



**FOREST
STEWARDSHIP
COUNCIL**
INTERNATIONAL CENTER

BECAUSE
FORESTS
MATTER

SUMMARY OF RESPONSES

FSC PLANTATIONS REVIEW PUBLIC CONSULTATION

JULY 2006

September 2006

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Forward

In July 2006 FSC circulated draft recommendations of the Policy Working Group for the FSC Plantations Policy Review for comment by FSC Members and non-member stakeholders (Annex 1). This document provides a summary of the comments received by FSC from more than 100 respondents (individuals and representatives of companies and organizations). Of the respondents, 51 were Members of FSC with 19 Economic, 27 Environmental and 3 Social Chamber Members. Of the 53 non-FSC members, 27 felt most closely affiliated with economic interests, 15 environmental interests, and 3 social interests. Others did not specify.

VISION:

General comments:

The 'working vision' of the Policy Working Group was in general, fairly well received by stakeholders. However, quite a number of respondents considered the vision to be too ambitious, lacking necessary focus, and to be somewhat unrealistic in its aspirations, captured for example as "Can FSC really make progress on all these fronts?" or "FSC should not overestimate itself – those lofty goals are misplaced" or "The vision should focus on points 1,2,3,5 and 6 – FSC's core mission". Quite some people commented that the vision is too long, and that shorter, more concise, statements would be preferable.

There were also respondents who voiced their concerns that the vision would lead to a promotion of plantations at the expense of natural forest management, and that this would lead to detrimental effects. Concerns were also raised over lumping plantations and natural forests, that impacts of monocultures and large-scale practises were not pointed out as problems, and that there were no references to protection and conservation of natural forests. Some people missed specific references to the overall importance of plantations being economically viable as the key to achieve environmental and social benefits

Specific comments:

While most points generated fairly few and generally supportive comments, the proposed target of 25% community-based ownership under point 4 prompted fairly massive criticism, primarily as it was perceived as outside the scope of what certification could achieve as well as unworkable - "if the target is not achieved – will CBs stop certifying other units to raise the proportions of community-owned operations?". Other points that generated scepticism were point 9 (related to poverty reduction and balanced distribution of wealth), which quite a number of stakeholders perceived as "too political" or "honourable but a pie in the sky", and point 11 (halting expansion of badly managed plantations in the system) which a number of people considered unclear and poorly worded.

SOCIAL ISSUES

General comments:

These can be summarised as "yes, these are good ideas, but stay clear of adding complicated, academic burdens on the managers – keep it simple and make it work!" A number of respondents considered these issues already well addressed by the P&Cs and

guidelines, and pointed to the need for cost-benefit analyses to make sure that any additions to the system would really produce substantial benefits. Others were concerned over what they perceived as blanket suggestions without explicit reference to the differences between different socio-economic contexts, especially comparing conditions in developed and developing countries, making the case that in developed countries quite some of the desired objectives are already achieved by e.g. legislation. There were also concerns that additional bureaucracy would act as a disincentive for smaller entities and that any changes need to incorporate SLIMF perspectives. A number of respondents commented that Social Management, as many other issues addressed by the Policy Working Group, is a crosscutting issue that pertains to management of both plantations and natural forests, and that such issues should be discussed in a wider forum than the Plantations Review.

Specific comments:

Some stakeholders commented that the concept of mapping a 'social landscape' is unclear – is the intention to address concrete, geographical landscapes, or is the Group referring to more abstract, 'mental' social landscapes? One respondent also made the point that unless social management systems are implemented related to directly affected, rather than 'wider public interest' parties, there would be very high costs for little social benefit.

INTERPRETATION OF CRITERIA 6.3

General comments:

The comments related to this issue reflect the division of views regarding to what extent large-scale plantations could be responsible land-use and thus be part of the FSC portfolio. The majority of respondents were positive about the 'FMU/landscape rather than stand-level' approach taken by the Group. However, quite a number of respondents were concerned that if so, there would need to be compensatory mechanisms so that plantations don't get a short-cut to certification at the expense of natural forests. Others considered the formulations much too vague and open to interpretation. There were also a number of stakeholders who strongly opposed the recommendation, arguing for keeping a stand-level focus preferably including substantial restoration of plantations stands to natural / semi-natural forest conditions.

Specific comments:

Many comments related to what was perceived as ambiguity of concepts like 'optimisation' and 'maintaining integrity at the landscape level' and the ensuing need to develop more guidance, indicators and verifiers. There were also expressed concerns about the implications for smallholders and other SLIMF operations. Another set of feedback related to concerns that managers would be required to address landscape issues effectively outside their sphere of influence, and that managers would have to pay for the 'past sins of others'. A number of respondents questioned the field experiment approach, pointing to the costs as well as the difficulty to conduct scientifically valid research at such a low level as the FMU. Some also commented that there seemed to be an overemphasis on corridors, and that such elements also potentially can act to hasten the spread of alien, invasive species.

STAKEHOLDER CONSULTATIONS

Generally, quite a number of respondents considered this to be an issue with substantial room for improvement, although some also believed that consultation is already well covered in the existing P&Cs. As for a number of other issues raised in the Review process, some commented that stakeholder consultation is a generic issue that pertains to both natural forests and plantations and that it should be debated by the full membership. The point was also made that better guidance is needed for managers, on the process itself, on 'how much is enough' and how to handle situations where agreement can't be reached. Some thought that FSC IC should take a more active role, in process if not in content. A number of people found reference to existing ISO systems a good move, but some also commented that such processes may not ensure the desired participation, and that adopting ISO procedures may imply higher costs and complexities. One respondent argued that stakeholder indifference is a major hindrance to good consultation processes in developed countries, while raising unrealistic expectations cause problems in less developed contexts.

USE OF CHEMICALS

General comments:

This is obviously an issue where there is a wide range of views among stakeholders, from "agree to be tough on chemicals" to "sustainability can't be achieved by banning chemicals". A number of respondents argue for an 'effects-based' approach focusing on performance and impacts in the field rather than on 'ideology'. Numerous people commented on the need to align the work of the Policy Working Group with the on-going review of FSC's pesticide policies, and, again, some found it odd that the Group addressed this cross-cutting issue at all.

Specific comments:

The Group's proposal to phase out aerial spraying prompted massive negative reactions, and numerous arguments against the idea were put forward. Some however, also voiced their support for the idea. Quite a number of respondents were in favour of Best Practise approaches, and adoption of Integrated Pest Management practises, while those who commented on FMU-level research were negative. Generally, many people voiced the need for clearer and better (though not necessary very specific or over-prescriptive) guidance on use of chemicals. Some also argued that country context matters, as number of countries already have legislation or industry standards that address these issues.

PRACTICALLY IMPROVING THE CERTIFICATION PROCESS

General comments:

Quite a number of comments concerned the role of NIs. Most of these were in favour of strengthening and clarifying the roles of NIs and highlighted the importance of national standards. However, quite some people also pointed to the limits posed by lack of resources – "good in theory but who would pay for it?" Again, some respondents commented that certification processes are generic issues that should rather be dealt with by the whole FSC community. Other comments related to the need for better guidance from FSC to CBs, better training of auditors, and the need for CBs to meet more often and share experiences with the aim to promote consistency.

Specific comments:

Nearly all of the more specific comments were related to the Group's proposal of mandatory CB rotation. The idea drew massive criticism on various economic, practical and legal / fair trade grounds. Ensuring good training, enforcing penalties on CBs who don't do a proper job, and rotating auditors within CBs were put forward as alternatives.

CONVERSION

Numerous respondents voiced their disappointment that the Group didn't tackle conversion positively and in greater depth – “the single biggest issue that FSC needs to face regarding plantations and their relation to natural forests, and one of the few issues that are more or less specific to plantations”. “If FSC wants to have significant influence in protecting remaining natural forests in the tropics it must address this issue really soon”. “Current rules provide no incentive for managers to do the right thing”.

More specific comments related to a need for greater flexibility, for clarifying the rules and removing contradictions, and for reviewing both definitions and the cut off date mechanism. However, there were also respondents who urged caution and pointed to the importance of keeping a focus on maintaining natural forests and avoiding any incentives to convert. Most people that commented on expansion to include other ecosystems as well as forests were positive, but some were concerned over potential practical implications. A number of people commented on the need to take into account local level decision making as well as national land-use planning processes and legislation.

ONE COMMON SET OF P&Cs ?

A clear majority favoured one common set of P&Cs for all management units. Most of these argue that forest and plantation management form a continuum of intensity variation, where the extremes - low impact natural forest management on the one hand, and intensive plantations monocultures on the other – are easy to identify, but where specific borders in between are difficult to define. Others pointed to the added complexity to assess units with two similar yet different standards, and that good management practises and responsible land use – the essence of good stewardship - are fundamental whether a natural forest or a plantation. Quite some people also commented that, if a common set of P&Cs is to be adopted, there need to be mechanisms in place for plantation managers to compensate for their more intensive stand management in order to avoid negative bias towards natural forest management. However, the ‘pro one set’ camp also included people that were in favour based on a view that plantations should be restored towards more natural / semi-natural forest conditions.

Those who were in support of having different sets of Principles and Criteria argued that plantations can usually be identified quite easily in the field, and that their different management objectives motivate specific standards. There were also more general concerns voiced related to the role of plantations within FSC - “routinely certifying large areas of monocultures has undermined the image of FSC to the point that many environmentalists are now against the FSC. The public should not be misled by lumping plantations with forests”.

Annex 1: Draft Recommendations of PWG, circulated for comment July, 2006

The FSC Plantations Review Policy Working Group Consultation Document

June 28, 2006

To all FSC stakeholders,

The Policy Working Group (PWG) set up to review FSC's policies and guidelines for the certification of plantations have now held four out of five scheduled meetings (meeting reports are available at www.fsc.org/plantations). While members of the Group have consulted with their respective constituencies during this process, the Group wish to make an additional effort to get feedback and input prior to the final meeting to be held in Bonn, September 6-8, 2006.

The Group therefore invites and encourages all stakeholders to comment on the work so far, as well as on some outstanding issues to be further discussed at the final meeting. The Group particularly welcomes input related to the following issues and topics:

1. The vision developed by the Group as a framework for its recommendations
2. A number of draft recommendations developed by the Group (for background discussions, please see the report from the fourth PWG meeting)
3. Some outstanding issues, to be further discussed at the final meeting.

1. VISION

Within ten years, the Group wants to see a certification system and process which sets a new paradigm for forest and plantation management practice, by:

1. Establishing the FSC Principles and Criteria (P&Cs) as the forest and plantation management standard of choice
2. Creating a significant public demand for certified forest products
3. Ensuring there is demonstrable improvement of the environmental values in the plantations estate
4. Promoting community-based ownership so that a significant proportion, circa 25%, of FSC-certified plantations are community operated
5. Promoting harvested wood and non-timber products from well managed forests and plantations
6. Promoting the maintenance of ecosystem functioning at the landscape level, and ensuring this at the FMU level
7. Building national consensus in order to resolve conflicts surrounding forestry
8. Providing a well recognised system for social dialogue and improvement in community relations
9. Contributing to the reduction of poverty and supporting a more balanced distribution of wealth
10. Ensuring social issues such as worker health and welfare are dealt with as systematically as environmental and economic issues

11. Guaranteeing to halt the expansion of those plantations within its system which are poorly managed
12. Working to prevent the expansion of poorly managed plantations worldwide

2. DRAFT RECOMMENDATIONS

2.1 Social Management System

The Group recommends that managers introduce *Social Management Systems* to use to address social issues in forest and plantation management, which certification bodies would then be able to audit.

The *social management system*, which will need to be appropriate to the scale and intensity of the operation and the local context, should include:

- **A detailed mapping of the *social landscape*, identifying its important features**
- The social objectives of the FMU in relation to employees (including contractors and sub-contractors), the local community and indigenous peoples
- **A personnel management system, including local employment policies and actions**
- A detailed, participatory social assessment which clearly shows the impacts of the FMU on the local community, both positive and negative
- **A clear strategy for preventing, eliminating, mitigating and/or compensating local communities in the event of negative impacts**
- **Explicit actions to participate in, and strengthen, the local economy**

2.2 Interpretation of Criterion 6.3 for plantations in the absence of national standards

The Group recommends that 6.3^{*} should be interpreted in the following way, with the intention of clearly distinguishing operations that qualify for FSC certification from those that do not:

An FSC certified plantation will take an active approach to optimising its conservation strategy. The focus of maintaining ecosystem integrity is on the landscape and FMU level. Optimising the conservation strategy at this level includes optimising the design of:

- Areas of representative ecosystems, HCV (High Conservation Value) areas, rare ecosystems and species
- Streamside zones of native vegetation and other elements of landscape connectivity
- Design of conservation corridors

At stand level, the focus is on maintaining streams and wetlands at various scales. Appropriate to its size and scale, a certified operation, or a cluster of operations, undertake research aimed at advancing its understanding of how best to optimise its conservation strategy. Such research might include:

**Criterion 6.3 = Ecological functions and values shall be maintained intact, enhanced, or restored, including: a) Forest regeneration and succession. b) Genetic, species, and ecosystem diversity. c) Natural cycles that affect the productivity of the forest ecosystem*

- Experimenting with various levels of structural and native tree species retention at stand level in areas where the natural vegetation is forest
- Experimenting with various conservation area [set-aside] designs
- Retaining structures and properties characteristic of natural ecosystem dynamics
- Adapting the size and spatial distribution of managed stands within the plantation management unit

The research is continuously monitored and assessed and where relevant, the knowledge gained is integrated in the management of the FMU.

2.3 Stakeholder Consultation

The Group recommends FSC to ensure that consultation is properly addressed by the manager applying for certification, and/or re-certification. To that end, the responsibility for engaging affected parties clearly rests with the manager.

At the same time, the Group interprets consultation as being one aspect within a broader context of participation, recognising that 'engaging' implies a level of involvement between the plantation or forest managers and affected communities

The subject of consultation may surface in several of the principles, and their criteria. Nevertheless, the aggregated parts must result in a whole that translates into a demonstrable commitment to stakeholder involvement and dialogue.

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

- The manager has implemented a clear and robust consultation process which covers pre- and ongoing certification*
- There is a similarly recognised conflict resolution process in place*

The Group recommends that CBs evaluate certification applicants according to whether they are fulfilling all the requirements of the consultation/conflict resolution processes they have adopted. The evaluation evidence will go a long way to ensuring the manager retains the confidence of everyone involved in those processes. Further, the Group also recommends that FSC provides practical guidance on how managers' consultation and conflict resolution processes can be improved.

In the absence of a National Standard, the manager is responsible for demonstrating how the concerns of other interested parties have been taken into account.

The PWG recommends that further technical elaboration of Guidelines include investigations of established international models for stakeholder consultation (e.g. ISO14001). Some of the issues a good process would pick-up on include whether:

- The manager has identified and documented any significant conflict

*large scale operations might adopt internationally recognised processes such as ISO 14001

- The manager is able to demonstrate what action they have taken to resolve the conflict and communicate with the affected parties
- The CB is able to evaluate the managers actions against the P & C's and standards, documents, guidelines
- The CB is able to determine if consent has been 'manufactured'
- The manager is being sufficiently proactive in reaching out to the community e.g., going to them at the operation's cost, rather than expecting the community to come to the manager, at the community's cost
- The manager's research into the local community has identified all affected parties
- Delegations of rights by indigenous peoples and local communities are based on prior, informed consent

2.4 Use of Chemicals

The Group recommends that certified operators adopt a best practise approach, which will include:

- Integrated Pest Management
- Phasing out aerial spraying
- Full declaration of chemical usage - quantities; types; frequency; protocols
- The adoption of safety, health and quality controls covering workers and the environment
- The monitoring of, and reporting on, such safety, health and quality controls
- Managers having to demonstrate the programme of efforts they have made to avoid or reduce pesticides use
- The demonstrable ongoing investigation into, and evaluation of, chemical free alternatives to pest control

In addition, the PWG recommends that FSC develop Guidelines for integrated pest management

As a further step, the PWG recommends a review of the FSC chemicals policy to ensure it is in keeping with the vision in this document.

2.5 Practically improving the Certification Process

The Group's understanding is that the majority of certification controversies have occurred in the absence of national standards which indicates the absolutely vital importance of balanced, well-functioning National Initiatives within the FSC system. Where they are absent, they must be established as a matter of urgency. Where they exist, their role needs to be significantly upgraded, and this implies a need for substantial additional resources and support. This upgraded role should include:

- Supporting, advising and assisting in the resolution of CB-related disputes that arise during the certification process

- An obligation to monitor complaints, perhaps through an independent body. To achieve this the NI needs both to be notified of complaints, and to have a mechanism through which it can be involved.

The Group also judged there was a role for the FSC IC in relation to the establishment of National Initiatives including:

- To ensure there is up to date standard procedures, guidance and documentation for NIs (some of which already exists).
- Ensuring mediation processes are initiated promptly, wherever they are required, either directly or through an independent body such as an ombudsman.

Furthermore, there is an important role for the FSC accreditation unit in ensuring that future CB performance supports the vision in this report. The Group judge that the following actions are necessary to achieve this:

- CB Rotation – no two five year re-evaluations should be undertaken by the same CB.
- Ensure the CB has a good understanding of the economics of the industry in which certified companies are operating
- Ensure the CB has just as good an understanding of social issues/social management system
- Review and evaluate whether the FSC accreditation audit procedures are sufficiently robust
- Review how accreditation audit procedures can best ensure the certification process gives sufficient weight to the understanding of local circumstances and issues
- Ensure CB's are briefed on, understand and apply the 'Consultation' and 'Social Management System' policies proposed in the report from the 4th PWG meeting
- Monitor the variation in CB performance and set targets for their continuous improvement

3. OUTSTANDING ISSUES

3.1 Conversion

The PWG recognises and affirms the critical importance of the issue of conversion to all three FSC Chambers. At the same time, because the issue relates to the whole of the FSC's work and not just plantations, the Group concludes it does not fall completely within their terms of reference. Therefore the PWG proposes that the Board of Directors instructs the Secretariat to design and instigate a separate review process, including member and Chamber consultation, as soon as is practicable. Such a process however, must not delay implementation of other recommendations provided by the Policy Working Group.

The Group intends to continue discussions about conversion in its final meeting in order to speed up and provide a plantation perspective to the wider review process. The following specific points have been raised so far:

- The rules around conversion should extend to other ecosystems as well as forests

- FSC needs to clarify the rules in situations of potential contradictions within the P&Cs themselves, e.g. as where interpretations of Criterion 6.10 may contradict indigenous people's rights to use and manage their lands and resources as outlined in Principle 3

The group seeks further input on these points, as well as on the following questions:

- Is there a need to review the definitions of forests not to be converted?
- Should there be references to the environmental / social value of lands not to be converted?
- Is there a need for FSC to be more flexible in some situations, e.g. in relation to conversion resulting from local community decisions or national / regional development plans?
- Are there potential approaches to the 'cut-off date problem' that avoids some of the drawbacks of the current approach (converted areas can enter the system through managers not responsible for the conversion, cut-off dates may be perceived as arbitrary and unfair etc.)

3.2 One Common Set of Principles & Criteria?

A separate process for reviewing the FSC P&Cs will be initiated over the coming years, and the PWG is keen to contribute some input from a plantation perspective.

One key question considered by the Group is whether there should be one, integrated and common set of P&Cs that would apply to all types of managed units. While this is partly a purely technical issue, the PWG considered it from the perspective of the message inherent in the current structure of a separate Principle for plantations as this may lead to questions about whether plantation managers are truly welcome within the FSC community.

While the Group has not yet made a final judgement, discussions so far have been in favour of one integrated set of common P&Cs for all management units. However, concern has been voiced in the Group about:

- Losing a clear distinction between forests and plantations
- Whether a common set of P&Cs would lead to 'conversion through management' of FSC-certified natural forests, whereby small areas of the natural forest are systematically converted by manipulating management plans and/or actions.

Members of the PWG look forward to receive more input on this issue before making specific recommendations at the final meeting in Bonn in September 2006.