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FSC POLICY

FSC CERTIFICATION AND THE ILO CONVENTIONS FSC-POL-30-401 (2002) EN

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Charles-de-Gaulle-Str. 5
53113 Bonn, Germany
Tel : +49 - 228 - 367 66 28
Fax : +49 - 228 - 367 66 30
policy.standards@fsc.org
www.fsc.org

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The Forest Stewardship Council (FSC) is an independent, not for profit, non-government organisation based in Bonn, Germany.

The mission of the Forest Stewardship Council is to support environmentally appropriate, socially beneficial, and economically viable management of the world's forests.

FSC develops, supports and promotes international, national and regional standards in line with its mission; evaluates, accredits and monitors certification bodies which verify the use of FSC standards; provides training and information; and promotes the use of products that carry the FSC logo.

The following policy elements were approved by the FSC Board of Directors at its 24th meeting, March 2002.

Note: the document approved by the FSC Board of Directors included both policy decisions and guidance. This document presents the policy decisions only. Detailed guidance on the implementation of this policy, including model indicators and means of verification, is provided in the FSC Guidance Document *FSC-GUI-30-002 FSC Certification and the ILO Conventions: guidance on implementation*.

This FSC policy is based on the following premises:

1. Forest managers are legally obliged to comply all ILO Conventions which have been ratified in that country.
2. forest managers are expected to comply with the eight core (fundamental) ILO conventions in all ILO member countries, by virtue of their country's ILO membership, even if not all the conventions have been ratified.
3. FSC's policy for voluntary certification expects managers to comply with all the ILO conventions that have an impact on forestry operations and practices, in all countries (including countries which are not ILO-members, and have not ratified the conventions).

Policy elements:

- FSC interprets the FSC 1999 General Assembly's motion 40 as a requirement for compliance with all ILO conventions in all FSC-endorsed forest management certificates.
- Standards, assessments and certificates will be designed to provide a credible assurance of compliance with all ILO Conventions that have an impact on forestry operations and practices. These are numbers 29, 87, 97, 98, 100, 105, 111, 131, 138, 141, 142, 143, 155, 169 and 182 and the ILO Code of Practice on Safety and Health in Forestry Work (see list, below).

This policy will NOT be used to discriminate against countries where basic salaries and working conditions are not well enforced. However, FSC must play its part to ensure that the rights of indigenous peoples are respected, and that workers have fair living wages, safe working conditions and respect for their rights as human beings and workers.

In countries which have not yet revised the national laws, or which have not yet ratified certain conventions, there may be contradictions between the provisions of ILO conventions and the provisions of national laws and regulations. Each case will be resolved case-by-case on its merits by the responsible parties, including certification bodies, national initiatives and FSC staff.

This policy will be revised, in the light of practical experience, and when the ILO Conventions are revised.

Implementation.

- FSC shall provide a list of Criteria, Indicators and means of verification, as guidance for assessing compliance with all these ILO texts. The wording may be adapted by national initiatives and certification bodies to match national circumstances. Certification Bodies will be required to cover these elements in their assessments. FSC Working Groups are recommended to adapt them locally when preparing or revising regional standards.

- FSC Standards Groups and Working Groups are recommended to EITHER revise and adapt these elements for their national or sub-national Forest Stewardship Standards OR to include a reference to the FSC Guidelines (FSC-GUI-30-002) on this subject. After formal approval, these elements will be taken as a necessary component of certification requirements, whether or not they are explicitly included in the applicable Forest Stewardship Standards.
- FSC staff will include an evaluation of these elements during their annual monitoring audits of certification bodies.

List of ILO Conventions that have an impact on forestry operations and practices:

- 29 Forced Labour Convention, 1930.
- 87 Freedom of Association and Protection of the Right to Organise Conventions, 1948.
- 97 Migration for Employment (Revised) Convention, 1949.
- 98 Right to Organise and Collective Bargaining Convention, 1949.
- 100 Equal Remuneration Convention, 1951.
- 105 Abolition of Forced Labour Convention, 1957.
- 111 Discrimination (Occupation and Employment) Convention, 1958.
- 131 Minimum Wage Fixing Convention, 1970.
- 138 Minimum Age Convention, 1973.
- 141 Rural Workers' Organizations Convention, 1975.
- 142 Human Resources Development Convention, 1975.
- 143 Migrant Workers (Supplementary Provisions) Convention. 1975
- 155 Occupational Safety and Health Convention, 1981.
- 169 Indigenous and Tribal Peoples Convention, 1989.
- 182 Worst Forms of Child Labour Convention, 1999.

ILO Code of Practice on Safety and Health in Forestry Work (ILO 1998)

Recommendation 135 Minimum Wage Fixing Recommendation, 1970.

Conventions number 29, 87, 98, 100, 105, 111, 138 and 182 are Core Standards covered by the 1998 ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up. ILO member states are expected to promote and realize these principles, even if they have not ratified the Conventions. The ILO Code of Practice is not a legal instrument, but it provides authoritative guidance on forest work.