



SUMMARY OF PUBLIC CONSULTATION MATERIALS

PUBLIC CONSULTATION FOR FSC-PRO-01-007 CONVERSION REMEDY PROCEDURE VERSION 1-0 DRAFT 2-0

The purpose of this document is to provide an overview on public consultation materials. Please provide your feedback on FSC-PRO-01-007 conversion remedy procedure Version 1-0 Draft 2-0 through the FSC online public consultation platform [here](#) only.

INTRODUCTION TO THE CONSULTATION

Welcome to the Public Consultation for the FSC Conversion Remedy Procedure Version 1-0 Draft 2-0

This public consultation is open between 15th June and 14th August 2021 and will be used to collect stakeholders' feedback on a series of questions regarding the proposals in the second draft of the FSC conversion remedy procedure. FSC encourages all interested stakeholders to participate and provide their input during this period, as input is critical to the finalization of the Procedure.

It is not mandatory to respond to all the questions. You may want to choose sections that are most important/relevant to you. You can save current progress and edit your responses right up until you submit the survey for analysis. It is possible to edit your responses until the close of the consultation period. The estimated time to complete all question items are 30 mins.

Please take the opportunity to share your opinions and suggestions.

Opening date: 15th June 2021 00:00:00 CET

Closing date: 14th August 2021 23:59:59 CET

Thank you in advance for your participation.
Please contact Yan li at y.li@fsc.org for questions.



Please help us understand more about your background and interests by filling the 4 questions below:

1. Please select the option(s) that you identify yourself as to help us understand more about your background and interests.

- Social NGO
- Environmental NGO
- Academic
- Smallholder
- Community member
- Government
- Certificate holder (FM)
- Certificate holder (CoC)
- Indigenous peoples
- CB
- Others

2. Are you an FSC member?

- Yes
- No

3. Would you like to give your consent for being contacted by the consultation organizer or technical working group members via email?

- Yes
- No

4. Will the FSC Policy on Conversion and Conversion Remedy Procedure affect you directly?

- Yes
- No



BACKGROUND INTRODUCTION

Background introduction on Motion 7 Technical Working Group

At the General Assembly 2017 in Vancouver, Canada, the membership approved Motion 7. Please see Motion 7 mandate as below:

Motion 7 Mandate

The membership recognizes the strategic importance of addressing the issues around conversion of natural forest-related ecosystems to plantations and the need for alignment of the diverse ways in which conversion is treated in different parts of the FSC normative framework.

The membership requests that FSC puts in place a mechanism, building upon previous work, which will develop a holistic policy and appropriate treatment at Principle, Criterion and Indicator levels with guidance to national Standards Development Groups, considering compensation for past conversion, in terms of:

- a) restoration and/or conservation for environmental values; and
- b) restitution for socio-economic values.

To address Motion 7, FSC has split the process into two:

- a chamber balanced Working Group (WG) to develop a holistic Policy on Conversion, and
- a Technical Working Group (TWG) to focus on the implementation of the policy.

1. Motion 7 WG: development of FSC Policy on Conversion

The WG was formed in August 2018 and has completed the development process of FSC policy on conversion by December 2020. While the WG agreed on the majority of the policy, the members did not reach consensus on principle 3 which outlines remedy requirements for past conversion. Details of the policy development status is available [here](#). Please see below for an overview of the policy's proposed cut-off rule for past and future conversion. WG disagreement is highlighted in red.



		Conversion occurred between November 1994 and effective date of conversion policy (Principle 3)		Conversion occurred after the effective date of conversion policy (Principle 4)	
Purpose	Organization	Natural forests* ¹		Natural forests*	HCVs*
FM Certification of MU	Organization* was <u>involved</u> in conversion* in the MU	Remedy*		Not eligible	
	Organization* was <u>not involved</u> in conversion* in the MU where conversion has taken place	Option 1: No restriction Option 2: Remedy for social harm *Pending finalization based on the completion of FSC Policy on Conversion		Not eligible	
Purpose	Organization	Natural forests*	HCV* forests	Natural forests*	HCVs*
Association with FSC	Organization* involved in significant conversion* within their group of affiliated organizations	Remedy*	Remedy*	Not eligible. Associated Organizations later found to be linked to such conversion are subject to the PfA and rules for remediation.	

Note: FSC Policy on Conversion and Conversion Remedy Procedure do not apply to conversion occurred prior to November 1994

To complete the policy, FSC has decided to seek consultation from Richard Donovan to develop a white paper proposing options for a methodology to address the ownership loophole. Unlike this [Green Paper](#), which summarized conversion discussion history in FSC system, the White Paper provides recommendations to address the issue of ownership loophole. The proposals from the White Paper will be used to finalize policy principle 3. FSC plans to discuss them with the membership and will be very interested in receiving feedback from the membership. Further information will be updated on members portal [here](#). Based on these member discussions, FSC aims to finalize the policy and submit it to the FSC Policy and Standards Committee (PSC) and Board of Directors (BoD) for review and approval in Q4 2021. Further information of the finalization process is available on the FSC Policy on Conversion webpage [here](#).

As principle 3 and 4 of the Policy represent a change to the existing criteria 6.9 and 6.10 of the FSC Principles and Criteria (FSC-STD-01-001), the FSC membership will need to agree on these changes for the Policy to be implementable, with the most appropriate place being at the General Assembly. In line with these requirements, the Board chair and the two vice-chairs proposed three (3) statutory motions on the revision of Criterion 6.9 and 6.10 to reflect the proposals from the WG. Further information is available on members' portal [here](#).

2. Motion 7 TWG: development of the operationalization mechanism for FSC Policy on Conversion

¹ Defined terms are marked in asterisk.



The Motion 7 Technical Working Group (TWG) was established in November 2019 following a call for candidates during July – August 2019, to develop a mechanism to translate the FSC Policy on Conversion into operational practices. The members of the Motion 7 Technical Working Group include:

Name	Background
Caitlin Clarke	The Natural Conservancy (TNC)
Karen Kirkman	Independent Consultant
Michael Allen Brady	Principal Scientist & Team Leader, Value Chains, Finance and Investment (VFI), CIFOR
Vera Lex Engel	Associate Professor, São Paulo State University-UNESP

Since April 2021, Motion 7 Working Group (WG) social chamber members – Dr. Marcus Colchester and Dr. Verma joined the Motion 7 TWG as technical advisors. They will serve as liaisons on social harm from the M7 WG to relevant discussions in the TWG. Please find their information as following:

M7 Working Group Members			
Name	Organization	Sub-chamber	Country
Marcus Colchester	Individual	Social - North	United Kingdom
Verma Dharam Pal Singh	Individual	Social - South	India

The mechanism TWG is working on includes the following components:

- 1) Criteria, indicators and thresholds for conversion across the normative framework, including Policy for Association, Principles and Criteria, International Generic Indicators (IGI), Controlled Wood Standards and others as needed. This includes instructions for Standard Developers to address any revised IGIs on conversion in National Forest Stewardship Standards and Interim National Standards.
- 2) Develop a conversion remedy procedure for:
 - a) Organizations that want to be associated with FSC.
 - b) Certification applicants to address their historical conversion after 1994 and prior to 2020.
 - c) Members, certificate holders, and suppliers of forest products into the FSC supply chain that have been suspended because of violation of conversion rules.

The FSC Conversion Remedy Procedure is a key component of the mechanism to operationalize the Policy on Conversion. The procedure defines equitable and effective measures required for the remedy of social and environmental harm caused by past conversion, and the objectives of the procedure are:



- 1) to incentivize global commitments towards restoration of degraded and converted forests, by enabling responsible forest owners and managers to enter global markets upon demonstration of remedy actions.
- 2) to provide remedy requirements in line with international best practices with a primary focus on remedying harm caused by conversion of natural forests, and the people that depend on them.
- 3) to clarify the technical application of the cut-off rule as proposed in FSC Policy on Conversion by defining eligibility criteria to enter the FSC system.

Between November 2019 until March 2020, the Motion 7 TWG developed the first draft of conversion remedy procedure, which was under public consultation during April and June 2020. The draft procedure and consultation materials are available [here](#).

Between July 2020 and May 2021, the Motion 7 TWG has held twenty (20) online meetings and one (1) intensive virtual discussion week to study all comments received during the previous public consultation and to integrate the aspirations from FSC membership and stakeholders into the second draft of conversion remedy procedure, which is the focus of this public consultation. Please see synopsis report available on the consultation platform to understand how the TWG has considered the public consultation comments, and please find the revision crosswalk under supporting documents in the consultation to review the changes between the first and second drafts of conversion remedy procedure. Following the second public consultation, a third intensive virtual discussion week of the TWG will be held in Q4 2021, to discuss the feedback and input from stakeholders and to consider amending and adapting FSC Conversion Remedy Procedure for final submission to FSC Policy and Standards Committee (PSC) and Board of Directors (BoD) by Q1 2022.



INTRODUCTION ON THE SECOND DRAFT OF FSC CONVERSION REMEDY PROCEDURE

Introduction on the FSC Conversion Remedy Procedure Version 1-0 Draft 2-0

In order to implement the FSC Policy on Conversion, the TWG has developed the FSC Conversion Remedy Procedure, which provides remedy requirements in line with international best practices with a primary focus on remedying harm caused by conversion of natural forests, and the people that depend on them.

1. FSC Conversion remedy procedure and FSC Policy on Conversion

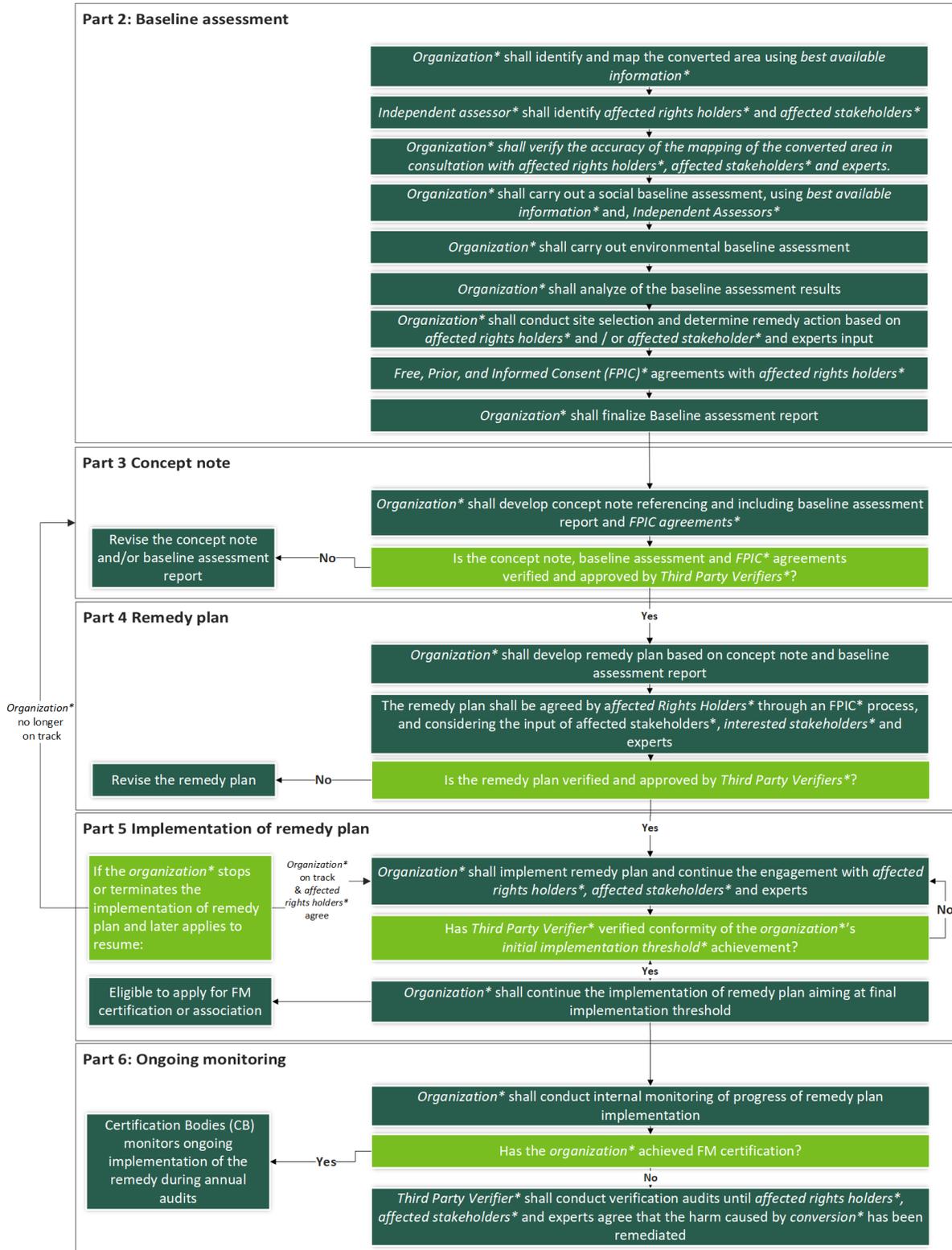
While the WG developing the conversion policy agreed on the majority of the policy as introduced under “Background introduction on motion 7 and its implementation”, the members did not reach a consensus on principle 3, which outlines the cut-off rule for past conversion. The WG proposed 2 options in the policy draft 4-0 and details are available [here](#). Considering that the cut-off rule for past conversion in the policy is pending finalization, the conversion remedy procedure was developed based on the elements on which the WG agreed:

		Principle 3: conversion occurred between Nov 1994 and effective date of conversion policy	
Purpose	Organization	Natural forests*	HCV* forests
FM Certification of MU*	<i>Organization* was <u>involved</u> in conversion* in the MU*</i>	<i>Organizations* that were <u>directly or indirectly involved*</u> in conversion* on the Management Unit* after November 1994 and before October 2020 are eligible for FSC forest management certification of that Management Unit* upon demonstrated conformance with the FSC Remedy Procedure.</i>	Not applicable
	<i>Organization* was <u>not involved</u> in conversion* in the MU where conversion has taken place</i>	<i>Organizations* that have acquired Management Units* where conversion* has occurred after November 1994 and before October 2020 are eligible for FSC forest management certification of that Management Unit* upon demonstrated conformance with the FSC Remedy Procedure for social harms*.</i>	Not applicable
Association with FSC	<i>Organization* involved in significant conversion* within their group of affiliated organizations</i>	<i>Organizations* that were <u>directly or indirectly involved*</u> in significant conversion* after November 1994 are eligible to associate with FSC upon demonstrated conformance with the FSC Remedy Procedure.</i>	



2. Overview of FSC Conversion Remedy Procedure Version 1-0 Draft 2-0

The diagram below presents you with an overview of the procedure, please refer to procedure draft 2-0 for detailed requirements.





3. Intent of the FSC Conversion Remedy Procedure

The FSC Conversion Remedy Procedure is being developed to facilitate a process where organizations with past conversion can assess this conversion to determine harms caused to environmental and social values and remedy harms that are identified. FSC believes that this process will enable assurance that harm caused as part of past conversion will be remedied and demonstrate compliance with responsible forest management practices in organizations that would have previously not been able to associate with or apply for certification to FSC standards. FSC recognizes that regardless of timing, harm caused through conversion may be considered the same in similar forest types and in similar social contexts. Since the global awakening that occurred in the early 1990's that led to the establishment of FSC and the increasing urgency of preventing further forest, biodiversity and critical ecosystem losses, FSC has taken a strong position in promoting anti-conversion policies and not allowing conversion into its systems. Considering this and acknowledging the difficulties of assessing historical harm caused prior to 1994, FSC does not require any remedy action for conversion that happened prior to its inception in November 1994. Acknowledging that any past conversion after 1994 can be effectively remedied, or there could have been a change in organizational management considerations FSC has developed the FSC Policy and Conversion and this Conversion Remedy Procedure to provide remedy requirements in line with international best practices and enable organizations to demonstrate responsible forest management through remedy of harm caused through conversion.

FSC aims to halt conversion and deforestation and to encourage the restoration of lost environmental values and the restitution of social harms. As the mission of the FSC is to promote environmentally appropriate, socially beneficial, and economically viable management of the world's forests, the focus of this procedure is primarily to facilitate remedy of harms caused due to past conversion of natural forests.

4. How is the FSC Conversion Remedy Procedure connected to other FSC policies and procedures?

The Conversion Remedy Procedure, alongside the FSC Policy on Conversion, FSC Policy for Association (PfA) and PfA remediation framework are key FSC documents that strengthen the protection of the forests and the communities living in them. FSC is therefore conducting three separate but concurrent consultations, one on this procedure, one on Policy for Association (PfA), the other on PfA remediation framework. You can participate in all consultations [here](#). The FSC Policy on Conversion clarifies FSC's position on conversion of natural forests and High Conservation Value areas and provides a mechanism for the remedy of social and environmental harm caused by past conversion. The Conversion Remedy Procedure is developed to operationalize the Policy on Conversion and it defines equitable and effective measures required for social and environmental remedy. The procedure applies to both FSC forest management certification applicants and association applicants. Meanwhile, the PfA sets out the rules governing how organizations can and cannot be associated with FSC and significant conversion is defined as one of the unacceptable activities. FSC is also developing a PfA remediation framework which covers remedial action for the unacceptable activities included in the PfA, and for the remedy of harm caused by conversion, the framework will adopt the remedy requirements outlined in the Conversion Remedy Procedure. The PfA remediation framework will be consulted on 22 June 2021.

INTRODUCTION ON THE PUBLIC CONSULTATION STRUCTURE

The consultation questions related to FSC Conversion Remedy Procedure are as below. In total, there are **11** question items. Please find below an overview of the public consultation questions for the second draft of FSC Conversion Remedy Procedure:

Overview of public consultation questions
<p>Terms & Definitions Question 1: Do you support these terms and definitions? Please provide further comments on the proposed terms and definitions.</p>
<p>Part 1: General principles Question 2: Do you think the requirements on grievance mechanism are sufficient? If not, please provide your suggestions. Question 3: Do you agree with the revised Part 1? Please provide further feedback on Part 1 if any.</p>
<p>Part 2: Social and Environmental Baseline Assessment Question 4: Are the required expertise, roles and responsibilities of independent assessor and third party verifier clear to you? Question 5: Do you agree with the revised Part 2? Please provide further feedback on Part 2 if any.</p>
<p>Part 3: Concept Note for the Remedy Plan Question 6: The TWG has separated the initial implementation thresholds for social and environmental remedy to help distinguish that these thresholds are different. Do you support these two thresholds? Please provide further details where you believe these maybe improved. Question 7: Do you agree with the revised Part 3? Please provide further feedback on Part 3 if any.</p>
<p>Part 4: Development of the Remedy Plan Question 8: Do you agree that remedy actions and monitoring of these would vary on a case by case basis and primarily be dependent on local stakeholder and expert input? If not please provide details of how global indicators might work. Question 9: Do you agree that all elements required in a remedy plan is covered in the remedy procedure requirements? If not, please provide further suggestions to help us complete the requirements for the development of remedy plan.</p>
<p>Part 5: Implementation of the Remedy Plan Question 10: Do you agree with the revised Part 5? Please provide further feedback on Part 5 if any.</p>
<p>Part 6: Ongoing Monitoring of the Remedy Plan Question 11: Do you agree with the revised Part 6? Please provide further feedback on Part 6 if any.</p>

TERMS & DEFINITIONS

Based on the comments received during the first public consultation for conversion remedy procedure, M7 TWG conducted the following revisions in terms and definitions section:

1. Revised terms and definitions

Please see below comparison between definitions in D1-0 and D2-0 for competent authority, conversion threshold, implementation threshold, priority activities and priority conflicts:

Revised term	Definition (Draft 1-0)	Definition (Draft 2-0)
Competent Authority (D1-0) revised to Third Party Verifier (D2-0)	Competent Authority (D1-0): An independent, third party company or organization appointed by FSC to assess the Concept Notes of Remedy Plans, approve Remedy Plans, facilitate peer review of plans, monitor implementation, verify initial implementation of the Remedy Plan and report on ongoing implementation of the Remedy Plan. This third party may vary depending on whether the organization implementing the remedy actions intends to acquire FSC standards certification or simply associate with FSC and based upon internal decisions as to whether they need to change based upon scope of review. (Source: FSC-POL-01-007 FSC Policy on Conversion Version 1-0 Draft 2-0)	Third Party Verifier: An independent, third party company or organization approved by FSC international comprising expertise in, environmental and social harm and remedy required to verify compliance of remedy processes. (Source: FSC-POL-01-007 FSC Policy on Conversion Version 1-0 Draft 3-0)
Conversion Threshold	Conversion Threshold: Where the land use* has changed from the FSC definition of a natural forest* and / or the ecosystem function* have been degraded to the point where natural recovery potential* to natural forest* is unable to be achieved without direct intervention. This Conversion Threshold may be adapted by Standards Development Groups to reflect the varying forest types found within their countries.	Conversion* Threshold: Where degradation and clearing has occurred to a point where natural recovery potential* to natural forests* or, where social harm* as a result of this degradation and clearing and recovery is unable to be achieved without direct intervention.
Implementation Threshold	Implementation Threshold: Where the ecosystem function* has been restored to the point where native recovery potential* to natural forest* is ecologically viable (as per ecosystem attributes) or where a selected natural forest* area	The threshold specifies the minimum remediation stage that an organization has to achieve in order to become eligible for association with FSC or for forest management certification of a <i>Management Unit*</i> , it includes:



	<p>is conserved at a level higher than the converted area condition at the time of conversion*. Additionally, priority activities* have been implemented.</p>	<ul style="list-style-type: none"> • Initial environmental remedy threshold: Where the <i>ecosystem attributes*</i> has been restored and / or conserved to the point where native recovery potential* to natural forest* is ecologically viable (as per <i>ecosystem attributes*</i>) or where a selected natural forest* area is conserved, these conservation attributes should be <i>equivalent*</i> or better than the converted area condition at the time of conversion*. Additionally, priority activities* have been implemented. • Initial social remedy threshold: Social harm is being remediated through the agreement of a remedy process and priority activities* have been completed.
<p>Priority activities</p>	<p>Activities that should be undertaken as a priority in the early phases of implementing the Remedy Plan prior to being able to demonstrate that the initial implementation threshold has been achieved. Examples of these activities may include:</p> <ul style="list-style-type: none"> • Restitution* of High Conservation Value attributes for HCV 4, 5 and 6; • Remedy of priority conflicts* associated with conversion*; • Restoration* of ecological attributes deemed to be highly significant by affected stakeholders* and experts; • Restoration* of watersheds damaged during the conversion*; • Restoration* of areas that have been assessed as High Carbon Stock Forest; • Priority for peat restoration areas should be given to peat domes and their buffer areas, peatlands close to drainage-limit, peatlands at risk of severe degradation (which are peatlands close to drainage-base and burnt peatlands), and areas in proximity to natural forests, critical habitats and protected areas. 	<p>Activities that should be undertaken as a priority in the early phases of implementing the Remedy Plan prior to being able to demonstrate that the initial implementation threshold has been achieved. These activities shall include:</p> <ul style="list-style-type: none"> • Resolution of <i>priority social conflicts*</i> associated with <i>conversion*</i>; • Independent identification of <i>Affected Rights Holders*</i> and <i>social harm*</i> caused. • Agreement with <i>Affected Rights Holders*</i> on a roadmap to <i>remedy* social harm*</i>, including realistic timeframes and a method for monitoring implementation. • <i>Restoration*</i> and <i>conservation*</i> of <i>ecosystem attributes*</i> deemed to be critical for recovering ecosystem resilience as identified by environmental experts and input from <i>affected stakeholders*</i> (these may include but are not limited to critical ecosystem values identified in the FSC Principles and Criterion under principles 5, 6 and 9, including: <ul style="list-style-type: none"> ○ 5.1 resources and <i>ecosystem services*</i>, ○ 6.4 <i>rare species*</i> and <i>threatened species*</i> and their <i>habitats*</i>, ○ 6.5 representative sample areas of native ecosystems, ○ 6.7 natural water courses, water bodies, riparian zones and their connectivity ○ Principle 9 – all High Conservation Values.)



		<ul style="list-style-type: none"> • <i>Conservation*</i> and/or <i>restoration*</i> of areas of the same ecosystem as that which was lost, if such ecosystems are considered HCV 3 in the local or national context of the Unit in question. • <i>Conservation*</i> and/or <i>restoration*</i> of areas which specifically expand functional habitats, are adjacent to existing <i>conservation*</i> areas or intact forests, or form viable biodiversity corridors. • Priority Activities for environmental harm aimed at halting further environmental damage, examples may include, but are not limited to: erosion control, fire management, water quality restoration, eradicating invasive species, protection measures from further harm. • Locations where priority activity for environmental remedy are recommended to be identified should be in the following sequence: <ul style="list-style-type: none"> ○ The conversion site, ○ The management unit, ○ Any areas outside the management unit affected by the conversion.
<p>Priority conflict</p>	<p>Priority conflict: Conflicts* to be identified and prioritized for resolution against best practice criteria, some of which are included in UNGP implementation guidelines 2011 including: High severity (not risk); Direct role of company; Difficulty of remedy; High risk; Well-established recognition of rights; Urgency.</p> <p>Conflict: A situation in which one actor or group is impairing the activities of another because of different perceptions, emotions and interests. A conflict situation is one in which the impairing behavior from one actor is experienced by another, while factors or conditions that drive such are considered the sources of impairment.</p>	<p>Priority social conflict: Conflicts or processes that are preventing the remedy* from being initiated which need to be resolved in order to build confidence in the effectiveness of the remedy process. This can include accessibility to the process, equitable process, transparency, rights compatibility or legitimacy Conflicts* to be identified and prioritized for resolution against best practice criteria, some of which are included in UNGP implementation guidelines 2011.</p> <p>Conflict: A situation in which one actor or group is impairing the activities of another because of different perceptions, emotions and interests. A conflict situation is one in which the impairing behavior from one actor is experienced by another, while factors or conditions that drive such are considered the sources of impairment.</p>



1. Added terms and definitions

Please see below terms and definitions newly added in second draft of the procedure. Please note majority of the following terms and definitions are already used in documents of the FSC Normative Framework including FSC-STD-01-001 FSC Principles and Criteria, FSC-STD-60-004 FSC International Generic Indicators, etc. Meanwhile, some other terms and definitions are proposed in the FSC-POL-01-007 FSC Policy on Conversion Version 1-0 Draft 3-0.

Added term	Definition (Draft 2-0)
Affected stakeholder	<p>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.</p> <p>The following are examples of affected stakeholders:</p> <ul style="list-style-type: none"> • Local communities • Indigenous 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)
Affected Rights Holder	<p>Affected Rights Holder: Persons and groups, including Indigenous Peoples*, traditional peoples* and local communities* with legal or customary rights* whose free, prior and informed consent* is required to determine management decisions. (Source: FSC-STD-60-004 V2-0)</p>
Association	<p>An association with FSC is formally established through any of the following relationships:</p> <ul style="list-style-type: none"> - FSC membership - Contractual relationship through: <ul style="list-style-type: none"> o FSC accreditation agreement, o FSC license agreement, o FSC cooperation agreement, o FSC partnership agreement. <p>(Source: FSC-POL-01-004 V2-0)</p>
Competence	<p>Competence: the demonstrated ability to apply knowledge, experience, skills and personal attributes in order to achieve intended results (adapted from DIN EN ISO/IEC 17065:2013-01).</p>
Complaint	<p>Complaint: formal expression of dissatisfaction by any person or organization presented as a complaint to FSC, relating to the activities of the FSC Certification Scheme and/ or the FSC accreditation program, where a response is expected (adapted from ISO/IEC 17011:2004). (Source: FSC-PRO-01-005 V3-0)</p>



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)
Conservation/ Protection	Conservation/ Protection: These words are used interchangeably when referring to management activities designed to maintain the identified environmental or cultural values in existence long-term. Management activities may range from zero or minimal interventions to a specified range of appropriate interventions and activities designed to maintain, or compatible with maintaining, these identified values. (Source: FSC-STD-01-001 V5-2)
Degradation	Degradation: Changes within a natural forest* or High Conservation Value* area that significantly and negatively affect its species composition, structure and/or function, and reduces the ecosystem's capacity to supply products, support biodiversity and/or deliver ecosystem services. (Source: FSC policy on conversion V1-0 D3-0)
Ecosystem	Ecosystem: A dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit (Source: Convention on Biological Diversity 1992, Article 2). (Source: FSC-STD-01-001 V5-2)
Ecosystem function	Ecosystem function: An intrinsic ecosystem characteristic related to the set of conditions and processes whereby an ecosystem maintains its integrity (such as primary productivity, food chain, biogeochemical cycles). Ecosystem functions include such processes as decomposition, production, nutrient cycling, and fluxes of nutrients and energy. For FSC purposes, this definition includes ecological and evolutionary processes such as gene flow and disturbance regimes, regeneration cycles and ecological seral development (succession) stages. (Source: Based on R. Hassan, R. Scholes and N. Ash. 2005. Ecosystems and Human Well-being: Synthesis. The Millennium Ecosystem Assessment Series. Island Press, Washington DC; and R.F. Noss. 1990. Indicators for monitoring biodiversity: a hierarchical approach. Conservation Biology 4(4):355-364). (Source: FSC-STD-01-001 V5-2)
Ecosystem services	Ecosystem services: The benefits people obtain from ecosystems. These include: a. provisioning services such as food, forest products and water; b. regulating services such as regulation of floods, drought, land degradation, air quality, climate and disease; c. supporting services such as soil formation and nutrient cycling; d. and cultural services and cultural values such as recreational, spiritual, religious and other non-material benefits. (Source: Based on R. Hassan, R. Scholes and N. Ash. 2005. Ecosystems and Human Well-being: Synthesis. The Millennium Ecosystem Assessment Series. Island Press, Washington DC). (Source: FSC-STD-01-001 V5-2)
Environmental values	Environmental values: The following set of elements of the biophysical and human environment: 1. ecosystem functions (including carbon sequestration and storage) 2. biological diversity 3. water resources 4. soils 5. atmosphere 6. 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)
Force Majeure	Force Majeure: any circumstances not reasonably anticipated at the date of an Agreement and not within the reasonable control of the Parties individually or collectively including, without prejudice to the generality of the foregoing, strikes, lockouts, shortages of



	labor or raw materials, civil commotion, riot, revolution, invasion, war, threat of or preparation for war, political unrest, fire, explosion, storm, flood, earthquake, subsidence, epidemic or other natural physical disaster.
Free, Prior, and Informed Consent (FPIC)	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). (Source: FSC-STD-01-001 V5-2)
Habitat	Habitat: The place or type of site where an organism or population occurs (Source: Based on the Convention on Biological Diversity, Article 2). (Source: FSC-STD-01-001 V5-2)
Human Rights	Human rights: Rights set out in the International Bill of Human Rights (consisting of the Universal Declaration of Human Rights and the main instruments through which it has been codified: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights)
Independent Social Assessor	Independent Social Assessor: An entity without conflict of interest who is not subject to the organizations or its group of companies' authority, influence or control approved by the Third Party Verifier*. The entity shall have: a) Expert knowledge on the presence and rights of Indigenous Peoples and/or traditional peoples and local communities associated with the conversion process, assessed based on confirmed experience and/or education and/or licenses in the relevant area; b) Knowledge (including awareness) of existing conflicts pertaining to the rights of Indigenous Peoples, traditional peoples and local communities; and c) Confirmed experience in consultation/mediation with Indigenous Peoples, traditional peoples and local communities.
Intensity	Intensity: A measure of the force, severity or strength of a management activity or other occurrence affecting the nature of the activity's impacts. (Source: FSC-STD-01-001 V5-2)
Interested stakeholder	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 the organization. (Adapted from FSC-STD-01-001 V5-2)
Longevity	Longevity is defined as a minimum of 25 years and ideally in perpetuity. (Source: FSC policy on conversion V1-0 D3-0)
Remedy	Remedy: To correct or return something as near as possible to its original state or condition. (Guiding Principles on Business and Human Rights. UN. 2011) For environmental harms this includes actions taken to remedy deforestation, conversion, degradation, or other harms to natural forests* and High Conservation Value* areas. Environmental remedy actions may include but are not limited to: conservation* of standing forests, habitats, ecosystems and species; restoration* and protection of degraded ecosystems. For social harms* this includes providing redress for identified social harms* through an FPIC-based process for agreeing redress for all social harms*, and facilitating a transition to the position before such harms occurred; or developing alternative measures to ameliorate harms by providing gains recognized by the affected stakeholders* as equivalent* to the harms. Remedy may be achieved through a combination of restitution*, rehabilitation, compensation, satisfaction and guarantees of non-repetition. (Source: FSC policy on conversion V1-0 D3-0)



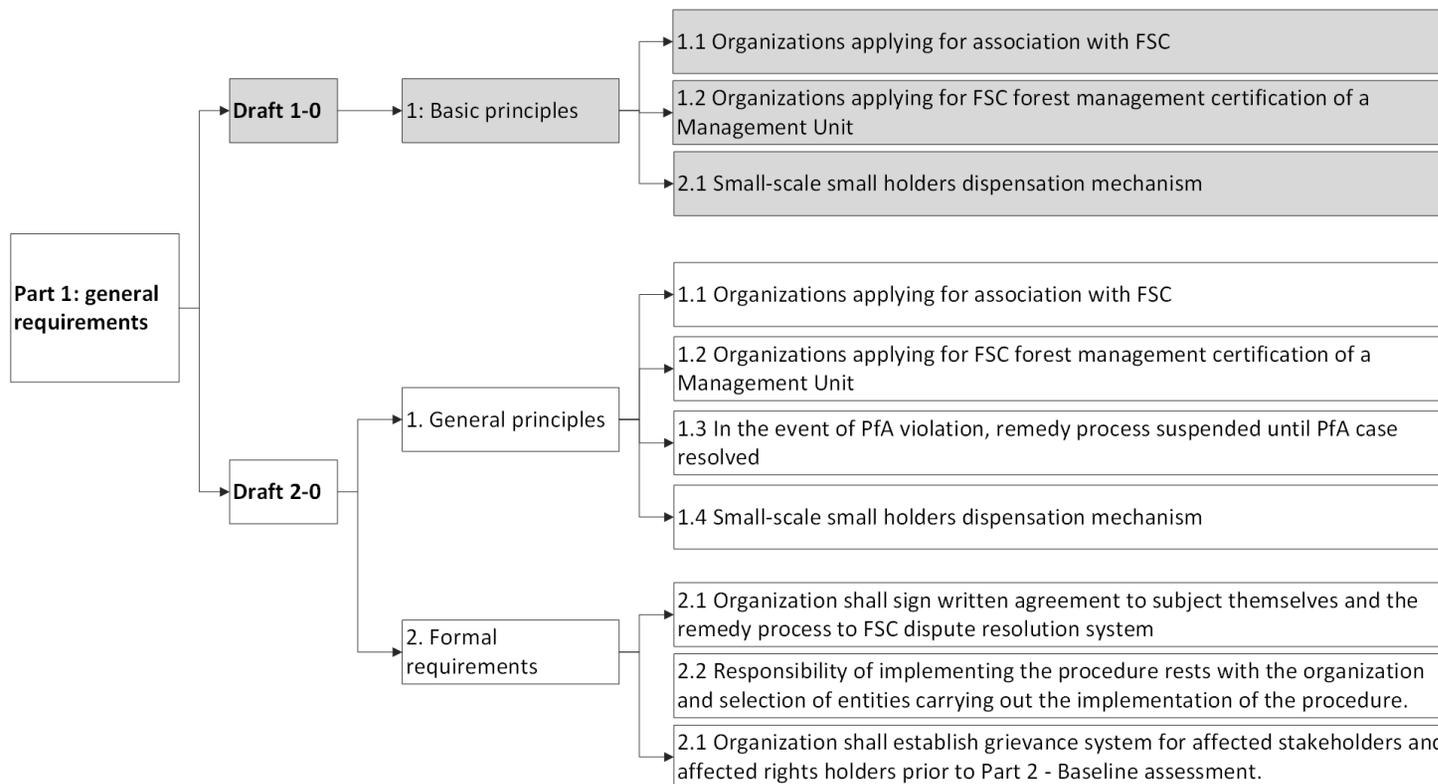
Restitution	Restitution: Measures agreed through an FPIC-based process to restore lands, properties or damaged natural resources to their original owners in their original condition. Where such lands, properties or natural resources cannot be returned or restored, measures are agreed to provide alternatives of equivalent* quality and extent. (Source: FSC policy on conversion V1-0 D3-0)
Rights	Rights: Legal, customary and human rights as defined by national laws relevant to plantation forestry and forestry, as well as the International Bill of Human Rights, UNDRIP, and ILO 169, ILO Declaration on Fundamental Principles and Rights at Work.
Scale	Scale: A measure of the extent to which a management activity or event affects an environmental value or a management unit, in time or space. An activity with a small or low spatial scale affects only a small proportion of the forest each year, an activity with a small or low temporal scale occurs only at long intervals. (Source: FSC-STD-01-001 V5-2)
Significant conversion	Significant conversion: Conversion is normally considered significant in any case of: <ol style="list-style-type: none"> 1 conversion of high conservation value (HCV) area, or 2 conversion of more than 5 per cent of natural forests* under the associated organization and/or affiliated group's control within a national jurisdiction in the past five years, or 3 conversion of more than 10,000 ha of natural forests* under the associated organization and/or affiliated group's control within a national jurisdiction in the past five years. (Source: FSC policy on conversion V1-0 D3-0)
Social harms	Social harms: are negative impacts on persons or communities, perpetrated by individuals, corporations or States, which include, but may go beyond, criminal acts by legal persons. Such harms include but are not limited to: negative impacts on persons' or groups' rights, livelihoods and well-being, such as health, food security, healthy environment, cultural repertoire and happiness. (Source: FSC policy on conversion V1-0 D3-0)
Third Party Verifier	Third Party Verifier: An independent, third party company or organization approved by FSC international comprising expertise in, environmental and social harm and remedy required to verify compliance of remedy processes. (Source: FSC policy on conversion V1-0 D3-0)
Unacceptable Activities	Unacceptable Activities: As listed in the Policy for Association: <ol style="list-style-type: none"> 1 Illegal logging or the trade in illegal wood or forest products 2 Violation of traditional and human rights in forestry operations 3 Destruction of high conservation values in forestry operations 4 Significant conversion of forests to plantations or non-forest use 5 Introduction of genetically modified organisms in forestry operations 6 Violation of any of the ILO Core Conventions - As defined in the ILO Declaration on Fundamental Principles and Rights at Work.

Question 1: Do you support these terms and definitions? Please provide further comments on the proposed terms and definitions.

PART 1: GENERAL REQUIREMENTS

(Please note the diagrams below aim at providing you with an overview of structural changes between procedure draft 1-0 and draft 2-0. Please refer to the procedure crosswalk to view the detailed revisions in draft 2-0 in comparison with draft 1-0)

Part 1 outlines basic principles for the application of conversion remedy procedure. Based on results from the first public consultation, TWG updated part 1 and the following diagram presents a brief comparison between the structure of Part 1 in draft 1-0 and draft 2-0: The TWG fully acknowledges that the general principles section cannot be updated until the Conversion Policy principles are finalized, in this draft we have retained wording from the last consensus version of the policy.

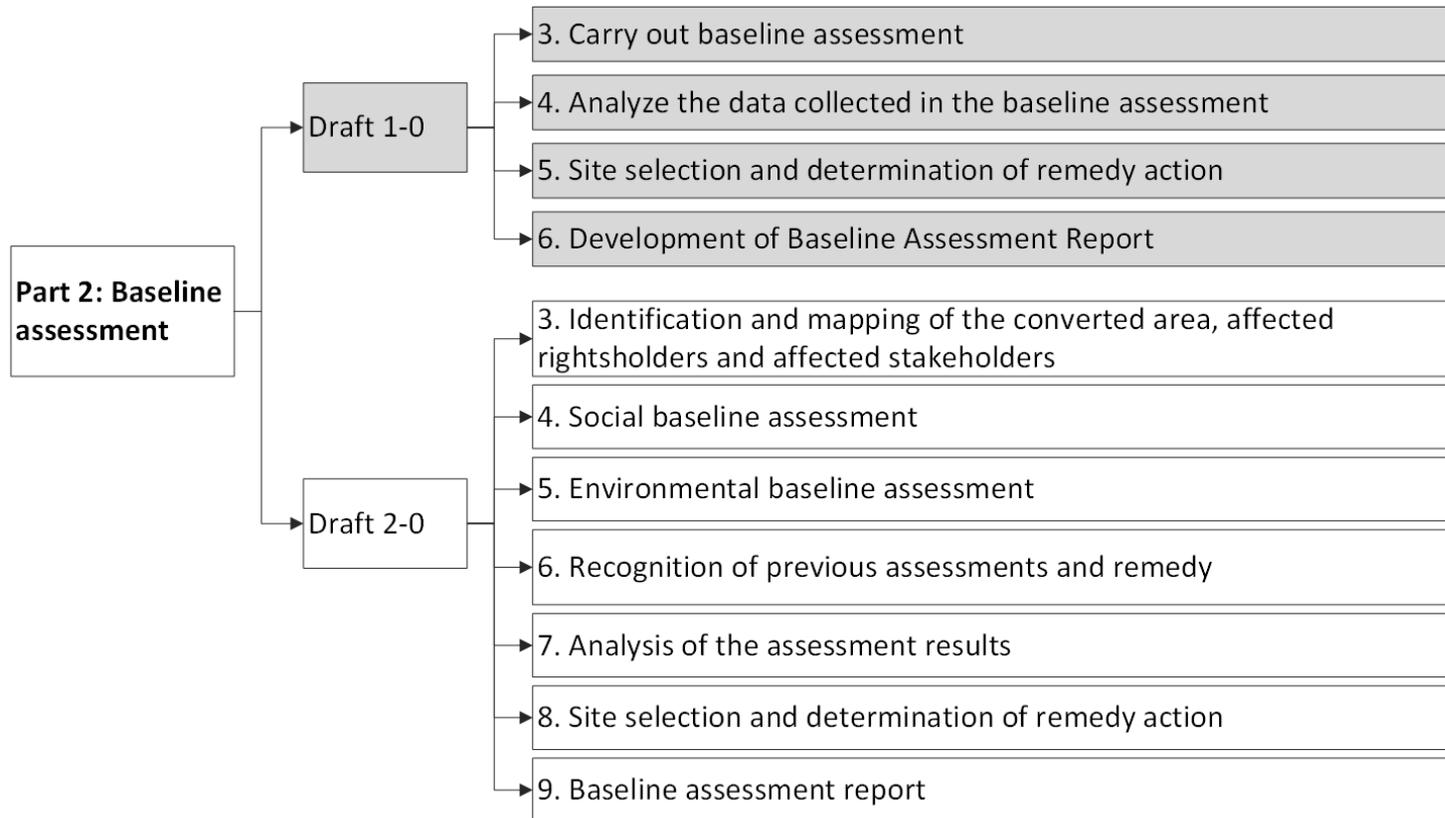


Question 2: Do you think the requirements on grievance mechanism is sufficient? If not, please provide your suggestions.

Question 3: Do you agree with the revised Part 1? Please provide further feedback on Part 1 if any.

PART 2: SOCIAL AND ENVIRONMENTAL BASELINE ASSESSMENT

Part 2 of the procedure introduces the requirements of social and environmental baseline assessments to identify and agree the social and environmental impact caused by conversion with affected parties and experts, and to determine site and mitigation measures needed to remedy the environmental and social harm caused by the conversion. The diagram below presents comparison on the structure of Part 2 between Draft 1-0 and Draft 2-0:

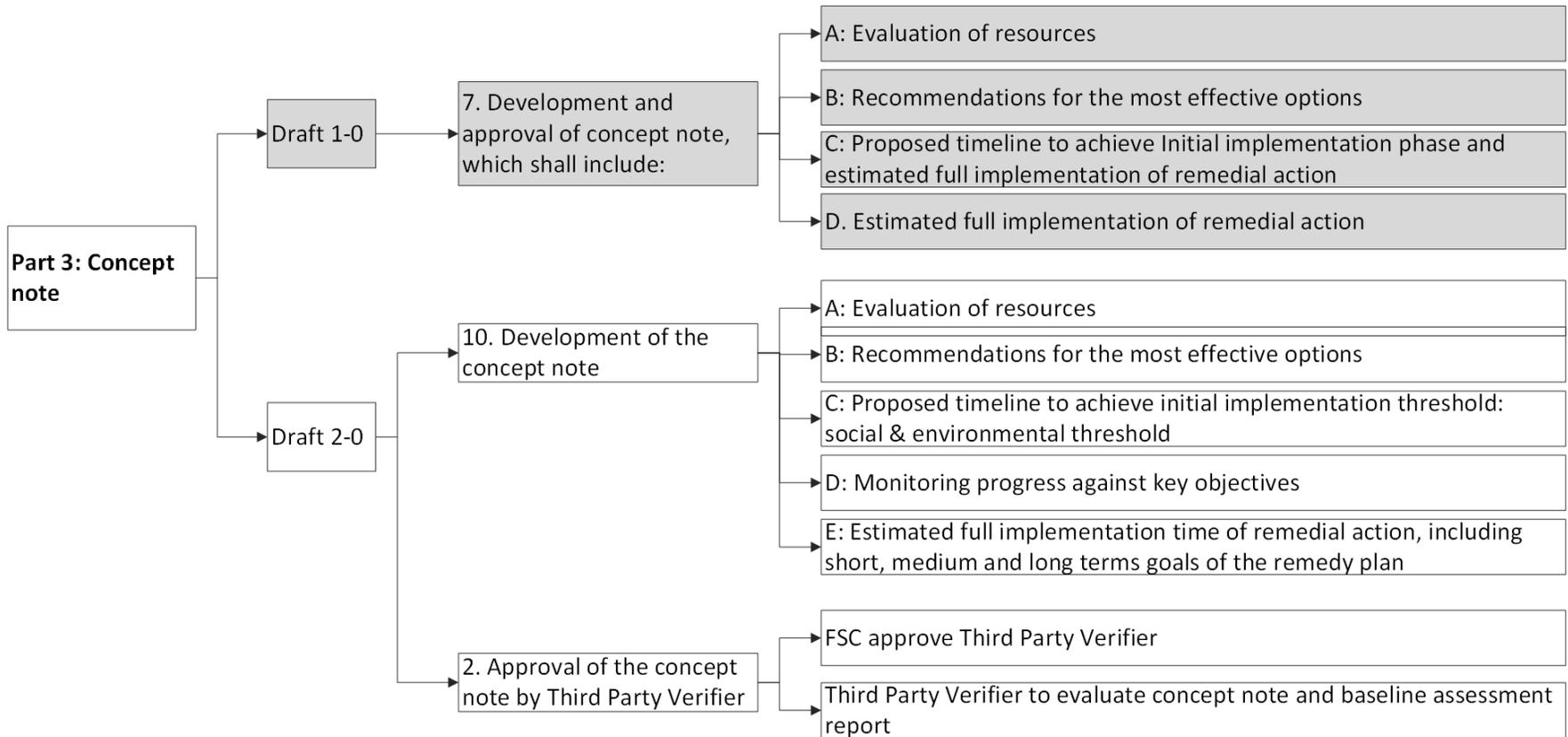


Question 4: Are the required expertise, roles and responsibilities of independent assessor and third party verifier clear to you?

Question 5: Do you agree with the revised Part 2? Please provide further feedback on Part 2 if any.

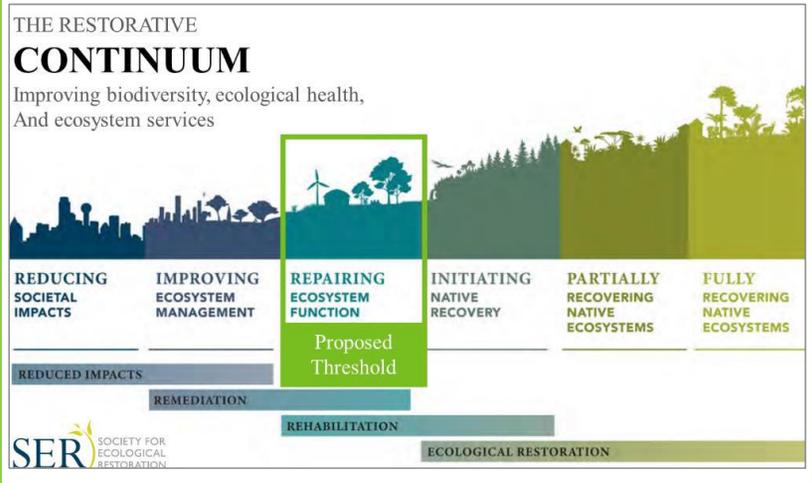
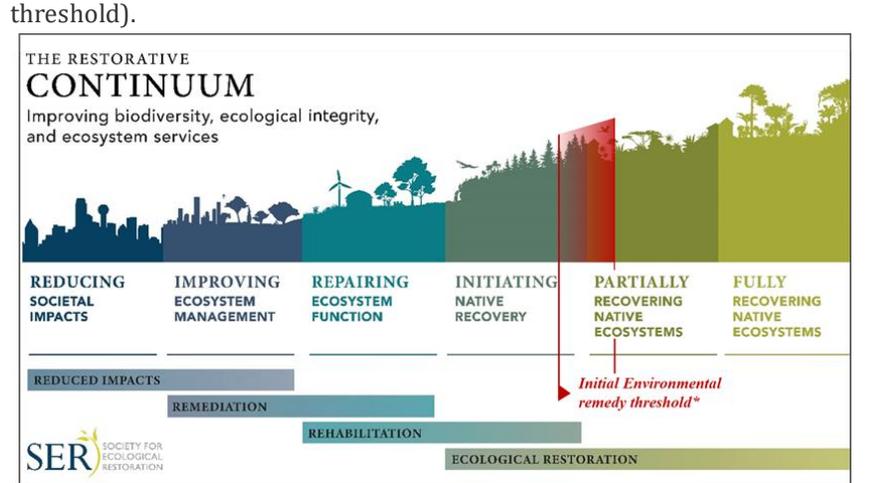
PART 3: CONCEPT NOTE FOR THE REMEDY PLAN

Part 3 of the procedure describes the requirements of the Concept Note for the Remedy Plan. The Concept Note shall introduce the baseline assessment report, including expert and independent assessor reports, FPIC agreements, and proposed actions for remedy as determined in Part 2 and shall be submitted to Third Party Verifier for review, prior to developing the Remedy plan as defined under Part 4 of the procedure. The Concept Note is to ensure all parties are satisfied with the proposed remedy actions and sites. The diagram below presents comparison on the structure of Part 3 between Draft 1-0 and Draft 2-0:





The “initial implementation threshold” mentioned in Part 3 of the procedure is a critical point. Verification and approval of these thresholds by the Third Party Verifier*, would enable an organization to apply to associate with FSC and, where applicable, for forest management certification. Please see below comparison of this threshold between the procedure D1-0 and D2-0:

Draft 1-0	Draft 2-0
<p>Implementation Threshold: Where the ecosystem function* has been restored to the point where native recovery potential* to natural forest* is ecologically viable (as per ecosystem attributes) or where a selected natural forest* area is conserved at a level higher than the converted area condition at the time of conversion*. Additionally, priority activities* have been implemented.</p>	<p>Initial Implementation Threshold: The threshold specifies the minimum remediation stage that an organization has to achieve in order to become eligible for association with FSC or for forest management certification of a <i>Management Unit*</i>, it includes:</p> <ul style="list-style-type: none"> • Initial environmental remedy threshold: Where the <i>ecosystem attributes*</i> has been restored and / or conserved to the point where native recovery potential* to natural forest* is ecologically viable (as per <i>ecosystem attributes*</i>) or where a selected natural forest* area is conserved, these conservation attributes should be <i>equivalent*</i> or better than the converted area condition at the time of conversion*. Additionally, priority activities* have been implemented. • Initial social remedy threshold: Social harm is being remediated through the agreement of a remedy process and priority activities* have been completed.
<p>Box 1: Shows a pictorial representation of the SER Restorative continuum (Gann et al 2019) indicating the phase at which it may be possible to consider that there is implementation of the initial aspects of the Remedy Plan.</p> 	<p>Box 1: Shows an adapted pictorial representation of the SER Restorative continuum (Gann et al 2019) indicating the phase at which it may be possible to consider that there is implementation of the initial environmental aspects of the Remedy Plan (Refer to terms and definitions for the definition of this threshold).</p> 

Box 2: Shows a pictorial representation of the social remedy continuum (Inspired by SER's restorative continuum) indicating the phase at which it may be possible to consider that there is implementation of the initial social aspects of the Remedy Plan (Refer to terms and definitions for the definition of this threshold).

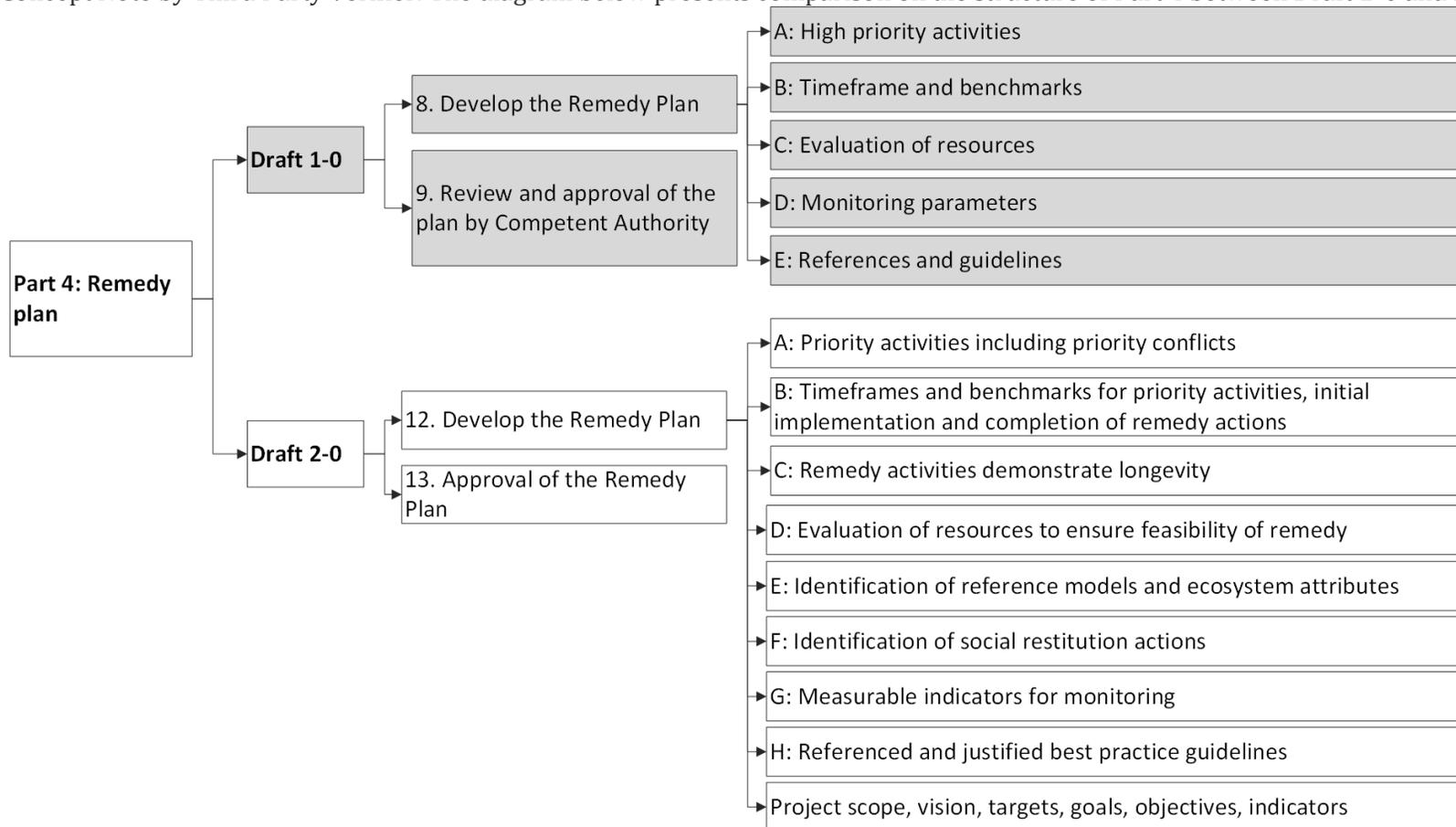


Question 6: The TWG has separated the initial implementation thresholds for social and environmental remedy to help distinguish that these thresholds are different. Do you support these two thresholds? Please provide further details where you believe these maybe improved.

Question 7: Do you agree with the revised Part 3? Please provide further feedback on Part 3 if any.

PART 4: DEVELOPMENT OF THE REMEDY PLAN

Part 4 of the procedure describes the requirements for the Remedy Plan. The Remedy Plan shall be developed upon approval of the Concept Note by Third Party Verifier. The diagram below presents comparison on the structure of Part 4 between Draft 1-0 and Draft 2-0.

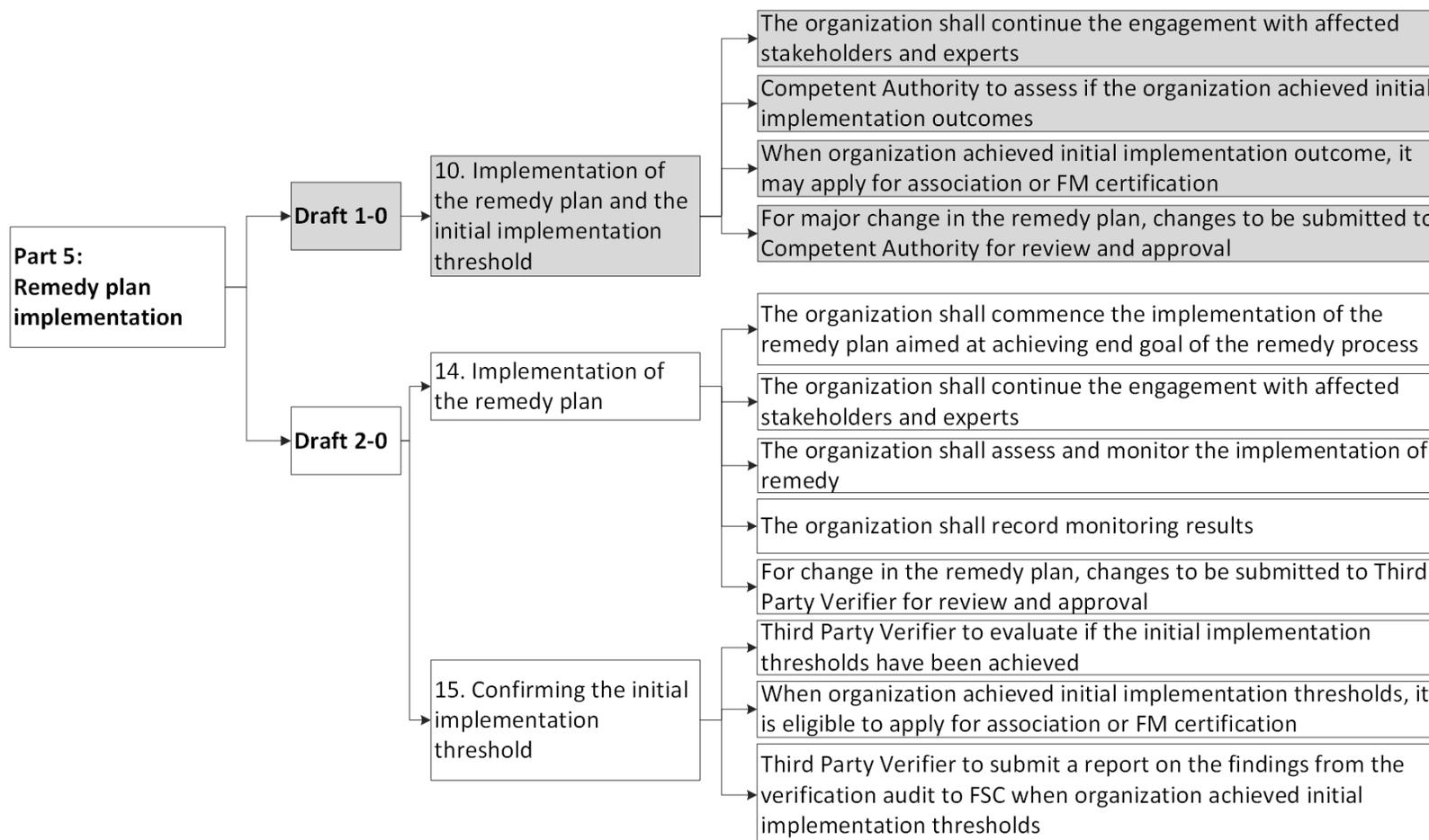


Question 8: Do you agree that remedy and monitoring of remedy would vary on a case by case basis and primarily be dependent on affected rights holder, affected stakeholders and expert's input? If not please provide details of how global indicators might work.

Question 9: Do you agree that all elements required in a remedy plan is covered in the remedy procedure requirements?

PART 5: IMPLEMENTATION OF THE REMEDY PLAN

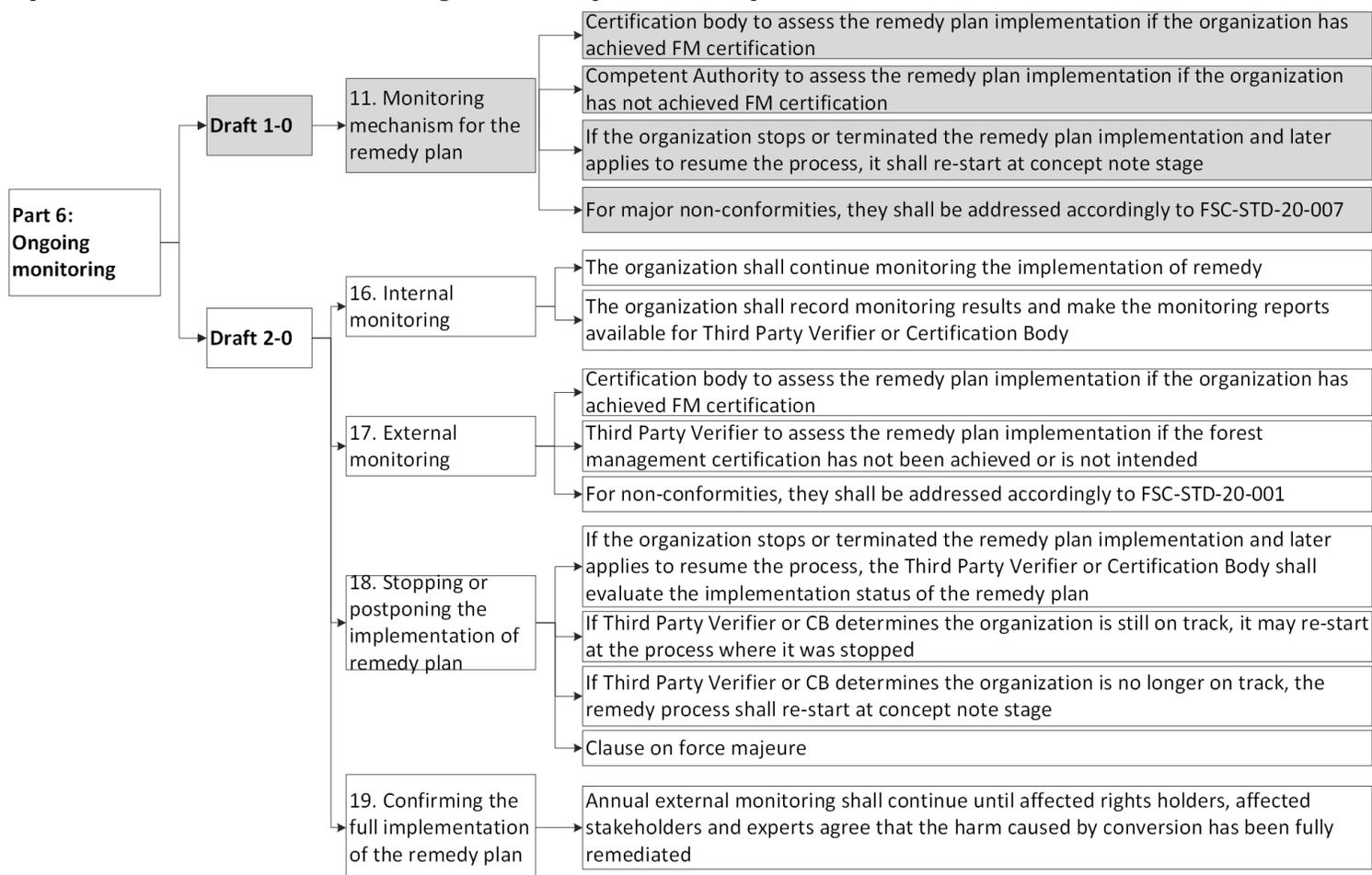
Part 5 of the procedure describes the process once the Remedy Plan is approved by Third Party Verifier, the organization shall commence the implementation of the Remedy Plan aiming at achieving the end goal. The diagram below presents comparison on the structure of Part 5 between Draft 1-0 and Draft 2-0:



Question 10: Do you support the revisions in Part 5? Please provide further feedback on Part 5 if any.

PART 6: ONGOING MONITORING OF THE REMEDY PLAN

Part 6 describes the monitoring mechanism for the Remedy Plan and the consequences of stopping the ongoing monitoring of the implementation of the Plan. The diagram below presents comparison on the structure of Part 5 between Draft 1-0 and Draft 2-0:



Question 11: Do you support the revisions in Part 6? Please provide further feedback on Part 6 if any.



THANK YOU VERY MUCH FOR YOUR PARTICIPATION!

Many thanks for your feedback.

On behalf of the Motion 7 Technical Working Group and the FSC Forest Management Program, thank you very much for providing your feedback in this consultation. Please kindly note, it is possible to make changes in your responses during the entire period the consultation is open. Even if you have submitted the response you can return and edit the response.

We plan to hold webinars in English and Spanish for different time zones during the consultation. These webinars are an opportunity to understand the development process and the proposals in FSC-PRO-01-007 FSC Conversion Remedy Procedure Version 1-0 Draft 2-0, and to ask questions to help you fill in the online consultation. The registration information for the four webinars is as below:

Webinar information	Registration information
<i>Webinar 1 (EN with ES translation): 16:00 – 17:00 PM CET on 24 June 2021</i>	<i>Register for Webinar 1 (EN & ES)</i>
<i>Webinar 2 (EN): 09:00 – 10:00 AM CET on 1 July 2021</i>	<i>Register for Webinar 2 (EN)</i>
<i>Webinar 3 (EN): 09:00 – 10:00 AM CET on 28 July 2021</i>	<i>Register for Webinar 3 (EN)</i>

For further information on the Development of Mechanism for the Operationalization of the FSC Policy on Conversion, please visit the FSC webpage [here](#) dedicated to this process.

Thank you very much and stay well!