



Forest Stewardship Council®



The FSC Forest Stewardship Standard for Smallholders in Indonesia

FSC-STD-RAP-IDN-01-2022 Plantations EN

Version for the pilot test in Indonesia



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Standard

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From left to right:

Photo 1: River riparian (Thesis Budiarto, FSC APAC)

Photo 2: Harvest preparation (Thesis Budiarto, FSC APAC)

Photo 3: Agroforestry planting strip (Thesis Budiarto, FSC APAC)

NOTE ON THIS ENGLISH VERSION:

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Regional contact	Thesis Budiarto FSC Asia Pacific Region Level 3A, World Trade Center 5 Jl. Jend. Sudirman Kav. 29 Jakarta 12920, Indonesia @ t.budiarto@fsc.org
FSC Performance and Standards Unit Contact	FSC International Center - Performance and Standards Unit - Adenauerallee 134 53113 Bonn, Germany ☎ +49-(0)228-36766-0 ☎ +49-(0)228-36766-65 @ psu@fsc.org

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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 that own an average of 1 – 5 hectares of land and manage trees. These smallholders derive the majority of their annual revenue from that land at a much lower level than more economically developed countries, have lower educational levels than most such countries, and would like to participate and learn within the FSC system while being able to afford to do so. 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 A.3 and C 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. All shared the serious concerns about how to achieve the objective of making FSC certification more accessible for the smallholders within their individual countries. The committee members were assisted by a standard development consultant.

Development of the RFSS was supported strongly by the FSC New Approaches international 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 Indonesia

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

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 Indigenous 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 (NTFP) from plantations as listed in FSC-STD-40-004a V2-1. NTFP 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 (marked as e.g. “NTFP 3.5.1”), the smallholder shall conform with them in addition.

A.4 Application of this standard for smallholders in Indonesia within the Indonesia NFSS

The National Forest Stewardship Standard (NFSS) of Indonesia (FSC-STD-IDN-02.1-2020) is applicable for all sizes and types of forest management units in Indonesia. Some indicators apply only to “Large” management units (units of 100 ha or larger) and are identified as “L” in the NFSS. These are not applicable to smallholders. Other indicators within the NFSS apply only to “Small, Low Intensity Management Forests” (SLIMF) which are defined as management units less than 100 ha. Those indicators in the NFSS are identified as “S” and they create a separate standard within the NFSS for those small-scale forest management units that are less than 100 ha in Indonesia

This smallholder standard is applicable to very small management units that are less than 20 ha, or managed by community producers 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). In Indonesia, these may include government social forestry programs including Village Forest (Hutan Desa); Community Forest (Hutan Kemasyarakatan); Community Forest Plantation (Hutan Tanaman Rakyat); Partnership Customary Forest (Hutan Adat); Permit for Social

Forestry Concession (Ijin Pemanfaatan Hutan Perhutanan Sosial) at Perhutani forest with tree cover less than 10%.

Smallholders may also be known by various other names – for example, woodlot owners, forest farmers (petani hutan), 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.

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 allelements 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-IDN-01-2022. The FSC Forest Stewardship Standard for Smallholders in Indonesia (version for pilot testing).

C Scope

(Normative section)

This standard shall be applied for the following scope:

Geographic region	Indonesia
Forest types	Plantations, including woodlots, orchards, or agroforestry in block, linear or strip form. This includes boundary trees or small groups of trees.
Ownership types	Public and private
Management scale categories (according to section 6 of FSC-STD-60-002)	Less than 20 hectares
Forest products (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-IDN-02.1-2020	<i>The FSC National Forest Stewardship Standard of Indonesia</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 Group</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 Indonesia

The indicators in this standard for Indonesia are taken directly from the RFSS without change. An explanation of the development of the indicators is provided in the RFSS.

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. Minor wording additions have been added to the RFSS in Criterion 1.5 and 9.1 specifically for Indonesia.

Four Annexes 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, work camp requirements, conservation area networks, and monitoring for large units. 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 required. 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 material, 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 product 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 Indonesia, 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 Indonesia. 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 Indonesia

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 Indonesia 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. In Indonesia, they need to refer to applicable regulations related to Sustainable and Legality Verification System (Sistem Verifikasi Legalitas dan Kelestarian) and Timber Administration System (Tata Usaha Kayu).*
- 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 co-operative,** 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 co-operative,** 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.

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

If potentially affected Indigenous 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 Indigenous Peoples in the smallholder's location that are potentially affected by the smallholder's forestry activities.*

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

Explanatory Note: The assessment to identify Indigenous 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 Indigenous Peoples identified, but it is not required that the smallholder undertake the assessment alone.

If no potentially affected Indigenous 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 *Indigenous Peoples* are present in the *smallholder's location*, the *smallholder* informs the *Indigenous Peoples* about the *smallholder's* forestry activities in the *smallholder's* forest and seeks their comments.**

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

3.2.3 **If potentially affected *Indigenous 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 *Indigenous Peoples* are present in the *smallholder's location*, the *smallholder* obtains their consent to forestry activities that affect the identified rights of the *Indigenous 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 *Indigenous 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 *Indigenous 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 *Indigenous Peoples* are present in the *smallholder's location*, the *smallholder* protects the *Indigenous Peoples* rights, customs and culture in the *smallholder's* forest.**

- 3.4.2 If potentially affected *Indigenous 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 *Indigenous Peoples* are present in *the smallholder's location*, *the smallholder* works with the *Indigenous Peoples* to identify and protect sites that are significant to the *Indigenous Peoples* in the *smallholder's forest*.
- 3.5.2 If ***sites that are significant to Indigenous 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 *Indigenous Peoples* are present in *the smallholder's location*, *the smallholder* does not use the traditional knowledge of the *Indigenous Peoples* for economic benefit without consent and/or compensation.

Explanatory Note: *In many situations, smallholders are members of the Indigenous 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, 12th 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 watercourses, *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:***

- a) *the forest was converted to plantation prior to November 1994; or*
- b) *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 *Indigenous 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 Indigenous 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. See Annex D (Strategies for maintaining High Conservation Values) for further details

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 Indonesia. 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 the Indonesia HCV Tool Kit provided in Annex C.

- 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

Explanatory Note: *This annex is copied directly without change from the National Forest Stewardship Standard for Indonesia.*

The following is the minimum list of applicable laws, regulations and nationally-ratified international treaties, conventions and agreements:

1. <i>Legal*</i> rights to harvest	
1.1 <i>Land tenure*</i> and management rights	<p>Legislation covering land <i>tenure*</i> rights, including <i>customary rights*</i> as well as management rights, that includes the use of <i>Legal*</i> and appropriate methods to obtain <i>tenure*</i> rights and management rights. It also covers <i>Legal*</i> business registration and tax registration, including relevant legally required licenses.</p> <p>Law No. 40 Year 2007 concerning Limited Liability Company / <i>UU No 40 Tahun 2007 tentang Perseroan Terbatas (PT)</i>.</p> <p>Government Regulation No.29 Year 2016 concerning Amendment of Authorized Capital of Limited Liability Company / <i>Peraturan Pemerintah Nomor 29 Tahun 2016 tentang Perubahan Modal Dasar Perseroan Terbatas</i>.</p> <p>Law No. 25 Year 2007 concerning Investment/<i>UU No. 25 Tahun 2007 tentang Investasi</i>.</p> <p>Government Regulation No. 15 Year 2010 concerning Development of Spatial Planning / <i>Peraturan Pemerintah No. 15 Tahun 2010 tentang Penyelenggaraan Penataan Ruang</i>.</p> <p>Government Regulation No. 105 Year 2015 concerning Second Amendment of Government Regulation No. 24 Year 2010 concerning Utilization of Forest Area / <i>Peraturan Pemerintah No. 105 Tahun 2015 tentang Perubahan Kedua atas Peraturan Pemerintah No, 24 Tahun 2010 tentang Penggunaan Kawasan Hutan</i>.</p> <p>Director General of Law Administration Decree No C-01.HT.01 01. Year 2003 concerning Procedure for application and Approval of Certificate of Establishment and Approval of Amendment of Limited Company Statute Act/ <i>Keputusan Dirjen Administrasi Hukum No C-01.HT.01 01. Tahun 2003 tentang Tata Cara Pengajuan Permohonan Dan Pengesahan Akta Pendirian Dan Persetujuan Akta Perubahan Anggaran Dasar Perseroan Terbatas</i>.</p> <p>Ministry of Trade Regulation No 14 Year 2016 concerning Revision of Ministry of Trade Regulation No 77 Year 2013 concerning Publishing Trading Business License and Company Registration Certificate Simultant for Trading Company / <i>Permen Perdagangan No. 14 Tahun 2016 tentang Perubahan Permen Perdagangan No. 77 Tahun 2013 tentang Penerbitan Surat Izin Usaha Perdagangan dan Tanda Daftar Perusahaan Secara Simultan Bagi Perusahaan Perdagangan</i>.</p> <p>Ministry of Finance Regulation No. 182 Year 2015 concerning</p>

Procedure for Registration of Tax Registration, VAT Letter, Abolition of Tax Registration, and Revocation of VAT Letter / *Peraturan Menteri Keuangan No. 182 Tahun 2015 tentang Tata Cara Pendaftaran Nomor Pokok Wajib Pajak, Pengukuhan Pengusaha Kena Pajak, Penghapusan Nomor Pokok Wajib Pajak, Dan Pencabutan Pengukuhan Pengusaha Kena Pajak.*

Ministry of Trade Regulation No. 07 Year 2017 concerning Third Revision of Ministry of Trade Regulation No 36 Year 2007 concerning Publishing License Trading Business/*Permen Perdagangan No. 07 Tahun 2017 Perubahan Permen Perdagangan No. 36 Tahun 2007 tentang Penerbitan Surat Izin Usaha Perdagangan.*

Law No 3 Year 1982 concerning Corporate Registry/ UU No. 3 Tahun 1982 tentang Wajib Daftar Perusahaan.

Ministry of Trade Regulation No. 37 Year 2007 concerning Company Registration/*Peraturan Menteri Perdagangan No. 37 Tahun 2007 tentang Pendaftaran Perusahaan.*

Head of Coordinator of Investment Decree No. 14 Year 2015 concerning Guidelines and Procedure for Investment/ *SK Kepala BKPM No. 14 Tahun 2015 tentang Pedoman dan Tata Cara Izin Prinsip Penanaman Modal.*

Ministry of Industry Regulation No. 81 Year 2014 concerning Revision of Ministry of Industry Regulation No. 41 Year 2008 concerning Provisions and Procedures for Provision of License Industrial Business and Industrial Registry /*Peraturan Menteri Perindustrian Nomor 81 Tahun 2014 Tentang Perubahan Peraturan Menteri Perindustrian Nomor 41 Tahun 2008 Tentang Ketentuan Dan Tata Cara Pemberian Izin Usaha Industri, Izin Perluasan Dan Tanda Daftar Industri.*

Ministry of Home Affair Regulation No. 19 Year 2017 concerning Revocation of Ministry of Home Affair No. 27 Year 2009 concerning Guideline for Provision of Nuisance/Disturbance License in Local Level as Revised through Ministry of Home Affair No. 22 Year 2016 concerning Revision of Ministry of Home Affair No, 27 Year 2009 concerning Guideline for Provision of Nuisance/Disturbance License in Local Level /*Peraturan Menteri Dalam Negeri Nomor 19 Tahun 2017 Tentang Pencabutan Peraturan Menteri Dalam Negeri Nomor 27 Tahun 2009 Tentang Pedoman Penetapan Izin Gangguan Di Daerah Sebagaimana Telah Diubah Dengan Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 22 Tahun 2016 Tentang Perubahan Atas Peraturan Menteri Dalam Negeri Nomor 27 Tahun 2009 Tentang Pedoman Penetapan Izin Gangguan Di Daerah.*

Ministry of Environment and Forestry Regulation No. P.83 Year 2016 concerning Social Forestry / *Peraturan Menteri Lingkungan Hidup Dan Kehutanan No. P.83 Tahun 2016 Tentang Perhutanan Sosial.*

UU no. 26 Year 2007 Concerning Land Use Planning/*UU No. 26 Tahun 2007 tentang Penataan Ruang.*

Ministry of Forestry Decree No 57 Year 1994 concerning Guideline on Forest Function Delineation/*SK Menhut No 57 Tahun 1994*

tentang Pedoman Penataan Batas Fungsi Hutan.

For Perum Perhutani areas, no wood may be taken from land which is former ERFACHT and/or partikular land (UU 1, 1958) and/or conservation areas (SK Menhut 251, 1985).

Authorizing delineation committee specified in SK Menhut 32, 2001.

Community area physically located within the boundaries of the HPH area HTI or Perum Perhutani area is defined as an enclave and excluded from any production forestry activities (Juklak and Juknis Dirjen Intag No. 724/A/VII-2, 1945).

Forest zones demarcated between 1974 and 1990 should follow the provisions of SK DirJen Kehutanan 85/Kpts/DJ/1/1974.

Forest zones demarcated between 1990 and 1996 should follow the provision of SK Menhut 399, 1990, and SK Menhut 400, 1990.

Forest zones demarcated between 1997 and February, 2001 should follow the provisions of SK Menhut 399, 1990, SK Menhut 400, 1990, SK Menhut 634, 1996 and SK Menhut 635, 1996.

Ministry of Forestry Regulation No. P.43 Year 2013 concerning Boundary Demarcation of Work Area of Forest Utilization, Principle Approval of Forest Area Utilization, Principle Approval of Forest Area Release and Forest Area Management on Forest Management Unit and Forest Area with Special Purposes / *Peraturan Menteri Kehutanan Nomor P.43 Tahun 2013 tentang Penataan Batas Areal Kerja Izin Pemanfaatan Hutan, Persetujuan Prinsip Penggunaan Kawasan Hutan, Persetujuan Prinsip Pelepasan Kawasan Hutan dan Pengelolaan Kawasan Hutan pada Kesatuan Pengelolaan Hutan dan Kawasan Hutan Dengan Tujuan Khusus.*

Ministry of Forestry and Plantation Decree No. P.900 Year 1999 concerning Implementation Procedures for Potential Activity Survey, Measurement and Structuring Limits Concession rights work in Forestry Sector/ *SK Menteri Kehutanan dan Perkebunan No. P.900 Tahun 1999 tentang Tata Cara Pelaksanaan Kegiatan Survei Potensi, Pengukuran Dan Penataan Batas Areal Kerja Hak Pengusahaan Di Bidang Kehutanan.*

Ministry of Forestry Regulation No. 3803 Year 2012 concerning Determination of Indicative Map for Production Forest Area Reserve for Timber Forest Product Utilization Concession/ *Keputusan Menteri Kehutanan no 3803 tahun 2012 tentang Penetapan Peta Indikatif Pencadangan Kawasan Hutan Produksi Untuk Usaha Pemanfaatan Hasil Hutan Kayu.*

Ministry of Environment and Forestry Regulation No. P.38 Year 2016 concerning Approval of Development and/or Usage of Corridor / *Permen Lingkungan Hidup dan Kehutanan No. P.38 Tahun 2016 Tentang Persetujuan Pembuatan Dan/Atau Penggunaan Koridor.*

Ministry of Forestry Regulation No. P.64 Year 2011 concerning Revocation of Ministry of Forestry Regulation No. P.62 Year 2011 concerning Guideline for Plantation Forest Development of Various Species on Plantation Forest Concession / *Peraturan Menteri Kehutanan Nomor P.64 Tahun 2011 Tentang Pencabutan*

Peraturan Menteri Kehutanan Nomor P.62 Tahun 2011 Tentang Pedoman Pembangunan Hutan Tanaman Berbagai Jenis Pada Izin Usaha Pemanfaatan Hasil Hutan Kayu Pada Hutan Tanaman Industri.

Ministry of Environment and Forestry No. P.51 Year 2016 concerning Procedure for the Release of Production Forest that can be Converted / *Peraturan Menteri Lingkungan Hidup dan Kehutanan RI Nomor: P.51 Tahun 2016 Tentang Tata Cara Pelepasan Kawasan Hutan Produksi Yang Dapat Dikonversi.*

Ministry of Forestry Regulation No. P.21 Year 2006 concerning Revision of Ministry of Forestry Regulation No. 246 Year 1996 concerning Revision of Ministry of Forestry Regulation No. 70 Year 1995 concerning Spatial Planning Arrangement of Plantation Forest / *Peraturan Menteri Kehutanan No. P.21 Tahun 2006 Tentang Perubahan Keputusan Menteri Kehutanan No. 246 Tahun 1996 Tentang Perubahan Keputusan Menteri Kehutanan No. 70 Tahun 1995 Tentang Pengaturan Tata Ruang Hutan Tanaman Industri.*

Ministry of Forestry Regulation No. P.03 Year 2008 concerning Delineation of Timber Forest Product Concession on Plantation Forest / *Peraturan Menteri Kehutanan Nomor P.03 Tahun 2008 tentang Deliniasi Areal Izin Usaha Pemanfaatan Hasil Hutan Kayu pada Hutan Tanaman Industri dalam Hutan Tanaman.*

Ministry of Environment and Forestry Regulation No. P.12 Year 2015 concerning Development of Plantation Forest / *Peraturan Menteri Lingkungan Hidup dan Kehutanan No. P.12 Tahun 2015 tentang Pembangunan Hutan Tanaman Industri.*

Ministry of Environment and Forestry Regulation No. P77/2019 concerning The Utilization of Non-Timber Forest Products in Production Forests and Extracting Non-Timber Forest Products in State Forests / *Perturan Menteri Lingkungan Hidup dan Kehutanan No. P.77/2019 tentang Pemanfaatan Hasil Hutan Bukan Kayu Pada Hutan Produksi dan Pemungutan Hasil Hutan Bukan Kayu pada Hutan Negara.*

Government Regulation No. 72 Year 2010 concerning State Owned Forest Company (Perum Perhutani) / *Peraturan Pemerintah No. 72 Tahun 2010 tentang Perusahaan Umum Kehutanan Negara (Perum Perhutani).*

Ministry of Forestry Regulation No. P.93 Year 2016 concerning Boundary Delineation Committee for Forest Area/ *Permenhut No. P.93 Year 2016 tentang Panitia Tata Batas Kawasan Hutan.*

Ministry of Forestry Regulation No P.62 Year 2013 concerning Revision of Ministry of Forestry Regulation No P.44 Year 2012 concerning Forest Zone/ *Permenhut No P.62 Tahun 2013 tentang Perubahan Permenhut No. P.44 Tahun 2012 tentang Pengukuhan Kawasan Hutan.*

Law No. 5 Year 1960 concerning Basic Regulations on Agraria/ *Undang-Undang nomor 5 Tahun 1960 tentang Pokok Agraria (UUPA).*

Constitutional Court Verdict No. 45 Year 2011 concerning Article 1 Number 3 of Forestry Law published on 21 February 2012 /

	<p>Keputusan Mahkamah Konstitusi Nomor 45/2011 tentang uji Pasal 1 angka 3 UU kehutanan diterbitkan pada tanggal 21 Februari 2012.</p> <p>Constitutional Court Verdict No. 35 Year 2012 concerning Review of Law No. 41 Year 1999 concerning Forestry against Republic of Indonesia Constitution 1945 published on 16 May 2013/<i>Keputusan Mahkamah Konstitusi No. 35 Tahun 2012 tentang Pengujian Undang-Undang Nomor 41 Tahun 1999 tentang Kehutanan terhadap Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 diterbitkan tanggal 16 Mei 2013.</i></p> <p>Ministry of Forestry Circular Letter No. SE 1 Year 2013 regarding Constitutional Court Verdict No. 35 Year 2012 / <i>Surat Edaran Menhut no. SE 1/2013 tentang Putusan Mahkamah Konstitusi Nomor 35 Tahun 2012.</i></p> <p>Ministry of Home Affair Regulation No. 52 Year 2014 concerning Guideline on Acknowledgement and Protection of Customary Community / <i>Permendagri nomor 52 Tahun 2014 tentang Pedoman Pengakuan dan Perlindungan Masyarakat Hukum Adat.</i></p> <p>Regulation of the President of the Republic of Indonesia Number 88 Year 2017 on Land Tenure Resolution in Forest Areas / <i>Peraturan Presiden Republik Indonesia Nomor 88 Tahun 2017 Tentang Penyelesaian Penguasaan Tanah Dalam Kawasan Hutan.</i></p>
<p>1.2 Concession licenses</p>	<p>Legislation regulating procedures for issuing <i>forest*</i> concession licenses, including the use of <i>Legal*</i> methods to obtain concession licenses. Bribery, corruption and nepotism are particularly well-known issues that are connected with concession licenses.</p> <p>Ministry of Forestry Regulation P.31 Year 2014 concerning Procedures for the Provision and Expansion Natural Forest Concession (IUPHHK), IUPHHK Ecosystem Restoration, of IUPHHK Forest Plantation in Production Forest / <i>Permenhut No. P.31 Tahun 2014 Tentang Tata Cara Pemberian Dan Perluasan Areal Kerja Izin Usaha Pemanfaatan Hasil Hutan Kayu (IUPHHK) Dalam Hutan Alam, IUPHHK Restorasi Ekosistem, atau IUPHHK Hutan Tanaman Industri Pada Hutan Produksi.</i></p> <p>Ministry of Environment and Forestry Regulation No. P.4 Year 2016 concerning Limitation of Area of Concession in Natural Forest and Forest Plantation in Production Forest / <i>Peraturan Menteri Lingkungan Hidup dan Kehutanan No. P.4 Tahun 2016 Tentang Pembatasan Luasan Izin Usaha Pemanfaatan Hasil Hutan Kayu (IUPHHK) Dalam Hutan Alam Atau IUPHHK Hutan Tanaman Industri Pada Hutan Produksi.</i></p> <p>Ministry of Environment and Forestry Regulation No. P.4 Year 2016 concerning Limitation of Area of Concession in Natural Forest and Forest Plantation in Production Forest / <i>Peraturan Menteri Lingkungan Hidup dan Kehutanan No. P.4 Tahun 2016 Tentang Pembatasan Luasan Izin Usaha Pemanfaatan Hasil Hutan Kayu (IUPHHK) Dalam Hutan Alam Atau IUPHHK Hutan Tanaman Industri Pada Hutan Produksi.</i></p> <p>Ministry of Environment and Forestry No. P.45 Year 2016 concerning Guidance on Modification of Area of Concession in Production Forest / <i>Permen Lingkungan Hidup dan Kehutanan No.</i></p>

	<p><i>P.45 Tahun 2016 Tentang Tata Cara Perubahan Luasan Areal Izin Usaha Pemanfaatan Hasil Hutan Pada Hutan Produksi.</i></p> <p>Ministry of Forestry Regulation No. P.32 Year 2013 concerning Macro Planning for Forest Area Consolidation / <i>Permen Kehutanan No. P.32 Tahun 2013 tentang Rencana Makro Pemanfaatan Kawasan Hutan.</i></p>
<p>1.3 Management and harvesting planning</p>	<p>Any national or sub-national <i>Legal*</i> requirements for Management Planning, including for conducting <i>forest*</i> inventories, having a <i>forest* Management Plan*</i> and related planning and <i>monitoring*</i>, impact assessments, consultation with other entities, as well as approval of these by <i>legally competent*</i> authorities.</p> <p>Government Regulation No. 44 Year 2004 concerning Forest Planning / <i>Peraturan Pemerintah No. 44 Tahun 2004 tentang Perencanaan Hutan.</i></p> <p>Ministry of Forestry Regulation P.3 Year 2012 concerning 10 Years Forest Management Plan for Plantation Forest and Community Forest/ <i>Permen Kehutanan No. P.3 Tahun 2012 Tentang Rencana Kerja Usaha Pemanfaatan Hasil Hutan Kayu Hutan Tanaman Industri dan Hutan Tanaman Rakyat.</i></p> <p>Ministry of Forestry Regulation P.56 Year 2009 concerning Forest Management Plan for forest Concession and ecosystem restoration/ <i>Permen Kehutanan No. P.56 Tahun 2009 Tentang Rencana Kerja Usaha Pemanfaatan Hasil Hutan Kayu Hutan Alam Dan Restorasi Ekosistem.</i></p> <p>Ministry of Forestry Regulation No. 50 Year 2013 concerning Revision of Ministry of Forestry Regulation No. P.29 Year 2010 concerning 10 years Management Plan on Timber Forest Product Utilization in Sago Plantation Forest/ <i>Peraturan Menteri Kehutanan Nomor 50 tahun 2013 tentang Perubahan Peraturan Menteri Kehutanan P.29 Tahun 2010 tentang Rencana Kerja Usaha Pemanfaatan Hasil Hutan Bukan Kayu Dalam HTI Sagu.</i></p> <p>Ministry of Forestry Regulation No. P.66 Year 2014 concerning Periodic Forest Inventory and Work Plan on Ecosystem Restoration Concession / <i>Peraturan Menteri Kehutanan No. P.66 Tahun 2014 Tentang Inventarisasi Hutan Berkala Dan Rencana Kerja Pada Izin Usaha Pemanfaatan Hasil Hutan Kayu Restorasi Ekosistem.</i></p> <p>Government Regulation No. 3 Year 2008 concerning Revision of Government Regulation No. 6 Year 2007 concerning Forest Management and Development of Forest Management Plan and Forest Utilization/ <i>Peraturan Pemerintah No. 3 Tahun 2008 tentang Perubahan Peraturan Pemerintah Nomor 6 Tahun 2007 tentang Tata Hutan Dan Penyusunan Rencana Pengelolaan Hutan, Serta Pemanfaatan Hutan.</i></p> <p>Ministry of Forestry Regulation No. P.65 Year 2014 concerning Revision of Ministry of Forestry No. P.11 Year 2009 concerning Silviculture System on Timber Forest Product Utilization License in Production Forest / <i>Peraturan Menteri Kehutanan Republik Indonesia Nomor : P.65 Tahun 2014 Tentang Perubahan Atas Peraturan Menteri Kehutanan NoP.11 Tahun 2009 Tentang Sistem Silvikultur Dalam Areal Izin Usaha Pemanfaatan Hasil</i></p>

	<p><i>Hutan Kayu Pada Hutan Produksi.</i></p> <p>Ministry of Forestry Regulation No. P.30 Year 2014 concerning Periodic Comprehensive Forest Inventory and work Plan on Plantation Forest / <i>Peraturan Menteri Kehutanan Republik Indonesia No. P.30 Tahun 2014 Tentang Inventarisasi Hutan Menyeluruh Berkala Dan Rencana Kerja Pada Usaha Pemanfaatan Hasil Hutan Kayu dalam Hutan Tanaman Industri.</i></p> <p>Ministry of Forestry Regulation No. P.33 Year 2014 concerning Periodic Comprehensive Forest Inventory and Work Plan on Natural Forest Concession/ <i>Peraturan Menteri Kehutanan Republik Indonesia No. P.33 Tahun 2014 Tentang Inventarisasi Hutan Menyeluruh Berkala Dan Rencana Kerja Pada Izin Usaha Pemanfaatan Hasil Hutan Kayu dalam Hutan Alam.</i></p> <p>UU No. 32 Year 2009 concerning Protecting and Managing Environmental / <i>UU No. 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan.</i></p> <p>Ministry of Forestry Regulation No. P.21 Year 2014 concerning Environment Management and Monitoring on Forestry Activities / <i>Peraturan Menteri Kehutanan Nomor P.21 Tahun 2014 tentang Pengelolaan dan Pemantauan Lingkungan Kegiatan Kehutanan.</i></p> <p>Ministry of Environment and Forestry Regulation No. P.83/MenLHK/Setjen/Kum.1/10/2016 concerning Sosial Forestry/Peraturan Menteri Lingkungan Hidup dan Kehutanan Nomor P.83/MenLHK/Setjen/Kum.1/10/2016 tentang Perhutanan Sosial.</p> <p>Director General of Sustainable Production Forest Management Regulation No. P.5 Year 2016 concerning Guideline for Potential Mapping and Conflict Resolution on Timber Forest Product License Holder in Production Forest / <i>Peraturan Dirjen Pengelolaan Hutan Produksi Lestari No. P.5 Tahun 2016 tentang Pedoman Pemetaan Potensi dan Resolusi Konflik pada Pemegang IUPHHK pada Hutan Produksi.</i></p>
1.4 Harvesting permits	<p>National and sub-national laws and regulations regulating procedures for issuing harvesting permits, licenses or other <i>Legal*</i> documents required for specific harvesting operations. This includes the use of <i>Legal*</i> methods to obtain the permits. Corruption is a well-known issue that is connected with the issuing of harvesting permits.</p> <p>Ministry of Forestry Regulation P.31 Year 2014 concerning Procedures for the Provision and Expansion Natural Forest Concession (IUPHHK), IUPHHK Ecosystem Restoration, of IUPHHK Forest Plantation in Production Forest / <i>Permenhut No. P.31 Tahun 2014 Tentang Tata Cara Pemberian Dan Perluasan Areal Kerja Izin Usaha Pemanfaatan Hasil Hutan Kayu (IUPHHK) Dalam Hutan Alam, IUPHHK Restorasi Ekosistem, atau IUPHHK Hutan Tanaman Industri Pada Hutan Produksi.</i></p> <p>Ministry of Environment and Forestry Regulation No. P.4 Year 2016 concerning Limitation of Area of Concession in Natural Forest and Forest Plantation in Production Forest / <i>Peraturan</i></p>

	<p><i>Menteri Lingkungan Hidup dan Kehutanan No. P.4 Tahun 2016 Tentang Pembatasan Luasan Izin Usaha Pemanfaatan Hasil Hutan Kayu (IUPHHK) Dalam Hutan Alam Atau IUPHHK Hutan Tanaman Industri Pada Hutan Produksi.</i></p> <p>Ministry of Forestry Regulation P.12 Year 2010 concerning Procedure for Imposition, Billing, and Payment Dues Forest Utilization License in Production Forest/<i>Permenhut No. P.12 Tahun 2010 tentang Tata Cara Pengenaan, Penagihan, Dan Pembayaran Iuran Izin Usaha Pemanfaatan Hutan Pada Hutan Produksi.</i></p> <p>Ministry of Environment and Forestry Regulation No. P.71 Year 2016 concerning Procedure for Imposition, Billing and Payment of Forest Resources Provision, Reboisation Fund, Tree Stand Compensation, Fine for Violation of Forest Exploitation and Dues Forest Utilization License /<i>Peraturan Menteri Lingkungan Hidup Dan Kehutanan Republik Indonesia Nomor P.71 Tahun 2016 Tentang Tata Cara Pengenaan, Pemungutan Dan Penyetoran Provisi Sumber Daya Hutan, Dana Reboisasi, Ganti Rugi Tegakan, Denda Pelanggaran Eksploitasi Hutan Dan Iuran Izin Usaha Pemanfaatan Hutan.</i></p> <p>Ministry of Environment and Forestry Regulation No. P.4 Year 2016 concerning Limitation of Area of Concession in Natural Forest and Forest Plantation in Production Forest / <i>Peraturan Menteri Lingkungan Hidup dan Kehutanan No. P.4 Tahun 2016 Tentang Pembatasan Luasan Izin Usaha Pemanfaatan Hasil Hutan Kayu (IUPHHK) Dalam Hutan Alam Atau IUPHHK Hutan Tanaman Industri Pada Hutan Produksi.</i></p> <p>Ministry of Environment and Forestry No. P.45 Year 2016 concerning Guidance on Modification of Area of Concession in Production Forest / <i>Permen Lingkungan Hidup dan Kehutanan No. P.45 Tahun 2016 Tentang Tata Cara Perubahan Luasan Areal Izin Usaha Pemanfaatan Hasil Hutan Pada Hutan Produksi.</i></p> <p>Ministry of Forestry Regulation No. P.32 Year 2013 concerning Macro Planning for Forest Area Consolidation /<i>Permen Kehutanan No. P.32 Tahun 2013 tentang Rencana Makro Pemantapan Kawasan Hutan.</i></p>
<p>2. Taxes and fees</p>	
<p>2.1 Payment of royalties and harvesting fees</p>	<p>Legislation covering payment of all legally required <i>forest*</i> harvesting specific fees such as royalties, stumpage fees and other volume-based fees. This includes payment of the fees based on the correct classification of quantities, qualities and species. Incorrect classification of <i>forest*</i> products is a well-known issue that is often combined with bribery of officials in charge of controlling the classification.</p> <p>Government Regulation No. 12 Year 2014 concerning Species and Tariff on Species and State Income Non-Tax for Ministry of Forestry / <i>Peraturan Pemerintah Nomor 12 Tahun 2014 tentang Jenis dan Tarif atas Jenis Penerimaan Negara Bukan Pajak yang Berlaku pada Kementerian Kehutanan.</i></p> <p>Ministry of Forestry Regulation P.12 Year 2010 concerning Procedure for Imposition, Billing, and Payment Dues Forest</p>

	<p>Utilization License in Production Forest/<i>Permenhut No. P.12 Tahun 2010 tentang Tata Cara Pengenaan, Penagihan, Dan Pembayaran Iuran Izin Usaha Pemanfaatan Hutan Pada Hutan Produksi.</i></p> <p>Ministry of Environment and Forestry Regulation No. P.71 Year 2016 concerning Procedure for Imposition, Billing and Payment of Forest Resources Provision, Reboisation Fund, Tree Stand Compensation, Fine for Violation of Forest Exploitation and Dues Forest Utilization License /<i>Peraturan Menteri Lingkungan Hidup Dan Kehutanan Republik Indonesia Nomor P.71 Tahun 2016 Tentang Tata Cara Pengenaan, Pemungutan Dan Penyetoran Provisi Sumber Daya Hutan, Dana Reboisasi, Ganti Rugi Tegakan, Denda Pelanggaran Eksploitasi Hutan Dan Iuran Izin Usaha Pemanfaatan Hutan.</i></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> <p>Law No. 42 Year 2009 regarding Third Revision of Law No. 8 Year 1983 concerning Value Added Taxes of Goods and Services and Sales Tax for Luxury Goods / <i>Undang-Undang No. 42 Tahun 2009 tentang Perubahan Ketiga atas Undang-undang No. 8 Tahun 1983 tentang Pajak Pertambahan Nilai Barang dan Jasa dan Pajak Penjualan atas Barang Mewah.</i></p> <p>Government Regulation No. 1 Year 2012 concerning Implementation of Law No 8 Year 1983 concerning Value Added Taxes on Goods and Services and Sales Tax of Luxury Goods as revised several times with previous revision on Law No. 42 Year 2009 regarding Third Revision of Law No. 8 Year 1983 concerning Value Added Taxes of Goods and Services and Sales Tax for Luxury Goods /<i>Peraturan Pemerintah No. 1 Tahun 2012 tentang Pelaksanaan UU No. 8 Tahun 1983 tentang Pajak Pertambahan Nilai Barang dan Jasa dan Pajak Penjualan atas Barang Mewah Sebagaimana telah Beberapa Kali diubah Terakhir dengan UU No. 42 Tahun 2009 tentang Perubahan Ketiga atas UU No. 8 Tahun 1983 tentang Pajak Pertambahan Nilai Barang dan Jasa dan Pajak Penjualan atas Barang Mewah.</i></p> <p>Director General of Tax Regulation No. 36 Year 2011 concerning Land Building Tax for Forestry/<i>Peraturan Dirjen Pajak 36 Tahun 2011 tentang Pengenaan Pajak Bumi Dan Bangunan Sektor Perhutanan</i></p>
<p>2.3 Income and profit taxes</p>	<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> <p>Law No. 36 Year 2008 concerning Fourth Revision of Law No. 7 Year 1983 concerning Income Tax/ <i>Undang-Undang No. 36 Tahun 2008 Tentang Perubahan Keempat Atas Undang-undang No. 7 Tahun 1983 Tentang Pajak Penghasilan.</i></p> <p>Ministry of Finance Regulation No. 82 Year 2009 concerning Ministry of Finance Regulation concerning Income Tax Cut</p>

	<p>Paragraph 26 on Income from Sales or Transfer of Property in Indonesia, excluding those Regulated in Article 4 Paragraph (2) of Law on Income Taxes Accepted or Gained by Foreign Tax Payer Excluding Permanent Business Form in Indonesia /<i>Peraturan Menteri Keuangan Republik Indonesia No. 82 Tahun 2009 Tentang Peraturan Menteri Keuangan Tentang Pemotongan Pajak Penghasilan Pasal 26 Atas Penghasilan Dari Penjualan Atau Pengalihan Harta Di Indonesia, Kecuali Yang Diatur Dalam Pasal 4 Ayat (2) Undang-Undang Pajak Penghasilan Yang Diterima Atau Diperoleh Wajib Pajak Luar Negeri Selain Bentuk Usaha Tetap Di Indonesia.</i></p>
<p>3. Timber harvesting activities</p>	
<p>3.1 Timber harvesting regulations</p>	<p>Any <i>Legal*</i> 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 <i>shall*</i> be preserved during felling, etc. Establishment of skidding or hauling trails, road construction, drainage systems and bridges, etc., <i>shall*</i> also be considered as well as the planning and <i>monitoring*</i> of harvesting activities. Any legally binding codes for harvesting practices <i>shall*</i> be considered.</p> <p>Law No. 18 Year 2013 concerning Prevention and Eradication of Forest Destruction / <i>Undang-Undang Republik Indonesia Nomor 18 Tahun 2013 Tentang Pencegahan Dan Pemberantasan Perusakan Hutan.</i></p> <p>Director General of Forest Production Development Decree No. SK.432 Year 2008 dated 17 December 2008 concerning Determination of National Logs Allowable Production for the Period of 2009 from Natural Forest Concession for every Provinces in Indonesia / <i>Keputusan Direktur Jenderal Bina Produksi Kehutanan Nomor: SK.432 Tahun 2008 tanggal 17 Desember 2008 tentang Penetapan Jatah Produksi Kayu Bulat Nasional Periode Tahun 2009 yang berasal dari IUPHHK-HA/HPH di setiap provinsi se-Indonesia.</i></p>
<p>3.2 Protected sites and species</p>	<p>International, national, and sub national treaties, laws, and regulations related to protected areas, allowable <i>forest*</i> uses and activities, and/or rare, threatened, or endangered species, including their <i>habitats*</i> and potential <i>habitats*</i>.</p> <p>President Decree No. 32 Year 1990 concerning Protected Area Management /<i>Keputusan Presiden Nomor 32 Tahun 1990 tentang Pengelolaan Kawasan Lindung.</i></p> <p>Law No. 18 Year 2013 concerning Prevention and Eradication of Forest Destruction / <i>Undang-Undang Republik Indonesia Nomor 18 Tahun 2013 Tentang Pencegahan Dan Pemberantasan Perusakan Hutan.</i></p> <p>Government Regulation No. 38 Year 2011 concerning River/<i>Peraturan Pemerintah No. 38 Tahun 2011 tentang Sungai.</i></p> <p>Government Regulation No. 45 Year 2004 concerning Forest Protection /<i>Peraturan Pemerintah Nomor 45 Tahun 2004 Tentang Perlindungan Hutan.</i></p>

Law No. 5 Year 1990 concerning Living Resources and Its Ecosystem Conservation /Undang-Undang Nomor 5 Tahun 1990 tentang Konservasi Sumber Daya Alam Hayati dan Ekosistemnya.

Government Regulation No. 7 Year 1999 concerning Preservation of Plant and Wildlife Species /Peraturan Pemerintah Nomor 7 Tahun 1999 Tentang Pengawetan Jenis Tumbuhan Dan Satwa.

President Decree No. 43 Year 1978 concerning: Convention On International Trade In Endangered Species Of Wild Fauna And Flora /Keputusan Presiden No. 43 Tahun 1978 Tentang: Convention On International Trade In Endangered Species Of Wild Fauna And Flora.

Ministry of Forestry Regulation No. 1613 Year 2001 concerning Utilization and Distribution of Ramin Species /Peraturan Menteri Kehutanan No. 1613 Tahun 2001 tentang Pemanfaatan dan Peredaran Kayu Ramin.

Government Regulation No. 57 Year 2016 concerning Changes on Government Regulation No. 71 Year 2014 concerning Protection and Management of Peat Ecosystem / Peraturan Pemerintah No. 57 Tahun 2016 tentang Perubahan atas Peraturan Pemerintah No. 71 Tahun 2014 tentang Perlindungan dan Pengelolaan Ekosistem Gambut.

Ministry of Environment and Forestry Regulation No P.20 Year 2018 concerning on Protected Flora and Fauna, and its two amendments regulation No. P.92 Year 2018 and No. P.106 Year 2018/Peraturan Menteri Lingkungan Hidup dan Kehutanan No P.20 Tahun 2018 tentang Jenis Tumbuhan dan Satwa Yang Dilindungi; dan dua perubahan peraturannya yaitu Permenhut No. P.92 Tahun 2018 dan No. P.106 tahun 2018.

Law No. 11/2013 concerning Ratification on Nagoya Protocol on Access to Genetic Resources and The Fair and Equitable Sharing of Benefits Arising from Their Utilization To The Convention on Biological Diversity / UU No.11/2013 tentang Pengesahan Protokol Nagoya tentang Akses Pada Sumberdaya Genetik dan Pembagian Keuntungan yang Adil dan Seimbang yang Timbul dari Pemanfaatannya Atas Konvensi Keanekaragaman Hayati.

Government Regulation No. 41/2006 concerning Permit for Research and Development Activities for Foreign University, Foreign Research Agency, Foreign Business Entity, and Foreigner / Peraturan Pemerintah No. 41/2016 tentang Perizinan Melakukan Kegiatan Penelitian dan Pengembangan bagi Perguruan Tinggi Asing, Lembaga Litbang Asing, Badan Usaha Asing dan Orang Asing.

National Science Agency Regulation No, 9/2014 concerning Guidance on Material Transfer Agreement in Scope of National Science Agency / Peraturan Kepala LIPI No. 9/2014 tentang Pedoman Perjanjian Pengalihan Material di Lingkungan Lembaga Ilmi Pengetahuan Indonesia.

Ministry of Environment and Forestry Regulation No. P2/2018 concerning Access to Genetic Resources of Wildlife Species and Benefits Sharing of its Utilization / Peraturan Menteri Lingkungan Hidup dan Kehutanan No P2/2018 tentang Akses Pada Sumberdaya Genetik Spesies Liar dan Pembagian Keuntungan

	<i>atas Pemanfaatannya.</i>
3.3. Environmental requirements	<p>National and sub national laws and regulations related to the identification and/or <i>protection*</i> of <i>environmental values*</i> 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 <i>forest*</i> machineries, use of <i>pesticides*</i> and other chemicals, biodiversity <i>conservation*</i>, air quality, <i>protection*</i> and restoration* of water quality, operation of recreational equipment, development of non-forestry infrastructure*, mineral exploration and extraction, etc.</p> <p>UU No. 32 Year 2009 concerning Protecting and Managing Environmental / <i>UU No. 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan.</i></p> <p>Ministry of Forestry Regulation No. P.21 Year 2014 concerning Environment Management and Monitoring on Forestry Activities / <i>Peraturan Menteri Kehutanan Nomor P.21 Tahun 2014 tentang Pengelolaan dan Pemantauan Lingkungan Kegiatan Kehutanan.</i></p> <p>Government Regulation No. 27 Year 2012 concerning Environment License / <i>Peraturan Pemerintah No. 27 Tahun 2012 tentang Izin Lingkungan.</i></p> <p>Ministry of Environment and Forestry No. 102 Year 2016 concerning Guideline for Development of Environment Document for Business and/or Activities that Have Obtained Business and/or Activity Licenses but not yet have Environment Document / <i>Permen Lingkungan Hidup Dan Kehutanan Nomor: P.102 Tahun 2016 Tentang Pedoman Penyusunan Dokumen Lingkungan Hidup Bagi Usaha dan/atau Kegiatan Yang Telah Memiliki Izin Usaha dan/atau Kegiatan Tetapi Belum Mempunyai Dokumen Lingkungan Hidup.</i></p>
3.4 Health and safety	<p>Legally required personal <i>protection*</i> equipment for persons involved in harvesting activities, implementation of safe felling and transport practices, establishment of <i>protection*</i> 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 <i>shall*</i> be considered relevant to operations in the <i>forest*</i> (not office work, or other activities less related to actual <i>forest*</i> operations).</p> <p>Law No. 1 Year 1970 concerning Work Safety /<i>Undang-Undang No. 1 Tahun 1970 Tentang Keselamatan Kerja.</i></p> <p>Law No. 23 Year 1992 concerning Health /<i>Undang-Undang No. 23 Tahun 1992 tentang Kesehatan.</i></p> <p>Law No. 13 Year 2013 concerning Manpower /<i>Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan.</i></p> <p>Ministry of Manpower, Transmigration and Cooperative Regulation No. Per.01 Year 1978 concerning Occupational Health and Safety on Timber Harvesting and Transportation /<i>Peraturan Menteri Tenaga Kerja, Transmigrasi Dan Koperasi No. Per.01 Tahun 1978 Tentang Keselamatan Dan Kesehatan Kerja Dalam</i></p>

Penebangan Dan Pengangkutan Kayu.

Ministry of Man-power Regulation No. Per.03 Year 1998 concerning Guideline for Accident Reporting and Investigation /*Peraturan Menteri Tenaga Kerja No. Per.03 Tahun 1998 Tentang Tata Cara Pelaporan Dan Pemeriksaan Kecelakaan.*

Ministry of Manpower and Transmigration Regulation No. Per.15 Year 2008 concerning First Aid for Accident at Workplace/*Peraturan Menteri Tenaga Kerja Dan Transmigrasi No. Per.15 Tahun 2008 Tentang Pertolongan Pertama Pada Kecelakaan Di Tempat Kerja.*

President Regulation No. 21 Year 2010 concerning Man-power Supervision /*Peraturan Presiden Nomor 21 Tahun 2010 tentang Pengawasan Ketenagakerjaan.*

Ministry of Manpower and Transmigration Regulation No. Per.09 Year 2010 concerning Lifting and Moving Operator and Officer /*Peraturan Menteri Tenaga Kerja Dan Transmigrasi No. Per.09 Tahun 2010 Tentang Operator Dan Petugas Pesawat Angkat Dan Angkut.*

Ministry of Manpower and Transmigration Regulation No. Per.02 Year 1980 concerning Checking of Man-power Health on Occupational Safety Implementation /*Peraturan Menteri Tenaga Kerja dan Transmigrasi Nomor PER.02 Tahun 1980 tentang Pemeriksaan Kesehatan Tenaga Kerja Dalam Penyelenggaraan Keselamatan Kerja.*

Ministry of Manpower and Transmigration Regulation No. Per.01 Year 1981 concerning Obligation to Report on Disease due to Work /*Peraturan Menteri Tenaga Kerja dan Transmigrasi No. PER.01 Tahun 1981 tentang Kewajiban Melapor Penyakit Akibat Kerja.*

Ministry of Manpower and Transmigration Regulation No. Per.03 Year 1982 concerning Occupational Health Service /*Peraturan Menteri Tenaga Kerja dan Transmigrasi Nomor PER.03 Tahun 1982 tentang Pelayanan Kesehatan Kerja.*

Ministry of Manpower and Transmigration Regulation No. Per.08 Year 2010 concerning Personal Protection Equipment /*Peraturan Menteri Tenaga Kerja Dan Transmigrasi No. Per.08 Tahun 2010 Tentang Alat Pelindung Diri.*

Government Regulation No. 50 Year 2012 concerning Implementation of Occupational Health and Safety Management System /*PP No. 50 Tahun 2012 tentang Penerapan SMK3.*

Ministry of Man-power Regulation No. 26 Year 2016 concerning Implementation of Assessment of Implementation of Occupational Health and Safety Management System /*Peraturan Menteri Ketenagakerjaan No. 26 Tahun 2014 Tentang Penyelenggaraan Penilaian Penerapan Sistem Manajemen Keselamatan Dan Kesehatan Kerja.*

Ministry of Manpower Regulation No. 26 Year 2015 concerning Procedure for Impelementation of Accident Insurance, Death Insurance, and Retirement Insurance Program for Employee /*Peraturan Menteri Ketenagakerjaan No. 26 Tahun 2015 Tentang Tata Cara Penyelenggaraan Program Jaminan Kecelakaan Kerja,*

	<p><i>Jaminan Kematian, Dan Jaminan Hari Tua Bagi Peserta Penerima Upah.</i></p> <p>Ministry of Civil Works Regulation No 19/PRT/M/2012 concerning Guidelines for Spatial Planning in the Area Around the Final Waste Processing Site/<i>Peraturan Menteri Pekerjaan Umum Nomor 19/PRT/M/2012 Tahun 2012 Tentang Pedoman Penataan Ruang Kawasan Sekitar Tempat Pemrosesan Akhir Sampah.</i></p> <p>Government Regulation No. 74 year 2001 concerning Management of Hazardous and Toxic Materials/<i>Peraturan Pemerintah Republik Indonesia Nomor 74 Tahun 2001 Tentang Pengelolaan Bahan Berbahaya Dan Beracun.</i></p> <p>Ministry of Environment and Forestry Regulation No P.102/Menlhk/Setjen/Kum.1/11/2018 concerning Procedure for Licensing for Wastewater Discharge through Online Single Submission System/<i>Peraturan Menteri Lingkungan Hidup Dan Kehutanan Nomor P.102/Menlhk/Setjen/Kum.1/11/2018 Tahun 2018 Tentang Tata Cara Perizinan Pembuangan Air Limbah Melalui Pelayanan Perizinan Berusaha Terintegrasi Secara Elektronik.</i></p> <p>Law No. 18 year 2008 concerning Waste Management/<i>Undang Undang No 18 tahun 2008 tentang Pengelolaan Sampah.</i></p> <p>Ministry of Internal Affairs Regulation No. 33 year 2010 concerning Waste Management Guidelines/<i>Peraturan Menteri Dalam Negeri Nomor 33 Tahun 2010 Tentang Pedoman Pengelolaan Sampah.</i></p> <p>Ministry of Labor No. 5 Year 2018 concerning Occupational Health and Safety and Occupational Environment / <i>Peraturan Menteri Ketenagakerjaan No. 5 Tahun 2018 tentang Keselamatan dan Kesehatan Kerja Lingkungan Kerja.</i></p>
<p>3.5 <i>Legal*</i> employment</p>	<p><i>Legal*</i> 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 man power, and discrimination and freedom of association.</p> <p>Law No. 13 Year 2013 concerning Manpower /<i>Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan.</i></p> <p>Law No. 39 concerning Human Rights /<i>UU No. 39 Tahun 1999 tentang Hak Asasi Manusia.</i></p> <p>Law No. 23 Year 1992 concerning Health /<i>Undang-Undang No. 23 Tahun 1992 tentang Kesehatan.</i></p> <p>Law No. 21 Year 2007 concerning Eradication of Crime on Human Trafficking /<i>Undang-Undang No.21 Tahun 2007 Tentang Pemberantasan Tindak Pidana Perdagangan Orang.</i></p> <p>Law No. 19 Year 1999 concerning the approval of the International labour Organization Convention No: 105 on Abolition of Forced labour /<i>Undang – Undang no. 19 tahun 1999 mengenai</i></p>

pengesahan konvensi ILO No. 105 tentang penghapusan kerja paksa.

Ministry of ManPower and Transmigration No. 51 Year 2004 concerning Long Rest on Specific Company /Keputusan Menteri Tenaga Kerja dan Transmigrasi No. 51 Tahun 2004 tentang Istirahat Panjang Pada Perusahaan Tertentu.

Ministry of ManPower and Transmigration Regulation No. 100 Year 2004 concerning Implementation Work Agreement with Specific Period of Time /Keputusan Menteri Tenaga Kerja dan Transmigrasi No.100 Tahun 2004 tentang Pelaksanaan Perjanjian Kerja Waktu Tertentu.

Ministry of ManPower Regulation No. Per.02 Year 1993 concerning Normal Retirement Age and Maximum Retirement Age Limit for Retirement Fund Regulation Participant /Peraturan Menteri Tenaga Kerja No. Per.02 Tahun 1993 Tentang Usia Pensiun Normal Dan Batas Usia Pensiun Maksimum Bagi Peserta Peraturan Dana Pensiun.

Government Regulation No. 21 Year 1954 concerning Determination of Regulation of Labor Rest /Peraturan Pemerintah No. 21 Tahun 1954 tentang Penetapan Peraturan Istirahat Buruh.

Ministry of ManPower Regulation No. PER.03 Year 1996 concerning Settlement of Severance of Work Relation and Determination of Severance Money, Service Money and Compensation in Private Company /Peraturan Menteri Tenaga Kerja R.I. Nomor: PER -03 Tahun 1996 tentang Penyelesaian Pemutusan Hubungan Kerja Dan Penetapan Uang Pesangon, Uang Jasa Dan Ganti Kerugian Di Perusahaan Swasta.

Ministry of ManPower and Transmigration Regulation No. 51 Year 2004 concerning Long Holiday on Specific Company /Keputusan Menteri Tenaga Kerja dan Transmigrasi No. 51 Tahun 2004 tentang Istirahat Panjang Pada Perusahaan Tertentu.

Ministry of ManPower and Transmigration No. 102 Year 2004 concerning Time and Wage for Overtime /Keputusan Menteri Tenaga Kerja dan Transmigrasi No. 102 Tahun 2004 mengenai Waktu dan Upah Kerja Lembur.

Law No. 40 Year 2004 concerning National Social Security System /Undang-Undang no 40 tahun 2004 tentang Sistem Jaminan Sosial Nasional.

Government Regulation No. 44 Year 2015 concerning Implementation of Occupational Accident Insurance and Death Insurance Program /Peraturan Pemerintah No. 44 Tahun 2015 tentang Penyelenggaraan Program Jaminan Kecelakaan Kerja Dan Jaminan Kematian.

Ministry of ManPower and Transportation No. 224 Year 2003 concerning Obligation of Business Owner that Employ Female Worker/Labor between 23.00 – 07.00 hour /Keputusan Menteri Tenaga Kerja dan Transportasi No. 224 Tahun 2003 tentang Kewajiban Pengusaha yang Mempekerjakan Pekerja/Buruh Perempuan antara Pukul 23.00 sampai dengan 07.00

Government Regulation No. 44 Year 2015 concerning Accident

Insurance /Peraturan Pemerintah No. 44 Tahun 2015 tentang Jaminan Kecelakaan Kerja.

Ministry of Manpower No. 6 Year 2016 concerning Holiday Bonus /Permenaker No.6 Tahun 2016 tentang Tunjangan Hari Raya.

Ministry of Manpower Circular Letter No. SE-07 Year 1990 concerning Grouping of Wage and Non-Wage Income Components /Surat Edaran Menteri Tenaga Kerja Republik Indonesia No. SE-07 Tahun 1990 tentang Pengelompokan Komponen Upah Dan Pendapatan Non Upah.

Law No. 21 Year 2000 concerning Labor Union/Worker Union /UU No. 21 tahun 2000 tentang Serikat Buruh/Serikat Pekerja.

Ministry of Manpower and Transmigration Decree No. Kep.48 Year 2004 concerning Procedure for Development and Endorsement of Company Regulation and Development and Registration of Joint Work Agreement /Keputusan Menteri Tenaga Kerja Dan Transmigrasi No. Kep.48 Tahun 2004 Tentang Tata Cara Pembuatan Dan Pengesahan Peraturan Perusahaan Serta Pembuatan Dan Pendaftaran Perjanjian Kerja Bersama.

Law No. 21 Year 1999 concerning Ratification ILO Convention No. 111 Concerning Discrimination in Respect of Employment and Occupation /Undang-Undang Nomor 21 Tahun 1999 Tentang Pengesahan ILO Convention No. 111 Concerning Discrimination in Respect of Employment and Occupation.

Law No. 23 Year 2002 on Child Protection /UU No. 23 Tahun 2002 Perlindungan Anak.

Ministry of Manpower and Transmigration Decree No. KEP.235 Year 2003 concerning The Types of Work That Endanger the Health, Safety or Morals of Children /Keputusan Menteri Tenaga Kerja dan Transmigrasi KEP. 235 Tahun 2003 Tentang Jenis-Jenis Pekerjaan Yang Membahayakan Kesehatan, Keselamatan Dan Moral Anak.

Law No. 20 Year 1999 Concerning Ratification of ILO Convention No. 138 Year 1973 concerning Minimum Age / Undang-undang No. 20 Tahun 1999 tentang Ratifikasi Konvensi ILO No. 138 Tahun 1973 mengenai Batas Usia Minimum Diperbolehkan Bekerja.

Law No. 1 Year 2000 concerning Ratification of ILO Convention No. 182 Year 1999 concerning Worst Form of Child Labor / Undang-Undang No. 1 tahun 2000 tentang Ratifikasi Konvensi ILO No. 182 Tahun 1999 mengenai Pelarangan dan Tindakan Segera Penghapusan Bentuk-bentuk Pekerjaan Terburuk untuk Anak.

Law No. 19 Year 1999 concerning Ratification of ILO Convention No. 105 Concerning the Abolition of Forced Labour / UU No. 19 Tahun 1999 Tentang Pengesahan ILO Convention No. 105 Concerning the Abolition of Forced Labour (Konvensi Ilo Mengenai Penghapusan Kerja Paksa).

Law No. 1 Year 2000 concerning Ratification ILO Convention No. 182 Concerning the Prohibition and Immediate Action for The Elimination of The Worst Forms of Child Labour /Undang-Undang Nomor 1 Tahun 2000 Tentang Pengesahan ILO Convention No. 182 Concerning the Prohibition and Immediate Action for The

	<p><i>Elimination of The Worst Forms of Child Labour (Konvensi ILO No. 182 Mengenai Pelarangan Dan Tindakan Segera Penghapusan Bentuk-Bentuk Pekerjaan Terburuk Untuk Anak).</i></p> <p>Presidential Decree No. 83 Year 1998 concerning Ratification of ILO Convention 87 concerning Right to Organise and Collective Bargaining Convention / <i>Keputusan Presiden No. 83 Tahun 1998 Tentang Pengesahan Konvensi ILO No. 87 Mengenai Kebebasan Berserikat Dan Perlindungan Hak Untuk Berorganisasi.</i></p> <p>Law No. 8 Year 2016 concerning Person with Disabilities / <i>Undang-undang No. 8 Tahun 2016 tentang Penyandang Disabilitas.</i></p>
<p>4. Third parties' rights</p>	
<p>4.1 Customary rights*</p>	<p>Legislation covering <i>customary rights*</i> relevant to <i>forest*</i> harvesting activities, including requirements covering the sharing of benefits and indigenous people's rights.</p> <p>People Representative Assembly Decree No. IX Year 2001 concerning Renewal of Agraria and Management of Natural Resources / <i>TAP MPR. No. IX/MPR/2001 tentang Pembaruan Agraria dan Pengelolaan Sumber Daya Alam.</i></p> <p>Law No. 5 Year 1960 concerning Basic Regulations on Agraria / <i>Undang-Undang nomor 5 Tahun 1960 tentang Pokok Agraria (UUPA).</i></p> <p>Law No. 39 Year 1999 concerning Human Rights / <i>UU No. 39 Tahun 1999 tentang Hak Asasi Manusia.</i></p> <p>Law No. 41 Year 1999 concerning Forestry / <i>UU No. 41 Tahun 1999 tentang kehutanan.</i></p> <p>Law No. 26 Year 2007 concerning Spatial Planning / <i>UU No. 26 Tahun 2007 tentang Penataan Ruang.</i></p> <p>Law No. 32 Year 2009 concerning Environmental Protection and Management / <i>UU No. 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup.</i></p> <p>Law No. 18 Year 2013 concerning Prevention and Eradication of Forest Destruction / <i>UU No. 18 Tahun 2013 tentang Pencegahan dan Pemberantasan Perusakan Hutan.</i></p> <p>Law No. 6 Year 2014 concerning Village / <i>UU No. 6 Tahun 2014 tentang Desa.</i></p> <p>Law No. 12 Year 2001 concerning Special Autonomy for Papua Province / <i>UU No. 21 Tahun 2001 tentang Otonomi Khusus Bagi Provinsi Papua.</i></p> <p>Law No. 11 Year 2006 concerning Government of Aceh / <i>UU No. 11 Tahun 2006 tentang Pemerintahan Aceh.</i></p> <p>Law No. 13 Year 2012 concerning Special Region of Yogyakarta / <i>UU No. 13 Tahun 2012 tentang Keistimewaan Daerah Istimewah Yogyakarta.</i></p> <p>Constitutional Court Verdict No. 45 Year 2011 concerning Article 1 Number 3 of Forestry Law published on 21 February 2012 / <i>Keputusan Mahkamah Konstitusi Nomor 45/2011 tentang uji Pasal 1 angka 3 UU kehutanan diterbitkan pada tanggal 21 Februari</i></p>

	<p>2012.</p> <p>Constitutional Court Verdict No. 35 Year 2012 concerning Review of Law No. 41 Year 1999 concerning Forestry against Republic of Indonesia Constitution 1945 published on 16 May 2013 /<i>Keputusan Mahkamah Konstitusi No. 35 Tahun 2012 tentang Pengujian Undang-Undang Nomor 41 Tahun 1999 tentang Kehutanan terhadap Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 diterbitkan tanggal 16 Mei 2013.</i></p> <p>Presidential Decree No. 111 Year 1999 concerning Empowerment of Remote Customary Community /<i>Keputusan Presiden No. 111 Tahun 1999 tentang Pemberdayaan Komunitas Adat Terpencil.</i></p> <p>Circular Letter No. S.75 Year 2004 concerning Circular Letter on Customary Law Issue and Compensation by Customary People /<i>Surat Edaran No. S.75 Tahun 2004 tentang Surat Edaran Masalah Hukum Adat dan Tuntutan Kompensasi/Ganti rugi oleh Masyarakat Hukum Adat.</i></p> <p>Ministry of Forestry Circular Letter No. SE 1 Year 2013 regarding Constitutional Court Verdict No. 35 Year 2012 / <i>Surat Edaran Menhut no. SE 1/2013 tentang Putusan Mahkamah Konstitusi Nomor 35 Tahun 2012.</i></p> <p>Ministry of Environment and Forestry Regulation No. P21/2019 concerning <i>Customary Forest*</i> and Private Forest / <i>Peraturan Menteri Lingkungan Hidup dan Kehutanan No. P21/2019 tentang Hutan Adat dan Hutan Hak.</i></p> <p>Ministry of Home Affair Regulation No. 52 Year 2014 concerning Guideline on Acknowledgement and Protection of Customary Community / <i>Permendagri nomor 52 Tahun 2014 tentang Pedoman Pengakuan dan Perlindungan Masyarakat Hukum Adat.</i></p>
<p>4.2 <i>Free prior and informed consent*</i></p>	<p>Legislation covering “free prior and informed consent” in connection with the transfer of <i>forest*</i> management rights and <i>customary rights*</i> to <i>The Organization*</i> in charge of the harvesting operation.</p> <p>People Representative Assembly Decree No. IX Year 2001 concerning Renewal of Agraria and Management of Natural Resources /<i>TAP MPR. No. IX/MPR/2001 tentang Pembaruan Agraria dan Pengelolaan Sumber Daya Alam.</i></p> <p>Law No. 11 Year 2005 concerning Ratification of International Covenant on Economic and Cultural Rights / <i>UU No. 11 TAHUN 2005 tentang Pengesahan International Covenant on Economic and Cultural Rights.</i></p> <p>Law No. 32 Year 2009 concerning Environmental Protection and Management / <i>UU No. 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup.</i></p> <p>Law No. 14 Year 2008 concerning Public Information Transparency /<i>UU No. 14 tahun 2008 tentang Keterbukaan Informasi Publik.</i></p>
<p>4.3 <i>Indigenous peoples* rights</i></p>	<p>Legislation that regulates the rights of indigenous people* as far as it is related to forestry activities. Possible aspects to consider are land <i>tenure*</i>, and rights to use certain <i>forest*</i> related resources and practice traditional activities, which may involve <i>forest*</i> lands.</p>

People Representative Assembly Decree No. IX Year 2001 concerning Renewal of Agraria and Management of Natural Resources /TAP MPR. No. IX/MPR/2001 tentang Pembaruan Agraria dan Pengelolaan Sumber Daya Alam.

Law No. 5 Year 1960 concerning Basic Regulations on Agraria / Undang-Undang nomor 5 Tahun 1960 tentang Pokok Agraria (UUPA).

Law No. 39 Year 1999 concerning Human Rights / UU No. 39 Tahun 1999 tentang Hak Asasi Manusia.

Law No. 41 Year 1999 concerning Forestry /UU No. 41 Tahun 1999 tentang kehutanan.

Law No. 26 Year 2007 concerning Spatial Planning /UU No. 26 Tahun 2007 tentang Penataan Ruang.

Law No. 32 Year 2009 concerning Environmental Protection and Management /UU No. 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup.

Law No. 18 Year 2013 concerning Prevention and Eradication of Forest Destruction /UU No. 18 Tahun 2013 tentang Pencegahan dan Pemberantasan Perusakan Hutan.

Law No. 6 Year 2014 concerning Village /UU No. 6 Tahun 2014 tentang Desa.

Law No. 12 Year 2001 concerning Special Autonomy for Papua Province /UU No. 21 Tahun 2001 tentang Otonomi Khusus Bagi Provinsi Papua.

Law No. 11 Year 2006 concerning Government of Aceh /UU No. 11 Tahun 2006 tentang Pemerintahan Aceh.

Law No. 13 Year 2012 concerning Special Region of Yogyakarta / UU No. 13 Tahun 2012 tentang Keistimewaan Daerah Istimewah Yogyakarta.

Constitutional Court Verdict No. 45 Year 2011 concerning Article 1 Number 3 of Forestry Law published on 21 February 2012 / Keputusan Mahkamah Konstitusi Nomor 45/2011 tentang uji Pasal 1 angka 3 UU kehutanan diterbitkan pada tanggal 21 Februari 2012.

Constitutional Court Verdict No. 35 Year 2012 concerning Review of Law No. 41 Year 1999 concerning Forestry against Republic of Indonesia Constitution 1945 published on 16 May 2013 /Keputusan Mahkamah Konstitusi No. 35 Tahun 2012 tentang Pengujian Undang-Undang Nomor 41 Tahun 1999 tentang Kehutanan terhadap Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 diterbitkan tanggal 16 Mei 2013.

Presidential Decree No. 111 Year 1999 concerning Empowerment of Remote Customary Community /Keputusan Presiden No. 111 Tahun 1999 tentang Pemberdayaan Komunitas Adat Terpencil.

Circular Letter No. S.75 Year 2004 concerning Circular Letter on Customary Law Issue and Compensation by Customary People / Surat Edaran No. S.75 Tahun 2004 tentang Surat Edaran Masalah Hukum Adat dan Tuntutan Kompensasi/Ganti rugi oleh Masyarakat Hukum Adat.

	<p>Ministry of Forestry Circular Letter No. SE 1 Year 2013 regarding Constitutional Court Verdict No. 35 Year 2012 / <i>Surat Edaran Menhut no. SE 1/2013 tentang Putusan Mahkamah Konstitusi Nomor 35 Tahun 2012.</i></p> <p>Ministry of Home Affair Regulation No. 52 Year 2014 concerning Guideline on Acknowledgement and Protection of Customary Community / <i>Permendagri nomor 52 Tahun 2014 tentang Pedoman Pengakuan dan Perlindungan Masyarakat Hukum Adat.</i></p>
<p>5. Trade and transport</p> <p>NOTE: This section covers requirements for <i>forest*</i> management operations as well as processing and trade.</p>	
<p>5.1 Classification of species, quantities, qualities</p>	<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>Government Regulation No. 12 Year 2014 concerning Species and Tariff on Species and State Income Non-Tax for Ministry of Forestry / <i>Peraturan Pemerintah Nomor 12 Tahun 2014 tentang Jenis dan Tarif atas Jenis Penerimaan Negara Bukan Pajak yang Berlaku pada Kementerian Kehutanan.</i></p> <p>Ministry of Forestry Decree No. 163 Year 2003 concerning Grouping of Timber Species as Basis for Forestry Fees / <i>Keputusan Menteri Kehutanan Nomor : 163 Tahun 2003 Tentang Pengelompokan Jenis Kayu Sebagai Dasar Pengenaan Iuran Kehutanan.</i></p> <p>Ministry of Environment and Forestry No. P.58 Year 2016 concerning revision of Ministry of Environment and Forestry No. P.42 Year 2015 concerning Administration of Timber Forest Product from Plantation Forest in Production Forest / <i>Peraturan Menteri Lingkungan Hidup dan Kehutanan RI No. P.58 Tahun 2016 tentang Perubahan Atas Peraturan Menteri! Lingkungan Hidup dan Kehutanan No. P.42 Tahun 2015 tentang Penatausahaan Hasil Hutan Kayu yang Berasal dari Hutan Tanaman pada Hutan Produksi.</i></p> <p>Ministry of Environment and Forestry Regulation No. P.60 Year 2016 concerning Revision of Ministry of Environment and Forestry No. P.43 Year 2015 concernig Administration of Timber Forest Product from Natural Forest / <i>Peraturan Menteri Lingkungan Hidup Dan Kehutanan Republik Indonesia Nomor P.60 Tahun 2016 Tentang Perubahan Atas Peraturan Menteri Lingkungan Hidup Dan Kehutanan Nomor P.43 Tahun 2015 Tentang Penatausahaan Hasil Hutan Kayu Yang Berasal Dari Hutan Alam.</i></p> <p>Ministry of Forestry Regulation No. P.91 Year 2014 concerning Administration of Non-Timber Forest Product from State Forest / <i>Permen Kehutanan No. P.91 Tahun 2014 tentang Penatausahaan Hasil Hutan Bukan Kayu yang Berasal dari Hutan Negara.</i></p>
<p>5.2 Trade and</p>	<p>All required trading permits <i>shall*</i> exist as well as legally required</p>

transport	<p>transport documents which accompany the transport of wood from forest* operations.</p> <p>Ministry of Environment and Forestry Regulation No. P.85 Year 2016 concerning Transporting Timber Forest Product coming from Private Forest / <i>Peraturan Menteri Lingkungan Hidup Dan Kehutanan RI Nomor P.85 Tahun 2016 Tentang Pengangkutan Hasil Hutan Kayu Budidaya Yang Berasal Dari Hutan Hak.</i></p> <p>Ministry of Environment and Forestry No. P.58 Year 2016 concerning revision of Ministry of Environment and Forestry No. P.42 Year 2015 concerning Administration of Timber Forest Product from Plantation Forest in Production Forest / <i>Peraturan Menteri Lingkungan Hidup dan Kehutanan RI No. P.58 Tahun 2016 tentang Perubahan Atas Peraturan Menteri! Lingkungan Hidup dan Kehutanan No. P.42 Tahun 2015 tentang Penatausahaan Hasil Hutan Kayu yang Berasal dari Hutan Tanaman pada Hutan Produksi.</i></p> <p>Ministry of Environment and Forestry Regulation No. P.60 Year 2016 concerning Revision of Ministry of Environment and Forestry No. P.43 Year 2015 concernig Administration of Timber Forest Product from Natural Forest / <i>Peraturan Menteri Lingkungan Hidup Dan Kehutanan Republik Indonesia Nomor P.60 Tahun 2016 Tentang Perubahan Atas Peraturan Menteri Lingkungan Hidup Dan Kehutanan Nomor P.43 Tahun 2015 Tentang Penatausahaan Hasil Hutan Kayu Yang Berasal Dari Hutan Alam.</i></p> <p>Ministry of Forestry Regulation No. P.91 Year 2014 concerning Administration of Non-Timber Forest Product from State Forest / <i>Permen Kehutanan No. P.91 Tahun 2014 tentang Penatausahaan Hasil Hutan Bukan Kayu yang Berasal dari Hutan Negara.</i></p> <p>Ministry of Industry and Trade Decree No. 68 Year 2003 concerning Inter-Island Timber Trades / <i>Keputusan Menteri Perindustrian Dan Perdagangan No. 68 Tahun 2003 Tentang Perdagangan Kayu Antar Pulau.</i></p>
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 bribery and black money to the forest* operation 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> <p>Ministry of Trade Regulation No. 24 Year 2017 concerning Determination of Export Price Reference for Agricultural and Forestry Product Subject to Export Tax / <i>Permen Perdagangan No. 24 Tahun 2017 tentang Penetapan Harga Patokan Ekspor atas Produk Pertanian dan Kehutanan yang dikenakan Bea Keluar.</i></p> <p>Minister of Finance Regulation number 213/PMK.03/2016 (PMK-213) titled the type of additional documents and/or information mandatory to be kept by taxpayers who conduct transactions with</p>

	<p>related parties and its procedures / <i>Permen Keuangan No. 213/PMK.03/2016 Tentang Jenis Dokumen Dan/ Atau Informasi Tambahan Yang Wajib Disimpan O Leh Wajib Pajak Yang Melakukan Transaksi Dengan Para Pihak Yang Mempunyai Hubungan Istimewa, Dan Tata Cara Pengelolaannya.</i></p> <p>Ministry of Trade Regulation No. 12 Year 2017 concerning Revision of Ministry of Trade Regulation No. 84 Year 2016 concerning Provision of Export of Forestry Industry Products / <i>Peraturan Menteri Perdagangan Nomor 12 Tahun 2017 tentang Perubahan Atas Peraturan Menteri Perdagangan Nomor 84 Tahun 2016 Tentang Ketentuan Ekspor Produk Industri Kehutanan.</i></p> <p>Director General of Tax Regulation No. Per-23 Year 2009 concerning Second Revision of Director General of Tax Decree No. Kep-523 Year 2001 concerning Tariff and Procedure for Collection, Payment, and Reporting of Tax Income Article 22 by Industry and Exporter on Forestry, Plantation, Agriculture and Fisheries on Purchase of Materials for Industry of Export Purposes from Collecting Traders / <i>Peraturan Dirjen Pajak Nomor Per-23 Tahun 2009 Tentang Perubahan Kedua Atas Keputusan Direktur Jenderal Pajak Nomor Kep-523 Tahun 2001 Tentang Tarif Dan Tata Cara Pemungutan, Penyetoran, Serta Pelaporan Pajak Penghasilan Pasal 22 Oleh Industri Dan Eksportir Yang Bergerak Dalam Sektor Perhutanan, Perkebunan, Pertanian, Dan Perikanan Atas Pembelian Bahan-Bahan Untuk Keperluan Industri Atau Ekspor Mereka Dari Pedagang Pengumpul.</i></p>
5.4 Custom regulations	<p>Custom legislation covering areas such as export/import licenses and product classification (codes, quantities, qualities and species).</p> <p>Ministry of Trade Regulation No. 89 Year 2015 concerning Provision of Export of Forestry Industry Products / <i>Permen Perdagangan No. 89 Tahun 2015 Tentang Ketentuan Ekspor Produk Industri Kehutanan</i></p> <p>Director General of Foreign Trades Regulation No. 02 Year 2007 concerning Stipulation and Procedure for Verification/Technical Tracing of Specific Forestry Industry Product Export by Surveyor / <i>Peraturan Dirjen Perdagangan Luar Negeri No. 02 Tahun 2007 Tentang Ketentuan Dan Tata Cara Verifikasi / Penelusuran Teknis Ekspor Produk Industri Kehutanan Tertentu Oleh Surveyor.</i></p>
5.5 CITES	<p>CITES Certificates (the Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as the Washington Convention).</p> <p>Ministry of Forestry Regulation No. 1613 Year 2001 concerning Utilization and Distribution of Ramin Species / <i>Peraturan Menteri Kehutanan No. 1613 Tahun 2001 tentang Pemanfaatan dan Peredaran Kayu Ramin.</i></p> <p>Presidential Decree No. 43 Year 1978 concerning Convention on International Trade in Endangered Species of Wild Fauna and Flora / <i>Keputusan Presiden No. 43 Tahun 1978 Tentang Convention on International Trade in Endangered Species of Wild Fauna and Flora.</i></p> <p>Ministry of Trade Regulation No. 50 Year 2013 concerning Stipulation on Export of Natural Plant and Wildlife Not Protected</p>

	by Law and Included in CITES List / <i>Peraturan Menteri Perdagangan No. 50 Tahun 2013 tentang Ketentuan Ekspor Tumbuhan Alam dan Satwa Liar yang Tidak Dilindungi Undang-undang dan Termasuk dalam Daftar CITES.</i>
6. Due diligence / due care	
6.1 Due diligence / due care procedures	Legislation requiring due diligence/due care procedures, including, e.g., due diligence/due care systems, declaration obligations, and/or the keeping of trade related documents etc.
	<p>Director General of Sustainable Production Forest Management Regulation No. 7 Year 2015 concerning Procedure for Implementation of Due Diligence, Provision of Import Declaration and Recommendation of Forestry Product Import / <i>Peraturan Direktur Jenderal Pengelolaan Hutan Produksi Lestari Nomor 7 Tahun 2015 Tentang Tata Cara Pelaksanaan Uji Tuntas (Due Diligence), Penerbitan Deklarasi Impor Dan Rekomendasi Impor Produk Kehutanan.</i></p> <p>Director General of Sustainable Production Forest Management Regulation No. P.14 Year 2016 concerning Standard and Guideline on Implementation of Sustainable Production Forest Management and Timber Legality Verification Performance Assessment / <i>Peraturan Direktur Jenderal Pengelolaan Hutan Produksi Lestari No. P.14 Tahun 2016 Tentang Standar Dan Pedoman Pelaksanaan Penilaian Kinerja Pengelolaan Hutan Produksi Lestari (PHPL) Dan Verifikasi Legalitas Kayu (VLK).</i></p>
7. Ecosystem Services	
	Legislation covering <i>ecosystem services*</i> rights, including <i>customary rights*</i> as well as management rights that include the use of <i>Legal*</i> methods to make claims and obtain benefits and management rights related to <i>ecosystem services*</i> . National and subnational laws and regulations related to the identification, protection and payment for <i>ecosystem services*</i> . Also includes <i>Legal*</i> business registration and tax registration, including relevant <i>Legal*</i> required licenses for the exploitation, payment, and claims related to <i>ecosystem services*</i> (including tourism).
	Government Regulation No. 3 Year 2008 concerning Revision of Government Regulation No. 6 Year 2007 concerning Forest Management and Development of Forest Management Plan and Forest Utilization/ <i>Peraturan Pemerintah No. 3 Tahun 2008 tentang Perubahan Peraturan Pemerintah Nomor 6 Tahun 2007 tentang Tata Hutan Dan Penyusunan Rencana Pengelolaan Hutan, Serta Pemanfaatan Hutan.</i>
	<p>Ministry of Forestry Regulation No. P.22 Year 2012 concerning Guideline on Natural Tourism Environmental Services Utilization Services in Protected Forest / <i>Peraturan Menteri Kehutanan No. P.22 Tahun 2012 Tentang Pedoman Kegiatan Usaha Pemanfaatan Jasa Lingkungan Wisata Alam Pada Hutan Lindung.</i></p> <p>Ministry of Forestry Regulation No. P.11 Year 2013 concerning Revision of Ministry of Forestry Regulation No. P.36 Year 2009 concerning Procedure for Provision of License of Utilization Business of Carbon Capture and/or Storage in Production Forest</p>

and Protected Forest / *Peraturan Menteri Kehutanan No. P.11 Tahun 2013 Tentang Perubahan Atas Peraturan Menteri Kehutanan No. P.36 Tahun 2009 Tentang Tata Cara Perizinan Usaha Pemanfaatan Penyerapan Dan /Atau Penyimpanan Karbon Pada Hutan Produksi Dan Hutan Lindung.*

Ministry of Environment and Forestry Regulation No. P.46 Year 2016 concerning Utilization of Earth Termal Environmental Services in National Park, Grand Forest Park and Nature Tourism Park Area /*Peraturan Menteri Lingkungan Hidup dan Kehutanan No. P.46 Tahun 2016 tentang Pemanfaatan Jasa Lingkungan Panas Bumi pada Kawasan Taman Nasional, Taman Hutan Raya dan Taman Wisata Alam.*

Government Regulation No. 28 Year 2011 concerning the Management of Nature Reserve Area and Nature conservation Area (including essential ecosystem area) / *Peraturan Pemerintah No. 28 Tahun 2011 tentang Pengelolaan Kawasan Suaka Alam dan Kawasan Pelestarian Alam (termasuk kawasan ekosistem esensial).*

Annex B Elements of the *Management Plan**

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

1) The results of assessments, including:

- i. Natural resources and *environmental values**, as identified in *Principle** 6 and *Principle** 9;
- ii. Social, economic and cultural resources and condition, as identified in *Principle** 6, *Principle** 2 to *Principle** 5 and *Principle** 9;
- iii. Major social and environmental risks in the area, as identified in *Principle** 6, *Principle** 2 to *Principle** 5 and *Principle** 9; and
- iv. The maintenance and/or enhancement of *ecosystem services** for which promotional claims are made as identified in *Criterion** 5.1.

2) Programs and activities regarding:

- i. *Workers***' rights, occupational health and safety, *gender equality**, as identified in *Principle** 2;
- ii. *Indigenous Peoples**, community relations, local economic and social development, as identified in *Principle** 3, *Principle** 4 and *Principle** 5;
- iii. *Stakeholder engagement** and the resolution of *disputes** 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 *conserve** and/or *restore**:

- i. *Rare and threatened species** and *habitats**;
- ii. *Water bodies** and *riparian zones**;
- iii. *Landscape** *connectivity**, including wildlife corridors;
- iv. Declared *ecosystem services** as identified in *Criterion** 5.1;
- v. *Representative Sample Areas**, as identified in *Principle** 6; and
- vi. *High Conservation Values**, as identified in *Principle** 9.

4) Measures to assess, prevent, and mitigate negative impacts of management activities on:

- i. *Environmental values**, as identified in *Principle** 6 and *Principle** 9;

- ii. Declared *ecosystem services** as identified in *Criterion** 5.1;
 - iii. Social Values, as identified in *Principle** 2 to *Principle** 5 and *Principle** 9.
- 5) A description of the monitoring program, as identified in *Principle** 8, including:
- i. Growth and yield, as identified in *Principle** 5;
 - ii. Declared *ecosystem services** as identified in *Criterion** 5.1;
 - iii. *Environmental values**, as identified in *Principle** 6
 - iv. Operational impacts, as identified in *Principle** 10;
 - v. *High Conservation Values**, as identified in *Principle** 9;
 - vi. Monitoring systems based on *stakeholder engagement** planned or in place, as identified in *Principle** 2 to *Principle** 5 and *Principle** 7;
 - vii. Maps describing the natural resources and land use zoning on the *Management Unit**.

Annex C Monitoring requirements

Explanatory Note: This annex is adapted from the National Forest Stewardship Standard for Indonesia. It provides guidance about the monitoring requirements in Principle 8.

Part A of the Annex E in the NFSS has been removed as it is only applicable for large (i.e. non-SLIMF) operations:

Part B of the Annex E in the NFSS is copied directly without change. It is applicable to SLIMF operations (less than 100 ha) and therefore includes smallholders less than 20 ha.

PART B (only applicable for SLIMF operation)

- 1) *Monitoring** in 8.2.1 is sufficient to identify and describe the environmental impacts of management activities, including where applicable:
 - i. Invasiveness or other adverse impacts associated with any *alien species** within and outside the *Management Unit** (*Criterion** 10.3);
 - ii. The results of silvicultural activities (*Criterion** 10.5);
 - iii. Adverse impacts to *environmental values** from *fertilizers** (*Criterion** 10.6);
 - iv. Adverse impacts from the use of *pesticides** (*Criterion** 10.7);
 - v. The impacts from *natural hazards** (*Criterion** 10.9);
 - vi. 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);

- 2) *Monitoring** in 8.2.1 is sufficient to identify and describe social impacts of management activities, including where applicable:
 - i. Compliance with *Applicable laws**, *local laws**, ratified international conventions and *Obligatory codes of practice** (*Criterion** 1.5);
 - ii. Resolution of *disputes** and grievances (*Criterion** 1.6, *Criterion** 2.6, *Criterion** 4.6);
 - iii. Programs and activities regarding *workers'** rights (*Criterion** 2.1);
 - iv. *Gender equality**, Sexual harassment and gender discrimination (*Criterion** 2.2);
 - v. Programs and activities regarding occupational health and safety (*Criterion** 2.3);
 - vi. Payment of wages (*Criterion** 2.4);
 - 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. Full implementation of the terms in *binding agreements** (*Criterion** 3.2 and *Criterion** 4.2);

- x. *Indigenous peoples** and community relations (*Criterion** 3.2, *Criterion** 3.3 and *Criterion** 4.2);
 - xi. *Protection** of sites of special cultural, ecological, economic, religious or spiritual significance to *Indigenous peoples** and *local communities** (*Criterion** 3.5 and *Criterion** 4.7);
 - xii. Local economic and social development (*Criterion** 4.2, *Criterion** 4.5);
 - xiii. The production of diversified benefits and / or products (*Criterion** 5.1);
 - xiv. Actual compared to projected annual harvests of timber and *non-timber forest products** (*Criterion** 5.2);
 - xv. Long term* *economic viability** (*Criterion** 5.2); and
 - xvi. *High Conservation Values** 5 and 6 identified in *Criterion** 9.1
- 3) *Monitoring** procedures in 8.2.1 are sufficient to identify and describe changes in environmental conditions including where applicable:
- i. *Environmental values** and ecosystem functions* including carbon sequestration and storage (*Criterion** 6.1); including the effectiveness of actions identified and implemented to prevent, mitigate and repair negative impacts to *environmental values** (*Criterion** 6.3);
 - ii. Rare and *threatened species**, and the effectiveness of actions implemented to protect them and their *habitats** (*Criterion** 6.4)
 - iii. Naturally occurring *native species** and *biological diversity** and the effectiveness of actions implemented to *conserve** and/or *restore** them (*Criterion** 6.6);
 - iv. Water courses, *water bodies**, water quantity and water quality and the effectiveness of actions implemented to *conserve** and/or *restore** them (*Criterion** 6.7);
 - v. *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 Strategies for maintaining *High Conservation Values**

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

Strategies for maintaining *High Conservation Values** may not necessarily preclude harvesting. However, the only way to maintain some *High Conservation Values** will be through *protection** of the High Conservation Value Area* that supports them.

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 *indigenous peoples** needs in relation to the *forest** *Management Unit** developed in cooperation with representatives and members of *local communities** and *indigenous peoples**.

HCV 6 – Strategies to protect the cultural values developed in cooperation with representatives and members of *local communities** and *indigenous peoples**.

Note: As the revision process of the Indonesian National Interpretation of HCV Common Guidance is still underway, **HCV Resource Network Common Guidance 2013 and the 2008 version of the HCV Toolkit for Indonesia is referred for these strategies.** SLIMF identification of HCV refer to FSC step-by-step guide “Good practice guide to meeting FSC certification requirements for biodiversity and High Conservation Values Forest in Small and Low Intensity Managed Forest”.

In any case, **The Organization* has to review its HCV status in conformance with the latest available guidance and/or toolkit.** Newly identified HCV attribute(s) are included within the established HCV planning and monitoring.

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.**

Referring to HCV Toolkit 2008, HCV 1 is divided into 4 sub-HCVs; details of the identification of each sub-HCVs are outlined below:

- HCV 1.1 Areas that Contain or Provide Biodiversity Support Function to Protection or Conservation Areas. HCV 1.1 focuses on the identification of presence of protected or conservation areas in Indonesia which contains special ecological function, biological diversity, protection of water source, and viable population of rare, threatened, and endangered species or their combination. If the *management unit** is located within proximity with the above areas, then the MU may provide support function to maintain integrity of the function of the areas.
- HCV 1.2 Critically Endangered Species. The aim of HCV 1.2 is to identify critically endangered species and sub-species that occur in or near the MU and that may be affected by operational activities. To the maximum extent possible, management action must be undertaken to ensure protection of each individual of these species. Only species listed as Critically Endangered (CR) in the IUCN Red List or species that meet these criteria are considered under HCV 1.2.
- HCV 1.3 Areas that Contain Habitat for Viable Populations of Endangered, Restricted Range or Protected Species. HCV 1.3 aims to identify habitat in or adjacent to the MU for viable populations of species that are threatened, show restricted ranges or protected. Species that must be considered for HCV 1.3 include all species listed on: IUCN Red List as endangered or vulnerable, restricted range species found on only one island or part thereof, protected by the Indonesian government under Law Number 5 (1990) and subsequent regulations derived from it, Taxa listed on CITES Appendix 1 and 2, and species listed on Annex 1 for HCV 1.2 in HCV Toolkit 2008.
- HCV 1.4 Areas that Contain Habitat of Temporary Use by Species or Congregations of Species. The aim of HCV 1.4 is to identify key habitats in a landscape where species or groups of species gather for limited periods.

a. Description of Best Available Information in the country for identifying HCV1:

Refer to HCV Toolkit 2008 - data availability for the identification of each of these HCVs are:

- 1) HCV 1.1 data: all protected area stipulated by the government (SK Dirjen PHPA No 129/1996, PP No 68/1998, UU no 41/1999, PP No 34/2002, PP 57/2016, Peat Restoration Agency Peat Map, Provincial spatial planning map (RTRWP), RTRWK and TGHK map
- 2) HCV 1.2 data: all species under Critically Endangered status of IUCN Red List;

- 3) HCV 1.3: habitat of all species under critically endangered, endangered, and vulnerable status of IUCN Red List; restricted range species found only on one island or part thereof, species protected by Law Number 5 (1990); PP No 7/1999, PP No 8/1999; Species listed on CITES Appendix 1 and 2
- 4) HCV 1.4: IBA and EBA maps from wetland or Birdlife Indonesia, habitat of temporary use by species (such as grassland, cves, lake, saltlick, ficus habitat, and hollow tree for bird nest)
- 5) Peat protection specifically refers to the final KHG map authorized by DG-Baplan-KLHK

b. Description of interested and *affected stakeholders**:

Referring to the HCV Toolkit 2008, the involvement of stakeholders includes: government (policy and legality), *Management Unit**, Indigenous People, local community, NGO, HCV assessment team, University and research institution (relevant specific expertise). Stakeholder involvement is to advice in general on the result of HCV identification report (including its Management Plan), and does not specifically refer to certain HCV.

c. Description of culturally appropriate engagement for identifying HCVs:

Referring to the HCV Toolkit 2008, there is no specific explanation on this. Nevertheless, each data collection or information gathering on the presence of HCV always consider the involvement of local community as the main source of information (local and/or cultural).

d. Examples of HCV1 in the country:

Protected area and or buffer zone of protected area located within the work area of the *Management Unit** (National Park), Karst, Peat, grassland, and lake.

e. Geographic areas where HCV1 is likely present:

Geographically, almost each island in Indonesia has HCV 1 present especially the main islands (Sumatera, Kalimantan, Jawa, Sulawesi, and Papua).

- 1) HCV 1.1: Protected area and or its buffer zone located within the work area of the *Management Unit** (National Park), Karst, Peat, grassland, and lake.
- 2) HCV 1.2 Tiger, orangutan, Rhinos, elephant
- 3) HCV 1.3 Primary forest area within or outside protected area
- 4) HCV 1.4 Cave for bats or swallows, lake for migratory birds, grassland along the river for crocodiles to lay eggs, saltlick for various fauna, specific areas where food sources are available for fruit eater such as Ficus trees, and hollow tree for hornbill

f. Maps of HCV1 areas in the country:

Referring to HCV Toolkit 2008: All attributes of HCV 1.1 to 1.4 has to be mapped including the presence of each HCVA (if present).

HCVA map has to be provided with high resolution, informative, and at a sufficient scale to make it easier for user or stakeholders interested or affected by the activities of *The Organization**

g. Threats to HCV1 areas in the country:

General threats towards HCV 1 include encroachment for agricultural practices, illegal logging; forest fire, and illegal hunting.

Strategies for maintaining HCV1

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.

Referring to HCV Toolkit 2008, recommended management strategy includes:

- 1) HCV 1.1: *The Organization** must consider direct or indirect off-site impact from the MU activities. E.g. designated protection buffer zone for the area.
- 2) HCV 1.2: *The Organization** must identify species in accordance to the description of HCV 1.2. For sedentary species like plants, or wildlife species with limited mobility, the following are required (i) sufficient extent of habitat to guarantee its survival (ii) ecological attributes of this habitat must be protected. For long-ranging wildlife species, several management options exist, including in-situ conservation through habitat protection, preserving migration across habitats inside and adjacent to the *Management Unit**, and potential translocation if only a few individuals are present and there is no chance of growing the population or re-establishing connectivity with other population in the landscape.
- 3) HCV 1.3: *The Organization** must strive to protect or improve the quality and extent of these habitats, and or involve in-situ species protection if the species are to be harvested (e.g. protected or IUCN listed species in the genera *Shorea* or *Dipterocarpus* that are felled in logging operations). Populations must be managed through the estimation of variables in a precautionary way, including variability of their natural carrying capacity and the likelihood of natural disaster. If operational activities of *The Organization** require the direct management or in-situ protection of species to maintain population viability, then these measures must be sustainable.
- 4) HCV 1.4: *The Organization** must strictly protect and maintain the whole HCV 1.4 area to ensure its continued function and to preserve access. Habitats that are important for breeding, nesting, and migration and that set far apart from one another or that occur across ecotones, must be protected, along with buffer zones sufficient to maintain functions and (if required) connectivity among them (e.g. buffers around nesting trees, caves, and lakes).

- 5) Obligation to enclave peat with a minimum depth of 3m in accordance with the final KHG map authorized by DG-Baplan-KLHK (stipulated under P 57/2016, since P 17/2017 is no longer valid) but this still need to be clarified with the government.
- 6) Obligation to implement RIL in accordance with the new MoEF regulation (PERATURAN DIREKTUR JENDERAL BINA USAHA KEHUTANAN Nomor: P.5/VI-BPPHH/2014 TENTANG STANDAR DAN PEDOMAN PELAKSANAAN PENILAIAN KINERJA PENGELOLAAN HUTAN PRODUKSI LESTARI (PHPL) DAN VERIFIKASI LEGALITAS KAYU (VLK).
- 7) Set up Management Plan (RKU) zonation in accordance with the recommended HCVA map (need to also consider the newest MoEF's Directorate General of Conservation Regulation (Perdirjen KSDAE) on HCVA).
- 8) Management strategy shall also include activities to prevent or eliminate unauthorized hunting of rare, threatened and endangered species which is part of *The Organization** effort to protect RTE species presence in the working area. If HCV is vulnerable, precautionary approach shall be in place to prevent damage and risk to HCV.

Where enhancement is identified as the objective*, measures to develop, expand, and/or *restore* habitats** for such species are in place.

Priority species and habitat type must be determined. The determination of targeted species has to include consultation with expert and if the habitat is degraded/destroyed, restoration activities need to be implemented. Objective has to be designated e.g. restoration of habitat along the buffer area of river as the main habitat for *Nasalis larvatus*. Definition of restoration in this case is to conduct an activity to restore the condition of the habitat where the target species live or stay.

Monitoring HCV1

When developing and implementing a monitoring program, *Indigenous peoples**, *local communities**, *affected stakeholders**, *interested stakeholders** and experts shall be given the opportunity to be involved, review monitoring results, conduct field inspections to check quality of the monitoring program, and suggest improvement to the monitoring system.

- 1) Obligation to *The Organization** to periodically implement monitoring on the status of biodiversity within the management area of *The Organization**.
- 2) Obligation to *The Organization** to implement surveillance on the presence of threats to HCV.
- 3) Obligation to *The Organization** to conduct revision or modification of respective strategies and actions, if results of monitoring show that these strategies and actions are insufficient to ensure the maintenance and/or enhancement of HCV1.

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.**

Referring to the HCV Toolkit 2008, HCV 2 comprises of 3 sub-HCVs. Further sub-type - *Intact Forest Landscape** (IFL), has been added within HCV 2 category in this standard. Therefore, the details for the identification of each HCV are as follows:

- HCV 2.1 Large Natural Landscapes with Capacity to Maintain Natural Ecological Processes and Dynamics. HCV 2.1 aims to identify and protect areas of a natural landscape where natural ecosystem processes occur and have the potential to persist for the long-term. The key to achieving this is the identification and protection of *core zone(s)** within a landscape, which are essential for guaranteeing the continuation of ecological processes unperturbed by edge effects and fragmentation. The *core zone** is defined based on the size (>20,000 ha within the landscape) surrounded by a natural vegetation buffer of at least 3 km from the forest edge.
- HCV 2.2 Natural Areas that contain two or more contiguous ecosystems. Areas that include a diversity of ecosystems, supporting great numbers of species and having high capacity to sustain them for the long term. The maintenance of ecosystem types, especially those co-occurring within a single landscape, is a fundamental goal of local conservation, because it guarantees the movement of species among ecosystems and the flow of materials and energy in the face of environmental changes like fluctuating food availability, extreme weather and changing climate. This HCV aims to identify landscapes that contain multiple ecosystem types, to protect their *core zone** (delimited in the same way as in HCV2.1) and to maintain connectivity among these types.
- HCV 2.3 Areas that Contain Representative Populations of Most Naturally Occurring Species. HCV 2.3 aims to identify landscapes with potential to sustain representative populations of naturally occurring species and ensuring that management activities maintain or enhance this potential. The assessment of HCV 2.3 employs several proxies, e.g. minimum areas required for the viability of higher predators (e.g. tiger, leopards, or eagles) or low density far ranging species (e.g. orangutan or elephant). The assessment of HCV 2.3 requires the assessor to consider areas outside *Management Unit** to understand potential interactions among populations of species and the ecosystems they depend upon inside and outside *Management Unit**.
- *Intact Forest Landscape**: An important source of information on large, undisturbed landscape-level forests comes from the World Resources Institute (WRI), which has mapped Frontier Forests and *Intact Forest Landscapes** (IFL) at a global and regional level since the 1990's. WRI defines an IFL as "a territory within today's global extent of forest cover which contains forest and non-forest ecosystems minimally influenced by human economic activity, with an area of at least 500 km² (50,000 ha) and a minimal width of 10 km (measured as the diameter of a circle that is entirely inscribed within the boundaries of the territory).

Areas with evidence of certain types of human influence are considered disturbed and consequently not eligible for inclusion in an IFL, including:

- Timber production areas, agricultural lands and human settlements with a buffer zone of 1 km;
- Primary and secondary forest roads and skid trails, with a buffer zone of 1 km on either side;
- Areas, where industrial activities occurred during the last 30-70 years, such as logging, mining, oil and gas exploration and extraction, peat extraction, etc.

Areas with evidence of low-intensity and old disturbances are treated as subject to "background" influence and are eligible for inclusion in an IFL. Sources of background influence include local shifting cultivation activities, diffuse grazing by domestic animals, low-intensity selective logging for non-commercial purposes, and hunting. (For further information related to the identification of IFL, please see the NFSS Indicator 9.1.4).

All forests formally designated as IFLs, and other forests which reasonably match the above descriptions, shall be considered as HCV 2. However, HCV 2 is not solely restricted to areas that show no signs of significant human activity, and "intactness" per se is not explicitly included in the HCV 2 definition. The latter rests on the global, regional or national significance of large, landscape level ecosystems, and specifically the presence of viable populations of the great majority of the naturally occurring species.

a. Description of *Best Available Information** in the country for identifying HCV2:

Referring to HCV Toolkit 2008, data availability in the identification of each HCVs are as follows:

- 1) HCV 2.1 and HCV 2.2: land cover data based on the latest satellite imagery, map of RTRWP (national, provincial, and district level), Land Mapping System (RePPRoT), DEM map, forest ecosystem map, map of watershed, field survey data.
- 2) HCV 2.3: data used for the analysis of HCV 1,1; HCV 2.1, Topography map, map of predator habitat (e.g. tiger, eagle), map of low density far ranging populations (e.g. orangutan, elephant).
- 3) *Intact Forest Landscape** (IFL) using the latest global IFL map (as of 2017 available through Global Forest Watch (www.globalforestwatch.org) or maps based on more recent and accurate data or IFL inventory using refined methodology.

b. Description of interested and *affected stakeholders**:

Referring to the HCV Toolkit 2008, the involvement of stakeholders includes: government (policy and legality), *Management Unit**, Indigenous People, local community, NGO, HCV assessment team, University and research institution (relevant specific expertise). Stakeholder involvement is to advice in general on the result of HCV identification report (including its Management Plan), and does not specifically refer to certain HCV.

c. Examples of HCV2 areas in the country:

Primary forest within or surrounding the *Management Unit**; habitat of elephant, tiger, orangutan, rhinos; freshwater swamp and mountain; *Intact Forest Landscapes**

- d. Geographic areas where IFLs or other types of HCV2 is likely present:

HCV2 (including IFL) are mostly found in Kalimantan and Papua and possibly in Sumatera, Sulawesi, and Maluku. There is no IFL in Java. IFL has to be clearly defined. Almost all forested area in Indonesia is inhabited by communities. Further, if tribes have a swidden fallow activities, there will be fragmentation especially in areas within close proximity to rivers.

- e. Maps of HCV2 areas in the country:

Referring to HCV Toolkit 2008:

- 1) HCV 2.1. map must present the *core zone** and its buffer zone.
- 2) Ecosystem area and ecotone zone must be presented as clearly as possible on HCV 2.2 map
- 3) All habitats within or surrounding (landscape scale) the *Management Unit** considered as populations of most naturally occurring species must be mapped as HCV 2.3

HCV Map requires high resolution, informativeness, and availability at a scale that is easier to be used by user or interested stakeholders and those affected by *The Organization**'s operation.

- f. Threats to HCV2 areas in the country:

General threats to HCV 2 include encroachment for agricultural practices; conversion for plantations and settlement; illegal logging; forest fire, and overhunting.

Strategies for maintaining HCV2

- 1) 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**.

*The Organization** must avoid all direct or indirect intrusion on *core zone** or its bufferzone. Example of direct intrusion includes logging, forest conversion to plantation, and infrastructure development such as road, channel, or settlement on *core zone** and its buffer zone.

*The Organization ** shall use *Best Available Information** and solicit input from experts when developing management strategies and actions. Management strategies shall be developed with appropriate measures for protecting *core zone**, and addressing identified threats.

This means that strategies shall 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.

- 2) 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.

With regards to the development of communities and infrastructures by the government, *The Organization** has to be proactive to engage the local government and law enforcement in anticipating the impact of infrastructure development on HCV 2.1 and design strategies to mitigate the risks

If HCV 2.3 is present within *Management Unit** or in the landscape, the company has to cooperate to maintain the value within the landscape. *The Organization** is advised to be proactive in working with other stakeholders to maintain the HCV 2.3 area

- 3) 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.

Restoration of degraded habitat to ensure functioning of support for biological diversity. This may include action to: 1) restore habitat or ecosystem that are damaged, 2) rehabilitation through planting of local fast growing species, 3) reclamation or replanting of open ex-mining area, 4) restoration through natural succession, and 5) maintain the size and presence of natural corridor to allow movement of flora and fauna between patches (See *Perdirjen Konservasi Sumberdaya Alam dan Ekosistem, P8/KSDAE/BPE2/KSA.4/9/2016 tentang Pedoman Penentuan Koridor Hidupan Liar sebagai Ekosistem Esensial*).

- If HCV 2.2 is identified inside *Management Unit**, then HCVA 2.2 must be protected and conditions maintained to sustain natural ecological processes, especially interactions among different ecosystem types. If HCV 2.2 is present, and either one or more of the ecosystems is considered rare or endangered under HCV 3, or the area has already been identified as important for management of another HCV in the area like HCV 1.2 or 1.3, then sufficient areas of each ecosystem and transitional zone(s) between them must be maintained to co-manage these values.
- If HCVA 2.2 occurs in a landscape that also meets criteria of HCV 2.1 – i.e., a large landscape with capacity to maintain natural ecological processes and dynamics – then at least 10,000 ha of each ecosystem, and the transitional zone(s) between them, must be maintained in the *core zone** delimited under HCVA 2.1.
- If the above-mentioned minimum of 10,000 ha of each ecosystem cannot be identified for preservation in the *core zone**, because ecosystem extent is insufficient, then the largest possible area of each ecosystem and their transitional zone(s) must be preserved within the *core zone**. These areas, in turn, define the *High Conservation Value* Management Area (HCVMA)* for HCV 2.2.
- If portion of *Intact Forest Landscapes** is within the *Management Unit**, then at least 80% of this IFL shall be protected as a *core area**.

- If, the vulnerability of a HCV2 is uncertain, *The Organization** implements respective measures to prevent damage and avoid risks to HCV2.

Monitoring HCV2

When developing and implementing a monitoring program, *Indigenous peoples**, *local communities**, *affected stakeholders**, *interested stakeholders** and experts shall be given the opportunity to be involved, review monitoring results, conduct field inspections to check quality of the monitoring program, and suggest improvement to the monitoring system.

- 1) Obligation to *The Organization** to periodically implement monitoring on the status of biodiversity within the management area of *The Organization**.
- 2) Obligation to *The Organization** to implement surveillance on the presence of threats to HCV.
- 3) Obligation to *the Organization** to conduct revision or modification of respective strategies and actions, if results of monitoring show that these strategies and actions are insufficient to ensure the maintenance and/or enhancement of HCV2.

HCV3 – Ecosystems* and habitats*. Rare*, threatened*, or endangered ecosystems*, habitats* or refugia*.

HCV 3. Areas with Rare or Endangered Ecosystems. The objective of HCV 3 is to identify and delineate ecosystems within a landscape that are naturally rare or endangered. Ecosystem may be rare or endangered due to natural factor that restrict its range (e.g. karst only exists on limestone) or due to changes in land cover and degradation caused by human. Management actions have to ensure that natural ecological processes throughout a rare or endangered ecosystem – especially distinctive features of it – are maintained. To determine if an ecosystem is rare or endangered, an evaluation is made comparing the historical, current and expected future extent of the ecosystem within the bio-physiographic region where it occurs. The result of an analysis for the assessment of rare or endangered ecosystem can be read on the annex of HCV Toolkit 2008.

a. Description of *Best Available Information** in the country for identifying HCV3:

Land cover data based on the latest satellite imagery, map of RTRWP (national, provincial, and district level), Land Mapping System (RePPRoT), DEM map, forest ecosystem map, map of watershed, field survey data. Considering the following:

- 1) An ecosystem is considered endangered if it has lost 50% or more of its original extent in the biophysiological region where it occurs, or 75% or more based on the assumption that all areas currently allocated for conversion in existing spatial plans will be converted.
- 2) An ecosystem is considered rare if it covers less than 5% of the remaining natural vegetation cover in the biophysiological region where it occurs.

b. Description of Interested and *affected stakeholders**:

Referring to the HCV Toolkit 2008, the involvement of stakeholders includes: government (policy and legality), *Management Unit**, *Indigenous People**, *local community**, NGO, HCV assessment team, University and research institution (relevant specific expertise). Stakeholder involvement is to advice in general on the result of HCV identification report (including its Management Plan), and does not specifically refer to certain HCV.

c. Examples of HCV3 ecosystems and habitats in the country:

Within HCV Toolkit 2008, the location of rare ecosystem in Kalimantan and Sumatera is shown in detail on Table 8.3.1. This includes ecosystem of mangrove forest, swamp forest, coastal forest, riparian, lowland forest on alluvium soil, heat, peat swamp, etc.

d. Geographic areas where HCV3 is likely present:

Within HCV Toolkit 2008, the location of rare ecosystem in Kalimantan and Sumatera is shown in detail on Table 8.3.1. This includes ecosystem of mangrove forest, swamp forest, coastal forest, riparian, lowland forest on alluvium soil, heat, peat swamp, etc.

e. Maps of HCV3 areas in the country:

Map of presence of HCV 3 has to be systematically presented. HCV Toolkit 2008 shows map that identifies the location of HCV 3 for Kalimantan and Sumatera.

f. Threats to HCV3 areas in the country:

General threats towards HCV 3 include encroachment for agricultural practices; conversion for plantations and settlement; illegal logging; forest fire, and overhunting

Strategies for maintaining HCV3

Strategies that fully maintain the extent and integrity of rare or threatened *ecosystems**, *habitats**, or *refugia**.

- 1) Management prescriptions for HCV 3 must be sufficient to maintain the current condition and any unique attributes of rare or endangered ecosystems within the *Management Unit** or nearby and likely to be affected by off-site impacts of *Management Unit** operations. The prevention of off-site impacts can be done partly by ensuring there are no changes to water courses and water quality/quantity from *Management Unit**, as well as by maintaining buffer zones.
- 2) If the *Management Unit** is part of a large natural landscape following criteria defined under HCV 2.1, rare ecosystem must be managed by: Ensuring that at least 10,000 ha area (if physically existing) of the HCV 3 ecosystem is inside the *core zone**. And if a *core zone** of 20,000 ha does not exist, as much of the HCV 3 ecosystem as possible must be in the *core zone**.
- 3) If there is no *core zone** as defined under HCV 2.1, then whenever possible a buffer zone around the HCV 3 ecosystem of at least 1 km must be delineated within which no commercial logging.
- 4) For endangered ecosystems, if *Management Unit** is part of a large natural landscape following criteria under HCV 2.1, it can be managed like the rare ecosystem above. If the landscape where *Management Unit** exist does not have a *core zone** as defined under HCV 2.1, then sufficient area to maintain ecological processes especially its unique attributes must be maintained by adding at least 1 km buffer.
- 5) Habitats of rare and threatened species are protected, including (where needed) by implementing conservation zones, protection areas, wildlife corridors, and other related systems.
- 6) If, the vulnerability of a HCV is uncertain, *The Organization** implements measures to prevent damage and avoid risks to HCV.

Where enhancement is identified as the *objective**, measures to *restore** and/or develop rare or threatened *ecosystems**, *habitats**, or *refugia** are in place.

Restoration of the degraded habitat condition to ensure support for biological diversity. This may include action to:

- 1) restore habitats or ecosystems that are damaged,

- 2) rehabilitation through planting of local fast growing species,
- 3) reclamation or replanting of open ex-mining area.

Monitoring HCV 3

When developing and implementing a monitoring program, *Indigenous peoples**, *local communities**, *affected stakeholders**, *interested stakeholders** and experts shall be given the opportunity to be involved, review monitoring results, conduct field inspections to check quality of the monitoring program, and suggest improvement to the monitoring system.

- 1) Obligation to *The Organization** to implement periodic monitoring on the biodiversity development within *The Organization*'s* management unit**.
- 2) Obligation to *The Organization** to implement surveillance on the presence of threats to HCV.
- 3) Obligation to *The Organization** to conduct revision or modification of respective strategies and actions, if results of monitoring show that these strategies and actions are insufficient to ensure the maintenance and/or enhancement of HCV3.

HCV4 – *Critical* ecosystem services. Basic ecosystem services* in critical* situations, including *protection** of water catchments and control of erosion of vulnerable soils and slopes.**

Referring to HCV Toolkit 2008, HCV 4 comprises of 4 sub-HCVs. Therefore, the details of each HCVs are as follows:

- HCV 4.1 Areas or Ecosystems Important for the Provision of Water and Prevention of Floods for Downstream Communities. If a forest area (within a watershed) is found to play a role in the production of clean water or to control flooding in downstream communities, then it possesses HCV 4.1. In addition to watersheds and their downstream communities, there are several land and forest ecosystems that have extremely important hydrological function and require special attention. Such ecosystems referred to by HCV 4.1 include cloud forest, ridge line forest, riparian ecosystems, karst forest, and a variety of wetland swamp, mangrove forest, lakes, and grass swamp.
- HCV 4.2 Areas Important for the Prevention of Erosion and Sedimentation. In this context, HCV 4.2 is located in the areas where forest or other vegetation grows in good condition on areas with high potential Erosion (*Tingkat Bahaya Erosi*). Areas with high potential erosion is defined as areas estimated to have erosion level of 180 t/ha/y or more if the vegetation cover is cleared. The methodology for erosion level calculation is explained in detail in HCV Toolkit 2008.
- HCV 4.3 Areas that Function as Natural Barriers to the Spread of Forest or Ground Fire. An area with properties capable of deterring the spread of large scale forest or ground fires is considered an area with high conservation value. Several *natural forest** types in good condition have these physical characteristics during dry or long dry season related to El-Nino as occurred in 1982/1983 and 1997. Other areas with capability as fire break during fire need to be maintained, e.g. intact peat swamp forest, swamp forest, other wetlands and greenbelt with various fire-resistant plants.

a. Description of *Best Available Information** in the country for identifying HCV4:

- 1) Type of data for HCV 4.1 analysis: Spatial planning map (TGHK, RTRWP, RTRWPK); Topographic Map (e.g., SRTM), Map of River and Watershed, Map of Settlement, Soil Map, Slope Map, Climate/rainfall map (Isohyet), Land system map (RePPPProT), Land cover map, Map of existing ecosystem (see HCV 3)
- 2) Type of data for HCV 4.2: DEM (e.g., SRTM), Map of River and watershed, Soil Map (1:250,000), soil depth, Climate/rainfall map (Isohyet), Land System Map (RePPPProT), Map of disaster prone area (*Bakosurtanal*), other relevant information such as result of interview with local community, *The Organization** staff, or other stakeholders
- 3) Data for HCV 3: Climate/rainfall map (Isohyet), Topographic Map, Forest cover map, Ecosystem Map (see HCV 3), Hot spot map, Settlement map, map of fire prone area from relevant institution

- b. Description of Interested and affected stakeholders:
Downstream community affected by the operation, FME surrounding the *Management Unit** (organization).
- c. Examples of HCV4 critical ecosystem services in the country:
Cloud forest, ridge line forest, riparian ecosystem, karst, and various wetland ecosystem, including peatland (especially the one still forest), freshwater swamp forest, mangrove forest, lake, and grass swamp
- d. Geographic areas where HCV4 is likely present:
HCV Toolkit 2008 provided information on the location of important ecosystem map relevant with HCV 4.1 in Sumatera, Kalimantan, Sulawesi and Papua (Table 8.4.3).
- e. Maps of HCV4 areas in the country:
HCV Toolkit 2008 provides information on the location of respective important ecosystems in the map depicting HCV 4.1 in Sumatera, Kalimantan, Sulawesi and Papua (Table 8.4.3).
- f. Threats to HCV4 areas in the country:
However, general threats towards HCV 4 include encroachment for agricultural practices; conversion for plantations and settlement; illegal logging; forest fire, and overhunting

Strategies for maintaining HCV4

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.

- 1) Where a watershed area provides a continuous supply of water, the *The Organization** must implement management to ensure that upstream or downstream areas are not affected, and that watershed function is maintained. The main objective of the management of HCV 4.1 is to maintain the sustainability of all watershed functions related to provision of clean water for downstream communities.
- 2) HCV 4 must be managed with precautionary approach and consider best practice on soil conservation and sedimentation along extreme slopes, mountain ridges, and shallow top soil, soil with low surface permeability, and areas with insufficient vegetation cover.
- 3) Areas with proper vegetation cover, such as forest or other vegetation, have a significant role in preventing erosion and sedimentation. Thus, maintaining vegetation cover in high erosion potential areas must be a high priority. In HCVA 4.2, maintaining the area as a natural ecosystem is the most effective and (at times) the most economical way to avoid erosion and sedimentation.
- 4) To avoid the spread of forest and ground fires, forest and land

management must follow a zero burning principle and *The Organization** must maintain land with good, intact vegetation cover. Tools and forest and land fire control unit must be available.

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.

Using silvicultural technique in accordance with (PermenLHK No.65/2014 on Silviculture System), protected area in accordance with the PP No 108 Tahun 2015 tentang Perubahan Atas PP No 28 Tahun 2011 tentang Pengelolaan Suaka Alam dan Kawasan Pelestarian Alam dan KePres no 32 Tahun 2990 tentang Pengelolaan Kawasan Lindung, usage of chemical compound (UU No 9 Tahun 2008 tentang Penggunaan Bahan Kimia dan Larangan Penggunaan Bahan Kimia sebagai Senjata Kimia dan PP No 74 tahun 2001 tentang Pengelolaan Bahan Berbahaya dan Beracun), protection of spring and watershed area PP No 37 Tahun 2012 tentang Pengelolaan Daerah Aliran Sungai dan PP No 38 tahun 2011 tentang Sungai Lembaran Negara Republik Indonesia Tahun 2011 No 74, Tambahan Lembaran Negara Republik Indonesia No 5230)

Where enhancement is identified as the *objective**, measures to *restore** water quality and quantity are in place.

Monitoring HCV4

When developing and implementing a monitoring program, *Indigenous peoples**, *local communities**, *affected stakeholders**, *interested stakeholders** and experts shall be given the opportunity to be involved, review monitoring results, conduct field inspections to check quality of the monitoring program, and suggest improvement to the monitoring system.

- 1) Obligation to *The Organization** to implement periodic monitoring on the biodiversity development within *The Organization**'s* *management unit**.
- 2) 2) Obligation to *The Organization** to implement surveillance on the presence of threats to HCV.
- 3) Obligation to *The Organization** to conduct revision or modification of respective strategies and actions, if results of monitoring show that these strategies and actions are insufficient to ensure the maintenance and/or enhancement of HCV

Where identified HCV 4 *ecosystem services** include climate regulation, strategies to maintain or enhance carbon sequestration and storage are in place.

HCV5 – 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 5 Natural Areas Critical for Meeting the Basic Needs of Local People. HCV 5 aims to identify areas serving the important function of sustaining local communities, by helping to meet basic needs. Provision of such needs can be direct (e.g. animal protein obtained from locally caught fish), or indirect, through the commercial sale of forest products (or other natural products) for cash used to purchase one or more basic need. Basic needs in the Toolkit are defined as: Food, Water, Clothing, Materials for the house and tools, Firewood, Medicine, and Livestock. In principle, HCV 5 may be present at the spatial scale of a vast landscape or at the level of an ecosystem or sub-component thereof. Distinguishing between these spatial scales is of more than just academic interest because it helps to delimit the spatial extent over which management plans must be developed to maintain or enhance the value. There are two fundamental criteria for identifying HCV 5 areas important for meeting basic needs of local people. First: A forest area or other natural ecosystem that provides important natural resources to a local community where such resources can not be replaced with readily available alternatives, and Second: Natural resources that are used by local people in a sustainable manner, or that local people actively try to protect, use of which does not place undue pressure on the maintenance of other HCVs.

- a. Description of *Best Available Information** in the country for identifying HCV5: Toolkit 2008 stated that to obtain secondary data from local communities on the presence of HCV 5, assessor must gather information from the four series of mandatory questions. Source of information for each questions and guidance for the assessor is available on Table 8.5.1 of the Toolkit.
The full assessment of HCV 5 can be done in four steps:
 - 1) Identify subgroups within the local community based on factors considered important,
 - 2) Identify the level of dependence of these subgroups on the forest,
 - 3) Identify the availability of alternative resources for meeting family needs,
 - 4) Assess whether the use of the forest or other ecosystems is being done sustainably and its use does not conflict with other HCVs.

- b. Description of Interested and affected stakeholders:
Indigenous Peoples, Local communities, government institutions, NGO or academic research.

- c. Examples of HCV 5 sites and resources fundamental for local communities in the country:
HCV 5 may be present at the landscape level, for example, defined by the distribution of sago palm throughout a forest concession, where sago is harvested following a spatio-temporal cycle that ensures landscape population

viability. At the ecosystem level or a sub-component thereof, HCV 5 may be present in caves throughout a karst ecosystem managed for edible swallow nests, or in a grove of *Koompassia excelsa* trees used by honey bees to build nests.

- d. Geographic areas where HCV5 is likely present:
Present in almost all regions in Indonesia where community livelihood is still dependent on forests.
- e. Maps of HCV5 areas in the country:
Refer to HCV Toolkit 2008: all HCV 5 attributes must be mapped including the presence of each HCVA (if present).
- f. Threats to HCV5 areas in the country:
General threats towards HCV 5 include encroachment for agricultural practices; conversion for plantations and settlement; illegal logging; forest fire, and overhunting.

Strategies for maintaining HCV5

Strategies to protect the community's and/or *Indigenous Peoples*'* needs in relation to the *Management Unit** are developed in cooperation with representatives and members of *local communities** and *Indigenous Peoples**.

*The Organization** may integrate the management of areas with high biodiversity – to ensure availability of food, medicinal, and cultural sources, without violating the requirements of this standard (including its HCV framework) as well as respective laws and regulations of Indonesia.

- 1) Precautionary approach in the management is required if the objective of the *organization** is to conserve forest areas critical for meeting the basic needs, where the community has no other alternatives.
- 2) *The Organization** must communicate and consult intensively with local communities as the main user of the area and other relevant stakeholders.

Monitoring HCV5

When developing and implementing a monitoring program, *Indigenous peoples** and *local communities** shall be given the opportunity to be involved, review monitoring results, conduct field inspections to check quality of the monitoring program, and suggest improvement to the monitoring system.

The monitoring of HCV 5 shall ensure the protection of its function as critical for communities basic needs.

- 1) Obligation to *The Organization** to implement periodic monitoring on the important function of sustaining local communities to meet basic needs within *The Organization's** *management unit**.
- 2) Obligation to *The Organization** to implement protection and surveillance of HCV present from the existing threat and disturbances.

- 3) Obligation to *The Organization** to conduct revision or modification of respective strategies and actions, if results of monitoring show that these strategies and actions are insufficient to ensure the maintenance and/or enhancement of HCV5.

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.**

- HCV 6 Areas Critical for Maintaining the Cultural Identity of Local Communities.
HCV 6 concerns areas that play an important role in the traditional cultural identity of local communities; where a particular area is needed to fulfill their cultural needs. The relationship between a community and an area can be rooted in ideas, concepts, norms, values, activities, and activity patterns, as well as features of the environment/natural resources/objects. Together, these features form the basis of a collective behavior of a community and that define the relationship between a community and an area. At smaller spatial scales of an ecosystem or sub-component, HCV 6 may be present as sacred forests, grave sites of ancestors or sites where traditional ceremonies are held.
- a. Description of *Best Available Information** in the country for identifying HCV6:
To ensure the objectivity of the assessment, data collection should utilize the triangulation concept comprising of at least three data source and collection methodology. Data source within HCV 6 assessment shall at least include: a) information from the local or indigenous community, including traditional leaders and community members, b) information from research reports; historical documents, and any other available documents, and c) information from an expert(s) or senior community member who knows the local culture. The key to the assessment of HCV 6 is intensive consultation with the local community in a manner that encourages active participation.
- b. Description of Interested and affected stakeholders:
Local or indigenous community, government institution, NGO or academic research.
- c. Examples of HCV6 significant cultural values in the country:
Examples of HCV 6 on a landscape level can be seen on Baduy community in West Java and Suku Anak Dalam in Riau where the community has its own rules and procedures governing relation between humans and their landscape.
- d. Geographic areas where HCV6 is likely present:
Baduy community in Banten, Suku Anak Dalam in Riau and Jambi, and other indigenous people within Indonesia
- e. Maps of HCV6 areas in the country:
Map of indigenous sites such as: MoEF , AMAN/Aliansi Masyarakat Adat Nusantara (www.aman.or.id), BRWA/ Badan Registrasi Wilayah adat (www.brwa.or.id)
- f. Threats to HCV6 areas in the country:
General threats towards pHCV 6 include encroachment for agricultural practices; conversion for plantations and settlement; illegal logging; forest fire, and overhunting.

Strategies for maintaining HCV6

- 1) *The Organization** may integrate the management of areas with high biodiversity – to ensure availability of food, medicinal, and cultural sources, without violation of the requirements of this standard (including its HCV framework) as well as respective laws and regulations of Indonesia.
- 2) Precautionary approach in the management is required if the objective of the *organization** is to conserve forest areas critical for meeting the basic needs, where the community has no other alternatives.
- 3) Strategies to protect the cultural values are developed in cooperation with representatives and members of *local communities** and *Indigenous Peoples**. *The Organization** must communicate and consult intensively with local communities as the main user of the area and other relevant stakeholders.

Monitoring HCV6

When developing and implementing a monitoring program, *Indigenous peoples* and local communities** shall be given the opportunity to be involved, review monitoring results, conduct field inspections to check quality of the monitoring program, and suggest improvement to the monitoring system.

The monitoring of HCV 6 shall ensure the protection of its function as critical for cultural identity of local communities.

- 1) Obligation to *The Organization** to implement periodic monitoring on the important function of cultural identity of local communities within *The Organization*'s* management unit**.
- 2) Obligation to *The Organization** to implement surveillance on the presence of threats to HCV.
- 3) Obligation to *The Organization** to conduct revision or modification of respective strategies and actions, if results of monitoring show that these strategies and actions are insufficient to ensure the maintenance and/or enhancement of HCV6.

Annex E 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. An additional explanation is provided for the term “Indigenous Peoples” based on the definition in the Glossary of the NFSS.*

This Glossary includes definitions for all terms in italics in Indicators in this Forest Stewardship Standard for Smallholders in Indonesia. It is developed specifically for this standard. It also includes many of the terms in the Principles and Criteria with an asterisk *. 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 asterisk * 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
- 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).

Agroforestry: 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 Indigenous 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 Indigenous 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 [mechanisms]: 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)

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, P₂O₅ and K₂O, 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:

- HCV1 - 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.

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)

Within the context of Indonesia Law: Indigenous People is a group of people who have been living in a certain geographical area for generations in the territory of the Republic of Indonesia because of the ancestral connection and a special relationship with the land, territory and natural resource in their customary territory, who own a distinct value system that defines the economic, political, social and legal norms parts or all of which are different from those of the society in general (Source: adaptation from Indonesia's Bill on Recognition and Protection of Indigenous People -AMAN's version, 9 March 2012-). **Note:** *Additional explanation copied directly from NFSS Glossary of Terms*

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 Indonesia 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, P₂O₅ and K₂O, 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 Indigenous 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)



Forest Stewardship Council®

ic.fsc.org

FSC International Center gGmbH
Adenauerallee 134 · 53113 Bonn · Germany



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