

# **GFA Consulting Group GmbH**

**- GFA Certification -**

## **Interim Standards**

### **for Forest Stewardship**

#### **in the Socialist Republic of Vietnam**

##### **Version 1.0**

No. 1.0 Date: 20.05.2010  
*- Under Continuous Improvement -*

Note:

These Standards have been developed in close cooperation with representatives from the trade union, social science, forest science, forest planning, hunting, agro-economics and ecology. They are mainly based on the Principles and Criteria of the FSC. Additionally, they include, wherever appropriate, ideas or parts of the following documents and developments:

The recommendations of ITTO, the results of the UNCED-Conference in Rio, the *Criteria and Operational Level Guidelines* of the *Ministerial Conferences on the Protection of Forests in Europe* held in Helsinki and Lisbon, and the environmental and social recommendations made by international NGOs.

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## Introduction

Responsible forest management (i. e. based on the current state of knowledge) comprises all those direct and indirect measures of protection, tending and utilization of forests which ensure their permanent conservation. Responsible forest management maintains the natural plasticity and diversity of life forms which enable forests to evolve and provide human benefits through their ecological, economic, social and cultural functions in perpetuity.

Certification of forest management means the evaluation of the quality of the actual forest management with respect to economic, social and environmental responsibility and assessing it against defined and recognized standards.

Prerequisites for the evaluation of the quality of forest management are, therefore, the existence of standards that serve as a basis and as a tool for comparison and the existence of a standardized process to execute the evaluation. The process must be as objective and transparent as possible.

Decisions on the assessment criteria for well-managed forests are critical. Generic criteria have to be adapted for, at least, different major forest areas in the tropical, temperate and boreal latitudinal zones. Criteria need to be supplemented by verifiable qualitative and quantitative indicators, which themselves need to be defined at the regional or local level. These indicators will be compiled in individual country-specific checklists to facilitate office audits and field inspections.

A complete assessment of responsible forest management must also take account of the country-specific framework conditions at the national and other administrative levels.

The situation at each level affects the feasibility of regulated forest management. There should be consistency and transparency in the expression of the political, administrative, economic, ecological, social and cultural conditions within which a forest management unit operates. An evaluation of forest management should take into account the circumstances at all levels, from the international to the operational. However, the decision for or against certification is solely based on the findings at the operational level.

The focus of the evaluation of the quality of forest management should be on the forest management unit, i.e. the operational level. At this level, forest policy and administrative guidelines must be integrated into practical forest management.

The assessment of forest management at the operational level considers the following five aspects:

- Legal, political and administrative aspects
- Technical aspects of planning and implementation
- Economic aspects
- Social and cultural aspects
- Ecological aspects

The field inspection should determine the adequacy of the existing planning, implementation and control mechanisms to orient forest management towards sustainability. This inspection should check and evaluate the management practices which affect the areas and structures of

stands, the methods of log extraction and log transport, as well as the silvicultural-ecological stand condition following harvesting.

The following standards have been prepared to allow for adaptation to local circumstances while maintaining applicability to a wide range of forest situations. The standards assume that there is (i) a forest owner, (ii) a normative authority, and (iii) a forest manager. In many countries these will be expressed, respectively, as the nation (represented by the government), the national forest service, and a management company, licensee or concessionaire. However, legally recognized owners may also be municipal authorities or local communities, while forest managers may be the national forest service itself or a specialized private sector company or a public-interest non-governmental organization.

### **Definitions:**

**Standards:** General definition: documented agreements containing technical specifications or other precise criteria to be used consistently as rules, guidelines or definitions of characteristics, to ensure that materials, products, processes and services are fit for their purpose [Upton and Bass]. As applied to forestry: norms or procedures, e.g., as used by certification bodies in their evaluation of the implementation by an applicant of the Forest Stewardship Standards or chain of custody procedures.

**Principle:** An essential rule or element of forest stewardship (in the context of FSC certification).

**Criterion (pl. criteria):** a category of conditions or processes by which responsible forest management can be assessed: A criterion is characterized by a set of related indicators which are monitored periodically to assess change [The Montreal Process]; a means of judging whether or not a Principle (of Forest Management) has been fulfilled [FSC Board approved version of Principle 10: Plantations].

**Indicator:** a direct or indirect measurable variable used to report on the status or trend of a criterion; distinct from objective [adapted from Canadian Forest Service, C&I pamphlet]; a measure (measurement) of an aspect of the criterion: A quantitative or qualitative variable which can be measured or described and which when observed periodically demonstrates trends [The Montreal Process].

**PRINCIPLE #1: COMPLIANCE WITH LAWS AND FSC PRINCIPLES**

**Forest management shall respect all applicable laws of the country in which they occur, and international treaties and agreements to which the country is a signatory, and comply with all FSC Principles and Criteria.**

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

Indicators:

**1.1.1** *There is no evidence of non-compliance with all applicable national and local laws and administrative requirements.*

**1.1.2** *Responsible personnel demonstrate awareness of with the legal context in which they operate as well as relevant codes of practise, guidelines or agreements.*

**1.1.3** *Conflicts with laws or guidelines are documented and countermeasures have been developed (Not applicable to **SLIMF** operations).*

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

Indicator:

**1.2.1** *There is evidence that all required fees etc. have been paid by the forest operation.*

**Criterion 1.3** In signatory countries, the provisions of all binding international agreements such as CITES, ILO Conventions, ITTA, and Convention on Biological Diversity, shall be respected.

Indicators:

**1.3.1** *Forest managers respect CITIES provisions, ITTA and the Convention on Biological Diversity.*

**1.3.2** *Forest managers respect ILO provisions appropriate to their region. Implementation of the following ILO conventions is a minimum requirement for certification: 29, 87, 97, 98, 100, 105, 111, 131, 138, 141, 142, 143, 155, 169, 182, ILO Code of Practice on Safety and Health in Forest Work, Recommendation 135, Minimum Wage Fixing Recommendation, 1970 (**SLIMF**: Forest managers are aware of and have implemented controls to ensure continuing compliance with national legislation relating to labour matters).*

**Criterion 1.4** Conflicts between laws, regulations and the FSC Principles and Criteria shall be evaluated for the purposes of certification, on a case by case basis, by the certifiers and the involved or affected parties.

Indicators:

**1.4.1** *Conflicts between laws, regulations and the FSC Principles and Criteria are documented and are reported to the certification body.*

**1.4.2** *There is evidence that the FME is actively trying to solve identified conflicts.*

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

Indicators:

**1.5.1** *A system to identify and monitor illegal or unauthorized activities is in place and implemented.*

**1.5.2** *Appropriate protective measures (e.g. signs, special personnel) to avoid occurrence of unauthorised activities are in place and implemented.*

**1.5.3** *Where appropriate, the forest manager should actively cooperate with local authorities to assist workers to secure residential land.*

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

Indicators:

**1.6.1** *An appropriate statement is included in the official documents of the forest enterprise or the forest service committing the organization to adhere to the FSC certification standards on the forest under assessment. For large operations (>10.000 ha), the FME shall have a publicly available policy.*

**1.6.2** *Where the owner/Manager has some responsibility for forest lands not included in the scope of certification, there shall be a clear long term commitment to managing all forest according to FSC P&C. Prior to certification these forests shall comply with the latest FSC policy on partial certification.*

**PRINCIPLE #2: TENURE AND USE RIGHTS AND RESPONSIBILITIES**

***Long-term tenure and use rights to the land and forest resources shall be clearly defined, documented and legally established.***

**Criterion 2.1** *Clear evidence of long-term tenure and forest use rights to the land (e.g. land title, customary rights, or lease agreements) shall be demonstrated.*

Indicators:

**2.1.1** *Documentation describing the legal status of the land and existing forest use.*

**2.1.2** *Conflicts on tenure and use rights are identified, recognised and documented.*

**2.1.3** *The FMU is committed to long-term forest management of at least the length of one rotation period or harvest cycle.*

**Criterion 2.2** *Local communities with legal or customary tenure or use rights shall maintain control, to the extent necessary to protect their rights or resources, over forest operations unless they delegate control with free and informed consent to other agencies.*

Indicators:

**2.2.1** *Local communities with legal or customary tenure or use rights are identified, documented and mapped.*

**2.2.2** *The FMU planning process includes participation of local communities or parties with legal or customary tenure or use rights.*

**2.2.3** *Forest managers provide local communities control over forest operations to the extent necessary to protect their rights and resources.*

**2.2.4** *Where communities have delegated control of their legal or customary tenure or use rights or parts thereof, this can be confirmed by documented agreements and/or interviews with representatives of the local communities.*

**Criterion 2.3** *Appropriate mechanisms shall be employed to resolve disputes over tenure claims and use rights. The circumstances and status of any outstanding disputes will be explicitly considered in the certification evaluation. Disputes of substantial magnitude involving a significant number of interests will normally disqualify an operation from being certified.*

Indicators:

**2.3.1** *Appropriate documented procedures to resolve tenure claims and use right disputes are in place (**SLIMF**: There are no major unresolved disputes relating to tenure claims and use rights in the forest. Disputes or grievances are being resolved using locally accepted mechanisms and institutions).*

**2.3.2** *Records of disputes and the status of their resolution are maintained, including evidence related to the dispute and documentation of steps taken to resolve the dispute.*

**2.3.3** *Management policy and operational procedures exist which require that, in case of a dispute or disagreement between the local community and the forest managers concerning land rights, forestry operations which prejudice the future enjoyment of such rights by the community are halted until the dispute is resolved (not applicable to **SLIMF**).*

**2.3.4** *There is no evidence of any unresolved tenure and/or use rights disputes that are of substantial magnitude and involve a significant number of interests. This is applicable to all FMUs under responsibility of the owner / forest manager.*

### **PRINCIPLE #3: INDIGENOUS PEOPLES' RIGHTS**

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

**Criterion 3.1** Indigenous peoples shall control forest management on their lands and territories unless they delegate control with free and informed consent to other agencies.

Indicators:

**3.1.1** *The identity, location and population of all indigenous and traditional peoples including migratory groups living in the vicinity of the management area are documented by the forest managers.*

**3.1.2** *All claims to lands, territories or customary rights within the management area are documented and/or clearly mapped.*

**3.1.3** *Rights identified in terms of Indicator 3.1.2 are respected.*

**3.1.4** *Forest management operations do not take place in areas identified in Indicator 3.1.2 above, without clear evidence of the free and informed consent of the indigenous or traditional peoples claiming such land, territory or customary rights.*

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

Indicators:

**3.2.1** *There is no evidence or indication that the FME threatens the rights and resources of indigenous people.*

**3.2.2** *Indigenous peoples are explicitly informed of any impacts that forest management may have on their resources or tenure rights and shared boundaries of the community's lands are physically demarcated under the supervision of the community prior to any operation.*

**Criterion 3.3** Sites of special cultural, ecological, economic or religious significance to indigenous peoples shall be clearly identified in cooperation with such peoples, and recognized and protected by forest managers.

Indicators:

**3.3.1** *Sites of special cultural, ecological, economic or religious significance to indigenous peoples are identified and mapped in cooperation with affected and interested stakeholders (**SLIMF**: Sites of special cultural, ecological, economic or religious significance to indigenous peoples and any special requirements are known).*

**3.3.2** *Policies and procedures for the protection of such sites during management operations are documented and implemented (**SLIMF**: Appropriate measures for the protection of such sites during management operations are implemented).*

**Criterion 3.4** Indigenous peoples shall be compensated for the application of their traditional knowledge regarding the use of forest species or management systems in forest operations. This compensation shall be formally agreed upon with their free and informed consent before forest operations commence.

Indicators:

**3.4.1** *Indigenous peoples' traditional knowledge regarding the use of forest species or management systems in forest operations, which is being or may be utilized commercially by the FME, is documented.*

**3.4.2** *Written or verbal agreements on terms of compensation exist when there is use of traditional knowledge for commercial purposes.*

**3.4.2** *All agreed compensation is paid.*

**PRINCIPLE #4: COMMUNITY RELATIONS AND WORKER'S RIGHTS**

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

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

Indicators:

- 4.1.1** *Local and forest-dependent people have equal access to employment and training opportunities.*
- 4.1.2** *In large scale operations (> 10.000 ha) training and/or other appropriate forms of assistance to local people and workers to meet the organisation's long-term staffing requirements are developed and supported.*
- 4.1.3** *Support is provided for local infrastructure and facilities at a level appropriate to the scale of the forest resources (not applicable to **SLIMF** operations).*
- 4.1.4** *Employees are not discriminated in hiring, advancement, dismissal remuneration and employment related to social security.*
- 4.1.5** *The forest manager shall ensure that all employees, contractors and sub-contractors working in the forest of the certificate holder are paid a fair wage and other benefits, which meet or exceed all legal requirements and those provided in comparable occupations in the same region.*

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

Indicators:

- 4.2.1** *Managers are familiar with relevant health and safety guidelines and regulations. For large scale organisations (> 10.000 ha) a written safety and health policy and management system are in place.*
- 4.2.2** *Managers have assessed the risk to workers of particular tasks and equipment, and take measures to reduce or eliminate such risks (**SLIMF**: All work done in the forest must comply with health and safety laws and regulations).*
- 4.2.3** *Safety training is carried out, relevant to the tasks of workers and the equipment used.*
- 4.2.4** *Workers, including subcontractors, are provided with safety equipment, relevant to the tasks of workers, the equipment used and consistent with ILO Code of Practice on Safety and Health in Forestry. (**SLIMF**: All work done in the forest must comply with health and safety laws and regulations. The forest manager shall demonstrate reasonable efforts to comply with ILO Code of Practice on Safety and Health in Forestry if available in the country).*
- 4.2.5** *Where workers stay in camps, conditions for accommodation and nutrition comply at least with ILO Code of Practice on Safety and Health in Forestry.*
- 4.2.6** *An internal control system to ensure health and care is in place (incl. Statistics on accidents).*
- 4.2.7** *Health and care measures are supported by the employer (e. g. allowance for personal safety equipment).*
- 4.2.8** *There is assured compensation benefits in case of accidents.*
- 4.2.9** *Contractors not complying with all above mentioned indicators are excluded from forest operations.*
- 4.2.10** *Wages and other social well being of labourers in the FMU, including subcontractors, are equal or higher than the average level in the region.*

**Criterion 4.3** The rights of workers to organize and voluntarily negotiate with their employers shall be guaranteed as outlined in Conventions 87 and 98 of the International Labour Organisation (ILO).

Indicators:

- 4.3.1** *Employment conditions comply with International Labour Organisation convention 87 (This Convention relates to the rights of workers to: freedom of association and protection of the right to organise).*
- 4.3.2** *Employment conditions comply with International Labour Organisation convention 98 (This Convention relates to the rights of workers to: organise and bargain collectively).*
- 4.3.3** *A point of contact for workers with problems is established. Workers should have the opportunity to express their concerns in confidential form (e.g. letter boxes).*
- 4.3.4** *The wages, salaries and other social welfare benefits agreed between the employer and the employees or their representatives (e. g. unions) are fixed in the contracts.*

**Criterion 4.4** Management planning and operations shall incorporate the results of evaluations of social impact. Consultations shall be maintained with people and groups directly affected by management operations.

Indicators:

- 4.4.1** *There are systems in place that provide an evaluation of the social impact, appropriate to the size and intensity of their operations that:*
  - identifies affected groups
  - includes consultation with affected groups
  - identifies the main impacts of the operation on those groups
  - specifies measures to ameliorate identified negative impacts
  - provides for regular contact with affected groups to monitor effectiveness of measures.
- 4.4.2** *Adverse impacts, opportunities for positive impact and areas of potential conflicts identified by evaluations are adequately addressed in management planning (not applicable to **SLIMF**).*
- 4.4.3** *An up-to-date list of stakeholders is maintained (**SLIMF**: Relevant stakeholders are known to the enterprise).*
- 4.4.4** *Systems for periodical stakeholder consultation (e.g. round table meetings) are in place and implemented.*

**Criterion 4.5** Appropriate mechanisms shall be employed for resolving grievances and for providing fair compensation in the case of loss or damage affecting the legal or customary rights, property, resources, or livelihoods of local peoples. Measures shall be taken to avoid such loss or damage.

Indicators:

- 4.5.1** *Procedures for consistently and effectively resolving disputes and grievances and determining compensation for loss or damage are implemented. Large scale operations (> 10.000 ha) have a written dispute resolution procedure and announce its existence in stakeholder meetings).*
- 4.5.2** *The FME makes every reasonable effort to avoid losses and damages affecting local peoples, and in resolving grievances related to legal rights, damage compensation and negative impacts.*

**PRINCIPLE # 5: BENEFITS FROM THE FOREST**

**Forest management operations shall encourage the efficient use of the forest's multiple products and services to ensure economic viability and a wide range of environmental and social benefits.**

**Criterion 5.1** Forest management should strive toward economic viability, while taking into account the full environmental, social, and operational costs of production, and ensuring the investments necessary to maintain the ecological productivity of the forest.

Indicators:

- 5.1.1** *A work plan and budget is in place, showing expected costs and revenues for at least the current fiscal year.*
- 5.1.2** *The annual budget specifies the costs associated with implementation of the social and environmental commitments identified (see Principle 4 and 6 of this standard), as well as all operational costs (**SLIMF**: The forest manager is aiming at being in an economically viable situation which permits long term forest management).*
- 5.1.3** *The income predicted in the annual budget is based upon sound assumptions and is consistent with product values comparable to regional and national norms.*
- 5.1.4** *Where necessary, investments are made to maintain the ecological productivity of the forest.*

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

Indicators:

- 5.2.1** *When possible, the FME should promote the utilization and sustainable harvesting of common, lesser known species and non-timber-forest-products (not applicable to **SLIMF**).*
- 5.2.2** *The enterprise sells its forest products preferably to local or regional processing industries if available, unless there is a justifiable reason for not doing so.*

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

Indicators:

- 5.3.1** *Harvesting techniques are designed to avoid log breakage, timber degrade and damage to the forest stand.*
- 5.3.2** *Methods to avoid locally defined unacceptable damage to soil, water systems and wetlands, riparian zones, residual forest areas and sensitive sites are being implemented.*
- 5.3.3** *On large enterprises (> 10.000 ha) on-site processing operations follow the latest standards and technologies and have written procedures specifying the measures to avoid damages.*
- 5.3.4** *Harvested timber is transported from the forest before the deterioration or decomposition processes start.*
- 5.3.5** *Wood waste and damages to the remaining forest during harvesting, on-site processing and extraction are minimized.*
- 5.3.6** *Regular training courses on harvesting procedures and transportation methods for staff and workers are conducted.*

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

Indicators:

**5.4.1** *Forest management is oriented at the production of a wide variety of forest products (timber and non-timber, including lesser known species) and services including tourism and recreation. (Not applicable to **SLIMF**).*

**5.4.2** *The utilisation of non-timber forest products by local community enterprises is encouraged where this does not jeopardize other management objectives.*

**Criterion 5.5** Forest management operations shall recognize, maintain, and, where appropriate, enhance the value of forest services and resources such as watersheds and fisheries.

Indicators:

**5.5.1** *Forest managers are aware of the range of forest services and resources such as watersheds and fisheries.*

**5.5.2** *Sensible or special areas like watersheds are considered in management planning and implementation and are designated on maps.*

**5.5.3** *Guidelines and measures for the protection and enhancement of forest values and services are in place and implemented.*

**5.5.4** *Forestry activities do not damage habitats of commercially or culturally significant fish species within the forest area or downstream.*

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

Indicators:

**5.6.1** *Planning of the annual allowable cut (AAC) is clearly stated in the forest management plan and is based on recognized (published) methods and in accordance to the management objectives set.*

**5.6.2** *The expected level of harvesting is clearly justified in terms of the permanently sustainable yield of the forest products on which the management plan is based.*

**5.6.3** *Volumes harvested are monitored, documented and taken into account during the planning process.*

**5.6.4** *Authorized harvesting of non-timber-forest-products does not exceed calculated replenishment rates over the long term.*

**PRINCIPLE #6: ENVIRONMENTAL IMPACT**

**Forest management shall conserve biological diversity and its associated values, water resources, soils, and unique and fragile ecosystems and landscapes, and, by so doing, maintain the ecological functions and the integrity of the forest.**

**Criterion 6.1** Assessment of environmental impacts shall be completed -- appropriate to the scale, intensity of forest management and the uniqueness of the affected resources -- and adequately integrated into management systems. Assessments shall include landscape level considerations as well as the impacts of on-site processing facilities. Environmental impacts shall be assessed prior to commencement of site-disturbing operations.

Indicators:

**6.1.1** *A system assessing environmental impacts appropriate to the scale and intensity of forest management, and the uniqueness of the affected resources is being implemented and documented prior to the start of any operation (SLIMF: Before starting any operation, the possible negative impacts are identified and the operations are designed to minimize them. Assessments do not need to be documented unless legally required).*

**6.1.2** *The results of these assessments are taken into account in subsequent operations and, if necessary, in the planning process.*

**Criterion 6.2** Safeguards shall exist which protect rare, threatened and endangered species and their habitats (e.g., nesting and feeding areas). Conservation zones and protection areas shall be established, appropriate to the scale and intensity of forest management and the uniqueness of the affected resources. Inappropriate hunting, fishing, trapping and collecting shall be controlled.

Indicators:

**6.2.1** *Rare, endangered or threatened species and their habitats (e.g. nesting and feeding areas) present or likely to be present are identified and mapped (SLIMF: Where known, rare and endangered species and their habitats are protected).*

**6.2.2** *Procedures to safeguard such species are documented and implemented (SLIMF: Procedures to safeguard such species are implemented).*

**6.2.3** *Conservation zones, protection areas and wildlife corridors are established and demarcated on maps, appropriate to the scale and intensity of forest management and the uniqueness of the affected resources (not applicable to single SLIMF operations).*

**6.2.4** *Selection of conservation zones and protected areas is justified in terms of their potential to maximise their contribution to the maintenance or enhancement of biodiversity.*

**6.2.5** *The movement of key plant and animal species between reserved and harvested areas is encouraged by retaining corridors of uncut forest based on streamsidings with links up slopes and across ridges to connecting any large patches of forest which will not be harvested (not applicable to single SLIMF operations).*

**6.2.6** *Authorized hunting, fishing, grazing and collecting activities are managed to ensure they do not exceed sustainable levels.*

**6.2.7** *Inappropriate activities, such as illegal hunting or trapping of protected species are prevented.*

**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.

Indicators:

**6.3.1** *The silvicultural system adopted is appropriate to the ecology of the forest.*

**6.3.2** *Systems that use small clearfell areas, selective felling and create varied age class have been considered.*

**6.3.3** *Forestry operations must, if appropriate to the silvicultural system, aim for a mixture of compartments differing in size, shape, species, and date of planting and felling, in harmony with the landscape.*

**6.3.4** *The scale of felling (e.g. coupe size) is commensurate with the natural dynamics of the forest type and the area under consideration (unless clearly justified silvicultural reasons are given).*

**6.3.5** *Selective felling and thinning regimes are designed to maintain genotypic Diversity.*

**6.3.6** *Biodiversity is routinely maintained by the retention of marginal habitats e.g. streamside vegetation, vegetation on rocky outcrops, swamps and heaths.*

**6.3.7** *Standing and fallen dead wood habitats are retained to an appropriate extend.*

**Criterion 6.4** Representative samples of existing ecosystems within the landscape shall be protected in their natural state and recorded on maps, appropriate to the scale and intensity of operations and the uniqueness of the affected resources.

Indicator:

**6.4.1** *Representative samples of existing ecosystems within the landscape are protected in their natural state and recorded on maps, appropriate to the scale and intensity of operations and the uniqueness of the affected resources (**SLIMF**: Where representative samples of ecosystems are known to exist in the FMU these shall be protected).*

**Criterion 6.5** Written guidelines shall be prepared and implemented to: control erosion; minimize forest damage during harvesting, road construction, and all other mechanical disturbances; and protect water resources.

Indicators:

**6.5.1** *Appropriate local guidelines on harvesting and road construction meeting national or regional best practise requirements (like e.g. FAO Model Code of Forest Harvesting Practice) are available to forest managers and superiors (**SLIMF**: All forest management operations that may damage soil (e.g. compaction, erosion) and methods to mitigate or avoid such are known) .*

**6.5.2** *Guidelines developed in terms of indicator 6.5.1 are implemented during operations and planning.*

**6.5.3** *Buffer zones are maintained along watercourses and around water bodies. These buffer zones are demarcated on maps and comply with specifications made in national and regional best practise guidelines (like e.g. FAO Model Code of Forest Harvesting Practice).*

**6.5.4** *Operators are aware of and able to implement adequate emergency procedures to clean up following accidental oil and chemical spillages.*

**6.5.5** *No pollution of adjacent waters with increased amounts of sediments is caused by the logging operations.*

- 6.5.6** *Policies and procedures include the following norms, which are implemented: Protected areas are physically demarcated, at least temporarily, before any forest operations start on nearby land*
- Harvesting machinery must not enter streams except at designated and designed stream crossings
  - Lop and top shall not be pushed into streams
  - Extraction is stopped when soils are saturated
  - The use of brush mats is specified, where appropriate.
- 6.5.7** *All timber harvest operations are carried out according to planning Instructions.*
- 6.5.8** *Workers receive adequate training in harvesting and extraction methods. For large scale FMEs (> 10.000 ha) a written training program and training records are available.*

**Criterion 6.6** Management systems shall promote the development and adoption of environmentally friendly non-chemical methods of pest management and strive to avoid the use of chemical pesticides. World Health Organization Type 1A and 1B and chlorinated hydrocarbon pesticides; pesticides that are persistent, toxic or whose derivatives remain biologically active and accumulate in the food chain beyond their intended use; as well as any pesticides banned by international agreement, shall be prohibited. If chemicals are used, proper equipment and training shall be provided to minimize health and environmental risks.

Indicators:

- 6.6.1.** *Documented pest, disease and weed control strategies are available.*
- 6.6.2** *Chemicals are only use when absolutely necessary to achieve defined management aims. Synthetic chemicals are only used where there is no known non-chemical alternative not entailing excessive costs.*
- 6.6.3** *There is an up-to-date list of all pesticides used in the organisation that documents trade name and active ingredient. Where not provided by the product label, authorized applications, application methods and rates will also be documented.*
- 6.6.4** *Prohibited pesticides are not used except where pesticides derogation has been obtained from the FSC Secretariat or an emergency exemption has been authorized by GFA prior to use.*
- 6.6.5** *Use of chemicals (arboricides, insecticides, herbicides etc.) is strictly controlled.*
- 6.6.6** *If chemicals are used, proper equipment is used for the application and staff is trained appropriately.*
- 6.6.7** *Application of chemicals within 10m of watercourses and 30m around reservoirs and lakes is prohibited.*
- 6.6.8** *Application if heavy rain is expected, during wet weather, on frozen snow-covered ground or ground that has baked dry during a drought is prohibited.*
- 6.6.9** *Storage and handling of chemicals follows the latest guidelines on safety and health.*

**Criterion 6.7** Chemicals, containers, liquid and solid non-organic wastes including fuel and oil shall be disposed of in an environmentally appropriate manner at off-site locations.

Indicators:

**6.7.1** *Guidelines describing the use and disposal of chemicals, containers, liquid and solid non-organic wastes, exist and are implemented.*

**6.7.2** *A staff member holds responsibility for the environmentally appropriate disposal of waste.*

**6.7.3** *Environmentally friendly lubricants and fuel are used with preference.*

**6.7.4** *Soils and water are being protected from pollution.*

**6.7.5** *Proper disposal of waste from equipment or supplies is done.*

**Criterion 6.8** Use of biological control agents shall be documented, minimized, monitored and strictly controlled in accordance with national laws and internationally accepted scientific protocols. Use of genetically modified organisms shall be prohibited.

Indicators:

**6.8.1** *There is a procedure in place and implemented for the documentation and monitoring of all use of biological control agents.*

**6.8.2** *The use of biological control agents is avoided or minimised by making use of best available alternative control methods not entailing excessive cost.*

**6.8.3** *No genetically modified organisms including planting material and biological control agents are used.*

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

Indicators:

**6.9.1** *The use of exotic species is justified in every single case.*

**6.9.2** *Exotic species used on a commercial scale should have no demonstrated adverse environmental effects or adverse impacts on the surrounding landscape and the natural species composition.*

**6.9.3** *The use of exotic species is actively monitored to avoid adverse ecological impacts such as unwanted regeneration.*

**Criterion 6.10** Conversion of natural forest into plantations or non-forest land uses within the forest management unit shall not occur, except in circumstances where conversion:

a) entails a very limited portion of the forest management unit; and

b) does not occur on high conservation value forest areas; and

c) will enable clear, substantial, additional, secure, long term conservation benefits across the forest management unit.

Indicator:

**6.10.1** *Forest conversion to plantations or non-forest land uses does not occur, except in circumstances where conversion:*

*a) entails a very limited portion of the forest management unit; and*

*b) does not occur on high conservation value forest areas; and*

*c) will enable clear, substantial, additional, secure, long-term conservation benefits across the forest management unit.*

**PRINCIPLE #7: LAND-USE and MANAGEMENT PLAN**

**A management plan -- appropriate to the scale and intensity of the operations -- shall be written, implemented, and kept up to date. The long term objectives of management, and the means of achieving them, shall be clearly stated. The forest management plan is integrated into the overall land-use planning and is based on periodical inventories.**

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

- a) Management objectives.
- b) Description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands.
- c) Description of silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories.
- d) Rationale for rate of annual harvest and species selection.
- e) Provisions for monitoring of forest growth and dynamics.
- f) Environmental safeguards based on environmental assessments.
- g) Plans for the identification and protection of rare, threatened and endangered species.
- h) Maps describing the forest resource base including protected areas, planned management activities and land ownership.
- i) Description and justification of harvesting techniques and equipment to be used.

Indicators:

**7.1.1** *The management plan gives information on the management objectives.*

**7.1.2** *The management plan gives a description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands.*

**7.1.3** *The management plan gives a description of silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories.*

**7.1.4** *The management plan gives a rationale for rate of annual harvest and species selection.*

**7.1.5** *The management plan gives provisions for monitoring of forest growth and Dynamics.*

**7.1.6** *The management plan gives environmental safeguards based on environmental assessments.*

**7.1.7** *Plans for the identification and protection of rare, threatened and endangered Species.*

**7.1.8** *Maps describing the forest resource base including protected areas, planned management activities and land ownership.*

**7.1.9** *Description and justification of harvesting techniques and equipment to be used.*

**Criterion 7.2** The management plan shall be periodically revised to incorporate the results of monitoring or new scientific and technical information, as well as to respond to changing environmental, social and economic circumstances.

Indicators:

**7.2.1** *There is a procedure in place for the regular revision and updating of the management plan.*

**7.2.2** *In the revision of the management plan relevant opinions of research institutes, environmental and social non-government organisations are considered.*

**7.2.3** *There is evidence, that changing environmental, social and economic considerations have been included in the revision of the management plan.*

**7.2.4** *A method to evaluate new scientific and technical developments for the inclusion into the revised management plan is in place.*

**7.2.5** *Annual operation plans with maps exist and are congruent with the approved forest management plan.*

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

Indicators:

**7.3.1** *Special further training on ecological and technical aspects of forest management is offered and supported.*

**7.3.2** *Forest workers are thoroughly introduced to their tasks.*

**7.3.3** *Forest workers are aware of the objectives of forest management.*

**7.3.4** *The work of the forest workers is checked at appropriate intervals by the forest manager.*

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

Indicators:

**7.4.1** *Regular summaries of the primary elements of the management plan, including those listed in Criterion 7.1 are available to the public. Large scale enterprises (> 10.000 ha) actively inform the public during regular stakeholder meetings (see 4.4.4) (**SLIMF**: upon request, FME shall make available relevant parts of the management plan to stakeholders who are directly affected by the forest management activities).*

## **PRINCIPLE #8: MONITORING AND ASSESSMENT**

**Monitoring shall be conducted -- appropriate to the scale and intensity of forest management -- to assess the condition of the forest, yields of forest products, chain of custody, management activities and their social and environmental impacts.**

**Criterion 8.1** The frequency and intensity of monitoring should be determined by the scale and intensity of forest management operations as well as the relative complexity and fragility of the affected environment. Monitoring procedures should be consistent and replicable over time to allow comparison of results and assessment of change.

Indicators:

**8.1.1** *All activities that require monitoring are identified .*

**8.1.2** *A plan and design, based upon consistent and replicable procedures exists and is implemented for periodic monitoring and reporting.*

**8.1.3** *The frequency and expense of monitoring is appropriate to scale and intensity of forest management operations as well as the relative complexity of the affected environment.*

**Criterion 8.2** Forest management should include the research and data collection needed to monitor, at a minimum, the following indicators:

- a) Yield of all forest products harvested.
- b) Growth rates, regeneration and condition of the forest.
- c) Composition and observed changes in the flora and fauna.
- d) Environmental and social impacts of harvesting and other operations.
- e) Costs, productivity, and efficiency of forest management.

Indicators:

**8.2.1** *Yields of all forest products harvested are recorded.*

**8.2.2** *Where standard growth models or information on regeneration of commercial species is not known, there is a programme in place to collect detailed information for future management.*

**8.2.3** *The condition of the forest (presence of pests, diseases, evidence of soil compaction, erosion etc) is regularly monitored and reviewed.*

**8.2.4** *Conservation areas (see 6.2) are regularly monitored to ensure that there is no evidence of deterioration or disturbance.*

**8.2.5** *Composition and changes in the flora and fauna and the effectiveness of conservation activities, particularly of rare, threatened and endangered species are monitored.*

**8.2.6** *Indicators of environmental and social impacts of forest operations, including health and safety, are determined and monitoring data collected.*

**8.2.7** *Contractors' performance is monitored, including compliance with contract Specifications.*

**8.2.8** *Costs of all forest management activities are recorded and evaluated to judge productivity, and efficiency of forest management.*

**Criterion 8.3** Documentation shall be provided by the forest manager to enable monitoring and certifying organizations to trace each forest product from its origin, a process known as the "chain of custody."

Indicators:

**8.3.1** *Forest products that are to be sold as certified are readily identifiable as originating from the evaluated forest. This may be achieved through physical marking of the timber, a system of paper control, daily or weekly production records, or a combination of these and similar techniques.*

**8.3.2** *All products sold by the forest operation as certified are recorded with: product type ("FSC Pure" unless introduction of other terms in FSC COC standards), quantity or volume, date, FSC license number (GFA-FM/COC-xxxxxx), customer, and information on forest gate. This is backed up by evidence in the bookkeeping system (invoices, bills of lading, orders etc.).*

**8.3.3** *Any use of the FSC trademark is in accordance with FSC trademark standard (FSC-STD-50-001 and related/replacing FSC policies) and is approved by GFA or other authorized institutions prior to application.*

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

Indicators:

**8.4.1** *There is a system that demonstrates how to incorporate monitoring results into the implementation revision of the management plan (**SLIMF**: refer to indicators 7.2.3 and 7.2.4).*

**8.4.2** *Changes to management proposed in the course of analysis of monitoring results are implemented (**SLIMF**: refer to indicators 7.2.3 and 7.2.4).*

**Criterion 8.5** While respecting the confidentiality of information, forest managers shall make publicly available a summary of the results of monitoring indicators, including those listed in Criterion 8.2.

Indicators:

**8.5.1** *Regular summaries of monitoring results and analysis by FMU are available to the public. Large scale enterprises (> 10.000 ha) actively inform the public during regular stakeholder meetings (see 4.4.4). (**SLIMF**: upon request, FME shall make available relevant parts of the management plan to stakeholders who are directly affected by the forest management activities).*

## **PRINCIPLE #9: MAINTENANCE OF HIGH CONSERVATION VALUE FORESTS**

**Management activities in high conservation value forests shall maintain or enhance the attributes which define such forests. Decisions regarding high conservation value forests shall always be considered in the context of a precautionary approach.**

**Criterion 9.1** Assessment to determine the presence of the attributes consistent with High Conservation Value Forests will be completed, appropriate to scale and intensity of forest management.

Indicators:

**9.1.1** *The FMU has been adequately assessed (in consultation with relevant organisations, e.g. conservation organisations, regulatory authorities and other local and national stakeholders) and any HCVF and their biological and/or socio-economic or cultural attributes have been identified.*

**9.1.2** *The assessment procedure is documented and records of the consultation and sources of information are maintained.*

**9.1.3** *If HCV are present, the management is familiar with the existent attributes and maps are available that locate HCV forests and other protected areas.*

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

Indicators / Important questions:

**9.2.1** *The owner/manager has determined appropriate management prescriptions for the HCVF in consultation with relevant organisations, e.g. conservation organisations, regulatory authorities and other local and national stakeholders.*

**9.2.2** *When an HCVF has been identified for its socio-economic or cultural attributes, there should be joint analysis and decision making with the stakeholders directly affected; all reasonable efforts should be made to establish co-management agreements with these stakeholders.*

**Criterion 9.3** The management plan shall include and implement specific measures that ensure the maintenance and/or enhancement of the applicable conservation attributes consistent with the precautionary approach. These measures shall be specifically included in the publicly available management plan summary.

Indicators:

**9.3.1** *The management plan specifies identified HCV attributes and maps show the critical areas.*

**9.3.2** *The management plan specifies measures that ensure the maintenance and/or enhancement of the applicable HCV attributes.*

**9.3.3** *The public summary of the management plan is available as under 7.5. and contains the prescribed measures to enhance the identified HCV attributes.*

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

Indicators:

**9.4.1** *Monitoring indicators and frequency are defined in consultation with relevant organisations, e.g. conservation organisations, regulatory authorities and other local and national stakeholders, to monitor effectiveness of each measure described in the management plan (**SLIMF**: Refer indicators 8.2.4 – 8.2.6) .*

**9.4.2** *Records of monitoring are kept and used to adapt future management.*

**PRINCIPLE # 10: PLANTATIONS**

**Plantations shall be planned and managed in accordance with Principles and Criteria 1 - 9, and Principle 10 and its Criteria. While plantations can provide an array of social and economic benefits, and can contribute to satisfying the world's needs for forest products, they should complement the management of, reduce pressures on, and promote the restoration and conservation of natural forests.**

**Criterion 10.1** The management objectives of the plantation, including natural forest conservation and restoration objectives, shall be explicitly stated in the management plan, and clearly demonstrated in the implementation of the plan.

Indicators:

**10.1.1** Objectives of plantation management are included in the management plan, recognizing natural forest conservation and restoration.

**10.1.2** Forest management plan includes strategies or elements to conserve natural forests and to restore degraded sites.

**10.1.3** Clear evidence of the implementation of the management plan is given. -> see also C 7.1 - 7.5

**Criterion 10.2** The design and layout of plantations should promote the protection, restoration and conservation of natural forests, and not increase pressures on natural forests. Wildlife corridors, streamside zones and a mosaic of stands of different ages and rotation periods shall be used in the layout of the plantation, consistent with the scale of the operation. The scale and layout of plantation blocks shall be consistent with the patterns of forest stands found within the natural landscape.

Indicators:

**10.2.1** Plantation management is designed to maintain or enhance characteristics of adjacent natural forest.

**10.2.2** Policies and procedures are implemented which ensure that:

- a) a mosaic of stand ages and rotations are created and maintained;
- b) wildlife corridors are provided;
- c) where there are corridors of natural vegetation by streamside or in gullies
- d) these are protected from planting and harvesting operations, and developed
- e) into streamside reserved areas.

**10.2.3** Both general siting and internal design of plantations are in harmony with the landscape of the area.

**10.2.4** Forest plantation plan of FMU is in consistence with local development plans (provincial, district and communal level).

**Criterion 10.3** Diversity in the composition of plantations is preferred, so as to enhance economic, ecological and social stability. Such diversity may include the size and spatial distribution of management units within the landscape, number and genetic composition of species, age classes and structures.

Indicators:

**10.3.1** Plantation management maintains and/or enhances landscape diversity by varying block size and their distribution in the landscape.

**10.3.2** Management makes provision for the use of a variety of tree species and provenances or other plants.

- 10.3.3** *Not applicable to SLIMF operations: A minimum 20% of the plantation consists of mixed species crops, unless it is consistent with the natural distribution pattern for the species in the region concerned.*
- 10.3.4** *Forestland classification materials are available and mapped under suitable scale.*
- 10.3.5** *A forest plantation design exists and is approved by competent agencies if requested by law.*

**Criterion 10.4** The selection of species for planting shall be based on their overall suitability for the site and their appropriateness to the management objectives. In order to enhance the conservation of biological diversity, native species are preferred over exotic species in the establishment of plantations and the restoration of degraded ecosystems. Exotic species, which shall be used only when their performance is greater than that of native species, shall be carefully monitored to detect unusual mortality, disease, or insect outbreaks and adverse ecological impacts.

Indicators:

- 10.4.1** *There is a clear justification for the choice of species and genotypes chosen for the plantation, which takes into account the objectives of the plantation, and the climate, geology and soils at the planting sites.*
- 10.4.2** *If exotic species were chosen, the greater performance has to be proven.*
- 10.4.3** *Invasive species are not planted.*
- 10.4.4** *A documented procedure to monitor the performance of exotic species in place and implemented.*
- 10.4.5** *Emphasis should be placed on planting and/or applied research on forest species native to the region.*

**Criterion 10.5** A proportion of the overall forest management area, appropriate to the scale of the plantation and to be determined in regional standards, shall be managed so as to restore the site to a natural forest cover.

Indicators:

- 10.5.1** *An appropriate proportion (in general 5 – 10 %) of the overall forest management area is managed so as to restore the site to a natural forest cover (**SLIMF**: Improvements to the ecological value of the plantation are made where conservation features exists).*
- 10.5.2** *A documented strategy (as part of the management plan) for the area to be restored to a natural forest is available and being implemented.*
- 10.5.3** *The area to be restored to a natural forest cover is demarcated on maps and considered in planning documents.*

**Criterion 10.6** Measures shall be taken to maintain or improve soil structure, fertility, and biological activity. The techniques and rate of harvesting, road and trail construction and maintenance, and the choice of species shall not result in long term soil degradation or adverse impacts on water quality, quantity or substantial deviation from stream course drainage patterns.

Indicators:

- 10.6.1** *Means to protect soils and water resources are explicitly detailed in management plans or supporting documents.*
- 10.6.2** *Plans and procedures for reforestation after harvesting are designed to minimise exposure of bare soil, and to ensure that trees are re-established as rapidly as possible.*
- 10.6.3** *There is no evidence of site degradation in the field.*

**10.6.4** *Management practices do not cause a reduction in water quantity and/or alter drainage patterns.*

**Criterion 10.7** Measures shall be taken to prevent and minimize outbreaks of pests, diseases, fire and invasive plant introductions. Integrated pest management shall form an essential part of the management plan, with primary reliance on prevention and biological control methods rather than chemical pesticides and fertilizers. Plantation management should make every effort to move away from chemical pesticides and fertilizers, including their use in nurseries.

Indicators:

**10.7.1** *The principle forest pests and diseases are identified.*

**10.7.2** *A documented procedure for integrated pest management, including invasive plants, with primary reliance on prevention and biological control methods is being implemented.*

**10.7.3** *The need for fire management and control has been evaluated and, if necessary, a procedure and adequate equipment for the prevention and fight of forest fires is being implemented.*

**10.7.4** *A policy to minimise the use of chemicals and fertilizers, including their use in nurseries, is being implemented.*

**Criterion 10.8** Appropriate to the scale and diversity of the operation, monitoring of plantations shall include regular assessment of potential on-site and off-site ecological and social impacts, (e.g. natural regeneration, effects on water resources and soil fertility, and impacts on local welfare and social well-being), in addition to those elements addressed in principles 8, 6 and 4. No species should be planted on a large scale until local trials and/or experience have shown that they are ecologically well-adapted to the site, are not invasive, and do not have significant negative ecological impacts on other ecosystems. Special attention will be paid to social issues of land acquisition for plantations, especially the protection of local rights of ownership, use or access.

Indicators:

**10.8.1** *There is no large scale planting of species that have not been shown to be appropriate to the site on the basis of local trials or experience.*

**10.8.2** *Plantations are not established on sites of important or sensitive ecosystems; areas of high or unique biological diversity; planned conservation or protection areas or where there are possible adverse effects on an important water catchment area.*

**10.8.3** *Monitoring includes evaluation of potential onsite and off-site ecological and social impacts of plantation activities (also see criterion 8.2). (SLIMF: FME shall document negative environmental or social impacts and design and implement measures to address the impacts).*

**10.8.4** *The purchase of lands or land leases for plantation establishment does not adversely impact the community and/or resource use by local people and no plantations will be established on lands where ownership and use rights have not been settled.*

**Criterion 10.9** Plantations established in areas converted from natural forests after November 1994 normally shall not qualify for certification. Certification may be allowed in circumstances where sufficient evidence is submitted to the certification body that the manager/owner is not responsible directly or indirectly of such conversion.

Indicator:

**10.9.1** *There is written evidence that the plantation was not established on land converted from natural forest after November 1st 1994 (but see 6.10 and 0.9), unless there is clear evidence that the current owner(s) and manager(s) were not directly or indirectly responsible for the conversion.*

## ANNEX 1: GLOSSARY

(from: "FSC Principle and Criteria". FSC Document No. 1.2, Revised Version of January 1999)

Words in this document are used as defined in most standard English language dictionaries. The precise meaning and local interpretation of certain phrases (such as local communities) should be decided in the local context by forest managers and certifiers. In this document, the words below are understood as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

segments of the population which are predominant." (Working definition adopted by the UN Working Group on Indigenous Peoples).

**High Conservation Value Forests:**

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

- a) forest areas containing globally, regionally or nationally significant:
  - concentrations of biodiversity values (e.g. endemism, endangered species, refugia); and/or
  - large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance
- 2) forest areas that are in or contain rare, threatened or endangered ecosystems
- 3) forest areas that provide basic services of nature in critical situations (e.g. watershed protection, erosion control)
- 4) forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health) and/or critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **ANNEX 2: LAWS AND REGULATIONS**

### **NATIONAL LAWS**

#### **Land Use, Access and Tenure Rights**

1. Land Law 2003.
2. Forest Protection and Development Law 2004.
3. Decree No. 181/2004/ND-CP dated 29 October 2004 issued by the Government on the enforcement of the Land Law 2003.
4. Decree No 84/NĐ-CP dated 25 May 2007 of the Government on supplementation of granting land use right certificates, land recovery, implementing land use right, procedure and orders of compensation, support, resettlement when the State recovers land and handling complains of land.
5. Decree No 23/2006/ND-CP dated 03 March 2006 issued by the Government on the enforcement of the Forest protection and Development Law 2004.
6. Decision No. 186/2006/QĐ-TTg dated 14 August 2006 issued by the Government on the Regulation of Forest Management.
7. Decision No. 40/2005/QĐ-BNN dated 07 July 2005 by the Ministry of Agriculture and Rural Development on the Regulations for Forest Harvesting.
8. Circular No. 38/2007/TT-BNN dated 25 April 2007 issued by Ministry of Agriculture and Rural Development on Guidelines for implementation, forest allocation, forest rent and forest return for organizations, households, individuals and communities.

#### **Timber Harvesting**

1. Decision No. 200/QĐ-KT dated 31 March 1993 issued by the former Ministry of Forestry (now Ministry of Agriculture and Rural Development) on the Silvicultural Technologies Applied for Wood and Bamboo Production Stands (aka QPN 14-92).
2. Decision No. 40/2005/QĐ-BNN dated 07 July 2005 by the Ministry of Agriculture and Rural Development on the Regulations for Harvesting timber and other forest products.
3. Decision No. 186/2006/QĐ-TTg dated 14 August 2006 issued by the Ministry of Agriculture and Rural Development on the Regulation of Forest Management.

#### **Timber Products Transportation**

1. Decision No. 40/2005/QĐ-BNN dated 07 July 2005 issued by the Ministry of Agriculture and Rural Development on the Regulations for Harvesting timber and other forest products.
2. Decision No. 44/2006/QĐ-BNN dated 01 June 2006 issued by the Ministry of Agriculture and Rural Development on Forest Ranger Stamping and Stamp Control.
3. Decision No. 59/2005/QĐ-BNN dated 10 October 2005 issued by the Ministry of Agriculture and Rural Development Promulgating the Regulation of Inspection and Control of Forest Products.

4. Circular No. 01/2002/TT-BCA (C11) dated 04 January 2002 issued by the Ministry of Transportation on Providing Guidance on Issuing Registration Numbers to Transportation Vehicles.
5. Decree No. 110/2006/ND-CP dated 28 September 2006 of the Government on business conditions of road transport.
6. Decree No. 21/2005/ND-CP dated 01 March 2005 of the Government on providing in detail to implement some Articles of Law on interior waterway transportation.

### **Timber Processing**

1. Decree No. 12/2006/ND-CP dated 23 January 2006 of the Government detailing implementation of Trade Law regulations on international buying and selling of commodities and agent activities purchasing, selling, processing and transiting of commodities with foreign countries.
2. Decision No. 59/2005/QĐ-BNN dated 10 October 2005 issued by the Ministry of Agriculture and Rural Development Promulgating the Regulation of Inspection and Control of Forest Products.

### **Timber Products' Import/Export**

1. Decree No. 12/2006/ND-CP dated 23 January 2006 of the Government detailing implementation of Trade Law regulations on international buying and selling of commodities and agent activities purchasing, selling, processing and transiting of commodities with foreign countries.
2. Decision No. 65/1998/QĐ-TTg dated 24 March 1998 issued by the Prime Minister on wood and wood products export and import.
3. Decision No. 59/2005/QĐ-BNN dated 10 October 2005 issued by the Ministry of Agriculture and Rural Development Promulgating the Regulation of Inspection and Control of Forest Products.
4. Decree No. 160/2003/ND-CP dated 18 December 2003 issued by the Government on management of marine activities at sea port and marine zone of Viet Nam.
5. Decision No. 110/2003/QĐ-BTC dated July 25, issued by the Ministry of Finance promulgating preferential import tariffs.
6. Decision No. 54/2006/QĐ-BNN of 05 July 2006 issued by MARD publicizing a list of wild plant and animal species in Annexes to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.
7. Decree No. 49/2006/ND-CP of the Government dated 18 May 2006 on ship registration, selling and buying.
8. Decree No. 82/2006/ND-CP dated 10 August 2006 on management of the import, export, re-export, introduction from the sea, transit, breeding, rearing and artificial propagation of endangered species of precious and rare wild fauna and flora.
9. Decree No. 02/2007/ND-CP of the Government dated 5 January 2007 on plant quarantine.

## **Environmental and Conservation Regulations**

1. Law on Environmental Protection 2006.
2. Decree No. 80/2006/ND-CP dated 09 August 2006 issued by the Government on the Implementation of the Law on Environmental Protection 2006.
3. Decree 21/2008/ND-CP dated 28/02/2008 of the Government on supplementation and amendment of some articles of Decree No. 80/2006/ND-CP dated 09 August 2006 issued by Government on the implementation of the Law on Environmental Protection
4. Decree No. 32/2006/ND-CP dated 30 March 2006 issued by the Government on the Management of Endangered and Precious Forest Fauna and Flora Species.
5. Decree No. 9/2006/ND-CP dated 16 January 2006 issued by the Government on Forest Fire Prevention and Extinguishing.
6. Decree No. 82/2006/ND-CP dated 10 August 2006 issued by the Government on management of export, import, re-export, introduction from the sea, transit, breeding, rearing and artificial propagation of endangered species of precious and rare wild fauna and flora.
7. Decision No. 54/2006/QD-BNN dated 05 July 2006 issued by the Ministry of Agriculture and Rural Development publicizing a list of wild plant and animal species in Annexes to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.
8. Decision 74/2008/QD-BNN dated 20/6/2008 of MARD issuing the List of wildlife and plant in annex of CITES convention
9. Decision No. 40/2005/QD-BNN dated 07 July 2005 by the Ministry of Agriculture and Rural Development on the Regulations for Harvesting timber and other forest products.
10. Circular No. 08/2006/TT-BTNMT dated 08 September 2006 issued by the Ministry of Natural Resources and Environment on the Guidelines for Strategic Environmental Assessment, Environmental Impact Assessment and Environmental Protection Engagement.

## **Social Regulations**

1. Labour Code 1994 (amended 2002).
2. Law on Social Insurance dated 29 June 2006.
3. Decree No. 200/2004/ND-CP dated 03 December 2004 issued by the Government on the Arrangement, Renovation and Development of the State Forest Company.
4. Decree No. 135/2005/ND-CP dated 08 November 2005 issued by the Government on the Contracting of Agricultural Land and Production forest of State Agricultural Enterprises and State forest Enterprises.
5. Decree No. 93/2006/ND-CP dated 06 January 2006 issued by the Government on Regulating the Minimum Salary Rate of the Vietnamese Labourer Operating Unskilled Tasks and Working in Normal Conditions for Foreign-funded Companies.
6. Decree No. 94/2006/ND-CP dated 07 September 2006 issued by the Government on adjusting the Minimum Salary Rate.

7. Decree No. 196-CP dated 31 December 1994 of the Government stipulating detailed provisions and guidance for the implementation of a number of articles of the labour code on collective labour bargain, Decree 93/2002/ND-CP of the Government dated 11 November 2002 amending and supplementing Decree 196-CP.
8. Decree No. 06/CP of Government dated January 20,1995 which details a number of articles of the labour code on labour safety and sanitation and Article 1, Decree No 110/2002/ND-CP of 27 December 2002 amending and supplementing a numbers of Decree 06/CP
9. Decree No. 152/2006/ND-CP of the Government dated 22 December 2006 on guiding some articles of the Law on Social Insurance.
10. Decree No 44/2003/ND-CP dated 9 May 2003 of the Government providing detailed regulation and guidance for implementation of a number of Articles of the labour code on labour contracts.
11. Decree No 195/CP of 31 December 1994 which details and guides the implementation of a number of Articles of the labour code on working time and rest time.
12. Decree 109/2002/ND-CP/2002/ND-CP of 27 December amending and supplementing a number of Articles of the Decree 195/CP.
13. Decree No. 41-CP dated 6 July 1995 which details and guides the implementation of a number of articles of the labour code regarding labour disciplines and material responsibilities.
14. Decree No. 33/2003/ND-CP of 2 April 2003 amending and supplementing a number of Articles of Decree No. 41-CP

### **Taxes, fees and royalty**

1. Law on Agricultural Land Use Tax 1993
2. Ordinance No. 05/1998/PL-UBTVQH10 dated 16 April 1998 on Natural Resources Tax (revised)
3. Decree No. 129/2003/ND-CP dated 03 November 2003 of the Government which details the implementation of the National Assembly's Resolution No. 15/2003/QH11 of June 17, 2003 on exemption and reduction of agricultural land-use tax.
4. Decree No. 156/2005/ND-CP dated 15 December 2005 issued by the Government on amending and supplementing a number of Government Decrees on implementing the Law of special consumption and Law on VAT.
5. Decree No. 158/2003/ND-CP dated 10 December 2003 issued by the Government on detailed regulations on implementing the Law on VAT and amending and supplementing a number of articles of the Law on VAT.
6. Decree No. 149/2005/ND-CP dated 18 December 2005 issued by the Government on detailed regulations on implementing Law on import and export.
7. Circular No. 120/2003/TT-BTC dated 12 December 2003 issued by the Ministry of Finance on guidance on the implementing of Decree 158/2003/ND-CP dated 10 December 2003.

8. Circular No. 89-TC/TCT dated 09 November 1993 issued by the Ministry of Finance on providing Guidance to the implementation of Decree No. 74/CP dated 25 October 1993 issued by the Government on Specifying Regulations on the Implementation of the Agriculture Land Use Tax 1993
9. Decree No. 68/1998/ND-CP dated 03 September 1998 issued by the Government, detailing the implementation of the Ordinance on Natural Resource Tax.
10. Decree No. 147/2006/ND-CP dated 01 December 2006 amending and supplementing some Articles of the Decree 68/1998/ND-CP dated 03 September 1998 issued by the Government.
11. Circular No. 42/2007/TT-BTC dated 27 April 2007 of Ministry of Finance on regulations on implementing Decree No. 68/1998/ND-CP dated 03 September 1998 issued by the Government, detailing the implementation of the Ordinance on Natural Resource Tax.
12. Decree No. 147/2006/ND-CP amending and supplementing some Articles of Decree 68/1998/ND-CP.
13. Decree No. 24/2007/NĐ-CP issued by the Government dated 14 February, 2007 on detailed regulations on implementing Law on Enterprises' Income Tax.

## CONVENTIONS RATIFIED BY VIETNAM

Convention
C5 Minimum Age (Industry) Convention, 1919
C6 Night Work of Young Persons (Industry) Convention, 1919
C14 Weekly Rest (Industry) Convention, 1921
C27 Marking of Weight (Packages Transported by Vessels) Convention, 1929
C29 Forced Labour Convention, 1930
C45 Underground Work (Women) Convention, 1935
C80 Final Articles Revision Convention, 1946
C81 Labour Inspection Convention, 1947
C100 Equal Remuneration Convention, 1951
C111 Discrimination (Employment and Occupation) Convention, 1958
C116 Final Articles Revision Convention, 1961
C120 Hygiene (Commerce and Offices) Convention, 1964
C123 Minimum Age (Underground Work) Convention, 1965
C124 Medical Examination of Young Persons (Underground Work) Convention, 1965
C138 Minimum Age Convention, 1973
C144 Tripartite Consultation (International Labour Standards) Convention, 1976
C155 Occupational Safety and Health Convention, 1981
C182 Worst Forms of Child Labour Convention, 1999
Convention on International Trade of Endangered Species of Wild Fauna and Flora
Convention on Wetlands of International Importance Especially as Waterfowl Habitat
International Labour Organization Conventions (China is not a full signatory)
International Tropical Timber Agreement
International Union for the Protection of New Varieties of Plants
United Nations Convention to Combat Desertification
United Nations Framework Convention on Climate Change
Convention on Biological Diversity
Vienna Convention on the Protection of the Ozone Layer

### **ANNEX 3: LIST OF ENDANGERED AND RARE SPECIES**

Respective lists are available at  
<http://www.chinabiodiversity.com> and  
<http://www.cnwm.org.cn/wildlife/>