



Report

SYNOPSIS REPORT

Results of the focused consultation on the draft Advice Note
on requirements for certificate holders introduced by the
Policy to Address Conversion and M37/2021



Title:	Synopsis report
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INTRODUCTION

Statutory Motion 37/2021: Required changes to the FSC Principles and Criteria to implement the Policy to Address Conversion, which was passed in the General Assembly 2022, required changes to the Principles and Criteria to make the Policy to Address Conversion implementable. Therefore Criteria 6.9 and 6.10 were updated, and a new Criteria 6.11 added to the Principles and Criteria.

These changes require also correspondingly revised and added International Generic Indicators (IGI) which were published in April 2023. With the normative documents becoming effective on 1 July 2023, it is necessary to regulate how these changes to the Principles and Criteria and to the International Generic Indicators affect any person or entity holding or applying for FSC Forest Management certification. For this purpose PSU drafted an Advice Note on requirements for certificate holders introduced by the Policy to Address Conversion and M37/2021 and according to <[FSC-PRO-01-001 The Development and Revision of FSC Requirements](#)>, Section 12, launched a ten-day focused consultation. The draft advice note was submitted for feedback to FSC's Director General, the Policy and Standards Committee, PSU's Forest Stewardship Standards (FSS) team, and the representatives of Standard Development Groups (Forest Management Community) between 16 and 29 March 2023.

This report presents the feedback received and an indication of how the comments have been taken into account in the final Advice Note.

SUMMARY OF FEEDBACK RECEIVED

- A total of 22 comments were received from five respondents.
- Language improvements on the Advice Note were suggested.
- Concerns were raised by representatives of Standard Development Groups on the impact this advice note will have on certificate holders and standard development processes.
- Concerns were raised by representatives of Standard Development Groups expecting requirements for certificate holders to be introduced by incorporating them into the Forest Stewardship Standards according to <[ADVICE-60-006-02 Advice Note on Incorporation of new or revised International Generic Indicators introduced in future versions of FSC-STD-60-004 into National Standard \(National Forest Stewardship Standards and Interim National Standards\)](#)>.
- Concerns were raised by representatives of Standard Development Groups on requiring certificate holders to conform with international generic indicators from Motion 37/2021.
- Concerns were raised by representatives of Standard Development Groups on invalidating existing national indicators regarding conversion.
- Representatives of Standard Development Groups question the alignment process followed and the scope of focused consultations.

SUMMARY OF ACTIONS TAKEN TO ADDRESS FEEDBACK RECEIVED

- PSU delayed the finalization and publication of the advice note and provided several updates to the Forest Management Community to allow Network Partners and Standard Development Groups to express questions and concerns.

- PSU engaged with the Forest Management Community and after discussions modified the advice note to enforce new requirements without invalidating national requirements, when they are not in conflict with the new ones.
- PSU shared the final advice note 10 days in advance with Network Partners and Certification Bodies to allow them to prepare for the publication.

1. Comments and responses

Comments	Addressing the comment
Capitalize “International Generic Indicators” in the Background section	Final advice note has been revised according to suggestion.
Allow national offices to conduct risk and impact assessment to decide whether to implement the new requirements immediately or wait until the next scheduled revision of NFSS.	The FSC Board of Directors (BoD) approved an effective date of 1 July 2023 for the conversion and remedy requirements. The implementation date cannot be delayed through the advice note.
Concerns about revising NFSS frequently.	<p>Standard developers are not required to update their FSS at this point, unless they are in the scenario in ADVICE-60-006-02, where they are requested to do so.</p> <p>However, certificate holders shall conform with the revised IGIs as of 1 July. These requirements arise from statutory Motion 37/2021.</p>
Deviations from ADVICE-10-004-01	ADVICE-10-004-01 is a newly published advice note regarding Remedy Framework and does not have requirements for FSS.
Conversion is not a priority issue in some countries	Understandably conversion may not be a priority topic in all countries. It is however a global strategic topic. The advice note is needed to enforce <u><FSC-POL-01-007 Policy to Address Conversion></u> and changes from M37/2021 in a timely manner as approved by BoD.
New advice disregards ADVICE-60-006-02 V1-0 EN which was developed to address concerns regarding changes to FSS outside review and revision cycles	Concerns were acknowledged and addressed in ADVICE-60-006-02. At the same time BoD retains the possibility to shorten deadline for enforcement on requirements on certificate holders in case of risk, strategic importance, etc.

Using advice notes as a mechanism to bypass local standard development processes and force change directly on certificate holders.

Advice notes are not a new mechanism to introduce requirements to certificate holders and the process is regulated.

Cut-off date and possibility to remedy for past conversion needs to be enforced in a timely manner.

Advice note seems as a top-down imposition to all certificate holders.

New conversion rules have been lengthy discussed and numerous communication materials have been offered in past years. They have been approved by members and BoD.

A history of the process is available at: [Development of FSC -POL-01-007 Policy to Address Conversion | FSC Connect](#)

Certificate holders are not familiar with FSC-STD-60-004 (IGI) which is aimed at standard developers and not certificate holders.

Final advice note has been revised and includes requirements for certificate holders directly in the advice note for ease of implementation.

More information, explanations, and rationale of the impact analysis to help Network Partners and Certification Bodies understand what it would mean for certificate holders in each country is needed.

PSU delayed the publication of the advice note to allow further discussion with Network Partners.

PSU provided several updates with the aim of exchanging concerns and questions before publication. Final advice note was shared 10 days before publication with Network Partners and Certification Bodies to allow for preparation.

Advice note ignores the normative status of IGI, as they are a starting point for developing Forest Stewardship Standards.

The proposed advice note also ignores the fact that some forest stewardship standards go beyond FSC's conversion requirements or provide valuable specifications, and that forcing certificate holders to abide by the IGIs would represent a backward step.

The idea that the conversion IGIs can simply be imposed on certificate holders without local adaptation is naïve

PSU engaged with the Forest Management Community to discuss options to enforce new requirements without invalidating parts of the national standards that can provide valuable specifications. After discussion, the final advice note is enforcing the new requirements without invalidating national requirements, when they are not in conflict with the new ones.

To avoid slow rate of implementation of normative requirements it would be better to accelerate the revision cycle of forest stewardship standards and address the causes of current delays.

Revision cycles of FSS is addressed in [<FSC-PRO-60-006 Development and Transfer of National Forest Stewardship Standards to the FSC Principles and Criteria Version 5-1>](#) and [<FSC-ADV-60-006-01 Advice on Incorporation of new International Generic Indicators introduced with FSC-STD-60-004 V2-0 into National Forest Stewardship Standards>](#).

Concerns on focused consultation process: limited visibility and short.

PSU has followed requirements in section 12: *Alignment between requirements* for a focused consultation stated in [<FSC-PRO-01-001 The Development and Revision of FSC Requirements>](#) which require a focused consultation to last no less than (10) working days and include, but not limited to, Director General and Policy and Standards Committee. In addition, PSU consulted the draft with PSU's Forest Stewardship Standards (FSS) team, and the representatives of Standard Development Groups (Forest Management Community).

Suggestion to allow national boards to decide when to enforce requirements by incorporating them in FSS.

FSC International BoD agreed in August 2022 1 July as the effective date for [<FSC-POL-01-007 Policy to Address Conversion>](#) and [<FSC-PRO-01-007 FSC Remedy Framework>](#).

Misuse/abuse of PRO-01-001 to develop IGI under section 12.

Motion 37/2021 approved changes to [<FSC-STD-01-001 FSC Principles and Criteria for Forest Stewardship>](#). The corresponding international generic [<FSC-STD-60-004 International Generic Indicators V2-1>](#) mirror the corresponding Principles and Criteria in V5-3.

Motion 37 does not include language regarding the development of IGIs and Instructions for the revised and new Criteria in Principle 6. Nor does it include any language regarding timelines or

Process followed in [<FSC-PRO-01-001 The Development and Revision of FSC Requirements>](#) was agreed with FSC BoD.

procedures for certificate holder conformance with these revised/new Criteria.

The cut-off date (31 December 2020) and possibility to remedy for past harms introduced [<FSC-POL-01-007 Policy to Address Conversion>](#) require timely implementation. The effective date (1 July 2023) for [<FSC-POL-01-007 Policy to Address Conversion>](#) and [<FSC-PRO-01-007 FSC Remedy Framework>](#) were approved by BoD.

The Advice Note under consultation introduces new requirements that were not previously approved in another process, and therefore use of an “alignment” process per PRO-01-001 Section 12 is not valid.

Requirements were already approved by Motion 37/2021 and FSC-POL-01-007 and the effective dates approved by BoD.

Therefore, alignment of normative framework is the adequate process.

Use of an “alignment” process has meant that there was no requirement for formal consideration (nor documentation) of the potential risks of the new requirements, no stakeholder mapping (i.e., identification of stakeholders who may be affected by the new requirements), no justification provided for the shorter consultation period, and far more limited communication with stakeholders about the consultation.

Impact assessment, stakeholder mapping, etc. has been done through the lengthy development of [<FSC-POL-01-007 Policy to Address Conversion>](#).

Stakeholders not aware of consultation

PSU has followed the requirements in [<FSC-PRO-01-001 The Development and Revision of FSC Requirements>](#). Focused consultation has been visible in [Process page](#).

Previous webinars have been conducted with Certification Bodies and Network Partners to reach certificate holders.



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