

FAQ ON THE FSC AP RFSS FOR SMALLHOLDERS

Version 1



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FREQUENTLY ASKED QUESTIONS (FAQ)

This set of Frequently Asked Questions (FAQ) aims to clarify aspects related to the content of the AP RFSS *FSC-STD-RAP-01-2021, The FSC Regional Forest Stewardship Standard for Smallholders* and its nationally adapted versions:

- *FSC-STD-RAP-IND-01-2022 Plantations, The FSC Forest Stewardship Standard for Smallholders in India;*
- *FSC-STD-RAP-IDN-01-2022 Plantations, The FSC Forest Stewardship Standard for Smallholders in Indonesia;*
- *FSC-STD-RAP-VNM-01-2022 Plantations, The FSC Forest Stewardship Standard for Smallholders in Vietnam;*
- *FSC-STD-RAP-THA-01-2024 Plantations, The FSC Forest Stewardship Standard for Smallholders in Thailand.*

This FAQ is non-normative and has been developed for all interested stakeholders. This same FAQ applies for all countries under the scope of AP RFSS. This document will be updated on a regular basis.

Further questions to clarify aspects related to these standards will be subsequently included in this FAQ document as a result of input from engagement with stakeholders.

Requests for additional topics and questions to be considered in this FAQ can be sent to policyinnovation@fsc.org .

1 PRINCIPLES, CRITERIA AND INDICATORS FOR SMALLHOLDERS IN THAILAND

1.1 Can the land tax payment certificate, e.g., *Por Bor Tor 5* (P.B.T.5), be considered sufficient evidence for the conformance of the smallholder with indicator 1.3.1 of *FSC-STD-RAP-THA-01-2024 Plantations, The FSC Forest Stewardship Standard for Smallholders in Thailand* in regard to binding legal acts (e.g. *National Reserved Forests Act B.E. 2507 (No. 4) B.E. 2559*) in Thailand?

Firstly, it is important to distinguish between Criterion 1.1. and Criterion 1.3 of *FSC-STD-RAP-THA-01-2024 Plantations, The FSC Forest Stewardship Standard for Smallholders in Thailand*:

- **Criterion 1.1** requires The Organization to have permits: “*The Organization** shall demonstrate that the legal* status of the *Management Unit**, including *tenure** and *use rights**, and its boundaries, are clearly defined.”;
- **Criterion 1.3** requires The Organization to show conformity in its activities with those permits: “*The Organization** shall have *legal** rights to operate in the *Management Unit**, which fit the legal* status of The Organization* and of the Management Unit* and shall comply with the associated legal* obligations in applicable *national* and *local laws** and regulations and administrative requirements. The *legal** rights shall provide for harvest of products and/or supply of ecosystem services* from within the *Management Unit**. *The Organization** shall pay the legally prescribed charges associated with such rights and obligations.”

While the land tax payment document, such as *Por Bor Tor 5* (P.B.T.5) issued by the Subdistrict Administrative Organization in Thailand, can be considered one piece of evidence for conformance with indicator 1.3.1 of *FSC-STD-RAP-THA-01-2024 Plantations, The FSC Forest Stewardship Standard for Smallholders in Thailand*, it is not sufficient on its own until the future government mechanism for issuing the *Khao Thong Certificate* (KTC) in Thailand is in place.

In the meantime, the smallholder is expected to demonstrate that the land is used according to the specific provisions set by the P.B.T.5 -issuing authority and that forestry activities are carried out in compliance with other applicable laws, regulations, administrative requirements, and legal and customary rights. The certification body (CB) should also conduct interviews and seek stakeholder confirmation to evaluate full conformity with indicator 1.3.1.

Once the mechanism for issuing KTC permits at the communal level is launched by the government of Thailand, smallholders shall demonstrate having those permits under Criterion 1.1 of *FSC-STD-RAP-THA-01-2024 Plantations, The FSC Forest Stewardship Standard for Smallholders in Thailand*. For example, if a rubber plantation is located in a forest reserve, a *Forest Product Collecting Permit* (Latex) will be required, based on the *National Reserved Forests Act B.E. 2507 (No. 4) B.E. 2559* in Thailand.

ABBREVIATIONS

AP RFSS	Asia-Pacific Regional Forest Stewardship Standard
CB	Certification Body
FSC	Forest Stewardship Council
KTC	Khao Thong Certificate in Thailand
P.B.T.5	Por Bor Tor 5 is a land tax payment certificate issued by Subdistrict Administrative Organization in Thailand



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