.
- High carbon stocks would be missing from the HCV categories.
- There would be a lack of clarity about the requirements in relation to the assessment of viable populations.

**The following solutions and clarifications were discussed:**

- The responsibilities of ‘The Organization’ would need further clarification.



- Clarification would need to be provided in relation to a number of terms, such as critical, recognized and most. Most would mean a great or large majority, not 50 per cent plus one.
- Use IFLs are an indicator of the likely presence of HCV-2 rather than including them in the definition of HCV 2. Some slightly disturbed or fragmented large-scale forests could be HCV 2.
- delete or define the word 'recognized as' under HCV 1. Deletion would allow local recognition of the presence of HCV 1.
- Assessment of viable populations should not require scientific monitoring. HCV-2 would mean the presence of regenerating populations, or the retained capacity to regenerate or survive, as demonstrated by presence of relevant habitat and habitat structure. Expert opinion might be a substitute for scientific monitoring or formal surveys.
- To wait for the outcomes of the motions on carbon as tabled for the General Assembly.
- No solution was agreed regarding the definition of precautionary approach.

**Issue 21: One-on-One discussion on Criterion 10.4 – Use of GMOs**

No participants showed up at the time scheduled for discussing this issue.



**Annex 1 - Report P&C Review Workshop of 25<sup>th</sup> and 26<sup>th</sup> of June 2011: Agenda**

## **Principles & Criteria Workshop**

**Kota Kinabalu**

**25 & 26 June 2011**

### **Purpose and Authority**

- The aim of the event is to reach a 'soft consensus' among participants to give further guidance and direction to the P&C Review Group.
- The authority of the workshop is recommendation

### **Saturday 25 June**

- 9.00 Welcome & Introduction
- 9.10 About the weekend:
  - Content
  - Process
  - Output
- 10.00 Triage
  - Will the patient live?
  - What intervention required?
- 11.00 Break
- 11.20 Triage II
- 13.00 Lunch
- 14.00 Maximum time for priority issues
- 15.30 Break
- 17.30 Close

### **Sunday 26 June**

- 9.00 Overnight Inspiration
- 9.15 Maximum time for priority issues
- 11.00 Break
- 11.20 Maximum time for priority issues
- 1.00 Lunch
- 2.00 Maximum time for priority issues
- 3.30 Break
- 3.50 Maximum time for priority issues
- 5.30 Close



### **Triage**

- Speedy assessment to determine what course of action required, by when, by whom
- What are the issues? 23 of them!
- What's the problem?
- Why have we got what we've got?
- Do you mean ...?

### **Triage Outcome**

- Triage delivers soft consensus... Hurrah!
- Further treatment required, one to one
- Further treatment required, by negotiating team
- If team, then what problem to be solved?

### **What if no soft consensus?**

Issue reverts to P&C Review Group anyway...

### **Options**

- No change from latest wording ... vote
- Change current wording ... vote
- Retain existing P&C wording ... vote

### **Observers**

- Most welcome to observe
- Principles & Criteria are member issues
- No invitation to speak in forums
- No invitation to participate in triage



**Annex 2 - Report P&C Review Workshop of 25<sup>th</sup> and 26<sup>th</sup> of June 2011: Participants List**

<b>First Name LAST NAME</b>	<b>Organization</b>	<b>Country</b>
<b>ECONOMIC NORTH</b>		
Indu BIKALSAPKUTA	Rainforest Alliance	Indonesia
Chris MCDONELL	Tembec	Canada
ChungMing CHEN	Kimberly Clark	US
Claes Goran JOHANSSON	Swedish Church	Sweden
Colin MAUNDER	Timberlands Limited	New Zealand
Daniel FORSBERG	Stora Enso	Sweden
Emilie WESTMAN	Church of Sweden FSC Association	Sweden
Hans DJURBERG	SCA Skog AB	Sweden
Hubertus van HENSBERGEN	Wildhorus Ltd.	UK
Jim NEWBERRY (James)	Potlatch	US
Johan BJERNULF	Stora Enso Skog	Sweden
Justinas JANALAITIS	Nepcon	Lithuania
Karin FALLMAN	Sveaskog	Sweden
Kevin O' GRADY	Pinnacle Consulting	Australia
Klara HELSTAD	Sodra	Sweden
Lena DAHL	TETRA PAK	Sweden
Peter WEIR	New Zealand Forest Owners Association	New Zealand
Richard DONOVAN	Rainforest Alliance	US
Stina BERGKVIST	Bureau Veritas	France
Udo FELTEN	SIG	Germany
Ronny JONSSON	Church of Sweden FSC Association	Sweden
Jun-Yen LEE	National Chia Yu University, Taiwan	Taiwan
Lennart PERSSON	Church of Sweden FSC Association	Sweden
Peter OLIVER	City Forest	New Zealand
Benedictus BENEDICTUS	Rainforest Alliance	Indonesia
<b>ECONOMIC SOUTH</b>		
Alan RIGOLO	Amata S.A.	Brazil
Alexandre DI CIERO	Suzano Pulp and Paper	Brazil
Andrew HEALD	Forestal Oriental	Uruguay
Esteban CARABELLI	Alto Parana S.A.	Argentina
Estevao BRAGA	Suzano Pulp and Paper	Brazil
Everard DAVID	Sappi Forests	South Africa
Luciana ROCHA ANTUNES	IPEF	Brazil
Marina CARLINI	Suzano Pulp and Paper	Brazil
Maris ZUDRAGS	Stora Enso Latvia	Latvia
Mauricio VOIVODIC	Imaflora	Brazil
Miguel SAMPOL POL	Brazilian Pulp and Paper Assoc.	Brazil
Mokwena JOHANNES	Global Woods AG	Uganda
Peter DAM	Individual	Papa New Guinea



Pina GERVASSI	Individual	Peru
Ricardo AUSTIN	Alto Parana S.A.	Argentina
Ricardo CAMARGO	Imaflora	Brazil
Danielle MELO	Brazilian Pulp and Paper Assoc.	Brazil
Guilherme ORIO	Brazilian Pulp and Paper Assoc.	Brazil
Kevin GRACE	Global Forestry Services (M) Sdn. Bhd.	Malaysia
Desiree LOPES	Biofilica	Brazil
Ivone Satsuki NAMIKAWA	Klabin	Brazil
Jose MAIA	Duratex	Brazil
Lineu SIQUIERA JR	Suzano Papel e Celulose S/A	Brazil
<b>ENVIRONMENTAL NORTH</b>		
Meriel ROBSON	Individual	UK
Anders LINDHE	WWF International	Sweden
Bill BARCLAY	Rainforest Action Network	US
Christoph THIES	Greenpeace International	Germany
Daniel HALL	Forest Ethics	US
Fran PRICE	TNC	US
Grant ROSOMAN	Greenpeace	New Zealand
Jakob RYDING	Forest of the World	Denmark
Jason GRANT	Sierra Club	Canada
Jens HOLM KANSTRUP	Forest of the World	Denmark
Jonathan LA NAUZE	FOE Australia	Australia
Sean CADMAN	TWS	Australia
Susie RUSSELL	Individual	Australia
Tim RAYDEN	WCS (Gabon)	US
Emily BLACKWELL	Soil Association	UK
<b>ENVIRONMENTAL SOUTH</b>		
Hernan VERSCHEURE	Codeff	Chile
Koyami KOKOU	University of Lome - TOGO	Togo
Lincoln QUEVEDO	Individual	Bolivia
Peggy STERN	Individual	Ecuador
Volga LIPWONI	Individual	New Zealand
Zhivko BOGDANOV	WWF Bulgaria	Bulgaria
Pedro GONZALEZ	Fundecor	Costa Rica
<b>SOCIAL NORTH</b>		
Apolinar TOLENTINO	Building and Woodworkers International	Malaysia
Coen VAN DER VEER	FNV Bouw	Netherlands
George ASHER	Lake Taupo Forest	New Zealand
Lynn JUNGWIRTH	Watershed Center	US
<b>SOCIAL SOUTH</b>		
Aisyah SILEUW	Daemeter Consulting	Indonesia
Celina Ki Yii YONG	Recoftc-the Center for People and Forests	Thailand
Cosmas MAKAMET	Forcert	Papa New Guinea
Dorothee ORTIZ	Corporacion Aldea Global	Colombia



DPS VERMA	Individual	India
Isis LAGOS	Individual	Honduras
Luis ASTORGA	AIFBN Chile	Chile
Maria TYSIACHNIOUK	Individual	Russia
Paula MONTENEGRO	Individual	Argentina
Raul LOPEZ	Asocuch	Guatemala
Valeria MOREVA	Stimulus	Russia
Krishna Kumar SINGH	Individual	India
Martha NUNEZ	Fundación Ambiente y Sociedad	Ecuador
Nancy VALLEJO	Individual	Columbia
Ruben GOMES	Oficina Escola de Lutheria da Amazonia - OELA	Brazil
<b>OBSERVERS</b>		
Alejandro ESQUERRA	Free University Berlin	Germany
Daisuke NAITO	Kyoto University	Japan
Diosdado PALER	Open Bay Timber Ltd	Papa New Guinea
Erik PEEK	Rabobank	Brazil
Heather DUCHARME	HCV Resource Network	UK
Jayashree KANNIAH	Forest Sustainability	Malaysia
John Marvyn BAXTER	Sapulut Forest Development Sdn BHD	Malaysia
Juliana VANSAN	Arborgen	US
Jutta KILL	Fern	UK
Keith MOORE	Moore Resource Management	Canada
Keti SINTAR	Sapulut Forest Development Sdn BHD	Malaysia
Nilofer GHAFAR	HCV Resource Network	UK
Paula GUIMARAES	Portucel	Portugal
Richard TAUMAS	Sapulut Forest Development Sdn BHD	Malaysia
Sophie DIROU	Terea Gabon	Gabon
Terry Hisateru SAKAKI	Kowa Lumber Co	Japan
Tom BERTINSHAW	Boral Timber Fiber Exports	Australia
Bernd HAHN SCHILLING	Hijauan Bengkoka Plantations Sdn. Bhd.	Malaysia
Kong Chiew CHAN	Sapulut Forest Development Sdn BHD	Malaysia
Augusto ROBERT	Minenco Chile	Chile
Daniel CONTESSE	Minenco Chile	Chile
Paulo DANTAS	Cenibra S.A.	Brazil
Irene WABIWA KYEMBWA	Greenpeace	Congo DR
Allison BLENEY	TNC/RAFT	Thailand
Vera SANTOS	FSC Portugal	Portugal
Robert KNYSAK	FSC Poland	Poland
Shizuka YASUI	FSC Japan	Japan
Juan Pablo BALDIVIEZO CALLES	FSC Bolivia/CFV	Bolivia
Gary DODGE	FSC US	US



Hakan BERGLUND	FSC Sweden	Sweden
Lina BERGSTROM	FSC Sweden	Sweden
My LAURELL	FSC Sweden	Sweden
Tomas DUDA	FSC CZ - NO	Czech
Maria Jose FERNANDEZ CABALLERO	FSC Spain	Spain
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Eric PALOLA	NWF	US
Chris VAN DER GOOT	Ecohout Foundation	Netherlands
Michael CONROY	Individual	US
Jaime LEVY	Altropico	Ecuador
<b>FSC STAFF</b>		
Andre DE FREITAS	FSC International Center	Germany
Achim DROSTE	FSC International Center	Germany
Alistair MONUMENT	FSC Regional Office	China
Gordian FANSO	FSC International Center	Germany
Lucia MASSAROTH	FSC International Center	Germany
Marion KARMANN	FSC International Center	Germany
Richard ROBERTSON	FSC International Center	Germany
Shoana HUMPHRIES	FSC International Center	Germany
Karen Steer	FSC International Center	US



### **Annex 3 – Report P&C Review Workshop of 25<sup>th</sup> and 26<sup>th</sup> of June 2011: Results and agreements provided by Cross-chamber teams after the 26<sup>th</sup> of June 2011**

As agreed during the Workshop the Cross-chamber teams dealing with Issues 12, 13, 14, 18-20, 22 and 23, provided their results and agreements after the 26<sup>th</sup> of June as follows.

#### **Issue 12: Cross chamber team feedback on Criterion 6.6 – Biodiversity Maintenance**

The following wording was provided on the 30<sup>th</sup> of June:

- **Criterion 6.6:** The Organization shall implement management activities that maintain habitat for the purposes of maintaining and /or enhancing or restoring naturally occurring species, and prevent loss of biological biodiversity, in the Management Unit. The Organization shall demonstrate that measures are in place to manage lawful hunting, fishing, trapping, and collecting. Measures are also in place to control illegal or inappropriate hunting, fishing, trapping and collecting.

As agreed by the Cross-chamber team a revised proposal was developed and consulted with a subset of the team and provided on the 07 of July:

- **Criterion 6.6:** The Organization shall maintain, enhance or restore genetic, species and ecosystem diversity by maintaining and /or restoring ecological functions across the management unit, including the range of naturally occurring species, habitats, and communities.

Explanatory notes to make clear that

- In plantations, genetic diversity is satisfied by maintaining some component of natural forests in addition to ensuring some diversity of clonal material in the planted forest; does not necessarily imply the regeneration of planted areas to natural forest.
- There needs to be a within-stand diversity requirement.
- **Proposed New Criterion:** (currently included in 6.6, but should probably be separate): The organization shall demonstrate that measures are in place to manage hunting, fishing, trapping, and collecting, and control illegal or inappropriate hunting, fishing, trapping, and collecting.

#### **Issue 13: Cross chamber team feedback on Criterion 6.7 - Protection and restoration of water courses**

The following wording and comments were provided on the 04<sup>th</sup> of August:

- **Criterion 6.7:** The Organization shall protect or restore natural water courses and water bodies and riparian zones, including their natural cycles and flows and aquatic connectivity.
- Due to concern primarily in the economic chamber it is recommended to clarify some of the elements of the criterion by revising the explanatory notes:
  - (i) Water course meant the water and edge vegetation of the place where the water (seasonal and temporary) flows.



- (ii) In looking up the Oxford Dictionary definition of the term water course was “brook or stream” and in discussion with the group it was felt that this definition with the inclusion of the word river was acceptable. So the explanatory notes should include the following: water course = “brook, creek, stream or river”
  - (iii) Explanatory note should modify water bodies as follows:  
“water bodies include riparian/wetland systems, lakes, swamps, bogs and springs”.
  - (iv) The WG should consider to remove ponds from explanatory note 1. and it should read as follows:  
“Water bodies include for example riparian/wetland systems, lakes, swamps, bogs and springs and their associated seasonal zones and vegetation”.
  - (v) Restore as defined in Explanatory note 3 and 6 is acceptable.
  - (vi) Explanatory note 4 should be re-written and approved by a cross chamber team to clarify hydrological cycling and especially how far practically the organisations responsibility goes in relation to monitoring, protection and restoration.
- This soft consensus was reached on the clear presumption as explained by the P&C-WG that the content of the explanatory notes will be incorporated into the new global indicators. If they are not, the basis of this cross chamber consensus will be gone.

#### Issue 14: Cross chamber team feedback on Criterion 6.9 – Conversion

No change was proposed to the Criterion 6.9 as per Draft 4-0 of the revised P&C. The following additional wording and comments were provided on the 22<sup>nd</sup> of July:

- **Plantation Definition:** Areas with tree cover in which the trees are established by either planting, sowing or using intensive silvicultural treatments, which lack most of the principal characteristics and key elements of native ecosystems, and which are characterized by either few species used in the treatments, even spacing, and/or even-ages, or by significant use of non-native or alien tree species. Plantations and native ecosystem elements and characteristics may be further defined by FSC approved national and regional standards of forest management.
- **Natural Forest Definition:** Areas with tree cover that are not classified as plantations, in which all or almost all trees and other plants are indigenous species, and many of the principal characteristics and key elements of native ecosystems such as complexity, structure and diversity are present. Natural forests and native ecosystem elements and characteristics may be further defined by FSC approved national and regional standards of forest management.
- **Forest Definition:** Forest” is not defined, as the “natural forest” and “plantation” covers the scope of forest areas for purpose of the P&C.

#### Issues 18-20: Cross chamber team feedback on Criterion 10.1 to 10.3 – Regeneration practices and use of alien species

The following wording and comments were provided on the 19<sup>th</sup> of July:

- **Criterion 10.1:** After harvesting and/or in accordance with the management plan. The organisation shall, by natural or artificial regeneration methods, regenerate vegetation cover to pre harvesting or more natural conditions in an appropriate/timely fashion.



- Comment - discussion around the original word “timely” and that the Spanish version (similar to adequate) was better. In subsequent discussion Environment chamber would like the word timely to remain. Economic chamber don’t mind but believe the word appropriate is better.
- **Criterion 10.2:** The organisation shall use native species and local genotypes for regeneration unless there is clear and convincing justification for using others. The organisation shall use species for regeneration that are ecologically well adapted to the site and to the management objectives.
  - Comment – discussion around the word ecologically, whilst it is adequately explained in the explanatory notes, some thought it was not helpful in the main text. However in follow up discussion the Environment chamber would like the word ecologically to remain – economic chamber would not object if the word did return but still believe it is not helpful . The main concern was that “well adapted” species must not be a back door for gradual or stealthy conversion of natural forests to plantations by enrichment planting, but should allow and reflect Scandinavian semi-natural forestry. The key point is “clear and convincing justification”.
  - Change to Explanatory Note 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 because the communities they form are (1) usually more favourable 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 – last 5 words added post discussion by Economic Chamber .
- **Criterion 10.3:** The organisation shall only use alien species when knowledge and/or experience has shown that the invasive impacts can be controlled and effective mitigation measures are in place.
  - Comment – The original version we felt was too long and wordy, and that “local trials” was not really helpful, and that “invasive tendencies” was confusing. The aim of this criteria is simply, not to plant aggressively invasive species without mitigation and control being in place. In the previous P and C, the equivalent of this clause contained reference to planning and monitoring, we need to ensure that these requirements for planning and monitoring are adequately addressed in the appropriate sections of the revised P and Cs. We discussed the issue of responsibility for damage caused if alien species “escape” but could not reach consensus as to how (or if) this could be part of FSC P and Cs – the main issue is that adequate planning and mitigation must be in place.
- **General Comments:** That there are many good points in the explanatory notes, and that these are of paramount importance when decisions are being taken regarding the indicators.

### Issues 22 and 23: Cross chamber team feedback on Criterion 10.6 and 10.7 – Use of fertilizers and pesticides

The following wording and comments were provided on the 29<sup>th</sup> of June (**additions in bold**):



- **Criterion 10.6:** The Organization shall avoid, or aim at eliminating the use of fertilizers, [without jeopardizing the natural\* nutrient balance and capital.] When fertilizers are used, the Organization shall prevent, mitigate, and/or damage to *environmental values*.
  - We did have an alternative but less-preferable wording for the section in square brackets: [in order to maintain the nutrient balance and capital]
  - We acknowledge this term “natural” is problematic as it cannot be applied to plantations. This wording would need further work by the committee
- Insert an Explanatory Note that defines “aim at eliminating,” to include the following concepts:
  - having an active strategy to eliminate
  - demonstrable progress in implementing strategy – i.e., constantly minimizing use
  - actively researching/developing/investigating alternatives
  - needs to be tailored to the scale, risk and intensity so that unreasonable burdens are not placed on
- **Criterion 10.7:** NB – we made no wording changes to 10.7 except the addition of the same explanatory note RE “aim at eliminating”, to include the following concepts:
  - having an active strategy to eliminate
  - demonstrable progress in implementing strategy – i.e., constantly minimizing use
  - actively researching/developing/investigating alternatives
  - needs to be tailored to the scale, risk and intensity so that unreasonable burdens are not placed on