



Forest Stewardship Council®



# The FSC Forest Stewardship Standard for Smallholders in Vietnam

***FSC-STD-RAP-VNM-01-2022 Plantations EN***

***Version for the pilot test in Vietnam***



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Standard

### **Photo Credit**

From Left to Right:

Photo 1: Acacia plantation of smallholders, Forsda Hue, ©Vu Thi Que Anh.

Photo 2: FSC Acacia plantation, Tay Kim smallholder group certification Huong Son, Ha Tinh, ©Vu Thi Que Anh.

Photo 3: FSC certified acacia log from smallholders group certification, ©Vu Thi Que Anh.

### **NOTE ON THIS ENGLISH VERSION:**

*This is the official version of the FSC Forest Stewardship Standard that is approved by FSC International Center, and it is available at [www.fsc.org](http://www.fsc.org). Any translation of this version is not an official translation approved by FSC International Center. If there is any conflict or inconsistency between the approved English version and any translated version, the English version shall prevail.*

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<b>Regional Contact</b>	Thesis Budiarto FSC Asia Pacific Region Level 3A, World Trade Center 5 Jl. Jend. Sudirman Kav. 29 Jakarta 12920, Indonesia @ <a href="mailto:t.budiarto@fsc.org">t.budiarto@fsc.org</a>
<b>FSC Performance and Standards Unit Contact</b>	FSC International Center - Performance and Standards Unit - Adenauer Allee 134 53113 Bonn, Germany ☎ +49-(0)228-36766-0 ☎ +49-(0)228-36766-65 @ <a href="mailto:psu@fsc.org">psu@fsc.org</a>
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## Table of contents

A	Preface .....	5
	A.1 Descriptive statement of the Forest Stewardship Council (FSC) .....	5
	A.2 Development of a Regional Forest Stewardship Standard (RFSS) for Smallholders .....	5
	A.3 Application of the Regional Forest Stewardship Standard in Vietnam .....	6
	A.4 Application of this standard for smallholders in Vietnam within the Vietnam NFSS .....	6
	A.5 Terminology .....	6
B	Version of the standard .....	7
C	Scope .....	7
D	References .....	8
E	Explanatory Notes.....	8
	E.1 Note on the content of this standard for smallholders in Vietnam .....	8
	E.2 Who is required to meet the Indicators? .....	9
	E.3 What activities do the Indicators in this standard apply to? .....	10
	E.4 Are all Principles and Criteria and IGI applicable?.....	10
	E.5 How do the Indicators apply to family members, temporary workers, employees and others who work on the smallholder’s forest?.....	11
	E.6 Who does “assessments” to determine presence of Indigenous Peoples, local communities and High Conservation Value Forests (Principles 3, 4, and 9)? .....	11
	E.7 Does the smallholder need to consider factors outside his or her property? .....	12
	E.8 Comments on the language used in the standard .....	12
	E.9 Definitions.....	13
	E.10 Interpretations and disputes.....	13
F	<i>Principles*</i> , <i>Criteria*</i> and <i>Indicators*</i> for Smallholders in Vietnam .....	14
	<i>PRINCIPLE* 1: COMPLIANCE WITH LAWS</i> .....	14
	<i>PRINCIPLE* 2: WORKERS* RIGHTS AND EMPLOYMENT CONDITIONS</i> ..	17
	<i>PRINCIPLE* 3: INDIGENOUS PEOPLES* RIGHTS</i> .....	21
	<i>PRINCIPLE* 4: COMMUNITY RELATIONS</i> .....	24
	<i>PRINCIPLE* 5: BENEFITS FROM THE FOREST*</i> .....	28
	<i>PRINCIPLE* 6: ENVIRONMENTAL VALUES* AND IMPACTS</i> .....	30
	<i>PRINCIPLE* 7: MANAGEMENT PLANNING</i> .....	35
	<i>PRINCIPLE* 8: MONITORING AND ASSESSMENT</i> .....	38
	<i>PRINCIPLE* 9: HIGH CONSERVATION VALUES*</i> .....	40
	<i>PRINCIPLE* 10: IMPLEMENTATION OF MANAGEMENT ACTIVITIES</i> .....	43

G	Annexes.....	47
	Annex A List of applicable laws, regulations and nationally-ratified international treaties, conventions and agreements .....	47
	Annex B Elements of the Management Plan .....	59
	Annex C Monitoring Requirements .....	60
	Annex D HCV Framework .....	63
	Annex E Strategies for maintaining High Conservation Values.....	69
	Annex F Glossary of terms.....	70

## **A Preface**

(Informative section)

### **A.1 Descriptive statement of the Forest Stewardship Council (FSC)**

The Forest Stewardship Council A.C. (FSC) was established in 1993, as a follow-up to the United Nations Conference on Environment and Development (the Earth Summit at Rio de Janeiro, 1992) with the mission to promote environmentally appropriate, socially beneficial, and economically viable management of the world's forests.

FSC is an international organization that provides a system for voluntary accreditation and independent third-party certification. FSC sets standards for the accreditation of Conformity Assessment Bodies (also known as Certification Bodies) that certify conformance with FSC's standards. In addition, FSC sets the standard for what are considered well managed forests that are environmentally appropriate, socially beneficial, and economically viable through the International Principles, Criteria and Indicators that are then adapted to the individual country level. This system allows certificate holders to market their products and services as FSC certified.

### **A.2 Development of a Regional Forest Stewardship Standard (RFSS) for Smallholders**

The FSC Regional office in the Asia Pacific region undertook the development of a standard that would apply specifically to the certification needs of millions of smallholders within that region. Typically, these smallholders have limited capacity and their operations have very low impact as single management units. The FSC Regional Forest Stewardship Standard (RFSS) for Smallholders (FSC-STD-RAP-01-2021) was developed to provide realistic, achievable Indicators relevant to the circumstances of these smallholders for their management units in the Asia-Pacific region, written in simple language that can be understood and met by the smallholder. It sets out the required elements against which FSC accredited Certification Bodies evaluate the forest management practices of smallholders within the scope (see Sections 1.3 and 3.1 below) of the standard.

Development of the RFSS was led by the Policy and Standards Manager of the FSC Asia-Pacific Regional office. The standard was developed by a regional chamber-balanced Technical Advisory Group, consisted of 3 members from each of the four participating countries (India, Indonesia, Thailand and Vietnam) with one person representing each chamber. At least one of the members from each country, and in some cases more than one, served on their country's SDG to maintain communications at that level. The committee members were assisted by a standard development consultant.

The development of the RFSS was supported strongly by the FSC Community and Family Forests Program team and the Performance and Standards Unit (PSU) in Bonn and responds to direction from FSC members and Goal 2.4 in the FSC Global Strategy, 2021-2026.

The RFSS was approved by the Policy and Standards Committee (PSC) of the FSC Board of Directors in December 2020.

### **A.3 Application of the Regional Forest Stewardship Standard in Vietnam**

This standard is for use by smallholders in Vietnam. It is an adaptation of the approved RFSS and is developed to pilot test the indicators in the specific circumstances in Vietnam.

As defined in the approved RFSS, it is applicable for all smallholders who own or manage individual units of plantations including woodlots, orchards, or agroforestry in block, linear or strip form that are less than 20 hectares in size. This includes boundary trees or small groups of trees (see the scope table in Section C below). Smallholders also include community producers, including Ethnic or others who fulfil the criteria for small size (as above), or a cooperative or community which owns, manages and uses a forest where less than 20 hectares has been allocated to each member or family. Smallholders may be part of groups.

This standard is for rough wood, and Non-Timber Forest Products (NTFPs) from plantations as listed in FSC-STD-40-004a V2-1. NTFPs include latex rubber, seeds, fruits, nuts, honey and other edible products, resins and oils, rattan, bamboo and other products from smallholder's plantations. NTFP-specific indicators are developed in the following FSC Criteria – 1.3, 5.2, 6.1, 6.6, 7.1, 7.2, 8.5 and 10.7.

**Smallholders or groups of smallholders including NTFPs in their certification scope shall conform with all the indicators in this standard** and the applicable requirements of the respective national forest stewardship standard. Where specific NTFP indicators exist, the smallholders shall conform with them in addition.

### **A.4 Application of this standard for smallholders in Vietnam within the Vietnam NFSS**

The FSC National Forest Stewardship Standard (NFSS) of Vietnam (FSC-STD-VN-01-2018) is applicable for all sizes and types of management units in Vietnam, including small, low intensity managed forests (SLIMF) but does not cover non-timber forest products (NTFP). All indicators in the Standard apply to all management units unless a Note specifically states “Not applicable to SLIMF” or provides an explanation of the limited requirement that SLIMF are expected to meet. Size limit for SLIMF is 100 ha. Thus, the Vietnam NFSS create a separate standard within the NFSS for those small-scale forest management units that are equal to or less than 100 ha in Vietnam.

This smallholder standard is applicable to very small management units that are less than 20 ha, or managed by community producers, group of forest owners or cooperatives who fulfil the criteria for small size (as above), or a cooperative or community which owns, manages and uses a forest where less than 20 hectares has been allocated to each member or family. Thus, this standard provides a different set of indicators than the SLIMF indicators for the very small units that meet these criteria.

### **A.5 Terminology**

In this standard, a “smallholder” is an individual or family who owns, manages, or uses forests which are less than 20 hectares in size that may be defined as plantations, woodlots, or agroforestry. Smallholder may also include *community producers*, including Indigenous or others who fulfil the criteria for small size (as above), and meet the requirements above (see Section A.4).

Smallholders may also be known by various other names – for example, woodlot owners, family foresters, small non-industrial private forest owners, small forest enterprises, community forestry operations and non-timber forest products (NTFPs) harvesters. Smallholders produce a wide variety of timber, non-timber and non-wood products.

Similarly, the smallholder’s forest is also known by various names – for example, woodlots, plantations, tree farms, etc. In some countries, forests only refer to natural forests. For the purposes of this Standard, reference to “smallholder’s forest” is used consistently to refer to all elements outlined in the scope table in Section C below. The term “smallholder’s forest” is defined in the Glossary.

## B Version of the standard

(Informative section)

FSC-STD-RAP-VNM-01-2022. The FSC Forest Stewardship Standard for Smallholders in Vietnam (version for pilot testing).

## C Scope

(Normative section)

This standard shall be applied for the following scope:

<b>Geographic region</b>	Vietnam
<b>Forest types</b>	Plantations, including woodlots, orchards, or agroforestry in block, linear or strip form. This includes boundary trees or small groups of trees
<b>Ownership types</b>	Private and other
<b>Management scale categories</b> (according to section 6 of FSC-STD-60-002)	Less than 20 hectares
<b>Forest products</b> (according to FSC-STD-40-004a)	Rough wood NTFPs, including latex rubber, seeds, fruits, nuts, honey and other edible products, resins and oils, rattan, bamboo and others

This standard does not apply to any rough wood or NTFP from natural forests. It does not include any short-rotation agricultural crops which are primarily grown while the canopy is still open.

## D References

(Informative section)

The following referenced documents are relevant for the application of this standard. For references without a version number, the latest edition of the referenced document (including any amendments) applies.

FSC-STD-VN-01-2018	<i>The FSC National Forest Stewardship Standard of Vietnam</i>
FSC-POL-01-004	<i>Policy for the Association of Organizations with FSC</i>
FSC-POL-20-003	<i>The Excision of Areas from the Scope of Certification</i>
FSC-POL-30-001	<i>FSC Pesticides Policy</i>
FSC-POL-30-401	<i>FSC Certification and the ILO Conventions</i>
FSC-POL-30-602	<i>FSC Interpretation on GMOs (Genetically Modified Organisms)</i>
FSC-STD-01-002	<i>Glossary of Terms</i>
FSC-STD-01-003	<i>SLIMF Eligibility Criteria</i>
FSC-STD-20-007	<i>Forest Management Evaluations</i>
FSC-STD-30-005	<i>FSC Standard for Group Entities in Forest Management Groups</i>
FSC-PRO-01-008	<i>Processing Complaints in the FSC Certification Scheme</i>
FSC-DIR-20-007	<i>FSC Directive on Forest Management Evaluations</i>
FSC-GUI-60-005	<i>Promoting Gender Equality in National Forest Stewardship Standards</i>

## E Explanatory Notes

(Normative section)

### E.1 Note on the content of this standard for smallholders in Vietnam

The indicators in this standard for Vietnam are taken directly from the RFSS with one change. In the Vietnam NFSS, a Note under Principle 3 explains that “In Vietnam, the term “Ethnic Peoples” is used to refer to “Indigenous Peoples”. The Vietnamese government does not use the term “Indigenous Peoples” for any groups but it is generally the ethnic peoples living in the mountainous areas that are referred to as Vietnam’s Indigenous Peoples (<http://www.iwgia.org/regions/asia/vietnam>)”. The RFSS uses the FSC term “Indigenous Peoples”. Thus in this standard, the term Indigenous Peoples is retained in the international Principles and Criteria but has been replaced by the term “*Ethnic Peoples*” to be consistent with terminology in the Indicators in the NFSS”. “Ethnic peoples” is defined in the Glossary.

Applicability Notes are provided for a number of Principles, Criteria and Indicators to explain if and how they are applicable to smallholders.

Explanatory Notes are provided throughout the Standard to assist smallholders, group managers, certificate holders, auditors and other readers to interpret the requirements. Some important explanation is also provided here.

Five Annexes (A-E) are included in this Standard as Guidance. They are either copied directly from, or adapted from, Annexes in the NFSS. Some Annexes in the NFSS are not included here as they are very unlikely to have any relevance for smallholders. They include annexes related to training requirements for workers and list for rare and threatened species. If guidance is required on these matters, reference can be made to the Annexes in the NFSS.

The Applicability Notes, Explanatory Notes and Annexes are non-normative. They all provide guidance to smallholders and their supporting organizations, auditors and interested readers.

**Note:** The non-normative status of annexes of this standard will be tested through the upcoming pilot test and might be changed (to partly or completely normative status), depending on the outcomes.

### **Verbal forms for the expression of provisions**

[Adapted from *ISO/IEC Directives Part 2: Rules for the structure and drafting of International Standards*]

“shall”: indicates requirements strictly to be followed in order to conform with the standard; ‘shall not’ indicates a prohibition.

“should”: indicates that among several possibilities one is recommended as particularly suitable, without mentioning or excluding others, or that a certain course of action is preferred but not necessarily re-quired. The Organization can meet these requirements in an equivalent way provided this can be demonstrated and justified.

“may”: indicates a course of action permissible within the limits of the standard; ‘need not’ indicates that a specified course of action is not a requirement.

“can”: is used for statements of possibility and capability, whether mate-rial, physical or causal.

## **E.2 Who is required to meet the Indicators?**

In many of the Indicators, the obligation to take action to meet the Indicator requirement falls directly on the smallholder. This includes all Indicators that relate to compliance with laws (Principle 1), workers’ rights (Principle 2), implementation of practices to protect the environment (Principles 6 and 9), management of the forest (Principle 10) and others.

It is recognized that some Indicator requirements in this standard will likely be beyond the capacity of an individual smallholder to meet on his or her own without help from a larger organization or external individuals for the very small area of land that the smallholder manages. In these situations, the Indicator is written so that the smallholder can receive support and assistance from a group manager or an external body such as an NGO, a purchaser or a government agency working to assist the smallholder to undertake the actions necessary to meet the Indicator. These Indicators include those related to writing policies, procedures and commitments (Indicators 1.6.1, 1.7.1, 1.7.3, 2.6.1, 4.6.1, 8.5.1); keeping records (Indicators 1.6.3, 2.3.3, 2.6.3, 3.3.2, 4.6.2, 5.2.3, 8.5.2); identifying and consulting with Indigenous Peoples and local communities or stakeholders (Indicators 3.1.2, 3.2.1, 3.2.4, 3.3.1, 3.5.1, 4.1.2, 4.1.3, 4.1.4, 4.2.1, 4.2.3, 7.6.1, 9.2.2, 9.4.2); conserving native forests (Indicators 6.5.1, 6.5.2 and 6.5.3) and planning and monitoring (Indicators 7.3.1, 7.4.1, 8.1.1, 8.3.1).

A small number of indicators allow external entities to carry out work to assist the smallholder to meet the Indicator requirement. This includes indicators that require large-scale assessments (Indicators 3.1.1, 3.1.2, 4.1.1, 6.1.1, 6.4.1, 9.1.1, 9.2.1) that are beyond the capacity of individual smallholders and are undertaken at scales beyond the smallholder's forest but in the smallholder's location.

In some Indicators, a "named representative" can meet the requirement on behalf of the smallholder. These include indicators that require developing policies or keeping records (Indicators 1.6.3, 1.7.2, 1.7.3, 2.6.1, 2.6.3, 4.6.2, 7.1.1, 10.6.2, 10.7.3 and 10.7.4).

In all these above indicators, work can be undertaken by an individual, a group manager or an external organization to assist the smallholder to meet the requirement but the smallholder needs to be able to demonstrate an awareness of the work and to show that he or she is taking action if the policies, assessments and the Indicators require.

### **E.3 What activities do the Indicators in this standard apply to?**

The indicators apply to the smallholder's forestry operations and trees on his or her land and/or land they have authorized use rights from government or other entities. The indicators apply to the production of wood and non-timber forest products from the certified units. They do not apply to farming of short rotation agricultural or animal crops on non-forest land within the holding. This is a standard for forest management, not a farming certification standard. In some situations, farming or agroforestry where trees and agricultural crops are growing together will be occurring within the forest.

### **E.4 Are all Principles and Criteria and IGI applicable?**

All 10 FSC Principles are applicable to smallholders and all are included in this Standard. All 70 Criteria in the FSC international standard Version 5-2 are also included.

The words "scale, intensity and risk" (SIR) do not appear in any Indicators in this standard but are implicit throughout. By definition and scope, the standard applies only to very small and relatively low intensity management units with relatively low risks as individual management units. Thus, some of the International Generic Indicators (IGI), which were developed with much larger organizations in mind, are not appropriate for, or applicable to, smallholders and in this standard for smallholders, Indicators have been dropped for this reason. There are seven Criteria (4.3 and 4.4 in Principle 4; 5.3, 5.4 and 5.5 in Principle 5; 6.8 in Principle 6; and 8.2 in Principle 8) which are not applicable to individual smallholders because of the scale, intensity and risk of their forestry activities. In these Criteria, all the IGI Indicators are therefore functionally not applicable to most smallholders and have been dropped. However, in two of these Criteria (6.8 and 8.2) there may be situations where individual smallholders combine their activities with other smallholders and have a more significant impact at the larger scale and intensity. In these situations, an indicator has been added to address this specific situation.

Other Criteria in Principles 3, 4 and 9 may be determined to be not applicable if the assessments required in those Principles determine that no Indigenous Peoples, local communities or High Conservation Values are present in the location of the smallholder's forest. These Indicators are all prefaced by "if", and their applicability depends on the results of the assessments that the smallholder is required to have to

assess their applicability to the smallholder's property.

Many of the IGI have been adapted to greatly reduce the amount of work or limit the steps required to meet the Indicator. This reflects the low risk and the limited capacity of smallholders. The relevant Criteria must be met but the extent of work or information required to meet a specific Indicator will be determined by auditors based on the scale, intensity and risk and the context of the smallholder.

#### **E.5 How do the Indicators apply to family members, temporary workers, employees and others who work on the smallholder's forest?**

In Principle 2, the IGI generally refer to "workers" meaning employed and self-employed persons working in the smallholder's forest. In general in Vietnam, most workers on a smallholder's forest are either the self-employed smallholder, his or her family members and business partners or are temporary workers hired on contract to do short-term specific tasks. In rare or unusual situations, a smallholder may have an employee or employees, so this term is also included as well. In community forests or co-operatives there may be volunteers or community members working.

Consistent with the RFSS, the term "workers" is not used in any Indicators in this smallholder standard for Vietnam. That is in order to distinguish between the family members (including co-owners or business partners) and the "temporary workers", "employees" or "volunteers" who are not family members or business associates. Most of the IGI have been adapted to refer to "temporary workers" or "employees" on the smallholder's forest when it is intended that the requirements of the Indicator refer only to those "temporary workers" or "employees", not to "family members" or business associates (for example, in regard to wages and terms of employment conditions). The term "family members" is used when the requirements of an Indicator also apply to a smallholder's immediate family members (husband, wife, children) and to business partners or co-owners who are not considered "temporary workers" or "employees". When indicators in Principle 2 apply to both family members, business associates and non-family member "temporary workers" or "employees" (for example, in regard to use of safety equipment) the indicators refer to all persons working on the forest including "employees", "temporary workers", "volunteers", "family members" and business associates. Definitions of all the terms used in Principle 2 are in the Glossary.

#### **E.6 Who does "assessments" to determine presence of Indigenous Peoples, local communities and High Conservation Value Forests (Principles 3, 4, and 9)?**

Three new indicators were "added" in the RFSS to require that the smallholder has assessments that determine if Principles 3, 4 and 9 are applicable to the smallholder. The standard allows other parties to undertake these assessments on behalf of the smallholder. The other parties could be a group manager, an NGO, a purchaser, a government organization or any other party acting to assist the smallholder to do the required assessment to determine if a Criterion applies (i.e. if there are Indigenous Peoples, local communities or HCVs in the location of the individual smallholder). If the assessments indicate presence, then the indicators in those Principles are applicable for the smallholder.

In most cases, the assessments required by Indicators 3.1.1, 4.1.1 and 9.1.1 are expected to confirm that there are no Indigenous Peoples or local communities or HCVs in that location that will potentially be affected by the smallholder. In that

situation, all the Indicators in these Principles are not applicable. A similar assessment is required by Indicator 6.1.1 in Principle 6. It also allows an external organization to do the “assessment of environmental values” in Criterion 6.1. However, in most cases, indicators in Principle 6 will be applicable – the assessment will limit the indicators to the specific environmental values identified in the assessment.

### **E.7 Does the smallholder need to consider factors outside his or her property?**

The RFSS requires that the smallholder must consider:

- values or interests outside the smallholder’s property that may influence the forestry activities that the smallholder undertakes on his or her property; and,
- activities on the smallholder’s property that may impact or affect the rights or interests of others outside, but close to, his or her property.

The consideration of factors outside the smallholder’s property is addressed in this standard by the use of two terms – “*in the immediate vicinity*” and “*in the smallholder’s location*”. Both terms are defined in the Glossary.

The term “*immediate vicinity*” appears in 13 Indicators in 8 Criteria in Principle 6, 7, 9 and 10 (Indicators 6.1.1, 6.4.1, 6.4.2, 6.4.3, 7.1.1, 9.1.1., 9.2.1, 9.2.2, 9.3.1, 9.4.1, 9.4.2 and 10.9.1). These indicators require consideration of any values that are adjacent to, or in very close proximity to, the smallholder’s forest and may be impacted by the smallholder’s forestry activities.

The term “*smallholder’s location*” appears in 27 Indicators in 13 Criteria in Principles 3, 4, 6 and 7 (Indicators 3.1.1, 3.1.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, 3.3.1, 3.3.2, 3.4.1, 3.4.2, 3.5.1, 3.6.1, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.2.1, 4.2.2, 4.2.3, 4.5.1, 4.5.2, 4.6.1, 4.8.1, 6.5.1, 6.5.2, 6.5.3 and 7.1.1). These Indicators require the smallholder to determine if there are rights, interests or values important to Indigenous Peoples and local communities that may be affected by the smallholder’s forestry activities, and if there are, to take actions to address those rights, interests or values. They also refer to the existence of native ecosystems close to the smallholder’s forest. The “*Smallholder’s location*” refers to a larger geographical area than “*immediate vicinity*” and may refer to the nearby community, region or subregion or the watershed catchment where the smallholder’s forest is located.

### **E.8 Comments on the language used in the standard**

In general, all Indicators in the RFSS and incorporated here have been shortened, and sentences simplified. Detailed lists have been removed. The language is broad to be inclusive of the specific details that are in the IGI so that an auditor can determine if the actions of a smallholder meet the Indicator in consideration of the context and the scale, intensity and risk of the individual smallholder.

Forestry words like “silviculture”, “regeneration”, and “ecologically appropriate” have been replaced with simpler terms. However, some FSC terms like “ecosystem services”, “high conservation values” and “invasive species” have been retained and are defined in the Glossary.

Indicators are consistently presented in an active, present tense as in “the smallholder

complies...” or “the smallholder implements...”. This is a change from the IGI which frequently refer to documents or processes and use passive terms as in “1.1.1 Legal registration is granted...” rather than “The smallholder has a legal right...”.

The Indicators refer specifically to “the smallholder” (as FSC certificate holders or applicants) rather than “The Organization”, the term that is consistently used in the IGI.

The word “if” is used in Indicators in Principles 3, 4, 6 and 9 to indicate that a requirement to meet the Indicator is dependent on confirming that Indigenous Peoples, local communities, native ecosystems or High Conservation Values are present in the location of the smallholder’s forest. It is anticipated that Indicators preceded by “if” will not be applicable to smallholders in many locations and situations and those Indicators will be not-applicable.

The word “if” is also used for indicators that are specific to non-timber forest products.

The word “shall” is not used in any Indicators. In its place the requirement is described in an active tense.

The word “appropriate” is used as an adjective in a number of Indicators (mostly in the context of “appropriate engagement”, “appropriate consultation” or “appropriate dispute resolution” but also in “appropriate safety equipment”, “appropriate regeneration”, and “appropriate plans”). “Appropriate” means “appropriate to the scale, intensity, risk and context of the specific smallholder situation” and to the peoples and values present. This gives some flexibility to the smallholder and gives some discretion to the auditor, and therefore opens room for interpretation. “Appropriate” is an auditable term and occurs in many of the Indicators in the IGI and in almost every principle – often in the context of “culturally appropriate” – and frequently in the Guidance to Standard Developers. “Culturally appropriate” is defined in the Glossary.

## **E.9 Definitions**

All words in the Indicators in this Standard that appear in italics are defined in the Glossary.

Words in the Principles and Criteria or in the Glossary that are marked with an asterix \* are defined in the Glossary of the Principles and Criteria Version 5-2 (FSC-STD-01-001 V5-2) or in the Glossary of the International Generic Indicators (IGI) Version 2-0 (FSC-STD-60-004 V2-0).

## **E.10 Interpretations and disputes**

Interpretation requests regarding the FSC Forest Stewardship Standards are submitted directly to FSC for processing and approval. Approved interpretations are published in the international FSC website (see: INT-STD-60-006\_01).

Disputes between stakeholders concerning certification requirements are managed by FSC dispute resolution procedure (see: FSC-PRO-01-008).

## F Principles\*, Criteria\* and Indicators\* for Smallholders in Vietnam

(Normative section)

### PRINCIPLE\* 1: COMPLIANCE WITH LAWS

**The Organization\*** shall comply with all *applicable laws\**, regulations and *nationally-ratified\** international treaties, conventions and agreements.

**1.1 The Organization\*** shall be a legally defined entity with clear, documented and unchallenged *legal registration\**, with written authorization from the *legally competent\** authority for specific activities.

1.1.1 *The smallholder* has evidence that confirms *the smallholder's* undisputed right to manage the *forest* and use the resources within the scope of the certificate.

**1.2 The Organization\*** shall demonstrate that the *legal\** status of the *Management Unit\**, including *tenure\** and *use rights\**, and its boundaries, are clearly defined.

1.2.1 *The smallholder* clearly shows the boundaries of his or her *forest* using maps, documents or other appropriate means on the ground and shows that *the smallholder* has the rights to all *forest* products produced on *the smallholder's forest*.

**Explanatory Note:** *This Indicator refers to the boundaries of the forest for which FSC certification is sought. The only products that can claim FSC certification are the timber and non-timber forest products from that forest.*

**1.3 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.

1.3.1 *The smallholder* carries out *forestry activities* in compliance with applicable laws and regulations, administrative requirements and legal and customary rights.

1.3.2 *The smallholder* makes all required payments related to *forestry activities* within the prescribed time limits.

1.3.3 **If non-timber forest products are for human consumption or personal use such as skincare or medicine**, all applicable legal and administrative requirements for hygiene and food safety are complied with.

**Explanatory Note:** *Guidance about a full list of potentially applicable laws in Vietnam is provided in the List of Applicable Laws in Annex A.*

**1.4 The Organization\* shall develop and implement measures, and/or shall engage with regulatory agencies, to systematically protect the Management Unit\* from unauthorized or illegal resource use, settlement and other illegal activities.**

1.4.1 *The smallholder uses measures to protect the smallholder's forest from unauthorized or illegal activities.*

**1.5 The Organization\* shall comply with the applicable national laws\*, local laws, ratified\* international conventions and obligatory codes of practice\*, relating to the transportation and trade of forest products within and from the Management Unit\*, and/or up to the point of first sale.**

1.5.1 *The smallholder complies with all laws related to transport and trade of forest products and non-timber forest products up to the point of first sale.*

***Explanatory Note:** The “applicable laws” for transport and trade vary by country and auditors will need to be aware of the specific legislation in the specific country of the smallholder.*

**1.6 The Organization\* shall identify, prevent and resolve disputes\* over issues of statutory or customary law\*, which can be settled out of court in a timely manner\*, through engagement\* with affected stakeholders\*.**

1.6.1 *The smallholder has, or can make use of, an appropriate process to quickly resolve any disputes that arise which directly involve the smallholder.*

1.6.2 *The smallholder follows the process and seeks to quickly resolve disputes that directly involve the smallholder.*

1.6.3 *The smallholder or their named representative keeps a record of disputes.*

1.6.4 *The smallholder immediately stops forestry activities if there are unresolved significant disputes that directly involve the smallholder.*

***Explanatory Note:** This Criterion, along with Criterion 1.7, is an example of a situation where the requirement to meet the Indicator requirements falls on the smallholder, but another entity - a group manager or other organization - can provide support and assistance to the smallholder by preparing the processes, or procedures or documents required and can keep records on behalf of the smallholder. The requirement is that the smallholder demonstrate an awareness of the existence of a process and the requirement for records and uses them if required. The record of disputes required by Indicator 1.6.3 should include basic relevant information about the nature of the dispute and how it was resolved.*

**1.7 The Organization\* shall publicize a commitment not to offer or receive bribes in money or any other form of corruption, and shall comply with anti-corruption legislation where this exists. In the absence of anti-corruption legislation, The Organization\* shall implement other anti-corruption measures proportionate to the scale\* and intensity\* of management activities and the risk\* of corruption.**

1.7.1 *The smallholder makes a written commitment not to offer or receive bribes.*

1.7.2 **If requested**, *the smallholder* or their *named representative* provides the commitment to a person who requests it at no cost to the requestor.

1.7.3 *The smallholder* has no involvement in any bribery, coercion or other acts of corruption related to *the smallholder's forest*.

**1.8** ***The Organization\**** shall demonstrate a ***long-term\**** commitment to adhere to the ***FSC Principles\**** and ***Criteria\**** in the ***Management Unit\****, and to related ***FSC Policies and Standards***. A statement of this commitment shall be contained in a ***publicly available\**** document made freely available.

***Explanatory Note:*** *A smallholder demonstrates the commitment (required by this criterion) by conforming with FSC Principles and Criteria and other respective requirements, when the smallholder chooses to participate in the FSC system.*

*Therefore, by participating in the certification process, the smallholder is in conformity with the requirements of this criterion.*

## **PRINCIPLE\* 2: WORKERS\* RIGHTS AND EMPLOYMENT CONDITIONS**

**The Organization\* shall maintain or enhance the social and economic wellbeing of workers\*.**

**Explanatory Note:** The terms “worker”, “temporary worker”, “employee”, “family member” and “volunteer” are all defined in the Glossary. The terms “worker”, “temporary worker” and “employee” refer to forest workers who receive direct financial payment through employment. They may be employed directly by the smallholder, or may be employed by a contractor who is hired by the smallholder. “Family members” are direct relatives of the smallholder or business partners or co-owners and may receive compensation in various forms but are not employed or contracted to work. Business associates are non-family members who have some ownership or financial involvement with the smallholder and are not employees. “Volunteers” also work without direct financial compensation as members of a community or co-operative smallholder forest. Indicators in Principle 2 refer to some or all of these categories. Some, for example in Criterion 2.2, only apply to “temporary workers” or “employees”. Others, for example in Criterion 2.3, refer to all of “temporary workers”, “employees”, “family members” and “volunteers”.

The requirements of Principle 2 that apply to temporary workers apply whether the temporary worker is hired by the smallholder or by a separate contractor. In cases where the temporary worker works for a contractor, the smallholder is required to ensure that the Indicator requirements are met by the contractor.

### **2.1 The Organization\* shall uphold\* the principles and rights at work as defined in the ILO Declaration on Fundamental Principles and Rights at Work\* (1998) based on the eight ILO Core Labour Conventions\*.**

2.1.1 The smallholder does not have temporary workers, employees or volunteers below the age of 15.

2.1.1.1. The smallholder does not allow work to interfere with the schooling of any children under the age of 15.

2.1.1.2 The smallholder does not allow any children under the age of 18 to perform hazardous or heavy work.

2.1.2 The smallholder does not force temporary workers or employees to work.

2.1.3 The smallholder does not discriminate in hiring temporary workers or employees.

**Explanatory Note:** The numbering of Indicators 2.1.1.1 and 2.1.1.2 is required by the addition of indicators into the International Generic Indicators (FSC-STD-60-004 V2-0 EN).

Indicator 2.1.1 does not allow the smallholder to have temporary workers, employees or volunteers under the age of 15 working on the smallholding. It does allow smallholders to have their children who are family members under the age of 15 involved in forestry activities, but Indicators 2.1.1.1 and 2.1.1.2 do not allow that participation to interfere with schooling of their children under 15, or to involve hazardous or heavy work by children under 18. In a community forest, children under 15 could accompany parents or other family members to the forest and participate in forestry activities but could not have

*paid employment and should not be “working” in the same way that adults are working or engaged in hazardous or heavy work.*

*Discrimination in Indicator 2.1.3 refers to any form of discrimination in the hiring of employees – for example, discrimination based on age, gender, ethnicity, sexual orientation – as outlined in the core conventions in the ILO Declaration of 1998 (ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour conference at its Eighty-sixth Session, Geneva, 18th June 1998).*

**2.2 The Organization\* shall promote gender equality\* in employment practices, training opportunities, awarding of contracts, processes of engagement\* and management activities.**

- 2.2.1 **If the smallholder hires temporary workers or employees, the smallholder promotes equality among men and women and prevents discrimination in employment.**
- 2.2.2 **If the smallholder hires temporary workers or employees, the smallholder provides job opportunities to both men and women under the same conditions, and women are encouraged to participate actively in all levels of employment.**
- 2.2.3 *The smallholder provides equal opportunities to all temporary workers, employees, family members and volunteers to receive training and participate in health and safety programs related to the work they do.*
- 2.2.4 *The smallholder pays women and men temporary workers or employees equally when they do the same job.*
- 2.2.5 *The smallholder pays temporary workers or employees directly using methods that the smallholder and the temporary worker or employee agree on.*
- 2.2.6 **Unless declined, the smallholder provides women temporary workers or employees in all levels of employment with maternity leave in accordance with national legislation but, in all cases, not less than 6 weeks maternity leave following the birth of a child.**
- 2.2.7 **If requested, the smallholder provides men temporary workers or employees with paternity leave with no penalty following the birth of a child.**
- 2.2.8 **If the smallholder forest is a community-owned forest or a cooperative, meetings, management committees and decision-making forums are organized to include women and men, and to facilitate the active participation of both.**
- 2.2.9 **If the smallholder forest is a community-owned forest or a cooperative, confidential and effective mechanisms exist for reporting and eliminating cases of sexual harassment and discrimination based on gender, marital status, parenthood or sexual orientation.**

**2.3** **The Organization\*** shall implement health and safety practices to protect **workers\*** from occupational safety and health hazards. These practices shall, proportionate to **scale, intensity and risk\*** of management activities, meet or exceed the recommendations of the ILO Code of Practice on Safety and Health in Forestry Work.

2.3.1 *The smallholder and his or her temporary workers, employees, family members, business associates and volunteers have safe work practices.*

2.3.2 *The smallholder and his or her temporary workers, employees, family members, business associates and volunteers use appropriate safety equipment.*

2.3.3 *The smallholder or their named representative keeps a record of any accidents.*

2.3.4 *The smallholder changes practices that have caused, or will likely cause, accidents in the smallholder's forest.*

2.3.5 **If hunting or other dangerous activities are part of the forestry activities**, the smallholder identifies the dangerous activities and implements safety measures to protect the public where hunting or other dangerous activities related to NTFP activities are carried out.

**Explanatory Note:** *The ILO Code of Practice on Safety and Health in Forestry Work provides examples of safe work practices and personal protective equipment (Table 1, page 37) appropriate for the smallholder for different forestry tasks. Auditors should consider the tasks the smallholder is doing and the equipment he or she is using to interpret the guidance provided in this Code.*

**2.4** **The Organization\*** shall pay wages that meet or exceed minimum forest\* industry standards or other recognized forest\* industry wage agreements or living wages\*, where these are higher than the legal\* minimum wages. When none of these exist, **The Organization\*** shall through engagement\* with workers\* develop mechanisms for determining living wages\*.

2.4.1 **If the smallholder hires temporary workers or employees**, the smallholder pays temporary workers or employees at wage rates that meet or exceed any legal minimum wage.

2.4.2 **If no legal minimum wage exists**, the smallholder pays a living wage to temporary workers or employees that is agreed prior to work starting.

2.4.3 *The smallholder makes wage and contract payments within the prescribed time limits.*

**Applicability Note:** *If a smallholder does not have any temporary workers or employees, Criterion 2.4 does not apply. If there is no minimum wage (2.4.1) in the country or state where the smallholder forest is located, then Indicator 2.4.2 applies. The "living wage" referred to in Indicator 2.4.2 is defined in the Glossary.*

**Explanatory Note:** *The terms "hires" and "wages" in Indicators 2.4.1 and 2.4.2 refer to employment. They do not apply to, or restrict, the common smallholder practice of labour exchange.*

**2.5** *The Organization\** shall demonstrate that *workers\** have job-specific training and supervision to safely and effectively implement the *Management Plan\** and all management activities.

2.5.1 *The smallholder* provides training and supervision so that *temporary workers, employees, family members, business associates* and *volunteers* can work safely and effectively in the tasks that they do.

**2.6** *The Organization\** through *engagement\** with *workers\** shall have mechanisms for resolving grievances and for providing *fair compensation\** to *workers\** for loss or damage to property, *occupational diseases\**, or *occupational injuries\** sustained while working for *The Organization\**.

2.6.1 **If *the smallholder* hires *temporary workers* or *employees*, *the smallholder* has, or can make use of, an appropriate process to quickly resolve any disputes that arise with those *temporary workers* or *employees*.**

2.6.2 *The smallholder* follows the process and seeks to resolve disputes or grievances with *temporary workers* or *employees*.

2.6.3 *The smallholder* or their *named representative* keeps a record of any disputes or grievances with *temporary workers* or *employees*.

2.6.4 *The smallholder* compensates *temporary workers* or *employees* for any loss or damage of property and occupational disease\* or injuries related to work in *the smallholder's forest*.

***Applicability Note:*** *If a smallholder does not have any temporary workers or employees, Criterion 2.6 does not apply.*

***Explanatory Note:*** *As in Criterion 1.6, the requirement to meet the Indicators falls on the smallholder, but another entity - a group manager or other organization - can provide support and assistance to the smallholder by preparing the processes, or procedures or documents required and can keep records on behalf of the smallholder. The requirement is that the smallholder demonstrate an awareness of the existence of a process and the requirement for records and uses them if required. The record of disputes required by Indicator 2.6.3 should include basic relevant information about the nature of the dispute and how it was resolved.*

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

**The Organization\*** shall identify and *uphold\** **Indigenous Peoples\*\* legal\* and customary rights\*** of ownership, use and management of land, **territories\*** and resources affected by management activities.

**Explanatory Note:** The term “Ethnic Peoples” is used consistently throughout the indicators in Principle 3. This is consistent with the Note under Principle 3 in the Vietnam NFSS that states, “In Vietnam, the term “Ethnic Peoples” is used to refer to “Indigenous Peoples”. The Vietnamese government does not use the term “Indigenous Peoples” for any groups but it is generally the ethnic peoples living in the mountainous areas that are referred to as Vietnam’s Indigenous Peoples. (<http://www.iwqia.org/regions/asia/vietnam>). In this standard, the term Indigenous Peoples is retained in the international Principles and Criteria but is replaced in all Indicators by the term “Ethnic Peoples” to be consistent with Indicators in the NFSS”.

**Applicability Note:** To determine if Principle 3 is applicable, the first requirement is an assessment in Criterion 3.1. If no potentially affected Ethnic Peoples are identified in the smallholder’s location, Principle 3 is not applicable. If a local Ethnic Person or an Ethnic community is the smallholder, Principle 3 is not applicable.

If potentially affected Ethnic Peoples are identified in the assessment, Criteria 3.2, 3.3 and 3.4 and related Indicators are applicable.

All of the indicators refer to “forestry activities” which includes NTFP activities within the scope of the indicator.

**Explanatory Note:** A group manager or an external organization such as an NGO, purchaser, or government agency may assist a smallholder to conduct this assessment and to meet any requirements in Criteria 3.2, 3.3 or 3.4, if they are applicable.

**3.1 The Organization\*** shall identify the **Indigenous Peoples\*** that exist within the **Management Unit\*** or those that are affected by management activities. **The Organization\*** shall then, through **engagement\*** with these **Indigenous Peoples\***, identify their rights of **tenure\***, their rights of access to and use of **forest\* resources and ecosystem services\***, their **customary rights\*** and **legal\* rights and obligations**, that apply within the **Management Unit\***. **The Organization\*** shall also identify areas where these rights are contested.

3.1.1 *The smallholder has a culturally appropriate assessment, that the smallholder is aware of, to determine if there are any Ethnic Peoples in the smallholder’s location that are potentially affected by the smallholder’s forestry activities.*

3.1.2 **If potentially affected Ethnic Peoples are present in the smallholder’s location (3.1.1), the smallholder identifies the Ethnic Peoples, their specific location, their rights and their interests in the smallholder’s forest.**

**Explanatory Note:** The assessment to identify Ethnic Peoples may be completed by group manager or an external organization such as an NGO, purchaser, or government agency acting on behalf of, or providing assistance to the smallholder. The smallholder needs to be aware of the assessment and of any Ethnic Peoples identified, but it is not required that the smallholder undertake the assessment alone.

*If no potentially affected Ethnic Peoples are identified in the smallholder's location, the remaining Criteria in Principle 3 are not applicable.*

*The term "smallholder's location" is defined in the Glossary.*

**3.2 The Organization\* shall recognize and uphold\* the legal\* and customary rights\* of Indigenous Peoples\* to maintain control over management activities within or related to the Management Unit\* to the extent necessary to protect their rights, resources and lands and territories\*. Delegation by Indigenous Peoples\* of control over management activities to third parties requires Free, Prior and Informed Consent\*.**

**3.2.1 If potentially affected Ethnic Peoples are present in the smallholder's location, the smallholder informs the Ethnic Peoples about the smallholder's forestry activities in the smallholder's forest and seeks their comments.**

**3.2.2 If potentially affected Ethnic Peoples are present in the smallholder's location, the smallholder's forestry activities do not violate any rights.**

**3.2.3 If potentially affected Ethnic Peoples are present in the smallholder's location, and if the smallholder has violated rights in the smallholder's forest, the smallholder uses culturally appropriate means to correct the situation.**

**3.2.4 If potentially affected Ethnic Peoples are present in the smallholder's location, the smallholder obtains their consent to forestry activities that affect the identified rights of the Ethnic Peoples in the smallholder's forest.**

***Explanatory Note:*** *Consent means "Free, Prior and Informed Consent" as defined in the Glossary. See also FSC-GUI-30-003 FSC guidelines for the implementation of the right to free, prior and informed consent (FPIC) Version 1, 30 October 2012, pages 25 and 42, for application to smallholders.*

**3.3 In the event of delegation of control over management activities, a binding agreement\* between The Organization\* and the Indigenous Peoples\* shall be concluded through Free, Prior and Informed Consent\*. The agreement shall define its duration, provisions for renegotiation, renewal, termination, economic conditions and other terms and conditions. The agreement shall make provision for monitoring by Indigenous Peoples\* of The Organization\*'s compliance with its terms and conditions.**

**3.3.1 If potentially affected Ethnic Peoples are present in the smallholder's location, the smallholder demonstrates that the smallholder is seeking, or has obtained consent for forestry activities in the smallholder's forest and follows the requirements of all agreements.**

**3.3.2 If potentially affected Ethnic Peoples are present in the smallholder's location, and if agreements are made (3.3.1), the smallholder or their named representative has a record of agreements.**

**Explanatory Note:** *If the smallholder is seeking consent at the time of certification, consent should be obtained within the first 5-year term of the certificate. It will be up to auditors working for certification bodies to determine if efforts to obtain consent have been made and if there has been significant progress.*

- 3.4 **The Organization\*** shall recognize and **uphold\*** the rights, customs and culture of **Indigenous Peoples\*** as defined in the United Nations Declaration on the Rights of **Indigenous Peoples\*** (2007) and **ILO Convention\* 169** (1989).
- 3.4.1 If potentially affected **Ethnic Peoples** are present in **the smallholder's location**, the smallholder protects the **Ethnic Peoples** rights, customs and culture in **the smallholder's forest**.
- 3.4.2 If potentially affected **Ethnic Peoples** are present in **the smallholder's location**, and if the rights have not been protected in **the smallholder's forest**, the smallholder is taking steps to restore such rights, customs or culture.
- 3.5 **The Organization\***, through **engagement\*** with **Indigenous Peoples\***, shall identify sites which are of special cultural, ecological, economic, religious or spiritual significance and for which these **Indigenous Peoples\*** hold **legal\*** or **customary rights\***. These sites shall be recognized by **The Organization\*** and their management, and/or **protection\*** shall be agreed through **engagement\*** with these **Indigenous Peoples\***.
- 3.5.1 If potentially affected **Ethnic Peoples** are present in **the smallholder's location**, the smallholder works with the **Ethnic Peoples** to identify and protect sites that are significant to the **Ethnic Peoples** in **the smallholder's forest**.
- 3.5.2 If sites that are significant to **Ethnic Peoples** are found during **forestry activities**, the smallholder immediately stops **forestry activities** that may affect those sites.
- 3.6 **The Organization\*** shall **uphold\*** the right of **Indigenous Peoples\*** to **protect\*** and utilize their **Traditional Knowledge\*** and shall compensate **local communities\*** for the utilization of such knowledge and their **intellectual property\***. A **binding agreement\*** as per **Criterion\* 3.3** shall be concluded between **The Organization\*** and the **Indigenous Peoples\*** for such utilization through **Free, Prior and Informed Consent\*** before utilization takes place, and shall be consistent with the **protection\*** of **intellectual property\*** rights.
- 3.6.1 If potentially affected **Ethnic Peoples** are present in **the smallholder's location**, the smallholder does not use the traditional knowledge of the **Ethnic Peoples** for economic benefit without **consent** and/or compensation.

**Explanatory Note:** *In many situations, smallholders are members of the Ethnic Peoples and are entitled to use traditional knowledge in managing their smallholder forest without consent and/or compensation.*

## **PRINCIPLE\* 4: COMMUNITY RELATIONS**

**The Organization\*** shall contribute to maintaining or enhancing the social and economic wellbeing of **local communities\***.

**Applicability Note:** Principle 4 may be determined to be not applicable if one of the following applies:

- If there are no potentially affected local communities in a smallholder's location, the rest of Principle 4 is not applicable.
- If a local community owns or collectively manages a smallholder management unit, Principle 4 is not applicable.
- If a smallholder is a member of a local community that has legal and customary rights to maintain control over forestry activities in that location, Principle 4 is not applicable.

If potentially affected local communities are identified in the assessment, all the Criteria in Principle 4, with the possible exception of Criterion 4.2 and related Indicators are applicable. A group manager or an external organization such as an NGO, purchaser, or government agency may assist a smallholder to meet those requirements.

All of the indicators refer to "forestry activities" which includes NTFP activities within the scope of the standard.

**Explanatory Note:** The term "local communities" is defined in the Glossary. Criterion 4.2 recognizes that some local communities, including ethnic minorities or forest dwelling communities, have long-standing legal and customary rights and may maintain some control over forestry activities on a smallholder's forest in order to maintain those rights. Other local communities do not have those legal and customary rights.

A group manager or an external organization such as an NGO, purchaser, or government agency may assist a smallholder to conduct the assessment required in Indicator 4.1.1 and to determine if Principle 4 is applicable. These organizations may assist a smallholder to meet any requirements of Principle 4, if they are applicable.

**4.1 The Organization\*** shall identify the **local communities\*** that exist within the **Management Unit\*** and those that are affected by management activities. **The Organization\*** shall then, through **engagement\*** with these **local communities\***, identify their rights of **tenure\***, their rights of access to and use of **forest\*** resources and **ecosystem services\***, their **customary rights\*** and **legal\*** rights and obligations, that apply within the **Management Unit\***.

4.1.1 *The smallholder* has an appropriate assessment, that *the smallholder* is aware of, to determine if there are any local communities in *the smallholder's location* that are potentially affected by *the smallholder's forestry activities* in *the smallholder's forest*.

4.1.2 **If potentially affected local communities are present in the smallholder's location (4.1.1)**, *the smallholder* knows the local communities' legal and customary rights of tenure, access and use in *the smallholder's forest*.

4.1.3 **If potentially affected local communities are present in *the smallholder's location*, the smallholder** has identified the interests of the local community in *the smallholder's forestry activities in the smallholder's forest*.

4.1.4 **If potentially affected local communities are present in *the smallholder's location*, the smallholder** has identified and sought to resolve any conflicts or disputes with those local communities in *the smallholder's forest*.

**Applicability Note:** *If no potentially affected local communities are identified, Principle 4 is not applicable. If a local community owns or collectively manages the smallholder management unit or if the smallholder is a member of the local community with legal and customary rights, Principle 4 is not applicable.*

**Explanatory Note:** *The assessment to identify local communities may be completed by a group manager or an external organization such as an NGO, purchaser, or government agency acting on behalf of, or providing assistance to, the smallholder. The smallholder needs to be aware of the assessment and of any local communities identified, but it is not required that the smallholder undertake the assessment alone. The term "smallholder's location" is defined in the Glossary.*

4.2 **The Organization\*** shall recognize and **uphold\*** the **legal\*** and **customary rights\*** of **local communities\*** to maintain control over management activities within or related to the **Management Unit\*** to the extent necessary to protect their rights, resources, **lands and territories\***. Delegation by **local communities\*** of control over management activities to third parties requires **Free, Prior and Informed Consent\***.

4.2.1 **If potentially affected local communities that have legal and customary rights to maintain control over forestry activities are present in *the smallholder's location*, the smallholder** consults with the local communities and obtains their comments and *consent* in a culturally appropriate process prior to *forestry activities in the smallholder's forest*.

4.2.2 **If potentially affected local communities that have legal and customary rights to maintain control over forestry activities are present in *the smallholder's location*, the smallholder** respects the local community rights and finds a solution for any violations caused by *forestry activities in the smallholder's forest*.

4.2.3 **If potentially affected local communities that have legal and customary rights to maintain control over forestry activities are present in *the smallholder's location*, and if *consent*, required in Indicator 4.2.1, has not been granted, the smallholder** is engaged in an appropriate consultation process with the local communities about *forestry activities in the smallholder's forest*.

- 4.3 **The Organization\*** shall provide *reasonable\** opportunities for employment, training and other services to *local communities\**, contractors and suppliers proportionate to *scale\** and *intensity\** of its management activities.

*Applicability Note:* There are no Indicators in Criterion 4.3 applicable to smallholders. Because of the small scale and intensity of smallholders' forestry activities, it is not expected that an individual smallholder should provide opportunities for local communities, contractors or external suppliers, although typically they do not have resources to hire or purchase anywhere else other than their local communities.

- 4.4 **The Organization\*** shall implement additional activities, through *engagement\** with *local communities\**, that contribute to their social and economic development, proportionate to the *scale\**, *intensity\** and socio-economic impact of its management activities.

*Applicability Note:* There are no Indicators in Criterion 4.4 applicable to smallholders. Because of the small scale, low intensity and little socio-economic impact of smallholder's forestry activities, it is not expected that an individual smallholder implements additional activities to contribute to social and economic development of local communities.

- 4.5 **The Organization\***, through *engagement\** with *local communities\**, shall take action to identify, avoid and mitigate *significant\** negative social, environmental and economic impacts of its management activities on affected communities. The action taken shall be proportionate to the *scale*, *intensity and risk\** of those activities and negative impacts.

4.5.1 **If local communities are present in *the smallholder's location***, the smallholder avoids significant impacts of forestry activities in the smallholder's forest on the local communities.

4.5.2 **If local communities are present in *the smallholder's location***, and if significant impacts from the forestry activities in the ***smallholder's forest*** have occurred, the smallholder tries to find a solution for them.

- 4.6 **The Organization\***, through *engagement\** with *local communities\**, shall have mechanisms for resolving grievances and providing *fair compensation\** to *local communities\** and individuals with regard to the impacts of management activities of ***The Organization\****.

4.6.1 **If local communities are present in *the smallholder's location***, the smallholder has, or can make use of, a culturally appropriate process to quickly resolve any disputes in the smallholder's forest.

4.6.2 *The smallholder* or their named representative keeps a record of any disputes.

4.6.3 **If there are *significant disputes* with any local communities**, the smallholder immediately stops forestry activities in the smallholder's forest.

*Explanatory Note:* As in Criteria 1.6 and 2.6, the requirement to meet the Indicators falls on the smallholder, but another entity - a group manager or other organization - can provide support and assistance

to the smallholder by preparing the processes, or procedures or documents required and can keep records on behalf of the smallholder. The requirement is that the smallholder demonstrate an awareness of the existence of a process and the requirement for records and uses them if required. The record of disputes required by Indicator 4.6.2 should include basic relevant information about the nature of the dispute and how it was resolved.

**4.7 The Organization\***, through **engagement\*** with **local communities\***, shall identify sites which are of special cultural, ecological, economic, religious or spiritual significance, and for which these **local communities\*** hold **legal\*** or **customary rights\***. These sites shall be recognized by **The Organization\***, and their management and/or **protection\*** shall be agreed through **engagement\*** with these **local communities\***.

4.7.1 Based on culturally appropriate consultation, *the smallholder* identifies and protects *sites that are significant* to the local communities in *the smallholder's forest*.

4.7.2 **If sites that are significant to the local communities are found during forestry activities**, *the smallholder* immediately stops *forestry activities* that may affect those sites.

**4.8 The Organization\*** shall **uphold\*** the right of **local communities\*** to **protect\*** and utilize their **Traditional Knowledge\*** and shall compensate **local communities\*** for the utilization of such knowledge and their **intellectual property\***. A **Binding agreement\*** as per **Criterion\*** 3.3 shall be concluded between **The Organization\*** and the **local communities\*** for such utilization through **Free, Prior and Informed Consent\*** before utilization takes place, and shall be consistent with the **protection\*** of **intellectual property\*** rights.

4.8.1 **If local communities are identified in the smallholder's location**, *the smallholder* does not use the traditional knowledge of the local communities for economic benefit without *consent* and/or compensation.

**Explanatory Note:** *In some situations, smallholders will be members of the local community and entitled to use traditional knowledge in managing their own forest without consent and/or compensation.*

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

**The Organization\*** shall efficiently manage the range of multiple products and services of the **Management Unit\*** to maintain or enhance **long-term\* economic viability\*** and the range of social and environmental benefits.

**5.1 The Organization\*** shall identify, produce, or enable the production of, diversified benefits and/or products, based on the range of resources and **ecosystem services\*** existing in the **Management Unit\*** in order to strengthen and diversify the local economy proportionate to the **scale\*** and **intensity\*** of management activities.

**5.1.1 If the smallholder makes FSC promotional claims regarding the maintenance and/or enhancement of ecosystem services, the smallholder follows the Ecosystem Services Procedure (FSC-PRO-30-006 V1-0 and FSC-GUI-30-006 V1-0).**

**Explanatory Note:** *The term “ecosystem services” refers to all the benefits that are provided by a healthy environment – clean water, food and medicine, cultural values and regulation of climate and erosion, for example. The term is defined in the Glossary.*

*Ecosystem services are no longer part of the FSC forest management standard. If a smallholder wishes to make promotional claims regarding maintenance and/or enhancement of ecosystem services, they must follow the procedures described in FSC-PRO-30-006 V1-0 Ecosystem Services Procedure: Impact Demonstration and Market Tools and FSC-GUI-30-006 V1-0 Guidance for Demonstrating Ecosystem Services Impacts.*

**5.2 The Organization\*** shall normally harvest products and services from the **Management Unit\*** at or below a level which can be permanently sustained.

**5.2.1 The smallholder** has determined a harvest level for *the smallholder’s* forest resources in the management plan.

**5.2.2 The smallholder** removes forest resources at a rate that is environmentally sustainable and consistent with the management plan.

**5.2.3 The smallholder** or their *named representative* keeps a written record of forest resources removed from *the smallholder’s* forest.

**Applicability Note:** *This Criterion applies to harvesting of timber and non-timber forest products.*

*Most smallholder timber harvesting activities in Southeast Asia involve short-rotation species which are planted, clear cut in a very few years, and then coppiced or quickly replanted. In these situations, there is no “sustainable timber harvest”, or “environmentally sustainable rate of harvest”. Indicators 5.2.1 and 5.2.2 are not applicable to these short-rotation plantations.*

*In situations where Indicators 5.2.1 and 5.2.2 are applicable, the information required to be included in the smallholder’s management plan is in Principle 7.*

*Indicator 5.2.3 is applicable in all situations.*

- 5.3 **The Organization\*** shall demonstrate that the positive and negative externalities\* of operations are included in the *management plan\**.

*Applicability Note:* There are no Indicators in Criterion 5.3 applicable to smallholders. Because of the small scale and low intensity of smallholders' forestry activities, it is not expected that the smallholder creates positive or negative externalities except on a small scale and short impact.

- 5.4 **The Organization\*** shall use local processing, local services, and local value adding to meet the requirements of *The Organization\** where these are available, proportionate to *scale, intensity and risk\**. If these are not locally available, *The Organization\** shall make *reasonable\** attempts to help establish these services.

*Applicability Note:* There are no Indicators in Criterion 5.4 applicable to smallholders. Smallholders are often families or community groups, and because of the small scale and low intensity of all smallholders' forestry activities, it is not expected that the smallholder makes attempts to use local processing, local services or local value-added facilities, although in reality, that is what they do while trying to earn a living.

- 5.5 **The Organization\*** shall demonstrate through its planning and expenditures proportionate to *scale, intensity and risk\**, its commitment to *long-term\* economic viability\**.

*Applicability Note:* There are no indicators in Criterion 5.5 applicable to smallholders. Because of the small scale and low intensity of smallholders' forestry activities, it is not expected that the smallholder needs to demonstrate long-term commitment to economic viability.

## **PRINCIPLE\* 6: ENVIRONMENTAL VALUES\* AND IMPACTS**

**The Organization\*** shall maintain, *conserve\** and/or *restore\** ecosystem services\* and *environmental values\** of the *Management Unit\**, and shall avoid, repair or mitigate negative environmental impacts.

**6.1** **The Organization\*** shall assess *environmental values\** in the *Management Unit\** and those values outside the *Management Unit\** potentially affected by management activities. This assessment shall be undertaken with a level of detail, scale and frequency that is proportionate to the *scale, intensity and risk\** of management activities, and is sufficient for the purpose of deciding the necessary *conservation\** measures, and for detecting and monitoring possible negative impacts of those activities.

6.1.1 *The smallholder* has an *environmental assessment*, that *the smallholder* is aware of, that identifies environmental values in *the smallholder's forest* and the *immediate vicinity*.

6.1.2 **If hunting is part of the forestry activities**, the proposed level of hunting does not threaten the population of the target species in the long-term.

**Explanatory Note:** *The assessment of environment values may be completed by a group manager or an external organization such as an NGO, purchaser, or government agency acting on behalf of or providing assistance to the smallholder. The smallholder needs to be aware of the assessment and of any values identified, but it is not required that the smallholder alone undertakes the assessment.*

*For smallholders an appropriate assessment could be a simple checklist or a document or a map prepared for the smallholder's forest by a group manager or an external organization.*

*The term "immediate vicinity" is defined in the Glossary.*

**6.2** **Prior to the start of site-disturbing activities, The Organization\*** shall identify and assess the *scale, intensity and risk\** of potential impacts of management activities on the identified *environmental values\**.

6.2.1 The assessment of environmental values (6.1.1) identifies any potential impacts that might be caused by the *forestry activities* in *the smallholder's forest*.

**6.3** **The Organization\*** shall identify and implement effective actions to prevent negative impacts of management activities on the *environmental values\**, and to mitigate and repair those that occur, proportionate to the *scale, intensity and risk\** of these impacts.

6.3.1 *The smallholder* carries out *forestry activities* in ways that do not have negative impacts on identified values in *the smallholder's forest* (6.1.1) and the *immediate vicinity*.

6.3.2 If negative impacts occur as a result of *the smallholder's forestry activities*, *the smallholder* changes practices and makes reasonable efforts to repair damage.

- 6.4 **The Organization\*** shall protect *rare species\** and *threatened species\** and their *habitats\** in the *Management Unit\** through *conservation zones\**, *Protection Areas\**, *connectivity\** and/or (where necessary) other direct measures for their survival and viability. These measures shall be proportionate to the *scale, intensity and risk\** of management activities and to the *conservation\** status and ecological requirements of the *rare and threatened species\**. The *Organization\** shall take into account the geographic range and ecological requirements of *rare and threatened species\** beyond the boundary of the *Management Unit\**, when determining the measures to be taken inside the *Management Unit\**.
- 6.4.1 *The smallholder's* assessment of environmental values (6.1.1) has identified any rare or threatened species or habitats that occur or may occur in *the smallholder's forest* or the *immediate vicinity*.
- 6.4.2 **If rare or threatened species or habitats are identified in *the smallholder's forest* or the *immediate vicinity* (6.1.1), *the smallholder's* management plan (7.1.1) includes measures to protect the species or habitats in *the smallholder's forest*.**
- 6.4.3 **If rare or threatened species are identified in *the smallholder's forest* or the *immediate vicinity* (6.1.1), *the smallholder* prevents hunting, fishing, trapping and collection of rare or threatened species in *the smallholder's forest*.**

**Explanatory Note:** A group manager or an external organization such as an NGO, purchaser, or government agency may assist the smallholder to identify if there are any rare or threatened species in the immediate vicinity of the smallholder's forest. If any are identified in the immediate vicinity, they may assist in developing measures to protect those species or habitats. The smallholder needs to be aware of the assessment and of any species and habitats identified, and of the measures to protect them but is not required to undertake the assessment alone.

*The term "immediate vicinity" is defined in the Glossary.*

- 6.5 **The Organization\*** shall identify and *protect\** **Representative Sample Areas\*** of *native ecosystems\** and/or *restore\** them to more *natural conditions\**. Where **Representative Sample Areas\*** do not exist or are insufficient, **The Organization\*** shall *restore\** a proportion of the *Management Unit\** to more *natural conditions\**. The size of the areas and the measures taken for their *protection\** or *restoration\**, including within plantations, shall be proportionate to the *conservation\** status and value of the *ecosystems\** at the *landscape\** level, and the *scale, intensity and risk\** of management activities.
- 6.5.1 *The smallholder* assists in identifying and protecting representative sample areas of native ecosystems where those exist in *the smallholder's forest* or in *the smallholder's location*.
- 6.5.2 Where representative sample areas of native ecosystems do not exist in *the smallholder's forest* or *the smallholder's location*, *the smallholder* works with others to facilitate regeneration and restoration of suitable areas in *the smallholder's location* to more natural conditions if suitable areas exist.

**Explanatory Note:** Restoration of suitable areas in the smallholder's location to more natural conditions if suitable areas exist are required by this indicator. "Suitable areas" include areas with some natural conditions, or some regenerating native species, already existing nearby the site, and where there is no other land use threatening those conditions. Restoration might involve simply letting those areas recover, or more active intervention to protect and enhance those conditions to support their restoration.

- 6.5.3 The smallholder, if part of a group entity, to the extent possible, works with others to achieve the target of maintaining a minimum of 10% of the native ecosystems in the smallholder's location in representative sample areas through conservation or restoration of native ecosystems.

**Applicability Note:** Indicator 6.5.3 is applicable only for those smallholders which operate within group entities.

**Explanatory Note:** Criterion 6.5 requires all applicants for FSC certification to protect native ecosystems or to restore representative suitable areas to more natural conditions. Native ecosystems include natural forests but also other ecosystems such as wetlands or open grasslands that are native to that location. The three Indicators in Criterion 6.5 are applicable ONLY IF there are native ecosystems present in the smallholder's forest or in the smallholder's location, OR if opportunities exist to restore areas in the smallholder's forest or in the smallholder's location to more natural conditions. If native ecosystems or opportunities for restoration do not exist in the smallholder's forest or the smallholder's location, Criterion 6.5 is not applicable.

The FSC Interpretation Notes INT-STD-01-001\_09 and INT-STD-20-007\_45 (found in Interpretations of the Normative Framework, 12<sup>th</sup> February, 2019) provide interpretation and guidance for this Criterion specific to smallholders. The Interpretation Notes state that the minimum 10% requirement for protection or restoration can be met at a group level, and can be met outside the smallholder's forests (if the management unit is smaller than 50 ha) or outside a group's forests. INT-STD-01-001\_09 states that the areas outside the forest must be in the same forest landscape. However, these interpretations and the minimum 10% requirement only apply if native ecosystems or opportunities for restoration exist. Further guidance about the minimum 10% requirement is provided in Principle 6, Annex D, Conservation Area Network Conceptual Diagram on page 41 in the International Generic Indicators (FSC-STD-60-004 V2-0).

The Indicators for smallholders presented here do not require that the smallholder set aside 10% of the smallholder's forest or any of the smallholder's forest. They require the smallholder, or organizations assisting the smallholder, to identify any native ecosystems (including any natural forest) that exist in the smallholder's forest. If any native ecosystems exist, the smallholder is required to achieve a target of protecting a minimum of 10% of those native ecosystems in representative sample areas in, or in the location of, the smallholder's forest. This can be achieved in the smallholder's forest or outside it, but in most circumstances will be outside the smallholder's forest. Where natural ecosystems do not exist, the smallholder is expected

to work with or assist others to restore a suitable area in the location to more natural conditions, if those opportunities exist.

The term “smallholder’s location” is defined in the Glossary. The term “to the extent possible” in Indicator 6.5.3 will reflect a combination of the extent of native ecosystems available for protection in the location, the potential for restoration when they do not exist, the capacity of the smallholder, based on the size of the smallholder’s forest, and the resources available.

As in other Criteria in Principle 6, it is anticipated that a group manager or an external organization such as an NGO, purchaser, or government agency may assist the smallholder to interpret and meet these requirements.

**6.6 The Organization\* shall effectively maintain the continued existence of naturally occurring native species\* and genotypes\*, and prevent losses of biological diversity\*, especially through habitat\* management in the Management Unit\*. The Organization\* shall demonstrate that effective measures are in place to manage and control hunting, fishing, trapping and collecting.**

6.6.1 *The smallholder has implemented ways to control any hunting, fishing, trapping and collection activities for native species in the smallholder’s forest.*

6.6.2 **If hunting is part of the forestry activities**, the smallholder ensures that the population levels of target species and species diversity are not threatened.

**6.7 The Organization\* shall protect\* or restore\* natural water courses, water bodies\*, riparian zones\* and their connectivity\*. The Organization\* shall avoid negative impacts on water quality and quantity and mitigate and remedy those that occur.**

6.7.1 *The smallholder protects the quality and quantity of water in streams, ponds and lakes, and the vegetation beside them, in the smallholder’s forest.*

6.7.2 *The smallholder repairs damage to streams, ponds and lakes, or the vegetation beside them, that the smallholder’s forestry activities have caused.*

**Explanatory Note:** *The smallholder is responsible for avoiding impacts from forest activities within his or her forest and for repairing any damage that his or her activities have caused. He or she is not responsible for preventing impacts caused by his or her neighbours or others on nearby land or required to repair damage caused by any neighbour or other party on nearby properties.*

*Examples of measures to protect the quality and quantity of water in streams, ponds and lakes include buffer zones, maintenance of native vegetation, avoidance of trails or roads and measures to prevent sedimentation.*

- 6.8 **The Organization\*** shall manage the **landscape\*** in the **Management Unit\*** to maintain and/or **restore\*** a varying mosaic of species, sizes, ages, **spatial scales\*** and regeneration cycles appropriate for the **landscape values\*** in that region, and for enhancing environmental and economic **resilience\***.

**Explanatory Note:** *The activities of most individual smallholders within the scope of this standard are at such a small scale and low intensity that they do not affect landscape values in the region or affect environmental or economic resilience as described in Criterion 6.8. Thus, for most smallholders, Criterion 6.8 is not applicable. However, in some situations, individual smallholders' farms are contiguous with a number of other similar smallholders, and the smallholder's forestry activities are conducted together with those other smallholders on units that are much larger than 20 hectares. In these situations, when individual smallholders combine their activities with other smallholders, they can affect landscape values, for example when the combined operations result in a large clearcut and a uniform regenerating stand of a single age and a single species after harvest. In situations where the individual smallholder participates in these larger scale activities with multiple other smallholders, Indicator 6.8.1 is applicable.*

- 6.8.1 *The smallholder* avoids undertaking forestry activities with other *smallholders* that result in large scale landscape level disturbance or the establishment of large uniform forests within a landscape.

- 6.9 **The Organization\*** shall not convert **natural forest\*** to **plantations\***, nor **natural forests\*** or **plantations\*** on sites directly converted from **natural forest\*** to non-forest\* land use, except when the conversion:

- a) Affects a **Very Limited portion\*** of the area of the **Management Unit\***, and
- b) Will produce clear, substantial, additional, secure long-term **conservation\*** benefits in the **Management Unit\***, and
- c) Does not damage or threaten **High Conservation Values\***, nor any sites or resources necessary to maintain or enhance those **High Conservation Values\***.

- 6.9.1 *The smallholder* does not convert natural forest to plantation.

- 6.10 **Management Units\*** containing **plantations\*** that were established on areas converted from **natural forest\*** after November 1994 shall not qualify for certification, except where:

- a) Clear and sufficient evidence is provided that **The Organization\*** was not directly or indirectly responsible for the conversion, or
- b) The conversion affected a **very limited portion\*** of the area of the **Management Unit\*** and is producing clear, substantial, additional, secure long-term **conservation\*** benefits in the **Management Unit\***.

- 6.10.1 If *the smallholder's forest* is a plantation that was converted from **natural forest**, *the smallholder* shows that either:

- 1) the forest was converted to *plantation* prior to November 1994; or
- 2) it was not converted by *the current smallholder*.

## **PRINCIPLE\* 7: MANAGEMENT PLANNING**

***The Organization\**** shall have a ***management plan\**** consistent with its policies and ***objectives\**** and proportionate to ***scale, intensity and risks\**** of its management activities. The ***management plan\**** shall be implemented and kept up to date based on monitoring information in order to promote ***adaptive management\****. The associated planning and procedural documentation shall be sufficient to guide staff, inform ***affected stakeholders\**** and ***interested stakeholders\**** and to justify management decisions.

**7.1** ***The Organization\**** shall, proportionate to ***scale, intensity and risk\**** of its management activities, set policies (visions and values) and ***objectives\**** for management, which are environmentally sound, socially beneficial and economically viable. Summaries of these policies and ***objectives\**** shall be incorporated into the ***management plan\****, and publicized.

7.1.1 *The smallholder* or their *named representative* has, and *the smallholder* is aware of, a management plan for *the smallholder's forest*. The management plan identifies:

- any timber or *non-timber forest products* produced in *the smallholder's forest*; and,
- any *environmental values* (6.1.1) that are found in *the smallholder's forest* or in the *immediate vicinity* of *the smallholder's forest*; and,
- any interests or values important to *Ethnic Peoples* (3.1.2) or *local communities* (4.1.3) in the *smallholder's location*.

7.1.2 *The smallholder's* management plan sets objectives, including harvesting objectives for the production of timber and *non-timber forest products* and objectives for the protection of environmental values in *the smallholder's forest*.

***Explanatory Note:*** *The management plan is expected to be a simple document specific to the smallholder's forest. It should set objectives for protection of environmental values or interests that are found within and in the "immediate vicinity of the smallholder's forest, and for values or interests within the "immediate vicinity" that are important to Ethnic Peoples or local communities in the smallholder's location.*

*A management plan may be prepared by a group manager or an external organization such as an NGO, purchaser, or government agency acting on behalf of, or providing assistance to, the smallholder. The smallholder will need to be aware of the plan and of any values and interests identified, but it is not required that the smallholder undertake preparation of a simple management plan alone.*

*The terms "management plan", "immediate vicinity" and "smallholder's location" are defined in the Glossary. Guidance about possible elements of a management plan is provided in Annex B.*

- 7.2 **The Organization\*** shall have and implement a **management plan\*** for the **Management Unit\*** which is fully consistent with the policies and **management objectives\*** as established according to **Criterion\*** 7.1. The **management plan\*** shall describe the natural resources that exist in the **Management Unit\*** and explain how the plan will meet the FSC certification requirements. The **management plan\*** shall cover **forest\*** management planning and social management planning proportionate to **scale, intensity and risk\*** of the planned activities.
- 7.2.1 *The smallholder's* management plan identifies actions and *forestry activities* to be taken in *the smallholder's forest* to meet the objectives in the management plan.
- 7.2.2 *The smallholder* implements the actions and *forestry activities* in the management plan.
- 7.2.3 **If collection of non-timber forest products is included within the forestry activities**, the management plan describes how the specific *non-timber forest products* are managed and collected, based on established management practices.
- 7.2.4 **If hunting is included within the forestry activities**, the management plan includes elements relating to species being hunted, measures for monitoring impacts to species, and a general evaluation of the ecological impacts of hunting.
- 7.3 **The management plan\*** shall include **verifiable targets\*** by which progress towards each of the prescribed **management objectives\*** can be assessed.
- 7.3.1 *The smallholder* has ways to monitor if the objectives in the management plan are met.
- Explanatory Note:** Monitoring (Indicator 7.3.1) to determine if objectives are met, and review of the management plan (Indicator 7.4.1) may be done by a group manager or an external organization such as an NGO, purchaser, or government agency acting on behalf of, or providing assistance to, the smallholder. The monitoring and review should be specific to the smallholder's forest and the smallholder will need to be aware of the results, but it is not required that the smallholder undertake monitoring and review of a management plan alone.*
- 7.4 **The Organization\*** shall update and revise periodically the management planning and procedural documentation to incorporate the results of monitoring and evaluation, stakeholder **engagement\*** or new scientific and technical information, as well as to respond to changing environmental, social and economic circumstances.
- 7.4.1 *The smallholder* reviews the management plan periodically and revises the management plan if relevant circumstances change.

**7.5** *The Organization\** shall make *publicly available\** a summary of the *management plan\** free of charge. Excluding *confidential information\**, other relevant components of the *management plan\** shall be made available to *affected stakeholders\** on request, and at cost of reproduction and handling

7.5.1 **If requested**, *the smallholder* provides public information from the management plan to a person who requests it at no cost to the requestor.

**7.6** *The Organization\** shall, proportionate to *scale, intensity and risk\** of management activities, proactively and transparently engage *affected stakeholders\** in its management planning and monitoring processes, and shall engage *interested stakeholders\** on request.

7.6.1 *The smallholder* informs affected and interested stakeholders about management planning and monitoring.

7.6.2 **If requested**, *the smallholder* carries out culturally appropriate consultation with affected and interested stakeholders.

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

**The Organization\*** shall demonstrate that, progress towards achieving the *management objectives\**, the impacts of management activities and the condition of the *Management Unit\**, are monitored and evaluated proportionate to the *scale, intensity and risk\** of management activities, in order to implement *adaptive management\**.

**8.1 The Organization\*** shall monitor the implementation of its *Management Plan\**, including its policies and *management objectives\**, its progress with the activities planned, and the achievement of its *verifiable targets\**

8.1.1 *The smallholder* monitors implementation of the management plan, including social and environmental impacts.

**Explanatory Note:** *The smallholder may be assisted by a group manager or an external organization such as an NGO, purchaser, or government agency acting on behalf of, or providing assistance to, the smallholder. The smallholder needs to be aware of the monitoring but it is not required that the smallholder alone undertake the monitoring.*

*The term “management plan” is defined in the Glossary. Guidance about possible monitoring requirements is provided in Annex C.*

**8.2 The Organization\*** shall monitor and evaluate the environmental and social impacts of the activities carried out in the *Management Unit\**, and changes in its environmental condition.

**Applicability Note:** *The activities of most individual smallholders within the scope of this standard are at such a small scale and low intensity that they do not cause environmental or social impacts or change environmental conditions as described in Criterion 8.2. Thus, for most smallholders, Criterion 8.2 is not applicable. However, in some situations, individual smallholders’ farms are contiguous with a number of other similar smallholders, and the smallholder’s forestry activities are conducted together with those other smallholders on units that are much larger than 20 hectares. In these situations, the combined activities of smallholders working together can have environmental and social impacts. In situations where the individual smallholder participates in these larger scale activities with multiple other smallholders, Indicator 8.2.1 is applicable.*

**Explanatory Note:** *A group manager or an external organization such as an NGO, purchaser, or government agency may assist the smallholder to undertake monitoring to meet Indicator 8.2.1.*

8.2.1 *The smallholder* monitors social and environmental impacts of forestry activities when they are carried out with other *smallholders* that are adjacent and create a larger operational unit than the scope of this standard covers.

**8.3 The Organization\*** shall analyze the results of monitoring and evaluation and feed the outcomes of this analysis back into the planning process.

8.3.1 *The smallholder* periodically improves the management plan based on monitoring results.

**Explanatory Note:** *The smallholder may be assisted by a group manager or an external organization such as an NGO, a purchaser or a government agency acting on behalf of, or providing assistance to,*

*the smallholder. The smallholder needs to be aware of the monitoring and any changes to the management plan, but it is not required that the smallholder alone undertake the monitoring and planning.*

*The frequency of monitoring and revision of the management plan depends on the smallholder's production cycle and the management objectives.*

**8.4 The Organization\* shall make *publicly available\** a summary of the results of monitoring free of charge, excluding *confidential information\**.**

8.4.1 **If requested**, *the smallholder* provides results of monitoring to a person who requests them at no cost to the requestor.

**8.5 The Organization\* shall have and implement a tracking and tracing system proportionate to *scale, intensity and risk\** of its management activities, for demonstrating the source and volume in proportion to projected output for each year, of all products from the *Management Unit\** that are marketed as FSC certified.**

8.5.1 *The smallholder* or their *named representative* has a system to track all products from *the smallholder's forest* that are sold as FSC certified to the smallest land unit.

8.5.2 *The smallholder* or their *named representative* keeps a record of all FSC certified products sold, including product name, purchaser, amount, source, date, and certificate code for a minimum of five years.

***Explanatory note:*** *The smallholder is responsible for keeping records of the FSC products sold to meet Indicator 8.5.2. The smallholder may be assisted by a group manager or an external organization such as an NGO, purchaser, or government agency acting on behalf of, or providing assistance to, the smallholder and named by the smallholder.*

8.5.3 **If hunting or honey collection is part of the *forestry activities* and FSC NTFP certification is sought**, *the smallholder* demonstrates that at least 50% of the pollen for honey came from, or 50% of an animal's lifespan was lived on, the certified management unit.

## **PRINCIPLE\* 9: HIGH CONSERVATION VALUES\***

The *Organization\** shall maintain and/or enhance the *High Conservation Values\** in the *Management Unit\** through applying the *precautionary approach\**.

*Applicability Note:* To determine if Principle 9 is applicable, the first requirement is an assessment of high conservation values in, or in the immediate vicinity of, the smallholder's forest in Criterion 9.1. If no high conservation values are identified, Principle 9 is not applicable.

If *High Conservation Values* are identified in the assessment, *Criteria 9.2, 9.3 and 9.4 and related Indicators* are applicable. A group manager or an external organization such as an NGO, purchaser, or government agency may assist a smallholder to meet those requirements.

**9.1** *The Organization\**, through *engagement\** with *affected stakeholders\**, *interested stakeholders\** and other means and sources, shall assess and record the presence and status of the following *High Conservation Values\** in the *Management Unit\**, proportionate to the *scale, intensity and risk\** of impacts of management activities, and likelihood of the occurrence of the *High Conservation Values\**:

**HCV 1 – Species diversity.** Concentrations of *biological diversity\** including endemic species, and *rare\**, *threatened\** or endangered species, that are *significant\** at global, regional or national levels.

**HCV 2 – Landscape\*-level ecosystems\* and mosaics.** *Intact Forest Landscapes\** and large *landscape\*-level ecosystems\** and *ecosystem\** mosaics that are *significant\** at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.

**HCV 3 – Ecosystems\* and habitats\*.** *Rare\**, *threatened\**, or endangered *ecosystems\**, *habitats\** or *refugia\**.

**HCV 4 – Critical\* ecosystem services\*.** Basic *ecosystem services\** in *critical\** situations, including *protection\** of water catchments and control of erosion of vulnerable soils and slopes.

**HCV 5 – Community needs.** Sites and resources fundamental for satisfying the basic necessities of *local communities\** or *Indigenous Peoples\** (for livelihoods, health, nutrition, water, etc.), identified through *engagement\** with these communities or *Indigenous Peoples\**.

**HCV 6 – Cultural values.** Sites, resources, *habitats\** and *landscapes\** of global or national cultural, archaeological or historical significance, and/or of *critical\** cultural, ecological, economic or religious/sacred importance for the traditional cultures of *local communities\** or *Indigenous Peoples\**, identified through *engagement\** with these *local communities\** or *Indigenous Peoples\**.

9.1.1 *The smallholder* has an HCV assessment, that *the smallholder* is aware of, that identifies any High Conservation Values (Categories 1-6) in *the smallholder's forest* or the *immediate vicinity* and any threats to those High Conservation Values.

9.1.2 The assessment of High Conservation Values (9.1.1) is based on best available information and appropriate engagement with interested stakeholders.

**Applicability Note:** An assessment that meets Indicator 9.1.1 and 9.1.2 must be completed, but if no High Conservation Values are identified, the remaining Indicators in Principle 9, except for Indicator 9.3.2, are not applicable.

**Explanatory Note:** The assessment of high conservation values may be completed by an external entity or organization such as a group manager, an NGO, a purchaser or a government agency, acting on behalf of, or providing assistance to, the smallholder. The smallholder needs to be aware of the assessment and of any values identified, but it is not required that the smallholder alone undertake the assessment. If High Conservation Values are identified, the external organization may assist the smallholder to develop strategies in Indicator 9.2.1.

An assessment is carried out by a person or organization with knowledge of High Conservation Values and sufficient knowledge of the local area to determine if High Conservation Values are present. It identifies both High Conservation Values and threats to those values. For smallholders, such an assessment could be a simple checklist of documents or a map prepared for the smallholder's forest by a group manager or an external organization. The assessment is carried out at a scale that allows determination of values in the immediate vicinity of the smallholder's forest and includes culturally appropriate consultation with knowledgeable local people.

FSC-GUI-30-009 "HCV Guidance for Forest Managers could be used to identify, manage and monitor HCV in Vietnam. The document "Meeting the RSPO Certification Requirements for the Management and Monitoring of High Conservation Values", August 2013 may also provide some guidance that is useful to smallholders. Guidance about high conservation value assessments, strategies and monitoring is provided in Annex D and Annex E.

**9.2 The Organization\* shall develop effective strategies that maintain and/or enhance the identified High Conservation Values\*, through engagement\* with affected stakeholders\*, interested stakeholders\* and experts.**

9.2.1 **If High Conservation Values are identified in the smallholder's forest or immediate vicinity (9.1.1), the smallholder develops appropriate strategies to maintain and/or enhance the identified High Conservation Values in the smallholder's forest.**

9.2.2 **If High Conservation Values are identified in the smallholder's forest or immediate vicinity (9.1.1), the smallholder seeks advice in developing strategies (9.2.1) from affected and interested stakeholders and experts.**

**9.3 The Organization\* shall implement strategies and actions that maintain and/or enhance the identified High Conservation Values\*. These strategies and actions shall implement the precautionary approach\* and be proportionate to the scale, intensity and risk\* of management activities.**

9.3.1 **If High Conservation Values are identified in the smallholder's forest or immediate vicinity (9.1.1), the smallholder implements strategies and actions in the smallholder's forest that maintain and/or enhance the identified High Conservation Values.**

- 9.3.2 *The smallholder immediately stops forestry activities that might damage any new High Conservation Values that are found during forestry activities in the smallholder's forest.*

**Applicability Note:** *Indicator 9.1.1 and 9.1.2 require that an assessment is completed, but if no High Conservation Values are identified, Indicator 9.3.1 is not applicable. However, Indicator 9.3.2 requires that forestry activities must stop if any new HCVs, not identified in the assessment, are found.*

- 9.4** ***The Organization\**** shall demonstrate that periodic monitoring is carried out to assess changes in the status of ***High Conservation Values\****, and shall adapt its management strategies to ensure their effective ***protection\****. The monitoring shall be proportionate to the ***scale, intensity and risk\**** of management activities, and shall include ***engagement\**** with ***affected stakeholders\****, ***interested stakeholders\**** and experts.

- 9.4.1 ***If High Conservation Values are identified in the smallholder's forest or immediate vicinity (9.1.1), the smallholder*** periodically monitors the High Conservation Values and the implementation of plans to maintain and/or enhance the values in *the smallholder's forest*.

- 9.4.2 ***If High Conservation Values are identified in the smallholder's forest or immediate vicinity (9.1.1), the smallholder*** consults with customary rights and use rights holders, stakeholders and experts about monitoring results and adapts the management strategies accordingly.

## **PRINCIPLE\* 10: IMPLEMENTATION OF MANAGEMENT ACTIVITIES**

Management activities conducted by or for *The Organization\** for the *Management Unit\** shall be selected and implemented consistent with *The Organization\**'s economic, environmental and social policies and *objectives\** and in compliance with the *Principles\** and *Criteria\** collectively.

10.1 After harvest or in accordance with the *management plan\**, *The Organization\** shall, by natural or artificial regeneration methods, regenerate vegetation cover in a timely fashion to pre-harvesting or more *natural conditions\**.

10.1.1 *The smallholder* promptly replants or regrows trees on harvested sites using native species or appropriate non-native species that have been used locally in the past or are shown to be non-invasive in the local area.

**Explanatory Note:** *Non-native species are those species that did not occur naturally in the smallholder's location. They are species that have been imported from elsewhere. In many situations those non-native species have become locally common and have adapted to local environments and are not harmful to the local environment. Thus, locally known species may include non-native species if those species are present in the smallholder's location and are known to be non-invasive.*

*"Invasive" refers to non-native species that spread rapidly and that compete with, and have negative impacts on, the local native species.*

*The terms "native", "non-native" and "invasive" are defined in the Glossary.*

10.2 *The Organization\** shall use species for regeneration that are ecologically well adapted to the site and to the *management objectives\**. *The Organization\** shall use *native species\** and local *genotypes\** for regeneration, unless there is clear and convincing justification for using others.

10.2.1 *The smallholder* follows the objectives in the management plan for planting or growing trees.

10.3 *The Organization\** shall only use *alien species\** when knowledge and/or experience have shown that any invasive impacts can be controlled and effective mitigation measures are in place.

10.3.1 *The smallholder* does not use non-native invasive species.

10.3.2 **If requested by regulatory bodies**, *the smallholder* co-operates in programs to control invasive impacts of non-native species growing in *the smallholder's forest*.

**Explanatory Note:** *The term "invasive" is defined in the Glossary.*

10.4 *The Organization\** shall not use *genetically modified organisms\** in the *Management Unit\**.

10.4.1 *The smallholder* does not use genetically modified organisms in *the smallholder's forest*.

**10.5** *The Organization\** shall use *silvicultural\** practices that are ecologically appropriate for the vegetation, species, sites and *management objectives\**.

10.5.1 *The smallholder* uses appropriate practices to plant or grow trees.

**10.6** *The Organization\** shall minimize or avoid the use of *fertilizers\**. When *fertilizers\** are used, *The Organization\** shall demonstrate that use is equally or more ecologically and economically beneficial than use of *silvicultural\** systems that do not require fertilizers, and prevent, mitigate, and/or repair damage to *environmental values\**, including soils.

10.6.1 *The smallholder* minimizes or avoids *not-natural fertilizer* use in *the smallholder's forest*.

10.6.2 *The smallholder* or their *named representative* keeps a record of the types and rates and places where *not-natural fertilizers* are used in *the smallholder's forest*.

10.6.3 *The smallholder* protects environmental values when fertilizers are used in *the smallholder's forest*.

10.6.4 *The smallholder* repairs any environmental damage resulting from the use of fertilizers in *the smallholder's forest*.

**Explanatory Note:** *This Criterion and IGI Indicators refer to "fertilizers". For the purposes of this Standard, "not-natural fertilizers" are defined in the Glossary as "mineral" or "not natural" fertilizers, often referred to as "synthetic" or "chemical" or "inorganic" fertilizers. The Indicators in this Criterion do not prevent the use of "organic" fertilizers, such as animal waste or composted plant material or other organic waste in the smallholder's forest.*

**10.7** *The Organization\** shall use integrated pest management and *silviculture\** systems which avoid, or aim at eliminating, the use of chemical *pesticides\**. *The Organization\** shall not use any chemical *pesticides\** prohibited by FSC policy. When *pesticides\** are used, *The Organization\** shall prevent, mitigate, and/or repair damage to *environmental values\** and human health.

10.7.1 *The smallholder* minimizes or avoids the use of chemical pesticides in *the smallholder's forest*.

10.7.2 *The smallholder* does not use or store any chemical pesticides prohibited by FSC policy in *the smallholder's forest*.

10.7.3 **If chemical pesticides are used in *the smallholder's forest*, the *smallholder* or their *named representative* keeps a record of the types and rates and places where chemical pesticides are used.**

10.7.4 **If chemical pesticides are used in *the smallholder's forest*, the *smallholder* or their *named representative* transports and stores them safely.**

10.7.5 **If chemical pesticides are used in *the smallholder's forest*, the *smallholder* uses them in ways that reduce risks to people and the environment.**

- 10.7.6 **If chemical pesticides are used in *the smallholder's forest*, the *smallholder* provides an appropriate reason for the choice over non-chemical alternatives.**
- 10.7.7 **If production of honey or fruit or any other edible *non-timber forest products* is included within the *forestry activities*, chemical pesticides are not used in *the smallholder's forest*.**

**Explanatory Note:** *The ILO 1993 document "Safety in the Use of Chemicals at Work" provides guidance on the safe storage, transport and use of pesticides including the use of personal protective equipment during application of chemical pesticides.*

**10.8 *The Organization\** shall minimize, monitor and strictly control the use of *biological control agents\** in accordance with *internationally accepted scientific protocols\**. When *biological control agents\** are used, *The Organization\** shall prevent, mitigate, and/or repair damage to *environmental values\**.**

10.8.1 *The smallholder* minimizes or avoids the use of biological control agents in *the smallholder's forest*.

10.8.2 **If biological control agents are used in *the smallholder's forest*, the *smallholder* uses them in appropriate ways.**

**Explanatory Note:** *The reference to using biological control agents in "appropriate ways" includes complying with internationally accepted scientific protocols and preventing environmental damage.*

10.8.3 **If biological control agents are used in *the smallholder's forest*, the *smallholder* or their *named representative* keeps a record of the types, amount and places where biological control agents are used.**

**Explanatory Note:** *The term "biological control agents" is defined in the Glossary. They are organisms that are used to control insects or pests or other organisms that are harmful to the forest resources.*

**10.9 *The Organization\** shall assess *risks\** and implement activities that reduce potential negative impacts from *Natural Hazards\** proportionate to *scale, intensity, and risk\**.**

10.9.1 *The smallholder* carries out *forestry activities* in ways that reduce the risk of fire and other natural hazards in *the smallholder's forest* and the *immediate vicinity*.

**10.10 *The Organization\** shall manage infrastructural development, transport activities and *silviculture\** so that water resources and soils are protected, and disturbance of and damage to *rare and threatened species\**, *habitats\**, *ecosystems\** and *landscape values\** are prevented, mitigated and/or repaired.**

10.10.1 *The smallholder* builds roads and/or trails and transports material in ways that protect environmental values identified in Criterion 6.1.

10.10.2 *The smallholder* immediately repairs any damage to watercourses, soils or threatened species or habitats caused by *the smallholder's forestry activities*.

**10.11 *The Organization*\* shall manage activities associated with harvesting and extraction of timber and *non-timber forest products*\* so that *environmental values*\* are conserved, merchantable waste is reduced, and damage to other products and services is avoided.**

10.11.1 *The smallholder* protects environmental values, including standing trees and woody debris, in harvesting and removing timber and *non-timber products*.

10.11.2 *The smallholder* uses, or allows others to use, the full variety of products resulting from harvesting.

10.11.3 *The smallholder* leaves some dead and decaying biomass on harvested sites to conserve environmental values.

***Explanatory Note:*** *Retention of trees, woody debris and dead and decaying biomass is important to prevent soil erosion and protect habitat for birds and small mammals.*

**10.12 *The Organization*\* shall dispose of *waste materials*\* in an environmentally appropriate manner.**

10.12.1 *The smallholder* collects, transports and disposes of waste in appropriate ways.

## G Annexes

### Annex A List of applicable laws, regulations and nationally-ratified international treaties, conventions and agreements

The following is the minimum list of applicable laws, regulations and nationally-ratified international treaties, conventions and agreements, in FSC-STD-60-004 (International Generic Indicators).

**Explanatory Note:** This annex is copied from the FSC National Forest Stewardship Standard of Vietnam with three minor changes to reflect changes in the laws.

1. Legal* rights to harvest	
1.1 Land tenure* and management rights	<p>Legislation covering land tenure* rights, including customary rights* as well as management rights, that includes the use of legal* methods to obtain tenure* rights and management rights. It also covers legal* business registration and tax registration, including relevant legally required licenses.</p> <ol style="list-style-type: none"> <li>1. Law on Forestry No. 16/2017/QH14 dated on 15th November 2017.</li> <li>2. Land Law No. 45/2013/QH13 dated 29th November 2013.</li> <li>3. Decree No. 43/2014/ND-CP dated 15th May 2014 issued by the Government on the enforcement of the Land Law 2003.</li> <li>4. Decree No. 84/NĐ-CP dated 25th May 2007 issued by the Government on supplementation of granting land use right certificates, land recovery, implementing land use rights, procedures and orders of compensation, support, resettlement when the State recovers land and handling complaints about land.</li> <li>5. Decree No. 156/2018/ND-CP dated 16th November 2018 issued by the Government detailing some articles of the Law on Forestry.</li> <li>6. Law 09/2008/QH12 dated 3rd June 2008 on the Management and Use of State Property.</li> <li>7. Law on Cooperatives No. 18/2003/QH11 dated 26th November 2003.</li> <li>8. Law on Cultural Heritage No. 28/2001/QH10 dated 29th June 2001.</li> <li>9. Law 27/2001/QH10 on Fire Prevention and Fighting.</li> <li>10. Circular No. 35/2011/TT-BNNPTNT on guiding the implementation of timber and non-timber forest product harvesting and salvaging.</li> <li>11. Circular No. 01/2012/TT-BNNPTNT on document package of legal forest products and examination of forest product origin</li> <li>12. Decision No. 59/2005/QĐ-BNN dated 10th October 2005 on promulgating the regulation on inspection and control of forest products.</li> <li>13. Decision No. 44/2006/QĐ-BNN dated 1st June 2006 on promulgating the regulation on management and placement</li> </ol>

	<p>of tree marks and forest hammer marks.</p> <p>14. Circular No. 87/2009/TT-BNNPTNT Guidance on design for selective harvesting of timber from natural forest.</p>
1.2 Concession licenses	<p>Legislation regulating procedures for issuing forest* concession licenses, including the use of legal* methods to obtain concession licenses. Bribery, corruption and nepotism are particularly well-known issues in connection with concession licenses.</p> <p>Circular No. 27/2018/TT-BNNPTNT dated 16<sup>th</sup> November 2018 on the Regulations for Forest Harvesting and management documents, traceability of forest products.</p>
1.3 Management and harvesting planning	<p>Any national or sub-national legal* requirements for management planning, including conducting forest* inventories, having a forest* management plan* and related planning and monitoring, impact assessments, consultation with other entities, as well as approval of these by legally competent* authorities.</p> <ol style="list-style-type: none"> <li>1. Circular No. 27/2018/TT-BNNPTNT dated 16th November 2018 on the Regulations for Forest Harvesting and management documents, traceability of forest products.</li> <li>2. Circular No. 28/2018/TT-BNNPTNT dated 16th November 2018 on the Regulations for Sustainable Forest Management.</li> </ol>
1.4 Harvesting permits	<p>National or sub-national laws and regulations regulating procedures for issuing harvesting permits, licenses or other legal* documents required for specific harvesting operations. This includes the use of legal* methods to obtain the permits. Corruption is a well-known issue in connection with the issuing of harvesting permits.</p> <ol style="list-style-type: none"> <li>1. Circular No 27. /2018 / TT-BNNPTNT dated November 2018 on the Regulations for Forest Harvesting and management documents, traceability of forest products.</li> <li>2. Circular No. 01/2002/TT-BCA (C11) dated 4th January 2002 issued by the Ministry of Transportation on providing guidance on issuing registration numbers to transportation vehicles.</li> <li>3. Decree No. 110/2006/ND-CP dated 28th September 2006 issued by the Government on business conditions of road transport.</li> <li>4. Decree No. 21/2005/ND-CP dated 1st March 2005 issued by the Government on detailed regulations on implementing some articles of law on interior waterway transportation.</li> </ol>
<b>2. Taxes and fees</b>	
2.1 Payment of royalties and harvesting fees	<p>Legislation covering payment of all legally required forest* harvesting specific fees such as royalties, stumpage fees and other volume-based fees. This includes payments of the fees based on the correct classification of quantities, qualities and species. Incorrect classification of forest* products is a well-known issue that is often combined with bribery of officials in charge of controlling the classification.</p>

<p>2.2 Value-added taxes and other sales taxes</p>	<p>Legislation covering different types of sales taxes which apply to the material being sold, including the sale of material as growing forest* (standing stock sales).</p> <ol style="list-style-type: none"> <li>1. Law No. 17/1999/QH10 on Inspection dated 15th November 2010. This law amends and supplements a number of articles of the Law on Land Use Right Transfer Tax, which was passed by the National Assembly of the Socialist Republic of Vietnam on 22nd June 1994.</li> <li>2. Law No. 45/2009/QH12 dated 25th November 2009 on the Natural Resources Tax.</li> <li>3. Decree No. 20/2011/ND-CP dated 3rd November 2003 issued by the Government on regulations on the detail and implementation of the National Assembly's Resolution No. 55/2010/QH12 of 24th November 2010 on exemption and reduction of agricultural land-use tax.</li> <li>4. Decree No. 156/2005/ND-CP dated 15th 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.</li> <li>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.</li> <li>6. Decree No. 149/2005/ND-CP dated 18th December 2005 issued by the Government on detailed regulations on implementing the Law on Import and Export.</li> <li>7. Circular No. 120/2003/TT-BTC dated 12th December 2003 issued by the Ministry of Finance on guidance on the implementing of Decree 158/2003/ND-CP dated 10th December 2003.</li> <li>8. Circular No. 89-TC/TCT dated 9th November 1993 issued by the Ministry of Finance on providing guidance on the implementation of Decree No. 74/CP dated 25th October 1993 issued by the Government on specifying regulations on the implementation of the Agriculture Land Use Tax 1993.</li> <li>9. Decree No. 68/1998/ND-CP dated 3rd September 1998 issued by the Government, detailing the implementation of the Ordinance on Natural Resource Tax.</li> <li>10. Circular No. 42/2007/TT-BTC dated 27th April 2007 issued by the Ministry of Finance on regulations on implementing</li> <li>11. Decree No. 68/1998/ND-CP dated 3rd September 1998 issued by the Government, detailing the implementation of the Ordinance on Natural Resource Tax.</li> <li>12. Decree No. 147/2006/ND-CP amending and supplementing some articles of Decree 68/1998/ND-CP.</li> <li>13. Decree No. 24/2007/NĐ-CP issued by the Government dated 14th February 2007 on detailed regulations on implementing the Law on Enterprises' Income Tax.</li> <li>14. Law on Royalties 45/2009/QH12.</li> <li>15. Law 57/2010/QH12 15/11/2010 on Environmental Protection Tax.</li> </ol>
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	<p>16. Decree No. 69/2012/ND-CP of 14th September 2012, amending and supplementing clause 3 article 2 of the Government's Decree No. 67/2011/ND-CP dated August 8th 2011, detailing and guiding the implementation of a number of articles of the Law on the Environment Protection Tax.</p> <p>17. Law on Value-Added Tax dated 3rd June 2008.</p>
2.3 Income and profit taxes	<p>Legislation covering income and profit taxes related to profit derived from the sale of forest* products and harvesting activities. This category is also related to income from the sale of timber and does not include other taxes generally applicable for companies and is not related to salary payments.</p> <ol style="list-style-type: none"> <li>1. Law No. 45/2009/QH12 dated 25th November 2009 on the Natural Resources Tax.</li> <li>2. Circular No. 152/2015 / TT - BTC of the Ministry of Natural Resources on regulation of the Natural Resources Tax.Law on Agricultural Land Use Tax dated 10th July 1993.</li> <li>3. Decree 45/2014 / ND - CP of 15th May 2014 on guiding - hours regulations on land use.</li> </ol>
<b>3. Timber harvesting activities</b>	
3.1 Timber harvesting regulations	<p>Any legal* requirements for harvesting techniques and technology including selective cutting, shelter wood regenerations, clear felling, transport of timber from the felling site, seasonal limitations, etc. Typically, this includes regulations on the size of felling areas, minimum age and/or diameter for felling activities, and elements that shall* be preserved during felling, etc. Establishment of skidding or hauling trails, road construction, drainage systems and bridges, etc., shall* also be considered as well as the planning and monitoring of harvesting activities. Any legally binding codes for harvesting practices shall* be considered.</p> <ol style="list-style-type: none"> <li>1. Decree No. 156/2018 / ND-CP dated 16th November 2018 issued by the Government detailing some articles of the Law on Forestry.</li> <li>2. Decree No. 102/2020/ND-CP dated September 01, 2020 on Vietnam Timber Legality Assurance System</li> <li>3. Circular No.29/ 2018 / TT-BNNPTNT dated November 2018 issued by MARD on silvicultural measures.</li> <li>4. Circular No. 27/2018 / TT-BNNPTNT dated 16th November 2018 on the Regulations for Forest Harvesting and management documents, traceability of forest products.</li> </ol>
3.2 Protected sites and species	<p>International, national, and sub-national treaties, laws, and regulations related to protected areas, allowable forest* uses and activities, and/or rare, threatened, or endangered species, including their habitats* and potential habitats*.</p> <ol style="list-style-type: none"> <li>1. Law 20/2008/QH12 on Biodiversity dated 13th November 2008.</li> <li>2. Decree No. 156/2018 / ND-CP dated 16th November 2018 issued by the Government detailing some articles of the Law on Forestry.</li> <li>3. Circular 28/2018/TT-BNNPTNT dated 16th November 2018</li> </ol>

	<p>on the guidelines for sustainable forest management.4. Decree No. 06/2019/ND-CP dated 22th Jan, 2019 issued by the Government on the Management of Endangered and Precious Forest Fauna and Flora Species and implementation of Convention on International Trade in Endangered Species of Wild Fauna and Flora.</p> <p>4. Decision 74/2008/QĐ-BNN dated 20th June 2008 issued by MARD on the list of wildlife and plants in annex of the CITES convention.</p> <p>5. CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora).</p> <p>6. Circular 59/2010/TT-BNNPTNT dated 19th October 2010 issued by MARD on the list of animals, wild animals and plants under the management of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.</p>
<p>3.3 Environmental requirements</p>	<p>National and sub-national laws and regulations related to the identification and/or protection* of environmental values* including but not limited to those relating to or affected by harvesting, acceptable levels for soil damage, establishment of buffer zones (e.g. along water courses, open areas and breeding sites), maintenance of retention trees on the felling site, seasonal limitations of harvesting time, environmental requirements for forest* machinery, use of pesticides* and other chemicals, biodiversity conservation*, air quality, protection* and restoration* of water quality, operation of recreational equipment, development of non-forestry infrastructure*, mineral exploration and extraction, etc.</p> <p>1. Law No. 52/2005/QĐ-TP on Environmental Protection 2006.</p> <p>2. Law on Environmental Protection No. 72/2020/QĐ-TP dated November 17, 2020 of the National Assembly.</p> <p>3. Decree No. 80/2006/ND-CP dated 9th August 2006 issued by the Government on the implementation of the Law on Environmental Protection 2006. Decree 21/2008/ND-CP dated 28th February 2008 issued by the Government on the supplementation and amendment of some articles of Decree No. 80/2006/ND-CP dated 9th August 2006 issued by the Government on the implementation of the Law on Environmental Protection 2006.</p> <p>4. Decree No. 06/2019/ND-CP dated 22th Jan. 2019 issued by the Government on the Management of Endangered and Precious Forest Fauna and Flora Species and implementation of Convention on International Trade in Endangered Species of Wild Fauna and Flora.</p> <p>5. Decree No. 9/2006/ND-CP dated 16th January 2006 issued by the Government on Forest Fire Prevention and Extinguishing.</p> <p>6. Circular No. 08/2006/TT-BTNMT dated 8th 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.</p> <p>7. Decision 1250/QĐ-TTĐ dated 31st July 2013 of Prime Minister on the approval of the national strategy on</p>

	<p>biodiversity 2020, with a vision to 2030.</p> <ol style="list-style-type: none"> <li>8. Decree No. 65/2010/ND-CP dated on 11th June 2010 issued by the Government on detailing and guiding a number of articles of the Biodiversity Law.</li> <li>9. Decree No. 113/2010/ND-CP dated on 3rd December 2010 issued by the Government on providing for the determination of environmental damage.</li> <li>10. Law No. 20/2008/QH12 of 13th November 2008 on Biodiversity.</li> <li>11. Circular No. 38/ 2014/TT-BNN Guidelines on sustainable forest management planning.</li> <li>12. Law No: 48/2005/QH11 on practicing thrift and combating waste.</li> <li>13. Decision on the compulsory application of Vietnam's environmental standards.</li> <li>14. Decree No. 119/2006/ND-CP on the organization and operation of the forest protection service.</li> <li>15. Decision No. 186/2006/QĐ-TTg of 14th August 2006, promulgating the regulation on forest management.</li> <li>16. Decree No. 23/2006/ND-CP on the implementation of the Law on Forest Protection and Development.</li> <li>17. Directive No. 38/2005/CT-TTg on resurveying and re-planning forests of three kinds (protection forests, special-use forests and production forests).</li> <li>18. Decree No. 29/2011/ND-CP Providing assessment of strategic environment, environmental impact assessment and environmental protection commitment.</li> </ol>
3.4 Health and safety	<p>Legally required personal protection* equipment for persons involved in harvesting activities, implementation of safe felling and transport practices, establishment of protection* zones around harvesting sites, safety requirements for machinery used, and legally required safety requirements in relation to chemical usage. The health and safety requirements that shall* be considered relevant to operations in the forest* (not office work, or other activities less related to actual forest* operations).</p> <ol style="list-style-type: none"> <li>1. Decree No. 06/CP dated 20th January 1995 issued by the Government detailing a number of articles of the Labor Code on labor safety and sanitation, and Article 1, Decree No 110/2002/ND-CP of 27th December 2002 amending and supplementing a number of articles of Decree 06/CP.</li> <li>2. Decree No. 152/2006/ND-CP of the Government dated 22nd December 2006 on guiding some articles of the Law on Social Insurance.</li> <li>3. Decree No. 30/2016/NĐ-CP details investments from the social insurance, health insurance and unemployment insurance funds.</li> <li>4. Convention No. 29 on Forced labor or compulsory, 1930.</li> <li>5. Convention No. 155 on occupational safety, occupational health and the working environment, 1981.</li> </ol>

	<p>6. Convention No. 138 on the minimum working age, 1973.</p> <p>7. Convention No. 182 on the Elimination of all forms of child labor security worse, in 1999.</p> <p>8. Labor Law of 2012, Law No. 10/2012/QH13 18th June 2012.</p> <p>9. Safety and health in forestry activities of the ILO, 1998.</p>
<p>3.5 Legal* employment</p>	<p>Legal* requirements for employment of personnel involved in harvesting activities including requirements for contracts and working permits, requirements for obligatory insurance, requirements for competence certificates and other training requirements and payment of social and income taxes withheld by the employer. Also covered are the observance of minimum working age and minimum age for personnel involved in hazardous work, legislation against forced and compulsory labor, and discrimination and freedom of association.</p> <ol style="list-style-type: none"> <li>1. Labour Code Law No.: 45/2019/QH14 in force in January 2021 <a href="http://boluatlaodong2019.molisa.gov.vn/lang_en/topic/viet_nam_labour_code/index">http://boluatlaodong2019.molisa.gov.vn/lang_en/topic/viet_nam_labour_code/index</a></li> <li>2. Decree No. 118/2014/ND-CP dated 17th December 2014 issued by the Government on the Arrangement, Renovation and Development of the State Forest Company.</li> <li>3. Decree No. 93/2006/ND-CP dated 6th January 2006 issued by the Government on Regulating The Minimum Salary Rate of The Vietnamese Laborer Operating Unskilled Tasks And Working in Normal Conditions for Foreign-Funded Companies. Decree No. 94/2006/ND-CP dated 7th September 2006 issued by the Government on adjusting the Minimum Salary Rate.</li> <li>4. Decree No. 196-CP dated 31st December 1994 issued by the Government stipulating detailed provisions and guidance for the implementation of a number of articles of the Labor Code on collective labor bargaining. Decree 93/2002/ND-CP issued by the Government dated 11th November 2002 amending and supplementing Decree 196-CP.</li> <li>5. Decree No. 06/CP issued by the Government dated 20th January 1995 which details a number of articles of the Labor Code on labor safety and sanitation, and Article 1, Decree No 110/2002/ND-CP dated 27th December 2002 amending and supplementing a number of articles of Decree 06/CP.</li> <li>6. Decree No. 152/2006/ND-CP dated 22nd December 2006 issued by the Government on guiding some articles of the Law on Social Insurance.</li> <li>7. Decree No 44/2003/ND-CP dated 9th May 2003 issued by the Government providing detailed regulation and guidance for the implementation of a number of articles of the Labor Code on labor contracts.</li> <li>8. Decree No 195/CP of 31st December 1994 which details and guides the implementation of a number of articles of the Labor Code on working time and rest time.</li> <li>9. Decree 109/2002/ND-CP/2002/ND-CP of 27th December amending and supplementing a number of articles of Decree 195/CP. 13. Decree No. 41-CP dated 6th July 1995 which details and guides the implementation of a number of articles</li> </ol>

	<p>of the Labor Code regarding labor disciplines and material responsibilities.</p> <p>10. Decree No. 33/2003/ND-CP of 2nd April 2003 amending and supplementing number of articles of Decree No. 41-CP 15.</p> <p>11. Decree No. 105/2014/ND-CP dated 15th November 2014 issued by the Government providing details and directives on the implementation of several articles of the Law on Health Insurance.</p> <p>12. Decision No. 09/2011/QD-TTg dated 30th January 2011 setting norms on households in poverty and households in danger of falling into poverty for the 2011-2015 period.</p> <p>13. Law 58/2014/QH13 on Social Insurance.</p> <p>14. Circular No. 01/2016/TT-BLĐTBXH which took effect 4th April 2016.</p> <p>15. Decision No. 2351/QD-TTg dated 24th December 2010 approving the 2011-2020 national strategy for gender equality.</p> <p>16. Law 73/2006/QH11 dated 29th November 2006 on Gender Equality.</p>
<b>4. Third parties' rights</b>	
4.1 Customary rights*	<p>Legislation covering customary rights* relevant to forest* harvesting activities, including requirements covering the sharing of benefits and Indigenous rights.</p> <p>There are no specific customary policy documents.</p>
4.2 Free Prior and Informed Consent*	<p>Legislation covering “free, prior, and informed consent” in connection with the transfer of forest* management rights and customary rights* to The Organization* in charge of the harvesting operation.</p> <p>1. Law No. 09/1998/QH10 on Complaints and Denunciations.</p> <p>2. Ordinance No. 34/ 2007 / PL-UBTVQH11 on democracy at grassroots.</p>
4.3 Indigenous People/ Ethnic Peoples'* rights	<p>Legislation that regulates the rights of Ethnic Peoples* as far as it is related to forestry activities. Possible aspects to consider are land tenure*, and rights to use certain forest*-related resources and to practice traditional activities, which may involve forest* lands.</p> <p>1. Decision No. 21/QD-UBND, approving the implementation of the project “Propagandizing and disseminating laws to ethnic minorities”, 2014.</p> <p>2. Decision No. 358/QD-UBND. on the Action Program of the Committee on Ethnic Minorities on international integration, 2014-2020.</p> <p>3. Decision No. 48/ QD-TTg dated 28th August 2014 on the policies supporting poor households to build houses and to prevent storms and floods in the Central Region.</p> <p>4. Decision No. 495/ QD-TTG on the list of extremely difficult communes, boundary communes, and communes in security</p>

	areas for Program 135 in the 2014- 2015 period.
<b>5. Trade and transport</b>	
<b>Note:</b> This section covers requirements for forest* management operations as well as processing and trade.	
5.1 Classification of species, quantities, qualities	<p>Legislation regulating how harvested material is classified in terms of species, volumes and qualities in connection with trade and transport. Incorrect classification of harvested material is a well-known method to reduce or avoid payment of legally prescribed taxes and fees.</p> <p>CITES Convention on International Trade in Endangered Species of Wild flora and Fauna.</p>
5.2 Trade and transport	<p>All required trading and transport permits shall* exist as well as legally required transport documents which accompany the transport of wood from forest* operations.</p> <ol style="list-style-type: none"> <li>1. Decree 157/2013/ND-CP dated 11th November 2013 prescribing the sanctioning of administrative violations in forest management, forest development, forest protection and forest product management.</li> <li>2. Circular 40/2015/TT-BNN dated 21st October 2015 amending and supplementing some articles of Circular No. 01/2012/TT-BNN dated 4th January 2012.</li> <li>3. Circular No. 27/2018/TT-BNNPTNT dated 16th November 2018 on the Regulations for Forest Harvesting and management documents, traceability of forest products</li> </ol>
5.3 Offshore trading and transfer pricing	<p>Legislation regulating offshore trading. Offshore trading with related companies placed in tax havens, combined with artificial transfer prices, is a well-known way to avoid payment of legally prescribed taxes and fees to the country of harvest and is considered to be an important source of funds that can be used for payment of bribes to forest* operations and personnel involved in the harvesting operation. Many countries have established legislation covering transfer pricing and offshore trading. It should* be noted that only transfer pricing and offshore trading, as far as it is legally prohibited in the country, can be included here.</p> <ol style="list-style-type: none"> <li>1. Decree No. 12/2006/ND-CP dated 23rd January 2006 issued by the Government detailing implementation of Trade Law regulations on international buying and selling of commodities and agent activities including purchasing, selling, processing and transiting of commodities with foreign countries.</li> <li>2. Decision No. 65/1998/QĐ-TTg dated 24th March 1998 issued by the Prime Minister on wood and wood products export and import.</li> <li>3. Decision No. 59/2005/QĐ-BNN dated 10th October 2005 issued by the Ministry of Agriculture and Rural Development promulgating the regulation of inspection and control of forest products.</li> <li>4. Decree No. 160/2003/ND-CP dated 18th December 2003 issued by the Government on management of marine</li> </ol>

	<p>activities at sea ports and marine zones of Vietnam.</p> <ol style="list-style-type: none"> <li>5. Decision No. 110/2003/QD-BTC dated 25th July issued by the Ministry of Finance promulgating preferential import tariffs.</li> <li>6. Decision No. 54/2006/QD-BNN dated 5th 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.</li> <li>7. Decree No. 49/2006/ND-CP issued by the Government dated 18th May 2006 on ship registration, selling and buying.</li> <li>8. Decree No. 82/2006/ND-CP dated 10th 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</li> <li>9. Decree No. 02/2007/ND-CP of the Government dated 5th January 2007 on plant quarantine.</li> </ol>
5.4 Custom regulations	<p>Custom legislation covering areas such as export/import licenses and product classification (codes, quantities, qualities and species).</p> <ol style="list-style-type: none"> <li>1. Decision No. 110/2003/QD-BTC dated 25th July issued by the Ministry of Finance promulgating preferential import tariffs.</li> <li>2. Decision No. 54/2006/QD-BNN of 5th 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.</li> <li>3. Decree No. 49/2006/ND-CP issued by the Government dated 18 May 2006 on ship registration, selling and buying.</li> <li>4. Decree No. 82/2006/ND-CP dated 10th 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.</li> <li>5. Decree No. 02/2007/ND-CP of the Government dated 5th January 2007 on plant quarantine.</li> </ol>
5.5 CITES	<p>CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as the Washington Convention) permits.</p> <ol style="list-style-type: none"> <li>1. Decision 74/2008/QD-BNN dated 20th June 2008 of MARD issuing the list of wildlife and plants in annex of the CITES convention.</li> <li>2. CITES Convention on International Trade in Endangered Species of Wild Fauna and Flora.</li> <li>3. Circular 59/2010/TT-BNNPTNT dated 19th October 2010 issuing the list of animals, wild animals and plants under the management of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.</li> <li>4. Decree No. 06/2019/ND-CP dated 22th Jan. 2019 issued by the Government on the Management of Endangered and</li> </ol>

	Precious Forest Fauna and Flora Species and implementation of Convention on International Trade in Endangered Species of Wild Fauna and Flora.
<b>6. Due diligence / due care</b>	
6.1 Due diligence / due care procedures	<p>Legislation requiring due diligence/due care procedures, including due diligence/due care systems, declaration obligations, and/or the keeping of trade related documents, etc.</p> <ol style="list-style-type: none"> <li>1. Circular No. 219/2013/TT-BTC issued by the Ministry of Finance dated 31st December 2013 listing guidelines prescribing conditions for VAT deductions or refunds of input tax on goods and services for export.</li> <li>2. Circular No. 196/2012/TT-BTC dated 15th November 2012 issued by the Ministry of Finance regulating electronic customs procedures for export and import of commercial</li> </ol>
<b>7. Ecosystem Services</b>	
	<p>Legislation covering ecosystem services* rights, including customary rights* as well as management rights that include the use of legal* methods to make claims and obtain benefits and management rights related to ecosystem services*. National and subnational laws and regulations related to the identification, protection and payment for ecosystem services*. Also includes legal* business registration and tax registration, including relevant legally* required licenses for the exploitation, payment, and claims related to ecosystem services* (including tourism).</p> <ol style="list-style-type: none"> <li>1. Decree No. 156/2018/ND-CP dated 16th November 2018 issued by the Government detailing some articles of the Law on Forestry.</li> <li>2. Circular No. 99/2006/TT-BNN dated 6th November 2006 on guiding the implementation of a number of provisions of the regulation on forest management, issued together with the Prime Minister's Decision No. 186/2006/QD-TTg.</li> <li>3. Decision No. 34/2011/QD-TTg dated 24th June 2011 amending and supplementing a number of articles of the regulation on forest management promulgated together with the Prime Minister's Decision No.186/2006/QD-TTg on 14th August 2006</li> <li>4. Circular No. 38/2007/TT-BNN dated 25th April 2007 on guiding the process and procedures for allocation, lease or withdrawal of forest from organizations, households, individuals and communities.</li> <li>5. Circular No. 05/2008/TT-BNN dated 14th January 2008 on guiding forest planning, forest protection and development plan.</li> <li>6. Decree No. 117/2010/ND-CP dated 24th December 2010 on organization and management of the special-use forest system.</li> <li>7. Circular No. 78/2011/TT-BNNPTNT dated 11th November 2011 on guiding the implementation of Decree No. 117/2010/ND-CP dated 24th December 2010.</li> <li>8. Decision No. 57/2012/QD-TTg dated 9th January 2012 on</li> </ol>

	<p>approval of the forest protection and development plan for the period 2011-2020.</p> <p>9. Decision No. 07/2012/QD-TTg dated 8th February 2012 on promulgating some policies for strengthening forest protection.</p>
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## Annex B Elements of the Management Plan

**Explanatory Note:** This annex is copied directly without change from the FSC National Forest Stewardship Standard of Vietnam. It provides guidance about the requirements in Principle 7.

1. The results of assessments, including:
  - i. Natural resources and environmental values<sup>\*</sup>, as identified in Principle 6 and Principle 9;
  - ii. Social, economic and cultural resources and conditions, as identified in Principle 2 to Principle 6 and Principle 9;  
Note: Not applicable for SLIMFs
  - iii. Major social and environmental risks in the area, as identified in Principle 2 to Principle 6 and Principle 9.  
Note: Not applicable for SLIMFs
2. Programs and activities regarding:
  - i. Workers<sup>\*\*</sup>’ rights, occupational health and safety, gender equality<sup>\*</sup>, as identified in Principle 2;
  - ii. Ethnic Peoples<sup>\*</sup>, community relations, local economic and social development, as identified in Principle 3, Principle 4 and Principle 5;
  - iii. Stakeholder engagement<sup>\*</sup> and the resolution of disputes<sup>\*</sup> and grievances, as identified in Principle 1, Principle 2 and Principle 7;
  - iv. Planned management activities and timelines, silvicultural systems used, typical harvesting methods and equipment, as identified in Principle 10;
  - v. The rationale for harvesting rates of timber and other natural resources, as identified in Principle 5.
3. Measures to assess, prevent, and mitigate negative impacts of management activities on:
  - i. Environmental values<sup>\*</sup>, as identified in Principle 6 and Principle 9;
  - ii. Social Values, as identified in Principle 2 to Principle 5 and Principle 9.
4. A description of the monitoring program, as identified in Principle 8, including:
  - i. Growth and yield, as identified in Principle 5;
  - ii. Environmental values<sup>\*</sup>, as identified in Principle 6;
  - iii. Operational impacts, as identified in Principle 10;
  - iv. High Conservation Values<sup>\*</sup>, as identified in Principle 9;
  - v. Monitoring systems based on stakeholder engagement<sup>\*</sup>, planned or in place, as identified in Principle 2 to Principle 5 and Principle 7;
  - vi. Maps describing the natural resources and land use zoning on the Management Unit<sup>\*</sup> with the scale 1/25,000 or 1/50,000 according to the coordination system VN 2000.

## Annex C Monitoring Requirements

**Explanatory Note:** *This annex is copied directly without change from the FSC National Forest Stewardship Standard of Vietnam, except the provisions for criteria 4.3, 4.4, 5.4, 5.5 and 6.8 which are not applicable for this smallholders standard. It provides guidance about the monitoring requirements in Principle 8.*

1. Monitoring\* in Indicator 8.2.1 is sufficient to identify and describe the environmental impacts of management activities, including where applicable:
  - i. The results of regeneration activities (Criterion\* 10.1);
  - ii. The use of ecologically well adapted species for regeneration (Criterion\* 10.2);
  - iii. Invasiveness or other adverse impacts associated with any alien species\* within and outside the Management Unit\* (Criterion\* 10.3);
  - iv. Unwanted regeneration that could block natural or artificial regeneration (Criteria\* 10.3, 10.5);
  - v. The use of genetically modified organisms\* (to confirm that they are not being used). (Criterion\* 10.4);
  - vi. The results of silvicultural activities (Criterion\* 10.5);
  - vii. Size of the clearfell areas (Criterion\* 10.5);
  - viii. Adverse impacts to environmental values\* from fertilizers\* (Criterion\* 10.6);
  - ix. Adverse impacts from the use of pesticides\* (Criterion\* 10.7);
  - x. Adverse impacts from the use of biological control agents (Criterion\* 10.8);
  - xi. The impacts of natural hazards\* (Criterion\* 10.9);
  - xii. The impacts of infrastructural development, transport activities and silviculture on rare and threatened species\*, habitats\*, ecosystems\*, landscape values\* water and soils (Criterion\* 10.10); Note: Not applicable for SLIMFs or for SLIMF groups;
  - xiii. The impacts of harvesting and extraction of timber on non-timber forest products\*, environmental values\*, merchantable wood waste and other products and services (Criterion\* 10.11); Note: Not applicable for SLIMFs or for SLIMF groups; and
  - xiv. Environmentally appropriate disposal of waste materials\* (Criterion\* 10.12).
  
2. Monitoring\* in Indicator 8.2.1 is sufficient to identify and describe social impacts of management activities, including where applicable:
  - i. Evidence of illegal or unauthorized activities (Criterion\* 1.4);
  - ii. Compliance with applicable laws\*, local laws\*, ratified\* international conventions and obligatory codes of practice\* (Criterion\* 1.5);
  - iii. Resolution of disputes\* and grievances (Criterion\* 1.6, Criterion\* 2.6, Criterion\* 4.6);

- iv. Programs and activities regarding workers\* rights (Criterion\* 2.1); Note: Not applicable for SLIMFs or for SLIMF groups;
  - v. Gender equality\*, Sexual harassment and gender discrimination (Criterion\* 2.2) Note: Not applicable for SLIMFs or for SLIMF groups; Programs and activities regarding occupational health and safety (Criterion\* 2.3); Note: Not applicable for SLIMFs or for SLIMF groups;
  - vi. Payment of wages (Criterion\* 2.4); Note: Not applicable for SLIMFs or for SLIMF groups;
  - vii. Worker\* Training (Criterion\* 2.5);
  - viii. Where pesticides\* are used, the health of workers\* exposed to pesticides\* (Criterion\* 2.5 and Criterion\* 10.7);
  - ix. The identification of Ethnic Peoples\* and local communities\* and their legal and customary rights\* (Criterion\* 3.1 and Criterion\* 4.1);
  - x. Full implementation of the terms in binding agreements\* (Criterion\* 3.2 and Criterion\* 4.2);
  - xi. Ethnic Peoples\* and community relations (Criterion\* 3.2, Criterion\* 3.3 and Criterion\* 4.2);
  - xii. Protection\* of sites of special cultural, ecological, economic, religious or spiritual significance to Ethnic Peoples\* and local communities\* (Criterion\* 3.5 and Criterion\* 4.7);
  - xiii. The use of traditional knowledge\* and intellectual property\* (Criterion\* 3.6 and Criterion\* 4.8);
  - xiv. Local economic and social development (Criterion\* 4.2, Criterion\* 4.5);
  - xv. The production of diversified benefits and/or products (Criterion\* 5.1); Note: Not applicable for SLIMFs or for SLIMF groups;
  - xvi. The maintenance and/or enhancement of ecosystem services\* (Criterion\* 5,1); Note: Not applicable for SLIMFs or for SLIMF groups;
  - xvii. Activities to maintain or enhance ecosystem services\* (Criterion\* 5.1); Note: Not applicable for SLIMFs or for SLIMF groups;
  - xviii. Actual compared with projected annual harvests of timber and non-timber forest products\* (Criterion\* 5.2);
  - xix. Long-term\* economic viability\* (Criterion\* 5.2);
  - xx. High Conservation Values\* 5 and 6 identified in Criterion\* 9.1.
3. Monitoring\* procedures in Indicator 8.2.1 are sufficient to identify and describe changes in environmental conditions including where applicable:
- i. The maintenance and/or enhancement of ecosystem services\* (Criterion\* 5.2) (when The Organization\* makes FSC promotional claims regarding the provision of ecosystem services\*, or receives payment for the provision of ecosystem services\*);

- ii. Environmental values\* and ecosystem functions\* including carbon sequestration and storage (Criterion\* 6.1); and including the effectiveness of actions identified and implemented to prevent, mitigate and repair negative impacts to environmental values\* (Criterion\* 6.3);
- iii. Rare and threatened species\*, and the effectiveness of actions implemented to protect them and their habitats\* (Criterion\* 6.4);
- iv. Representative sample areas\* and the effectiveness of actions implemented to conserve\* and/or restore\* them (Criterion\* 6.5); Note: Not applicable for SLIMFs or for SLIMF groups;
- v. Naturally occurring native species\* and biological diversity\* and the effectiveness of actions implemented to conserve\* and/or restore\* them (Criterion\* 6.6);
- vi. Water courses, water bodies\*, water quantity and water quality and the effectiveness of actions implemented to conserve\* and/or restore\* them (Criterion\* 6.7); Note: Not applicable for SLIMFs or for SLIMF groups;
- vii. Changes inside the buffer zones (Criterion\* 6.7); Note: Not applicable for SLIMFs or for SLIMF groups;
- viii. Conversion of natural forest\* to plantations\* or conversion to non-forest\* (Criterion\* 6.9);
- ix. Percentage of conversion in comparison to the whole Organization (Criterion 6.9);
- x. The status of plantations\* established after 1994 (Criterion\* 6.10); and
- xi. High Conservation Values\* 1 to 4 identified in Criterion\* 9.1 and the effectiveness of actions implemented to maintain and/or enhance them.

## Annex D HCV Framework

**Explanatory Note:** This annex is copied directly without change from the National Forest Stewardship Standard of Vietnam. It provides guidance about the requirements in Principle 9 for a framework to assess high conservation values, to develop strategies to maintain high conservation values if they exist, and to monitor implementation. The term “HCV assessment” is defined in the Glossary.

**HCV 1 – Species diversity. Concentrations of biological diversity\* including endemic species, and rare\*, threatened\* or endangered species, that are significant\* at global, regional or national levels.**

### IDENTIFICATION OF HCV 1

1. Description of Best Available Information in the country for identifying HCV 1: see Vietnam High Conservation Value Forest Toolkit, Version 1.4.
2. Description of interested and affected stakeholders.
3. Description of culturally appropriate engagement for identifying HCVs.
4. Examples of rare/threatened/endangered species in the country.
5. Geographic areas where HCV 1 is likely present.
6. Maps of HCV 1 areas in the country.
7. Threats to HCV 1 areas in the country.

### STRATEGIES FOR MAINTAINING HCV 1: see Vietnam High Conservation Value Forest Toolkit, Version 1.4

1. Protection zones, harvest prescriptions, and/or other strategies to protect threatened, endangered, endemic species, or other concentrations of biological diversity\* and the ecological communities and habitats\* upon which they depend, sufficient to prevent reductions in the extent, integrity, quality, and viability of the habitats\* and species occurrences.
2. Where enhancement is identified as the objective\*, measures to develop, expand, and/or restore\* habitats\* for such species are in place.

### MONITORING HCV 1: see Vietnam High Conservation Value Forest Toolkit, Version 1.4

**HCV 2 – Landscape\*-level ecosystems\* and mosaics. Intact forest landscapes and large landscape\*-level ecosystems\* and ecosystem\* mosaics that are significant\* at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.**

#### **IDENTIFICATION OF HCV 2**

1. Description of Best Available Information in the country for identifying HCV 2: see Vietnam High Conservation Value Forest Toolkit, Version 1.4.
2. Description of interested and affected stakeholders.
3. Examples of HCV 2 areas in the country.
4. Geographic areas where IFLs or other types of HCV 2 are likely present.

IFLs are present in Angola, Argentina, Australia, Belize, Bhutan, Bolivia, Brazil, Brunei, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo DRC, Costa Rica, Cote d'Ivoire, Dominican Rep, Ecuador, Equatorial Guinea, Ethiopia, Finland, French Guiana, Gabon, Georgia, Guatemala, Guyana, Honduras, India, Indonesia, Japan, Kazakhstan, Laos, Liberia, Madagascar, Malaysia, Mexico, Mongolia, Myanmar, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Repl. Congo, Russia, Solomon Islands, Suriname, Sweden, Tanzania, Thailand, Uganda, United States, Venezuela and Vietnam.

In the absence of a robust process, reliable science and consensus-orientated outcome connected to the implementation of Motion 65 (GA2014), the default IFL protection threshold shall\* be 80% of the Intact Forest Landscapes\* within the Management Unit\*.

5. Maps of HCV 2 areas in the country.
6. Threats to HCV 2 areas in the country.
7. Threats to HCV 2 areas in the country.

**HCV 3 – Ecosystems\* and habitats\*. Rare\*, threatened\*, or endangered ecosystems\*, habitats\* or refugia\*.**

**IDENTIFICATION OF HCV 3:**

**see Vietnam High Conservation Value Forest Toolkit, Version 1.4**

1. Description of Best Available Information in the country for identifying HCV 3.
2. Description of Interested and affected stakeholders.
3. Examples of HCV 3 ecosystems and habitats in the country.
4. Geographic areas where HCV 3 is likely present.
5. Maps of HCV 3 areas in the country.
6. Threats to HCV 3 areas in the country.

**STRATEGIES FOR MAINTAINING HCV 3**

1. Strategies that fully maintain the extent and integrity of rare or threatened ecosystems\*, habitats\*, or refugia\*.
2. Where enhancement is identified as the objective\*, measures to restore\* and/or develop rare or threatened ecosystems\*, habitats\*, or refugia\* are in place.

**MONITORING HCV 3:**

**see Vietnam High Conservation Value Forest Toolkit, Version 1.4**

**HCV 4 – Critical\* ecosystem services\*. Basic ecosystem services\* in critical\* situations, including protection\* of water catchments and control of erosion of vulnerable soils and slopes.**

#### **IDENTIFICATION OF HCV 4**

1. Description of Best Available Information in the country for identifying HCV 4: see Vietnam High Conservation Value Forest Toolkit, Version 1.4.
2. Description of Interested and affected stakeholders.
3. Examples of HCV 4 critical ecosystem services in the country.
4. Geographic areas where HCV 4 is likely present.
5. Maps of HCV 4 areas in the country.
6. Threats to HCV 4 areas in the country.

#### **STRATEGIES FOR MAINTAINING HCV 4**

1. Strategies to protect any water catchments of importance to local communities\* located within or downstream of the Management Unit\*, and areas within the unit that are particularly unstable or susceptible to erosion.
2. Examples may include protection\* zones, harvest prescriptions, chemical use restrictions, and/or prescriptions for road construction and maintenance, to protect water catchments and upstream and upslope areas.
3. Where enhancement is identified as the objective\*, measures to restore\* water quality and quantity are in place.
4. Where identified HCV 4 ecosystem services\* include climate regulation, strategies to maintain or enhance carbon sequestration and storage are in place.

**MONITORING HCV 4:**  
**see Vietnam High Conservation Value Forest Toolkit, Version 1.4**

<p><b>HCV 5 – Community needs. Sites and resources fundamental for satisfying the basic necessities of local communities* or Ethnic Peoples* (for livelihoods, health, nutrition, water, etc.), identified through engagement* with these communities or Indigenous Peoples*.</b></p>
<p><b>IDENTIFICATION OF HCV 5</b> (see Vietnam High Conservation Value Forest Toolkit, Version 1.4)</p> <ol style="list-style-type: none"> <li>1. Description of Best Available Information in the country for identifying HCV 5.</li> <li>2. Description of Interested and affected stakeholders.</li> <li>3. Examples of HCV 5 sites and resources fundamental for local communities in the country.</li> <li>4. Geographic areas where HCV 5 is likely present.</li> <li>5. Maps of HCV 5 areas in the country.</li> <li>6. Threats to HCV 5 areas in the country.</li> </ol>
<p><b>STRATEGIES FOR MAINTAINING HCV 5</b></p> <p>Strategies to protect the community’s and/or Ethnic Peoples’* needs in relation to the Management Unit* are developed in cooperation with representatives and members of local communities* and Ethnic Peoples*.</p>
<p><b>MONITORING HCV 5:</b> <b>see Vietnam High Conservation Value Forest Toolkit, Version 1.4</b></p>

**HCV 6 – Cultural values. Sites, resources, habitats\* and landscapes\* of global or national cultural, archaeological or historical significance, and/or of critical\* cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities\* or Ethnic Peoples\*, identified through engagement\* with these local communities\* or Indigenous Peoples\*.**

**IDENTIFICATION OF HCV 6**

1. Description of Best Available Information in the country for identifying HCV 6.
2. Description of Interested and affected stakeholders.
3. Examples of HCV 6 significant cultural values in the country.
4. Geographic areas where HCV 6 is likely present.
5. Maps of HCV 6 areas in the country.
6. Threats to HCV 6 areas in the country.

**STRATEGIES FOR MAINTAINING HCV 6**

Strategies to protect the cultural values are developed in cooperation with representatives and members of local communities\* and Ethnic Peoples\*.

**MONITORING HCV 6:**

**see Vietnam High Conservation Value Forest Toolkit, Version 1.4**

## Annex E Strategies for maintaining High Conservation Values

**Explanatory Note:** *This annex is copied directly without change from the FSC National Forest Stewardship Standard of Vietnam. It provides guidance for developing strategies to maintain high conservation values if they exist. The term “HCV assessment” is defined in the Glossary.*

HCV 1 – Protection zones, harvest prescriptions, and/or other strategies to protect threatened, endangered, endemic species, or other concentrations of biological diversity\* and the ecological communities and habitats\* upon which they depend, sufficient to prevent reductions in the extent, integrity, quality, and viability of the habitats\* and species occurrences. Where enhancement is identified as the objective\*, measures to develop, expand, and/or restore\* habitats\* for such species are in place.

HCV 2 – Strategies that fully maintain the extent and intactness of the forest\* ecosystems\* and the viability of their biodiversity concentrations, including plant and animal indicator species, keystone species, and/or guilds associated with large intact natural forest\* ecosystems\*. Examples include protection\* zones and set-aside areas, with any commercial activity in areas that are not set aside being limited to low-intensity\* operations that fully maintain forest structure, composition, regeneration, and disturbance patterns at all times. Where enhancement is identified as the objective\*, measures to restore\* and reconnect forest\* ecosystems\*, their intactness, and habitats\* that support natural biological diversity\* are in place.

HCV 3 – Strategies that fully maintain the extent and integrity of rare or threatened ecosystems\*, habitats\*, or refugia\*. Where enhancement is identified as the objective\*, measures to restore\* and/or develop rare or threatened ecosystems\*, habitats\*, or refugia\* are in place.

HCV 4 – Strategies to protect any water catchments of importance to local communities\* located within or downstream of the Management Unit\*, and areas within the unit that are particularly unstable or susceptible to erosion. Examples may include protection\* zones, harvest prescriptions, chemical use restrictions, and/or prescriptions for road construction and maintenance, to protect water catchments and upstream and upslope areas. Where enhancement is identified as the objective, measures to restore water quality and quantity are in place. Where identified HCV 4 ecosystem services include climate regulation, strategies to maintain or enhance carbon sequestration and storage are in place.

HCV 5 – Strategies to protect the community’s and/or Ethnic Peoples\*\* needs in relation to the Management Unit\* are developed in cooperation with representatives and members of local communities and Ethnic Peoples\*.

HCV 6 – Strategies to protect the cultural values are developed in cooperation with representatives and members of local communities and Ethnic Peoples\*.

## Annex F Glossary of terms

**Explanatory Note:** This Glossary includes all the terms defined in the Glossary of the RFSS. The sources of the definitions are copied from the RFSS. It also includes terms defined in the FSC National Forest Stewardship Standard of Vietnam (NFSS) but not included in the RFSS. This includes the definition of the term “Ethnic Peoples”

This Glossary includes definitions for all terms in italics in Indicators in this Forest Stewardship Standard for Smallholders in Vietnam. It is developed specifically for this standard. It also includes many of the terms in the Principles and Criteria with an asterix \*. This Glossary includes both new definitions created for this standard and definitions from existing FSC normative documents or other documents.

Please also refer to FSC-STD-01-002 FSC Glossary of Terms October 2017 and to glossaries found in FSC-STD-01-001 V5-2 (FSC Principles and Criteria) and FSC-STD-60-004 V2-0 (International Generic Indicators) for terms with an asterix \* in the Principles or Criteria.

**Affected stakeholder:** Any person, group of persons or entity that is or is likely to be subject to the effects of the activities of a Management Unit. Examples include, but are not restricted to (for example in the case of downstream landowners), persons, groups of persons or entities located in the neighborhood of the Management Unit. The following are examples of affected stakeholders:

- Local communities
- Ethnic Peoples
- Workers
- Forest dwellers
- Neighbors
- Downstream landowners
- Local processors
- Local businesses
- Tenure and use rights holders, including landowners
- Organizations authorized or known to act on behalf of affected stakeholders, for example social and environmental NGOs, labor unions, etc.  
(Source: FSC-STD-01-001 V5-2)

**Agro-forestry:** Agroforestry is the term for land-use systems and technologies in which woody perennials (such as trees, shrubs, palms or bamboos) and agricultural crops or animals are deliberately grown on the same parcel of land in some form of spatial and temporal arrangement. (Source: FAO)

**Applicable law:** Means applicable to smallholder as a legal person or business enterprise in or for the benefit of the *Management Unit*\* and those laws which affect the implementation of the FSC *Principles*\* and *Criteria*\*. This includes any combination of statutory law (Parliamentary-approved) and case law (court interpretations), subsidiary regulations, associated administrative procedures, and the national constitution (if present) which invariably takes legal precedence over all other legal instruments. (Source: Based on FSC-STD-01-001 V5-2)

**Best available information:** Data, facts, documents, expert opinions, and results of field surveys or consultations with stakeholders that are most credible, accurate, complete, and/or pertinent and that can be obtained through *reasonable*\* effort and cost, subject to the *scale*\* and *intensity*\* of the forestry activities and the *Precautionary Approach*\*. (Source: Based on FSC-STD-60-004 V2-0)

**Biological Control Agent:** Organisms used to eliminate or regulate the population of other organisms. (Source: FSC-STD-60-004 V2-0 Based on FSC-STD-01-001 V4-0 and World Conservation Union (IUCN). Glossary definitions as provided on IUCN website)

**Business associates:** Non-family members who have some ownership as a business partner or financial involvement with the smallholder and are not employees. **(New)**

**Child:** Any person under the age of 18. (Source: ILO Convention 182, Article 2)

**Consent:** The free, prior and informed consent of *Ethnic Peoples* and/or *local communities*, as defined in FSC-STD 60-004 V2-0 EN, provided through a *culturally appropriate* process. **(New)**

**Community Producer:** A forest management unit complying with the following tenure AND management criteria:

Tenure: The legal right to manage a forest management unit (e.g., title, long-term lease, concession) is held at the communal level, AND

- i) the community members must be either *Ethnic Peoples* or traditional peoples, OR
- ii) the forest management unit meets the smallholder eligibility criterion.

Management: The community actively manages the forest management unit through a concerted effort (e.g., under a communal forest management plan) OR the community authorizes management of the forest by others (e.g., resource manager, contractors, forest products company).

If the community authorizes management of the forest by others, criterion 1 and either criterion 2 or 3 must be met:

1. The community's own representative institution has legal responsibility for the harvesting operations, AND
2. The community performs the harvesting operations OR
3. The community's own representative institution is responsible for the forest management decisions, and follows and monitors the operations.

NOTE: The forest can be either located in a communal forest and/or on individually-assigned plots, as long as the right to use the forest is communally held (e.g., this is the case for Mexican ejidos, Brazilian sustainable development reserves). (Source: FSC-ADV-50-003)

**Culturally appropriate** [mechanism]: Means/approaches for outreach to target groups that are in harmony with the customs, values, sensitivities, and ways of life of the target audience. (Source: FSC-STD-01-001 V5-2)

**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. (Source: FSC-STD-01-001 V5-2)

**Discrimination:** Includes- a) any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction, social origin, sexual orientation\*, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation; b) such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or

treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers' and *workers' organization*\* where such exist, and with other appropriate bodies. (Source: adapted from ILO Convention 111, Article1). \*'Sexual orientation' was added to the definition provided in Convention 111, as it has been identified as an additional type of discrimination which may occur.

**Dispute:** An expression of dissatisfaction by any person or organization presented as a complaint relating to its forestry activities or its conformity with the FSC Principles and Criteria, where a response is expected. (Source: Based on FSC-PRO-01-005 V3-0 Processing Appeals)

**Ecosystem services:** The benefits people obtain from ecosystems. These include:

- Provisioning services such as food, forest products and water;
- Regulating services such as regulation of floods, drought, land degradation, air quality, climate and disease.
- Supporting services such as soil formation and nutrient cycling; and,
- Cultural services and cultural values such as recreational, spiritual, religious and other non-material benefits. (Source: FSC-STD-60-004 V2-0)

**Employ:** To retain, and pay for, work services that are provided by a person who is not a relative or a family member of the smallholder and not a business partner or co-owner. **(New)**

**Employee:** See also "Family Member", "Volunteer" and "Worker". For the purposes of this Regional Forest Stewardship Standard for Smallholders, "Employee" and "Worker" refer to persons who are employed and paid directly for work on the smallholder's forest. Typically, they are not relatives or family members of the smallholder and are hired and paid to carry out work under the direction and supervision of the smallholder. The terms "Employee" and "Worker" do not include:

- Family members and relatives who participate in work on the smallholder's forest but who are not paid a wage for this work; or
- Volunteers from a local community or other organization who participate in work as members of a community or co-operatively owned smallholding but are not paid a wage for their contributions to the community benefit; or
- Business partners, business associates or co-owners. **(New)**

**Employment:** A work relationship between a smallholder and an individual that is not based on a family relationship with the smallholder or on participation in the management of a community-owned or co-operatively owned small-holding as a volunteer member of the community or organization but is based on payment, usually monetary, for labour or services, provided to the smallholder by the individual. **(New)**

**Engaging / engagement:** The process by which The Organization communicates, consults and/or provides for the participation of interested and/or affected stakeholders ensuring that their concerns, desires, expectations, needs, rights and opportunities are considered in the establishment, implementation and updating of the *management plan*\* (Source: FSC-STD-01-001 V5-0)

**Environmental Assessment:** A simple Environmental Impact Assessment in the form of a checklist, or a document or a map. **(New)**

**Environmental Impact Assessment:** Systematic process used to identify potential environmental and social impacts of proposed projects, to evaluate alternative approaches, and to design and incorporate appropriate prevention, mitigation, management and monitoring measures. (Source: Based on Environmental Impact Assessment Guidelines for FAO Field Projects, Food and Agriculture Organization of the United Nations (FAO) Rome. FSC-STD-01-001 v 5-2)

**Environmental values:** The following set of elements of the biophysical and human environment:

- Ecosystem functions (including carbon sequestration and storage);
- Biological diversity;
- Water resources;
- Soils;
- Atmosphere;
- Landscape values (including cultural and spiritual values).

The actual worth attributed to these elements depends on human and societal perceptions. (Source: FSC-STD-01-001 V5-2)

**Ethnic Peoples:** People and groups of people that can be identified or characterized as follows:

- The key characteristic or Criterion is self-identification as Ethnic Peoples at the individual level and acceptance by the community as their member,
- Historical continuity with pre-colonial and/or pre-settler societies,
- Strong link to territories and surrounding natural resources,
- Distinct language, culture and beliefs,
- Form non-dominant groups of society,
- Resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities.

(Source: Adapted from WB Policy OD 4.20, United Nations Permanent Forum on Indigenous Issues, Fact sheet 'Who are Indigenous Peoples' October 2007; United Nations Development Group, 'Guidelines on Indigenous Peoples' Issues' United Nations 2009, United Nations Declaration on the Rights of Indigenous Peoples, 13th September 2007).

**Family members:** Immediate family members and close relatives who benefit directly from the forest management unit. Typically, they live on, or in close proximity to, the smallholding and work on the smallholder unit with the owner to benefit from food, accommodation, or the revenues shared from products sourced from the forest management unit, but are not paid a wage. The term also includes co-owners or business partners. Family members are not "Employees" or "Workers". **(New)**

**Fertilizer:** Mineral or organic substances, most commonly N, P<sub>2</sub>O<sub>5</sub> and K<sub>2</sub>O, which are applied to soil for the purpose of enhancing plant growth. (Source: FSC-STD-60-004 V-2)

**Forest:** A tract of land dominated by trees (Derived from FSC Guidelines for Certification Bodies, Scope of Forest Certification, Section 2.1 first published in 1998, and revised as FSC-GUI-20-200 in 2005, and revised again in 2010 as FSC-DIR-20-007 FSC Directive on Forest Management Evaluations, ADVICE-20-007-01). (Source: FSC-STD-01-001 V5-2). For the purposes of this standard only, this term also refers to plantations, woodlots, agroforestry areas, and orchards due to the small scale of the scope and the reality that smallholders rely on their land for a significant percentage of their annual revenue needs.

**Forest products:** For the purposes of this standard, forest products are defined as any “natural” raw material or commodity produced from the certified forest, to include, but not limited to; wood, sap, bark, leaves/needles, latex rubber, forest plants or fungi, fruit, honey, nuts, etc. Certifiable FSC timber and non-timber forest products are listed in FSC-STD-40-004a V2-1. **(New)**

**Forestry activities:** All activities carried out by a smallholder to manage or use trees in the natural forest or plantations, including cutting and removing trees or other products, building roads or other infrastructure, planting or thinning trees, disposing of waste products or using pesticides, fertilizers or other materials. For the purposes of this standard, it also means any activities carried out by a smallholder to manage or use any other *non-timber forest products* originating from the management unit. **(New)**

**Free, Prior, and Informed Consent (FPIC):** A legal\* condition whereby a person or community can be said to have given consent to an action prior to its commencement, based upon a clear appreciation and understanding of the facts, implications and future consequences of that action, and the possession of all relevant facts at the time when consent is given. Free, prior and informed consent includes the right to grant, modify, withhold or withdraw approval. (Source: Based on the Preliminary working paper on the principle of Free, Prior and Informed Consent of Indigenous Peoples (...) (E/CN.4/Sub.2/AC.4/2004/4 8 July 2004) of the 22nd Session of the United Nations Commission on Human Rights, Sub-commission on the Promotion and Protection of Human Rights, Working Group on Indigenous Populations, 19–23 July 2004)

**Genetically modified organism:** An organism in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination. (Source: Based on FSC-POL-30-602 FSC Interpretation on GMO (Genetically Modified Organisms).

**Group entity:** The group entity is the entity representing the forest properties (smallholders) that constitute a group for the purpose of FSC forest management certification. The group entity applies for group certification and finally holds the forest management certificate. The group entity is responsible to the certification body for ensuring that the requirements of the FSC Principles and Criteria for Forest Stewardship are met in all forest properties participating in the group. The group entity may be an individual (e.g. a resource manager), a cooperative body, an owner association, or other similar legal entity. (Source: FSC-STD-30-005 V1-1)

**Habitat:** The place or type of site where an organism or population occurs. (Source: Based on the Convention on Biological Diversity, Article 2)

**Hazardous work** (in the context of *child\** labour): Any work which is likely to jeopardize children’s physical, mental or moral health, should not be undertaken by anyone under the age of 18 years. Hazardous *child\** labour is work in dangerous, or unhealthy conditions that could result in a *child\** being killed or injured/maimed (often permanently) and/or made ill (often permanently) as a consequence of poor safety and health standards and working arrangements.

In determining the type of hazard child labour referred to under (Article 3(d) of the Convention No 182, and in identifying where they exist, consideration should be given, inter alia, to

- Work which exposes children to physical, psychological or sexual abuse;
- Work underground, under water at dangerous heights or in confined spaces;
- Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;

- Work in unhealthy environment which may, for examples, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- Work under particularly difficult conditions such as work for long hours or during the night or work where the child\* is unreasonably confined to the premises of the employer.

(Source: ILO, 2011: IPEC Mainstreaming Child labour concerns in education sector plans and Programmes, Geneva, 2011 & ILO Handbook on Hazardous child labour, 2011)

**Heavy work** (in the context of child labour): Refers to work that is likely to be harmful or dangerous to children's health. (Source: FSC report on generic criteria and indicators based on ILO Core Conventions principles, 2017)

**High Conservation Value (HCV):** Any of the following values:

- HCV 1 – Species Diversity. Concentrations of biological diversity\* including endemic species, and rare, threatened or endangered\* species, that are significant at global, regional or national levels.
- HCV 2 – Landscape-level ecosystems and mosaics. Intact forest landscapes and large landscape-level ecosystems\* and ecosystem mosaics that are significant at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.
- HCV 3 – Ecosystems and habitats. Rare, threatened, or endangered ecosystems, habitats\* or refugia\*.
- HCV 4 – Critical ecosystem services. Basic ecosystem services\* in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.
- HCV 5 – Community needs. Sites and resources fundamental for satisfying the basic necessities of local communities or Indigenous Peoples\* (for example for livelihoods, health, nutrition, water), identified through engagement with these communities or Indigenous Peoples.
- HCV 6 – Cultural values. Sites, resources, habitats and landscapes\* of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or Indigenous Peoples, identified through engagement with these local communities or Indigenous Peoples. (Source: FSC-STD-01-001 V5-2)

**HCV Assessment:** One carried out by a person or organization with knowledge of High Conservation Values and sufficient knowledge of the local area to determine if High Conservation Values are present. It identifies both High Conservation Values and threats to those values. For smallholders, this could be a simple checklist of documents, or a map prepared for the smallholder's forest by a group manager or an external organization. The assessment is carried out at a scale that allows determination of values in the immediate vicinity of the smallholder's forest and includes culturally appropriate consultation with knowledgeable local people. **(New)**

**Immediate vicinity:** In very close proximity to, as in adjacent to, very close to or nearby the smallholder's forest. This refers to values or specific features that occur within that close proximity. It does not, therefore, include all the values or features that might be within a protected area for example where the boundary of that area is distant from the smallholder's forest. **(New)**

**Indigenous Peoples:** People and groups of people that can be identified or characterized as follows:

- The key characteristic or criterion is self-identification as Indigenous Peoples at the individual level and acceptance by the community as their member;
- Historical continuity with pre-colonial and/or pre-settler societies;
- Strong link to territories and surrounding natural resources;
- Distinct social, economic or political systems;
- Distinct language, culture and beliefs;
- Form non-dominant groups of society;
- Resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities. (Source: Adapted from United Nations Permanent Forum on Indigenous, Factsheet ‘Who are Indigenous Peoples’ October 2007; United Nations Development Group, ‘Guidelines on Indigenous Peoples’ Issues’ United Nations 2009, United Nations Declaration on the Rights of Indigenous Peoples, 13 September 2007)

In Vietnam, the term *Indigenous Peoples* has been replaced by “*Ethnic Peoples*”.

**Interested stakeholder:** Any person, group of persons, or entity that has shown an interest, or is known to have an interest, in the activities of a Management Unit. The following are examples of interested stakeholders.

- Conservation organizations, for example environmental NGOs;
- Labor (rights) organizations, for example labor unions;
- Human rights organizations, for example social NGOs;
- Local development projects;
- Local governments;
- National government departments functioning in the region;
- FSC National Offices;
- Experts on particular issues, for example High Conservation Values. (Source: FSC-STD-01-001 V5-2)

**Invasive species:** Species that are rapidly expanding outside of their native range. Invasive species can alter ecological relationships among native species and can affect ecosystem function and human health. (Source: Based on World Conservation Union (IUCN) Glossary definitions as provided on IUCN website)

**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. (Source: Based on World Conservation Union (IUCN) Glossary definitions as provided on IUCN website).

**Legal:** In accordance with primary legislation (national or local laws) or secondary legislation (subsidiary regulations, decrees, orders, etc.). ‘Legal’ also includes rule-based decisions made by legally competent agencies where such decisions flow directly and logically from the laws and regulations. Decisions made by legally competent agencies may not be legal if they do not flow directly and logically from the laws and regulations and if they are not rule-based but use administrative discretion. (Source: FSC-STD-01-001 V5-2)

**Living wage:** The level of wages sufficient to meet the basic living needs of an average-sized family in a particular economy. (Source: FSC-STD-01-001 V5-2)

**Local communities:** Communities of any size that are in or close to the location of the smallholder's forest, and also those that are close enough to have a significant impact on the economy or the environmental values of smallholder's forest or to have their economies, rights or environments significantly affected by the forestry activities or the biophysical aspects of the Management Unit. (Source: Based on FSC-STD-01-001 V5-2).

**Location:** See Smallholder's location.

**Long-term:** The timescale 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. (Source: FSC-STD-60-004 V2-0)

**Management plan:** The collection of documents, reports, records and maps that describe, justify and regulate the activities carried out by any manager, staff or organization within or in relation to the Management Unit, including statements of objectives and policies. (Source: FSC-STD-01-001 V5-2)

**Management unit:** A spatial area or areas submitted for FSC certification with clearly defined boundaries managed to a set of explicit long-term management objectives which are expressed in a *management plan*. This area or areas include(s):

- all facilities and area(s) within or adjacent to this spatial area or areas under legal title or management control of, or operated by or on behalf of smallholder, for the purpose of contributing to the management objectives; and
- all facilities and area(s) outside, and not adjacent to this spatial area or areas and operated by or on behalf of the smallholder, solely for the purpose of contributing to the management objectives. (Source: FSC-STD-01-001 V5-2)

**Named representative:** An individual or organization freely chosen and identified by the smallholder as the person representing them in carrying out forest management, including the development of any policies and keeping of records. **(New)**

**Native Ecosystems:** For the purposes of the *Principles\** and *Criteria\** and any applications of restoration techniques, terms such as 'more natural conditions', 'native ecosystem' provide for managing sites to favor or restore native species and associations of native species that are typical of the locality, and for managing these associations and other environmental values so that they form ecosystems typical of the locality. Further guidelines may be provided in FSC Forest Stewardship Standards. (Source: FSC-STD-01-001 V5-2)

**Native species:** Species, subspecies, or lower taxon, occurring within its natural range (past or present) and dispersal potential (that is, within the range it occupies naturally or could occupy without direct or indirect introduction or care by humans). (Source: Convention on Biological Diversity (CBD). Invasive Alien Species Programme. Glossary of Terms as provided on CBD website)

**Natural hazards:** Disturbances that can present risks to social and environmental values in the Management Unit but that may also comprise important ecosystem functions; examples include drought, flood, fire, landslide, storm, avalanche, etc. (Source: FSC-STD 60-004 V2-0)

**Natural forest:** A forest area with many of the principal characteristics and key elements of native ecosystems, such as complexity, structure and biological diversity, including soil characteristics, flora and fauna, in which all or almost all the trees are native species, not classified as plantations.

'Natural forest' includes the following categories:

- Forest affected by harvesting or other disturbances, in which trees are being or have been regenerated by a combination of natural and artificial regeneration with species typical of natural forests in that site, and where many of the above-ground and below-ground characteristics of the natural forest are still present. In boreal and north temperate forests which are naturally composed of only one or few tree species, a combination of natural and artificial regeneration to regenerate forest of the same native species, with most of the principal characteristics and key elements of native ecosystems of that site, is not by itself considered as conversion to plantations.
- Natural forests which are maintained by traditional silvicultural practices including natural or assisted natural regeneration.
- Well-developed secondary or colonizing forest of native species which has regenerated in non-forest areas.
- The definition of 'natural forest' may include areas described as wooded ecosystems, woodland and savanna.

The description of natural forests and their principal characteristics and key elements may be further defined in FSC Forest Stewardship Standards, with appropriate descriptions or examples. (Source: FSC-STD-01-001 V5-2). For a full explanation of this definition, refer to the Vietnam NFSS or FSC-STD-01-001 V5-2.

**Non-native species:** Species that have been introduced into new areas that have not historically been part of their native range. **(New)**

**Non-timber forest products (NTFP):** 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. Examples include, but are not limited to seeds, fruits, nuts, honey, palm trees, ornamental plants and other forest products originating from a forest matrix. (Source: FSC-STD-40-004a V2-1). For a smallholder, NTFP includes both non-timber wood products from the smallholder's forest, including rattan and bamboo, and non-timber non-wood products like latex rubber, fruits, nuts, honey, game, and many other products. A full list of FSC non-timber forest products is found in FSC-STD-40-004a V2-1.

**Not-natural fertilizer:** A chemical, synthetic or not-natural substance, most commonly N, P<sub>2</sub>O<sub>5</sub> and K<sub>2</sub>O, which is applied to soil for the purpose of enhancing plant growth. These do not include natural fertilizers such as manure or dung. (Source: Adapted from FSC-STD-60-004 V2-0)

**Objective:** The basic purpose laid down by the smallholder, including the decision of policy and the choice of means for attaining the purpose. (Source: Based on F.C. Osmaston. 1968. The Management of Forests. Hafner, New York; and D.R. Johnston, A.J. Grayson and R.T. Bradley. 1967. Forest Planning. Faber & Faber, London)

**Pesticide:** Any substance or preparation prepared or used in protecting plants or wood or other plant products from pests; in controlling pests; or in rendering such pests harmless. This definition includes insecticides, rodenticides, acaricides, molluscicides, larvaecides, fungicides and herbicides. (Source: FSC-POL-30-001 FSC Pesticides Policy (2005))

**Plantation:** A forest area established by planting or sowing with using either alien or native species, often with one or few species, regular spacing and even ages, and which lacks most of the principal characteristics and key elements of natural forests. The description of plantations may be further defined in FSC Forest Stewardship Standards, with appropriate descriptions or examples, such as:

- Areas which would initially have complied with this definition of ‘plantation’ but which, after the passage of years, contain many or most of the principal characteristics and key elements of native ecosystems, may be classified as natural forests.
- Plantations managed to restore and enhance biological and habitat diversity, structural complexity and ecosystem functionality may, after the passage of years, be classified as natural forests.
- Boreal and north temperate forests which are naturally composed of only one or few tree species, in which a combination of natural and artificial regeneration is used to regenerate forest of the same native species, with most of the principal characteristics and key elements of native ecosystems of that site, may be considered as natural forest, and this regeneration is not by itself considered as conversion to plantations. (Source: FSC-STD-01-001 V5-2)

**Public information:** Information about the smallholder’s forest which is available from public sources. **(New)**

**Rare species:** Species that are uncommon or scarce, but not classified as threatened. These species are located in geographically restricted areas or specific habitats, or are scantily scattered on a large scale. They are approximately equivalent to the IUCN (2001) category of Near Threatened (NT), including species that are close to qualifying for, or are likely to qualify for, a threatened category in the near future. They are also approximately equivalent to imperiled species. (Source: Based on IUCN. (2001). IUCN Red List Categories and Criteria: Version 3.1. IUCN Species Survival Commission. IUCN. Gland, Switzerland and Cambridge, UK)

**Reasonable:** Judged to be fair or appropriate to the circumstances or purposes, based on general experience (Source: Shorter Oxford English Dictionary). (Source: FSC-STD-60-004 V1-0)

**Representative Sample Areas (RSA):** Portions of the Management Unit delineated for the purpose of conserving or restoring viable examples of an ecosystem that would naturally occur in that geographical region. (Source: FSC-STD-60-004 V2-0 EN)

**Restore/Restoration:** These words are used in different senses according to the context and in everyday speech. In some cases, “restore” means to repair the damage done to environmental values that resulted from forestry activities or other causes. In other cases, “restore” means the formation of more natural conditions in sites which have been heavily degraded or converted to other land uses. In the Principles and Criteria, the word “restore” is not used to imply the recreation of any particular previous, pre-historic, pre-industrial or other pre-existing ecosystem. (Source: Based on FSC-STD-01-001 V5-2)

**Significant:** Includes social, economic, cultural or environmental values or impacts. **(New)**

**Significant disputes:** Disputes of a substantial magnitude; substantial duration as defined in the Glossary of FSC-STD 60-004 V2-0.; or involving a significant number of interests. **(New)**

**Sites that are significant:** Sites of special cultural, ecological, economic, religious or spiritual significance for *Ethnic Peoples*, local communities or others that are within the property of the smallholder or sufficiently close to the property that the sites or their values are impacted by the operations of the smallholder. **(New)**

**The Smallholder:** An individual or family who owns, manages, or uses forests which are considered “small”, compared with others in their region. Smallholder also includes *community producers*, including Indigenous Peoples, or others who fulfil the smallholder criterion for small size OR a co-operative or community who own, manage and use a forest in which less than 20 ha has been allocated to a member or family. Smallholders are known by various names – for example, woodlot owners, family foresters, small non-industrial private forest owners, small forest enterprises, community forestry operations, and non-timber forest product (NTFP) harvesters. Smallholders produce a wide variety of timber, non-timber and non-wood products. **(New)**

**Smallholder’s forest:** The forest that is within the smallholder’s land holding. It may also be referred to as a plantation or a woodlot or a tree farm in some countries. **(New)**

**Smallholder’s location:** The community, region, or subregion or watershed catchment area where the smallholder’s forest is located and where Indigenous Peoples or local communities might have interests in the smallholder’s forest or where native ecosystems might exist. **(New)**

**Stakeholder:** See affected stakeholder and interested stakeholder.

**Temporary worker:** A worker either hired directly by the smallholder or hired by a contractor hired by the smallholder to carry out a short-term specific task on the smallholder’s forest. **(New)**

**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.) (Source: World Conservation Union (IUCN). Glossary definitions provided on IUCN website.

**Threat:** An indication or warning of impending or likely damage or negative impacts. (Source: Based on Oxford English Dictionary)

**Threatened species:** Species that meet the IUCN (2001) criteria for Vulnerable (VU), Endangered (EN) or Critically Endangered (CR), and are facing a high, very high or extremely high risk of extinction in the wild. These categories may be re-interpreted for FSC purposes according to official national classifications (which have *legal*\* significance) and to local conditions and population densities (which should affect decisions about appropriate conservation measures). (Source: Based on IUCN. (2001). IUCN Red List Categories and Criteria: Version 3.1. IUCN Species Survival

Commission. IUCN. Gland, Switzerland and Cambridge, UK.

**Traditional knowledge:** Information, know-how, skills and practices that are developed, sustained and passed on from generation to generation within a community, often forming part of its cultural or spiritual identity. (Source: based on the definition by the World Intellectual Property Organization (WIPO). Glossary definition as provided under Policy / Traditional Knowledge on the WIPO website.

**Use rights:** Rights for the use of resources of the Management Unit 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. (Source: FSC-STD-01-001 V5-0)

**Volunteer:** A member of a community or an organization who donates time to work on the smallholder's forest or a forest that is owned by the community or a co-operative. Volunteers are not "Employees" or "Workers". **(New)**

**Vicinity:** See immediate vicinity. **(New)**

**Waste materials:** Unusable or unwanted substances or by-products, such as:

- Hazardous waste, including chemical waste and batteries;
- Containers;
- Motor and other fuels and oils;
- Rubbish including metals, plastics and paper; and
- Abandoned buildings, machinery and equipment.

(Source: FSC-STD 60-004 V2-0)

**Woodlot:** A parcel of a woodland or forest capable of small-scale production of forest products (such as wood fuel, sap for maple syrup, sawlogs, and pulpwood) as well as recreational uses like bird watching, bushwalking, and wildflower appreciation. (Source: Wikipedia)

**Worker:** All employed persons including public employees as well as 'self-employed' persons. This includes part-time and seasonal employees, of all ranks and categories, including laborers, administrators, supervisors, executives, contractor employees as well as self-employed contractors and sub-contractors. (Source: FSC-STD-01-001 V5-2)



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FSC International Center gGmbH  
Adenauerallee 134· 53113 Bonn · Germany



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