



SYNOPSIS CONCEPTUAL PHASE CONSULTATION

Revision of the complaints and appeals procedures

31/01/2024



FOREWORD

FSC is revising procedures FSC-PRO-01-005 V3-0 Processing Appeals and FSC-PRO-01-008 V2-0 Processing Complaints in the FSC Certification Scheme. The procedures deal with complaints and appeals regarding the FSC normative framework, the performance of FSC International, the FSC Network as well as the performance of Assurance Services International (ASI). These procedures have the aim of ensuring a timely, independent and effective resolution of complaints and appeals submitted by FSC stakeholders.

NOTE: These procedures do not deal with complaints under the Policy for Association for which a specific procedure is available (FSC-PRO-01-009).

The objectives of the joint revision of procedures FSC-PRO-01-005 and FSC-PRO-01-008 are as follows:

- Develop a simplified, easily accessible and effective complaints and appeals procedure;
- Ensure an appropriate balance between the lowest level principle and independence;
- Align with FSC's regulatory requirements; and
- Update the procedures in line with international best practices on complaint mechanisms.

The last revision of procedures FSC-PRO-01-005 and FSC-PRO-01-008 was completed in 2014. Since then, FSC has evolved rapidly, broadening the scope of its activities beyond the certification of forest management and the production of forest products, to include, for example, the recognition of environmental services, the contribution of forests to the fight against climate change and the need to ensure social and environmental remediation. The evolution of FSC has contributed to the increasing complexity of the certification scheme and its features through the diversification of policies, standards and procedures that enable the institution to fulfil its mission. The complaints and appeals procedures have not yet been updated to reflect this development.

In 2020, the System Integrity Unit (SI) began the revision of the complaints and appeals procedures as part of a general review of the FSC Dispute Resolution System. In two review reports, SI identified several issues that required revision. Stakeholders also supported the need for revision during an earlier consultation on these reports.

The conceptual phase of the revision began in June 2023. To ensure maximum participation, SI engaged with different stakeholders through various activities, including surveys, interviews, meetings, webinars and a public consultation conducted from 02 October to 30 November 2023.

This report summarises the feedback received during the conceptual phase. The document concentrates on the outcomes of the first public consultation and cites additional contributions from other sources that complement those received during the consultation. It has been prepared in accordance with the current version of procedure FSC-PRO-01-001 V4.

The FSC team would like to express gratitude to all respondents who contributed to define the scope of the revision during the conceptual phase.

For further information related to the revision process, please visit the dedicated webpage [here](#). For comments or questions, please contact Mario G. Aguilera, project lead, at m.aguilera@fsc.org.

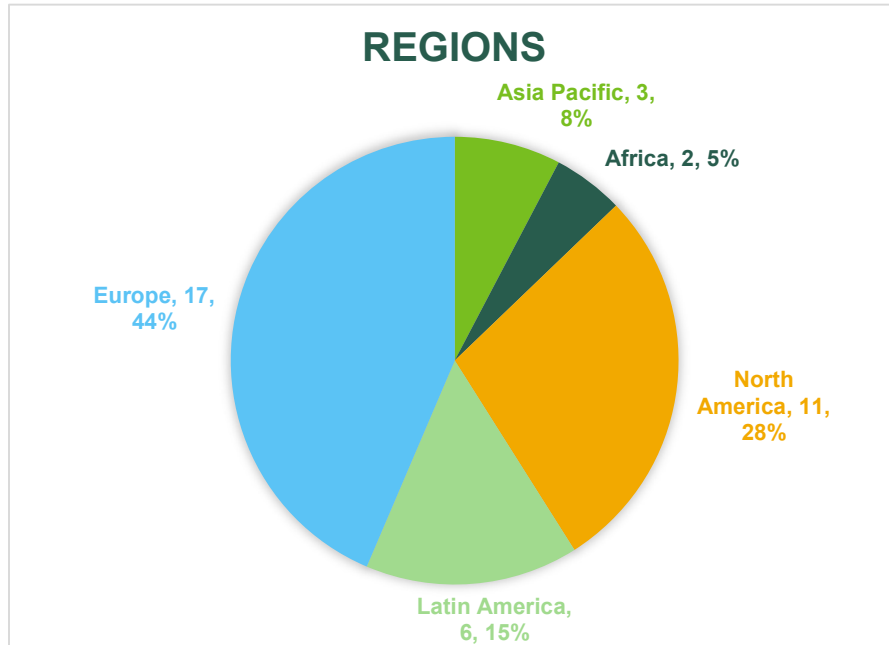
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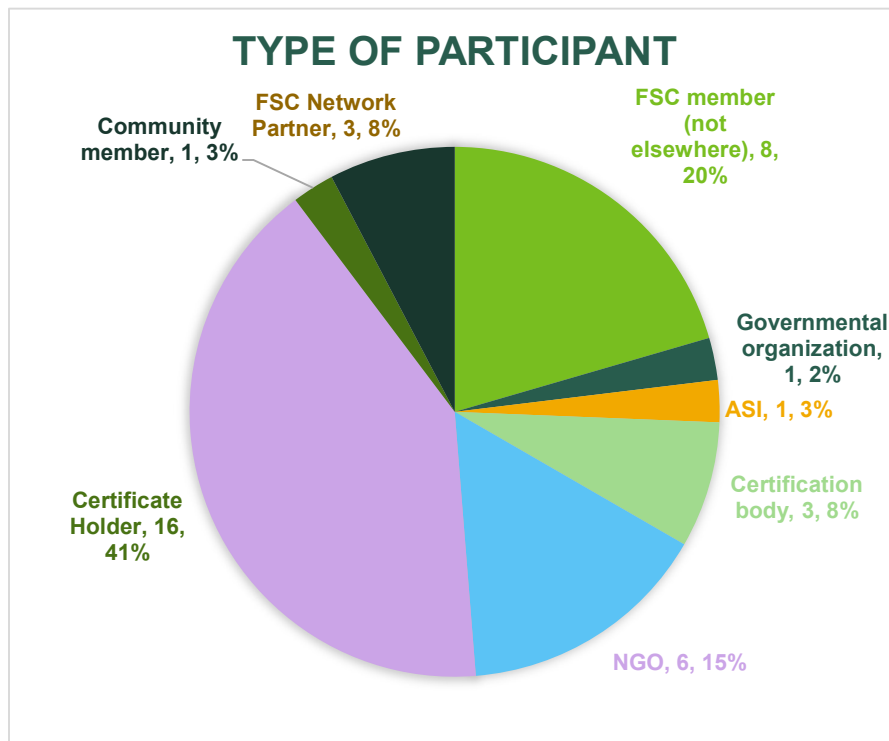
PARTICIPATION IN THE CONSULTATION

39 stakeholders provided feedback in the public consultation.¹



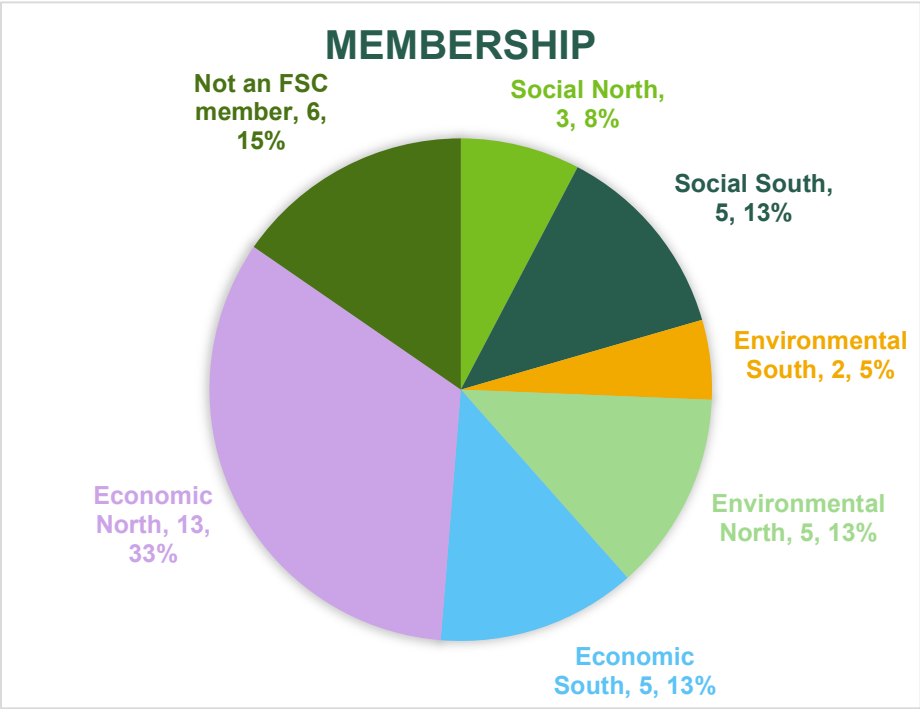
Most respondents come from Europe, 44%, followed by North America, 28%.

However, it is important to note that interviews and consultations were conducted to ensure that perspectives from underrepresented regions were taken into account.

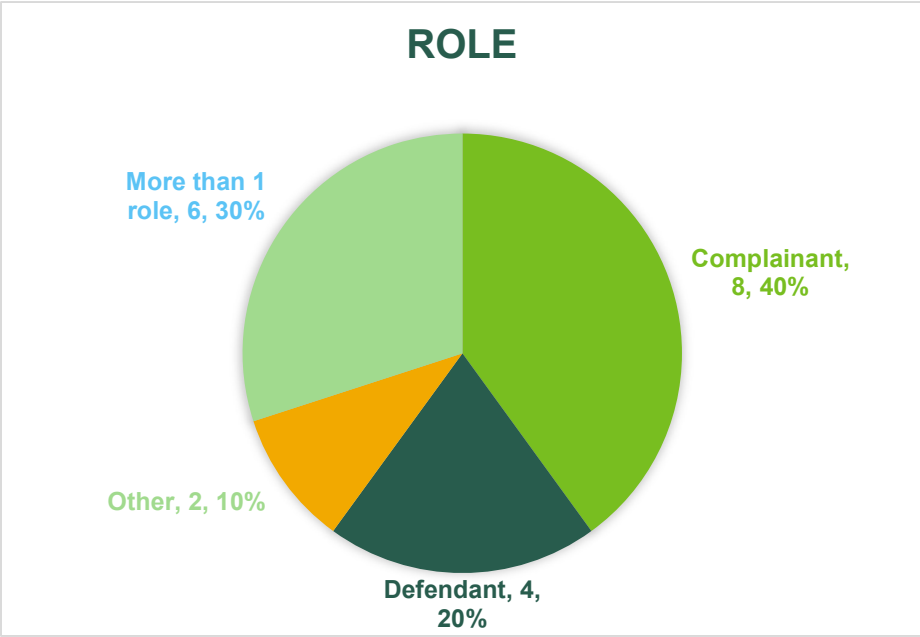


Most respondents belonged to the FSC 'certificate holder' category, 41%.

¹ A total of forty-seven stakeholders participated in the consultation. Out of these, eight responses were incomplete hence this analysis is based on thirty-nine responses.



Most respondents were FSC members, 85%.
Of those, 46% belonged to the economic chamber.



A majority of respondents acknowledged having a role in FSC complaint processes, 51%. Of those, the majority were complainants, 40%.

METHODOLOGY

The conceptual phase was designed to ensure strong stakeholder involvement. This was achieved through a public consultation and proactive engagement with key stakeholder groups to gather their input. Below is a list of the contacted stakeholders and the activities carried out with them.

1. FSC members
 - Six interviews with representatives from the social, environmental and economic chambers.
2. ASI
 - Access to ASI's complaints dashboard was granted to collect statistics on complaints and appeals.
 - Input provided in the consultation as well as in bilateral discussions.
3. CBs
 - A questionnaire was used to request information about the complaints received by the CBs.
 - During the 2023 annual CBs meeting, attendees received information on the proposed revision and provided direct input.
4. Trade union
 - Interview with the representative of Building and Wood Workers' International (BWI)
5. The Permanent Indigenous Peoples Committee (PIPC)
 - A conference call was organized with the facilitation of the Board Conflict Resolution Committee (BCRC).
6. Network Partners
 - Interviews with the representatives of FSC Brazil and FSC Sweden

This report focuses on the results of the first public consultation and cites additional input from the aforementioned sources that supplement the feedback received during the consultation.

During the first public consultation conducted from 02 October to 30 November 2023, four main topics were identified for discussion, and corresponding questions were prepared, as follows:

- 1) Scope of applicability (questions 1-4)
- 2) Governance (questions 5-12)
- 3) Rights of the parties (questions 13-15)
- 4) Systematic improvement (questions 16-18)

The survey included both open and closed questions. The closed question asked respondents to indicate their level of agreement with the proposed topic using a Likert scale – i.e. 'fully agree', 'partly agree', 'neither agree nor disagree', 'partly disagree' and 'fully disagree' – (questions 1, 2, 3, 5, 6, 8, 10, 11, 12, 14, 16 and 18). Each of these closed questions was followed by an open question asking respondents to briefly explain their reasoning – i.e. 'please explain your response'. Furthermore, the survey included open-ended questions that explicitly requested respondents to provide potential content (questions 4, 7, 9, 13, 15 and 17). Finally, in response to an open question, respondents were invited to provide any additional feedback.

The FSC team conducted both quantitative and qualitative analyses of the survey responses. The quantitative analysis quantified the responses to determine the percentage of agreement or disagreement with the topic of consultation, following FSC methodological practice, as follows:

Fully agree, partly agree	1
Neither agree nor disagree	0.5
Partly disagree, fully disagree	0

The aim of the qualitative analysis was to identify key messages that explain respondents' support, neutrality or disagreement, and to systematise content contributions for a future procedure. It is important to note that, in certain cases, respondents who disagreed (Likert scales: 'partially disagree' and 'strongly disagree') provided more explanations in the open-ended questions than those who agreed with the proposals. However, it is important to mention that this group represents a minority, as demonstrated by the quantitative analysis. Therefore, this report highlights the dissenting comments in order to enrich the debate without altering the overall support of the majority of respondents for the consulted proposals.

The conclusions in this synopsis report, which include feedback received in the first public consultation and other sources, will be used to draft the terms of reference for the working group involved in the drafting phase and to prepare a zero draft of the procedure.

SUMMARY OF COMMENTS AND FSC FEEDBACK

This section is divided into two parts. The first part provides a comprehensive summary of the quantitative findings. The second part comprises four sections that correspond to the four consultation topics and focus on the qualitative analysis of open-ended questions. The latter includes general feedback containing comments or proposals that were not addressed in previous responses.

Where appropriate, inputs submitted during the consultation process are supplemented by significant contributions received through other channels in sections related to feedback for further consideration in the revision process.

The tables in this document separate the contributions of PIPC members, as they focus specifically on cultural identity considerations. It is important to highlight that given the importance of complaints and appeals procedures in protecting indigenous peoples' needs and interests within the FSC system, a revision based on an understanding of diverse perspectives was supported by the members of the PIPC.

A. Overview of the quantitative results

According to the collected data, the majority of respondents supported the proposals, as shown in the table below.

Topics	Questions (Do you agree...)		Likert scale	Percentages
Scope of applicability	Q1	with the proposal to merge procedures FSC-PRO-01-005 V3-0 and FSC-PRO-01-008 V2-0 into a single document?	<u>Agree</u>	<u>79%</u>
			Neutral	18%
			Disagree	3%
	Q2	with the proposal to redefine the scope of complaints by focusing on the activities that can be complained about?	<u>Agree</u>	<u>69%</u>
			Neutral	23%
			Disagree	8%

	Q3	that the scope of appeals should be limited to decisions arising from the complaints procedure?	<u>Agree</u>	<u>50%</u>
			Neutral	32%
			Disagree	18%
Governance	Q5	that criteria/principles of effectiveness and common minimum standards should be established for the handling of complaints by the different implementing bodies (certificate holders, certification bodies, ASI and FSC International)?	<u>Agree</u>	<u>82%</u>
			Neutral	8%
			Disagree	10%
	Q6	that the United Nations Guiding Principles on Business and Human Rights should serve as the basis for establishing such criteria/principles of effectiveness and common minimum standards?	<u>Agree</u>	<u>46%</u>
			<u>Neutral</u>	<u>41%</u>
			Disagree	13%
	Q8	that the FSC regional and local network should have a role in the complaints and appeals procedures?	<u>Agree</u>	<u>74%</u>
			Neutral	17%
			Disagree	9%
	Q10	that there should be an ombuds-service for the complaints and appeals procedures?	<u>Agree</u>	<u>69%</u>
			Neutral	17%
			Disagree	14%
	Q11	that an ombuds-service for the complaints and appeals procedures should be limited to specific cases where special support is needed, for example in relation to individuals and groups who may be at increased risk of vulnerability and/or marginalization?	<u>Agree</u>	<u>52%</u>
			Neutral	14%
Disagree			34%	
Q12			<u>Agree</u>	<u>69%</u>

		that there should be exceptions to the lowest level principle, allowing complaints to be transferred from lower to higher levels? In which cases?	Neutral	14%
			Disagree	17%
Rights of the parties	Q14	that there is a need to establish specific enhanced rights for vulnerable and marginalized individuals and groups seeking access to the complaints mechanism?	<u>Agree</u>	<u>55%</u>
			Neutral	15%
			Disagree	30%
Systematic improvement	Q16	that there is a need to develop a database for registering, monitoring and reporting complaints lodged under the FSC dispute resolution system?	<u>Agree</u>	<u>84%</u>
			Neutral	11%
			Disagree	5%
	Q18	that the information collected can be used to bring about reforms in the complaints procedure at the appropriate levels?	<u>Agree</u>	<u>86%</u>
			Neutral	11%
			Disagree	3%

B. Overview of the qualitative results

Topic 1 Scope of applicability

Question 1. Do you agree with the proposal to merge procedures FSC-PRO-01-005 V3-0 and FSC-PRO-01-008 V2-0 into a single document? Please explain your response

Key Stakeholder Feedback	FSC's comment
Agreement with the proposal because or as it will contribute to	
a. simplify and streamlines the process	The majority of respondents (79%) supports the proposal.
b. make the process easier to follow	
c. reduce the number of documents and streamlines the FSC regulatory framework	The received input aligns with the proposal justification presented in the consultation material.
d. facilitate user access to relevant documents and information	

Feedback for further consideration in the revision process

e. To maintain the essential substantive and procedural content of existing procedures.	The first step in developing a new procedure is to identify and systematize the relevant contents of existing procedures, while eliminating any overlaps.
f. To produce a document that eliminates any overlaps between existing procedures and comprises two chapters.	Idem.

Question 2. Do you agree with the proposal to redefine the scope of complaints by focusing on the activities that can be complained about? Please explain your response

Key Stakeholder Feedback	FSC's comment
Agreement with the proposal because or as it will contribute to	
a. provide clarity b. cover activities beyond FM and Coc c. streamline FSC's work d. correct the activities and processes that led to the errors made	The majority of respondents (69%) supports the proposal. The received input aligns with the proposal justification presented in the consultation material.
Disagreement with the proposal	
e. If the focus is on activities, there is an overriding risk that the aim of complaints will be to challenge the FSC system and the "NS".	Protecting the credibility of the FSC's mission means ensuring that there are ways of identifying problems within the system and taking corrective action. A functioning conflict resolution system meets this objective.
Feedback for further consideration in the revision process	
f. Care should be taken to define the activities that are the subject of the complaint. It may limit members' ability of participation and imply a reduction in the scope of complaints.	The revision aims to identify the activities and decisions that should be included in the scope of the procedure, to extend its scope to new activities, to clarify the type of decisions that can be complained about and appealed, and to clearly indicate both the topics that will be excluded and the options for their review.
g. Identify the appropriate recipients for complaints (CHs, CBs, ASI, other actors) based on the activities that are subject to complaint.	One objective of the new complaints and appeals procedure is to clarify the roles of the actors involved in the mechanism and identify the activities that can be complained about.

h. Flexibility is necessary to account for unforeseeable activities.	The proposal is relevant; however, it must be carefully analysed to avoid encouraging any unintended use of the future procedure.
i. Include the process for submitting complaints regarding the actions of the International Secretariat and network partners.	This is already reflected in current procedures and will continue to be reflected in the future procedure.

Question 3. Do you agree that the scope of appeals should be limited to decisions arising from the complaints procedure? Please explain your response

Key Stakeholder Feedback	FSC's comment
Agreement with the proposal because or as it will contribute to	
<ul style="list-style-type: none"> a. ensure coherence b. resolve issues consistently and effectively c. close complaints processes 	<p>The majority of respondents (50%) supports the proposal. 32% expressed neutrality and 18% expressed disagreement.</p> <p>The supporting input received aligns with the proposal justification presented in the consultation material.</p>
Disagreement with the proposal	
<ul style="list-style-type: none"> d. Appeals should remain a separate process for CHs and CBs to appeal certification/accreditation decisions and findings outside of complaint handling processes. 	<p>A decision made through an internal administrative procedure to determine the status, legitimate interests or obligations of a stakeholder within the FSC scheme should be subject to appeal against the body that made the decision. As a result, although the procedures would be merged, an appeal against a certification/accreditation decision could still be dealt with separately from complaint handling processes. To ensure clarity, it is important to specify this exception to the general rule of initiating a process by submitting a complaint. However, any complaints before a higher body about the conduct of the initial decision-making body must follow the complaints procedure.</p>
Feedback for further consideration in the revision process	
<ul style="list-style-type: none"> e. Clarify the options available to stakeholders for addressing matters that fall outside the scope of complaints and appeals. 	<p>When delimiting the activities and decisions that fall under the scope of the procedure, it is important to clearly indicate both the topics that will be excluded and the options for their review based on the input received.</p>

f. Ensure that the existing right to appeal FSC's decisions is not limited. The scope of complaints should include any decision made by FSC.	The revision aims to identify the activities and decisions that should be included in the scope of the procedure, to extend its scope to new activities, to clarify the type of decisions that can be complained about and appealed, and to clearly indicate both the topics that will be excluded and the options for their review.
g. Consider whether there might be exceptions to this rule.	According to a respondent in the consultation, decisions that determine a stakeholder's status within the FSC scheme should be subject to appeal against the decision-making body. It is important to analyze the existence of any other possible exceptions.
h. The issue at hand pertains to standing, specifically whether the party submitting the complaints has been harmed and has a legitimate interest in the resolution of the conflict, including an appeal.	The supporting input received aligns with the proposal justification presented in the consultation material.

Question 4. Do you have any feedback on the activities that may be complained about or appealed?

Key Stakeholder Feedback	FSC's comment
Feedback for further consideration in the revision process	
a. all decisions made by FSC, including those made by the BoD and Secretariat b. Activities and performance of CHs and CBs, particularly in handling complaints c. all decision on complaints be appealable at a minimum d. maintain current wording on scope and include the implementation of activities related to motions not approved by members and the feasibility of advice notes in a specific jurisdiction	All proposed contents will be presented to the working group for discussion.
e. Focus on the operational activities rather than the actors, as institutional reforms (ASI and FSC) should be under the governing bodies' authority, i.e. General Assembly and BoD. The current structure ensures sufficient opportunities for stakeholders to be involved and provide input to FSC.	Idem.

Topic 2 Governance

Question 5. Do you agree that criteria/principles of effectiveness and common minimum standards should be established for the handling of complaints by the different implementing bodies (certificate holders, certification bodies, ASI and FSC International)? Please explain your response

Key Stakeholder Feedback	FSC's comment
Agreement with the proposal because or as it will contribute to	
<ul style="list-style-type: none"> a. improve the quality, consistency and reliability of the process (stakeholders know what to expect when they submit a complaint), b. make the process clear to complainants c. provide certainty to defendants d. ensure that FSC, as the owner of the scheme, fulfils its overall responsibility for the management of the dispute resolution system e. provide clarity on how to proceed with complaints against CBs 	<p>The majority of respondents (82%) supports the proposal.</p> <p>The received input aligns with the proposal justification presented in the consultation material.</p>
Disagreement with the proposal	
<ul style="list-style-type: none"> f. FSC should note that CBs and ASI work with different clients and Schemes and they have built their dispute systems based on their reality and context, including cultural considerations. 	<p>The concept of <i>minimum</i> common standards involves setting a floor based on internationally agreed best practice, which includes the need to guarantee culturally appropriate and rights-compatible procedures.</p>
Feedback for further consideration in the revision process	
<ul style="list-style-type: none"> g. Shift the focus from effectiveness to prioritising respect for stakeholders' safeguards, particularly ensuring access to remedy – including fair compensation for minor issues. Access to remedy should be considered as the broader picture of what the complaint process is about. 	<p>The comment aligns with the conceptual framework of the UNGPs. The need for an effective complaints mechanism will be evaluated, considering a more comprehensive approach from a stakeholders' safeguards perspective.</p>
<ul style="list-style-type: none"> h. Shift the focus from compliance review by CBs and ASI to dispute resolution/problem-solving, including alternative dispute resolution methods when appropriate. 	<p>Idem.</p>
<ul style="list-style-type: none"> i. Ensure that processes are flexible enough to adapt to the context in which implementing bodies operate, including the cultural context. 	<p>Idem.</p>

- j. The most common issues are related to extended response times, unsupported or unexplained decisions, and limited access to essential information from CHs and CBs, which is necessary for submitting complaints to the appropriate bodies. This information includes certification status and group certificate members.

The comment pertains to issues that require the establishment of common minimum standards. As such, it will be addressed in conjunction with the answers to Question 7.

Question 6. Do you agree that the United Nations Guiding Principles on Business and Human Rights should serve as the basis for establishing such criteria/principles of effectiveness and common minimum standards? Please explain your response

Key Stakeholder Feedback	FSC's comment
Agreement with the proposal because or as it will contribute to	
<p>a. accelerate the revision process, considering existing best practices.</p> <p>b. Improve the system based on a human rights approach</p>	<p>It is important to acknowledge that while this question received the least support from the respondents, the proposal still garnered significant backing. During the consultation, the proposal received almost majority support with 46% in favour (17 respondents), while 41% expressed neutrality (15 respondents). It is worth noting that some respondents who chose to remain neutral were influenced by not knowing the UNGPs, as noted below. Only 13% of the respondents expressed disagreement (5 respondents).</p> <p>The consultation material presents a rationale for ensuring a consistent approach to handling complaints. The supporting comments provide additional arguments to support the proposal.</p>
Neither agree nor disagree with the proposal	
<p>The proposal's endorsement is hindered by a significant lack of awareness regarding the contents of the UNGPs.</p>	<p>The absence of a position is due to a lack of awareness of the UNGPs. This lack of knowledge is also evident below in one of the comments on the disagreement ratings.</p> <p>It should be noted that in 2011, the UN Human Rights Council unanimously endorsed the UN Guiding Principles on Business and Human Rights. These principles provide guidelines for states and companies to prevent, address, and</p>

	remedy human rights abuses committed in business operations. These principles are well-established and globally recognised, forming the basis of an increasing number of business due diligence plans. The aim of this revision is to update the new procedure in line with international best practices for complaint mechanisms.
c. The Working Group should carry out the analysis of the UNGPs rules and practice prior to their inclusion.	This comment complements the previous one and suggests that, knowledge of the UNGPs is crucial for facilitating the revision. Therefore, technical experts may be best placed to advise on the drafting of a future procedure that incorporates these international best practices.
Disagreement with the proposal	
d. Do not apply principles if they contradict national laws.	Internationally agreed best practices, such as the United Nations Guiding Principles (UNGP), provide a minimum perspective that enables widespread implementation. Possible contradictions between national legal orders and the UNGPs could pose an integrity risk for the Forest Stewardship Council (FSC) that should be analysed on a case-by-case basis.
e. This document primarily concerns human rights rather than procedural requirements for handling complaints. It is not related to the issue of a complaints procedure.	The UNGPs contain a section on 'Non-State-based grievance mechanisms'. This section outlines four principles (28-31) that establish the essential elements, including procedural considerations, that any business should incorporate into its complaints mechanisms.
f. FSC should establish its own criteria and principles of effectiveness, as well as common minimum standards. These should be based on previous experiences of complaints handling and case studies from the FSC system.	The UNGPs are internationally developed best practices that involve public and private sector actors as well as civil society. They provide a minimum perspective that allows for widespread implementation, promoting a 'race to the top' rather than a 'race to the bottom' perspective to ensure business due diligence.

Question 7. Do you have any feedback about the common minimum standards that should be established for all levels dealing with complaints?

Key Stakeholder Feedback	FSC's comment
Feedback for further consideration in the revision process	

-
- a. impartiality
 - b. transparency
 - c. ensure that information is equally available to all parties and specify the type of information that can be accessed, as well as legitimate reasons for any restrictions to access
 - d. ensure that the complaints mechanism is easy to access and that complaints can be made easily
 - e. outline the time limits for each stage of the complaint investigation process, including any possibilities for extension. Currently, the processes are too lengthy.
 - f. specify the standard of proof required
 - g. technical evidence should be included to justify decisions in accordance with the type of complaint
 - h. provide an initial response to notify the complainant that their complaint has been received and include information on how the complaint will be managed within a reasonable timeframe
 - i. respond in writing with clear motivation
 - j. uphold the principle of innocence.
 - k. provide support to stakeholders to submit complaints to the appropriate implementing body
 - l. ensure that processes are adaptable to the context in which implementing bodies operate
 - m. adhere to the lowest level principle.
 - n. allow for the involvement of a third party
 - o. uphold the principle of good faith
 - p. complaints do not need to be submitted exclusively in writing
 - q. consider using multiple languages for receiving and processing complaints, not just English

All proposed contents will be presented to the working group for discussion.

A differentiation will be drawn between principles and common minimum standards.

-
- r. Consider the Escazu Agreement on Access Rights and the International Labour Organization's (ILO) guidelines on grievance and complaint mechanisms as a reference.

The source provided will be reviewed.

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- s. Consider the contents of the RSPO complaints mechanism, GoodWeave SOP Dispute Resolution, Asian Development Bank Accountability Mechanism, Sustainable Forestry Initiative complaints process,
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Idem.

- | | |
|--|-------|
| t. Consider the contents of NFSS of Canada on grievance/complaint mechanisms as a reference. | Idem. |
|--|-------|

Question 8. Do you agree that the FSC regional and local network should have a role in the complaints and appeals procedures? Please explain your response

Key Stakeholder Feedback	FSC's comment
Agreement with the proposal because or as it will contribute to	
<ul style="list-style-type: none"> a. contribute with their local or regional expertise to identifying the circumstances or conditions that give context to the complaint, i.e. ASI does not engage with NPs early enough to fully understand the context and causes of conflicts b. NPs are "standard owners" or at least developers of national forest management standards, so they have a better understanding of technical requirements in the FSC NF c. shorten timelines and make the process more effective d. standardisation e. resolve the complaint at the local/regional level(s) f. monitor the complaint system at national level g. supporting stakeholders (e.g. organising seminars, answering questions, providing information on the website) h. facilitate dialogue between the different stakeholders involved in the complaints system i. The involvement of NPs in the complaint resolution flow is in accordance with the lowest level principle. 	<p>The majority of respondents (74%) supports the proposal.</p> <p>The contributions clarify the support provided by the majority of respondents in explaining the role of NPs in the complaint process. These contributions will serve as guidelines when discussing the specific functions of NPs, in accordance with the answers to question 9.</p>
Disagreement with the proposal	
<ul style="list-style-type: none"> j. NPs should not play an active role. If necessary, they can collect statistical information from CHs and CBs about complaints to prepare reports. 	<p>Based on feedback from the majority of respondents during the conceptual phase, it is necessary to define and clarify the role of</p>

² The following report describing grievance mechanisms of five certification bodies was also referenced during the interviews: van der Vlist, L. and Richert, W. *Dispute resolution and settlement for biomass certification schemes – A mapping exercise of needs and potentials*. Research paper of the EPFL Energy Center, 2014.

<p>There is a concern about the knowledge and experience of NPs in handling complaints.</p>	<p>NPs. The current lack of clarity hinders the development of their capabilities. However, a clear delineation of their mandate, along with guidance from FSC International, is expected to enable the implementation of NP functions.</p>
<p>k. NPs should not have any role in decision-making or influence the decisions of implementing bodies. This is because the regional and local networks of FSC may lack the necessary impartiality and competence management systems to make such decisions.</p> <p>In addition, they should not have access to confidential information relating to the complaint and should only act in an advisory capacity and upon request.</p>	<p>There should be no overlap between the functions of implementing bodies and NPs. According to the principle of impartiality, decision-making bodies should act without any influence.</p>
<p>Feedback for further consideration in the revision process</p>	
<p>l. Focus on coordination and consistency with FSC International. Avoid unnecessary complexity in the complaints process, even if new actors are introduced.</p>	<p>It is important to clearly define the role of NPs in handling complaints. Piloting preliminary versions of the procedure with NPs is recommended.</p>
<p>m. Focus on options in cases where there is no active local network partner. This might lead to different approaches in different areas and regarding CoC or CW complaints that do not involve the local network.</p>	<p>It is recommended to clarify the options for situations where there is no active local NP.</p>
<p>n. Ensure that the mandate of the NP is respected by all implementing bodies.</p>	<p>Clear definition of the role of NPs, including their interaction with implementing bodies, will ensure compliance with the comment.</p>
<p>o. Implement rules to prevent any potential conflicts of interest.</p>	<p>The comment will be taken into consideration when developing the principles of independence and impartiality that underlie the process.</p>
<p>p. Provide capacity building, funding, and a guide or procedure for NPs that outlines their role within the dispute resolution system.</p>	<p>FSC has prepared a 'Dispute Management Guide for FSC Network' which includes information about its role in the complaints and appeals processes. The guide will be shared soon. This document will be updated accordingly to align with the revision process.</p> <p>The revision, which includes the active participation of NPs, constitutes a capacity-building process. However, additional training</p>

may be necessary depending on the demand from NPs.

FSC needs to evaluate the necessary capacity and funding to enable NPs to fulfil this role.

Key PIPC Feedback	FSC's comment
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Proposal	
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| q. NPs are the first point of contact for stakeholders and know the local and national context, including the situation of Indigenous Peoples | To be presented to the working group for discussion. |
| r. Consider NP's key role in the development of national standards, which includes references to dispute resolution and the possibility to include "culturally appropriated engagement" in this regard | Idem. |

Question 9. If you agree that the FSC regional and local network should have a role in the complaints and appeals procedures, what functions should they have?

Key Stakeholder Feedback	FSC's comment
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Feedback for further consideration in the revision process	
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| a. evaluate and resolve complaints at the national level, provided that technical capacity is ensured. It may come before or work with ASI
b. implement dispute resolution techniques: mediate, negotiate, and facilitate dialogue between stakeholders and CHs/CBs. If a CB cannot resolve the issue, this layer comes into play
c. provide information about the dispute resolution mechanism, roles in the complaint process, procedures, standards/requirements, the status of complaints and appeals, and other supplementary information to stakeholders, including media outlets
d. supporting stakeholders in preparing and submitting complaints
e. offer technical and scientific support, including collecting evidence/data for the analysis of complaints
f. act as an advisory body that may provide opinions on specific topics, such as local and regional context and complexities, as well as possible solutions | All proposed contents will be presented to the working group for discussion. |
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- g. recommend independent experts for mediation or resolution panels
- h. contribute to the identification of complainants that may abuse the mechanism
- i. be informed about complaints as established in the current procedures and get an overview of the complaints and their resolutions
- j. monitor and ensure that procedures are correctly applied, and that technical and scientific elements are used to evaluate complaints, including verification on compliance with consequences and reparations, and implementation of FPIC regulations where necessary
- k. identify trends or warn of repetitive nonconformities from CHs within the country
- l. manage national complaints portals
- m. filter the complaints that have no relationship with FSC
- n. before transferring complaints to the relevant CH/CB, pre-assess them to identify any missing important or required information. Also, assess how the complaint fits within national standards.
- o. become a party to each complaint (i.e. attached to the investigating body), rather than just another stakeholder, ensuring access to information from involved parties, including ASI.
- p. provide an ombuds-service
- q. create a safe space and demonstrate to the complainants that their concerns are valued, assessed, and taken into consideration.

Question 10. Do you agree that there should be an ombuds-service for the complaints and appeals procedures? Please explain your response

Key Stakeholder Feedback	FSC's comment
<p>Agreement with the proposal because or as it will contribute to</p>	
<ul style="list-style-type: none"> a. break down barriers to and guarantee equal access to the complaints system, including particularly regarding the use of language b. enhance quality and complaints c. ensure that the complaints mechanism is used according to its purposes d. get responses related to the complaints system e. impartiality 	<p>The majority of respondents (69%) supports the proposal.</p> <p>The contributions clarify the support provided by most respondents when analysing the feasibility and objectives of an ombuds-service. These contributions will also serve as a guide when discussing the specific functions of the service based on the answers to question 11.</p>

Disagreement with the proposal

f. Encourage stakeholders to participate in FSC's regular processes rather than filing complaints.	The dispute resolution mechanism supplements the FSC governance system.
g. An ombuds-service does not provide any added value to the complaints procedure.	An ombuds service aims to complement complaints mechanisms by addressing complaints in a more informal and accessible manner. Ombudspersons support the parties involved, offer a platform to resolve conflicts, or give recommendations to address grievances.
h. An ombudsman service could potentially complicate the dispute resolution system and increase costs.	An ombuds service aims to complement complaints mechanisms by addressing complaints in a more informal and accessible manner. Ombudspersons support the parties involved, offer a platform to resolve conflicts, or give recommendations to address grievances. In this context, the aim of the service is to facilitate the complaints mechanism. It is recommended to address the reference to costs in line with the answers to question 11, which relates to the scope of situations in which the service may be used.
i. It is unclear who would have sufficient expertise to provide the service in different countries around the world. It is also unclear whether this applies at the national or international level.	An ombuds service does not necessarily refer to a service centralized by FSC. Depending on the situations in which the service may be used according to the answers to question 11, existing options that can be implemented are to be considered.

Feedback for further consideration in the revision process

The ombuds-service should be considered optional as it may not be available or accessible in certain locations.	It is recommended to address this comment in line with the answers to question 11, which relates to the scope of situations in which the service may be used.
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Question 11. Do you agree that an ombuds-service for the complaints and appeals procedures should be limited to specific cases where special support is needed, for example in relation to individuals and groups who may be at increased risk of vulnerability and/or marginalization? Could you indicate other cases where the service should be used? Please explain your response

Key Stakeholder Feedback

FSC's comment

Agreement with the proposal because or as it will contribute to

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| <ul style="list-style-type: none">a. mediationb. ensure impartiality in cases where there are conflicts of interest, such as when the CH pays the CBc. ensure the proper implementation of free, prior, and informed consultation/consentd. protect complainants in situations where there is a high risk, cases involving indigenous and local communities, and cases involving persons with low resources who will be personally affected by the issue, such as losing land or rights to living or cultural rightse. Provide support to resolve cases where the process is not progressing smoothly or is overly complex | <p>The majority of respondents (52%) supports the proposal.</p> <p>The contributions reflect the reasons of most respondents for a focused ombuds service. These contributions provide guidance for the discussion on the scope of the service.</p> |
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Disagreement with the proposal

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| <ul style="list-style-type: none">f. The Ombuds service should be available to all stakeholders and should not focus on vulnerable individuals or groups. The focus should be on making the complaints process easy to understand. | <p>It is acknowledged that there is interest from several actors in being beneficiaries of this service, even if they are not vulnerable or do not belong to a group of vulnerable people. The value of implementing such a service globally must be considered alongside the associated challenges and costs.</p> |
| <ul style="list-style-type: none">g. Not applicable for Swedish circumstances. | <p>It is recognised that the identification of vulnerable or marginalized persons or groups is different in each society. Therefore, it is reiterated that the implementation of positive measures should depend on the specific conditions of individuals and groups and local conditions.</p> |
| <ul style="list-style-type: none">h. Establish a direct line with a trained individual to conduct an initial assessment and listen respectfully to the complaint. | <p>It will be presented to the working group for discussion. When evaluating the proposal within the structure of the new procedure, it is important to consider its added value, as well as the scope of the service and the challenges and costs associated with implementation.</p> |
| <ul style="list-style-type: none">i. For the specific cases in which implementing bodies do not possess expertise, the experts (individuals or entities) for the specific areas might be used instead | <p>Implementing bodies are also complaints processors. As such, they must have a certain level of expertise. If the comment refers to thematic/technical experts, then the functions of an ombuds service are being</p> |
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confused. An ombuds service aims to complement complaints mechanisms, i.e. the work of processing bodies, by addressing complaints in a more informal and accessible manner. More specifically, ombudspersons support the parties involved, offer a platform to resolve conflicts, or give recommendations to address grievances.

Feedback for further consideration in the revision process

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| j. To provide an ombuds-service, the following criteria should be set: magnitude, complexity, and reputational risk for the system. | It will be presented to the working group for discussion. |
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Key PIPC Feedback

FSC's comment

Proposal

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| k. If the ombudsperson is not indigenous, then it should have knowledge and understanding of indigenous communities | To be presented to the working group for discussion. |
| l. Financing the service must not lead to extra expenses for indigenous communities. | |

Question 12. Do you agree that there should be exceptions to the lowest level principle, allowing complaints to be transferred from lower to higher levels? In which cases? Please explain your response

Key Stakeholder Feedback

FSC's comment

Agreement with the proposal because or as it will contribute to

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| <p>Criteria for applying the exception:</p> <ul style="list-style-type: none"> a. Reputational risk b. urgent action required to avoid severe or serious, extensive social or environmental damage related to unacceptable activities for different parties c. conflict of interest d. lack of response or ineffective response at lower levels | <p>The majority of respondents (69%) supports the proposal.</p> <p>The supporters of the proposal focused on the criteria for applying the exception. Their contributions provide guidance for discussing the scope of the exception to the lowest level principle.</p> <p>Criteria will be presented to the working group for discussion.</p> |
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- e. lack of capacity at lower levels to resolve a complex matter
- f. unwillingness of the defendant to engage in discussions and negotiations
- g. history of engagement in unacceptable activities
- h. whistleblower, who is employed by the entity against which the complaint is being made
- i. if a complainant is intimidated or threatened and fears revealing their identity to the defendant, so there is no safe environment
- j. avoid disclosing sensitive information at a lower level
- k. risk that evidence could be destroyed. For example, harvesting an area might take away the possibility of defining its values.
- l. local individual or community with limited knowledge of procedures and limited resources involved in the complainant, considering that escalating the case to ASI is a major detour because the original complaint is not against the CB but against CH and the conflict is thus not resolved.

Disagreement with the proposal

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| m. Always begin at the CB level. | The participant stated that many complaints are about misunderstandings that can be resolved through communication between the parties. It should be noted that the principle of subsidiarity will continue to be implemented. The majority of respondents support the establishment of exceptions based on specific criteria. |
| n. It is important to attempt to solve the issue at the lowest possible level. | the principle of subsidiarity will continue to be implemented. The majority of respondents support the establishment of exceptions based on specific criteria. |

Feedback for further consideration in the revision process

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| o. Respect the rights of all parties involved, including the obligation to notify in case of an exception to the principle of subsidiarity. | It will be presented to the working group for discussion. |
| p. A request for an exception must be justified by the complainant based on the established | Idem. |
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criteria, considering the additional burden on higher levels.

- q. It is important to clarify the responsibilities of CBs and CHs as there have been occasions where a complaint has been lodged with both parties directly. Idem.
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Key PIPC Feedback	FSC's comment
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Problem	
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By following the lowest level principle by the time communities reach the end, they will be “complaints weary” and likely to drop the issue in frustration.	No comment.
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Proposal	
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| a. Improving the complaints procedure was mentioned to simplify the process and make it more direct, including consideration for ways to ‘shortcut’ the lowest level principle where appropriate | To be presented to the working group for discussion. |
| b. Maintain the escalation system but ensuring transparency on the complaint handling entities and their roles in the complaints mechanism | Idem. |
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Topic 3 Rights of the parties

Question 13. Do you have any feedback about the rights that should be guaranteed to the parties (complainant and defendant)?

Key Stakeholder Feedback	FSC's comment
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Feedback for further consideration in the revision process	
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| a. impartiality, objectivity and fairness | All proposed contents will be presented to the working group for discussion. |
| b. certificate holders should not have the right to choose their certification body, which conducts the audits, to handle the complaints | A differentiation will be drawn between principles and safeguards. |
| c. interested parties should be informed | |
| d. timely notification to the defendant (at the same time as a complaint is sent to a CB/ASI/FSC) | |
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- e. set time limits for each stage and for process as a whole
 - f. include the principle of contradiction, including a right to reply for the complainant to the final defendant's arguments
 - g. openness
 - h. transparency
 - i. professionalism
 - j. ensure that all parties involved are given a fair hearing.
 - k. subsidiarity: make an effort to solve the conflict between the complainant and the CH at the lowest possible level
 - l. establish exceptions to the principle of subsidiarity
 - m. address any damage caused by the complaint and restore the reputation of the defendant if the complaint was not justified
 - n. receive 'open' and 'adequate' communication from complaints processors about the outcome of the investigation
 - o. access to specific complaint, considering anonymity for specific cases such when the complainant works for the company and when there is a risk of intimidation
 - p. right to provide evidence
 - q. right to participate in the investigations
 - r. retain additional support or counsel related to the complaint. An NDA should be signed by any other person involved.
 - s. reversal or dynamic burden of proof: the responsibility to provide technical and scientific information related to the complaint should be on the CH, particularly when the complainant is a natural person or Indigenous Peoples.
 - t. When applicable, the Free, Prior and Informed Consent (FPIC)
 - u. defense
 - v. appeal
 - w. equal access
 - x. protect identity of complainant
 - y. FSC members to have access to public reports
 - z. maintain confidentiality and integrity of the process
 - aa. provide guidance on how to handle persistent and vexatious complaints and appeals, as well as what
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information is required in a complaint and when it becomes abusive ³	
bb. participate in audits of destinations about which complainants have lodged complaints	
cc. obtain real-time updates on the status of the complaint. Currently, feedback is lacking or takes a long time to receive.	
dd. Those defined in the current procedures	The content of the existing procedures will be considered as a basis for the preparation of a zero draft.
ee. Consider a code of conduct for parties involved in a complaint	It will be presented to the working group for discussion.

Question 14. Do you agree that there is a need to establish specific enhanced rights for vulnerable and marginalized individuals and groups seeking access to the complaints mechanism? Please explain your response

Key Stakeholder Feedback	FSC's comment
Agreement with the proposal because or as it will contribute to	
i. Ensure equal access and treatment by integrating existing positive measures and/or support	The majority of respondents (55%) supports the proposal.
ii. Protect persons and groups who may be at increased risk of vulnerability and/or marginalisation.	The received input aligns with the proposal justification presented in the consultation material.
iii. Ensure culturally appropriate communication of rights and means of remedy	
iv. Facilitate the production of evidence	
Disagreement with the proposal	
v. Equality means having the same rights.	Although the majority supports the proposal, it is important to acknowledge the concern of a minority of respondents to ensure that any additional safeguards for certain individuals do not compromise the fair treatment of others in a complaint. In this regard, it is necessary to clarify that the proposal is based

³ On 6 December 2023, FSC published an [interpretation to clarify the process and procedural steps for handling persistent and vexatious complaints](#). The interpretation included a focused consultation. Both the interpretation and the report of the consultation will inform the preparation of the draft zero for the future procedure on complaints and appeals.

	on the principle of equality and non-discrimination in the context of protecting the rights of all persons, and refers to the prohibition of arbitrary differentiated treatment and creating real equality conditions or positive measures for individuals and groups that have been historically excluded and who have a higher risk of being discriminate.
vi. This is not necessary as an international requirement, but may be required in certain contexts.	It is recognised that the identification of vulnerable or marginalized persons or groups is different in each society. Therefore, it is reiterated that the implementation of positive measures should depend on the specific conditions of the persons and groups and local conditions.
vii. The issue is not known or understood	It is acknowledged that clear communication of technical issues related to ensuring equitable conditions is crucial. It is also important to promote awareness of the need for such measures and inform potential beneficiaries.

Key PIPC Feedback	FSC's comment
Problem	
The complaints mechanism's accessibility is hindered by several difficulties, particularly barriers related to language, literacy, limited knowledge of procedures and limited resources.	
Proposal	
viii. The procedure should be easier to access and attuned to indigenous peoples' needs and interests	To be presented to the working group for discussion.

Question 15. Do you have any feedback about the type of enhanced rights that should be guaranteed to vulnerable and marginalized persons and groups who seek access to the complaints mechanism or who are parties to a complaint?

Key Stakeholder Feedback	FSC's comment
Feedback for further consideration in the revision process	

- a. any support needed to exercise rights equally
- b. establish criteria to define vulnerability
- c. include the collective rights of indigenous peoples as set out in the ILO Convention 169, as well as best practices in this regard
- d. consider the rights of children, women, people with disabilities and human rights defenders, as well as best practices in this regard
- e. ombuds-service
- f. culture-sensitive means to present and process complaints, i.e., providing national/regional contacts who can assist in the complainant's mother tongue
- g. guidance on filing a complaint.
- h. legal representation for complainants where companies employ lawyers
- i. equal access to information and the provision of experts to interpret it.
- j. ensure that the cost to stakeholders of submitting and/or handling the complaint is low (reasonable)
- k. Ensure the anonymity of complaint submissions or the safe use of the PRO. Stakeholders need to be confident that they can file a complaint without fear of prosecution.

All proposed contents will be presented to the working group for discussion.

- l. It is better to focus on making the complaints process simple and accessible to all.

This is one of the objectives of the revision.

Key PIPC Feedback	FSC's comment
Proposal	
m. Ensure that the complaint procedure is accessible to those with limited literacy levels and illiteracy.	To be presented to the working group for discussion.
n. Ensure that the complaints procedure is accessible in multiple languages. At the very least access to complaints mechanisms should be guaranteed in national languages, ideally in native languages specially for those located remotely, and that consideration should be given to going beyond FSC languages – English, Spanish and French	Idem.
o. Consider creating a protocol for Human Rights defenders that safeguards complainants from reprisals.	Idem.

Topic 4 Systematic improvement

Question 16. Do you agree that there is a need to develop a database for registering, monitoring and reporting complaints lodged under the FSC dispute resolution system? Please explain your response

Key Stakeholder Feedback	FSC's comment
Agreement with the proposal because or as it will contribute to	
<ul style="list-style-type: none"> a. resolution would be more expeditious b. institutional learning, improve FSC system and respond to criticisms c. maintain the system's integrity and credibility d. ensure transparency, tracking, facilitate information to the parties and reporting to stakeholders e. facilitate case management f. identify issues related to lack of awareness in order to focus communication efforts g. identify patterns in the issues addressed and report them to the FSC Board of Directors. h. establish precedents for decisions on similar cases to ensure a uniform approach i. identify abuse of the complaints procedure 	<p>The majority of respondents (84%) supports the proposal.</p> <p>The received input aligns with the proposal justification presented in the consultation material.</p>
Disagreement with the proposal	
<ul style="list-style-type: none"> j. It is difficult to distinguish between valid complaints and those that are fraudulent or abusive. As a result, it is impossible to establish a credible monitoring and reporting system. 	<p>The revision covers the establishment of admissibility and ineligibility criteria to prevent abuse of the mechanism.</p>
Feedback for further consideration in the revision process	
<ul style="list-style-type: none"> k. It can be challenging to categorise, group, and record complaints. Who should be responsible for determining which requirement the complaint pertains to? If the requirement is not specified or if the complainant refers to the wrong requirement or multiple requirements, it may not be evident whether the statement is a complaint or a comment. 	<p>The comment provides significant clarifications regarding the difficulties of registering cases and should be considered in relation to the responses to question 17.</p> <p>When determining the requirements of a complaint, this contribution should also be taken into consideration.</p>
<ul style="list-style-type: none"> l. Ensure open access while protecting sensitive information. Avoid making certain details public. 	<p>It will be presented to the working group for discussion.</p>

m. CHs can provide insights and benchmarks on technological tools. Idem.

n. Complaints should be registered centrally at the CB level for operational reasons. It is not recommended to register complaints centrally at the CH level, as CHs receive many complaints that are not relevant to the system. Additionally, introducing a central platform may be a high burden for CHs. Idem.

Key PIPC Feedback	FSC's comment
Problem	
No complaints information can be found on the FSC website, so it's difficult to learn from them. The site only provides access to PfA-related cases.	The received input aligns with the proposal justification presented in the consultation material.
Proposal	
o. Registering all indigenous peoples' complaints with the PIPC – PIPC already gets complaints from indigenous peoples and provides advice and support and refers them to the FSC.	To be presented to the working group for discussion.

Question 17. Do you have any feedback about the type of information pertaining to complaints and appeals that should be collected in a centralized database?

Key Stakeholder Feedback	FSC's comment
Feedback for further consideration in the revision process	
a. date b. number and/or name of case c. type (categories should be pre-defined) d. complainant identity e. defendant identification f. region g. country h. FSC membership status and chamber i. standard/requirement violated according to FSC normative framework	All proposed contents will be presented to the working group for discussion.

- j. reasons for complaint
- k. short description of the complaint
- l. status/progress
- m. priority
- n. documentation submitted by the parties
- o. actions/decisions of the committees/panels/ombuds person
- p. investigation reports
- q. final decision, including whether the case is relevant for the system, any forest management practices that have been adapted, minor or major non-conformity and any subsequent actions – such as corrective action requests (CARs) for CHs, CBs, ASI and FSC
- r. assessment of satisfaction by the parties
- s. overall duration of the process
- t. steps involved in the process
- u. record the effectiveness of the process based on key performance indicators KPIs
- v. record the effectiveness of discussions and negotiations, and the reasons for success when these discussions lead to a positive outcome
- w. document any improvement suggestions made by the complainant and defendant during and after the process
- x. when and which companies received complaints, and how those were assured.
- y. include online eligibility checker to assess if complaints meet the assessment criteria before submitting a complaint - reference to UK Office for Environmental Protection

z. The database should allow for the tracking of a complaint as it moves through different bodies in the system, including CH, CB, ASI, and FSC.	Idem.
aa. Ensure that there is enough information to guarantee coherence in FSC's decisions on similar situations.	The input aligns with the proposal justification presented in the consultation material.
bb. Direct access to the complaint by CB/CH, who the complaint is against, may be perceived as a risk in certain cases – i.e. intimidation, threats, etc.	To be presented to the working group for discussion.

Key PIPC Feedback	FSC's comment
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Proposal

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| cc. There should be general information that can be disseminated about indigenous peoples' cases, for example a compendium. This report should provide details on how to submit complaints and to whom and whom to contact for assistance | To be presented to the working group for discussion. |
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Question 18. Do you agree that the information collected can be used to bring about reforms in the complaints procedure at the appropriate levels? Please explain your response

Key Stakeholder Feedback

FSC's comment

Agreement with the proposal because or as it will contribute to

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| a. continuous improvement | The majority of respondents (86%) supports the proposal. |
| b. illustrate the application of procedures and establish precedents | |
| c. identify the nature, location and frequency of complaints, including actions, root causes, regions, trends and patterns, to target improvements in FSC normative framework as well as awareness-raising | The received input aligns with the proposal justification presented in the consultation material. |
| d. develop action plans to address issues based on KPIs and user feedback | |
| e. revise complaints and appeal procedures, as well as the normative framework, including national standards | |
| f. use adaptive management logic | |
| g. learn about how the system works, make analyses and take action based on the findings. | |

Please share your feedback, inputs, suggestions and recommendations here.

This section contains comments or proposals that were not addressed in previous responses.

Key Stakeholder Feedback

FSC's comment

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| a. Improve processes for CHs to file complaints against CBs regarding the latter's interpretation of FSC Normative Framework. | To be presented to the working group for discussion. |
| b. FSC Board of Directors or Executive Committee should approve the appointment of appeals panel | Idem. |

members, and National Offices can propose its members.	
c. FSC should acknowledge the possibility of raising complaints regarding business agreements between CHs and CBs.	Idem.
d. FSC should promote dialogue and develop guidance on this matter.	Idem.
e. Consider an independent entity that multiple CHs can use to apply alternative dispute resolution methods.	Idem.
f. If ADR tools were to be implemented in complaints mechanism, there needs to be clear meaningful outcome and a clear understanding and strategy in using those tools	Idem.
g. Consider robust implementation of FPIC as a way of preventing complaints.	Idem.
h. Clarify that complaints will not be considered while official investigations are ongoing and until a final decision has been made. Alternatively, the clause could be changed to allow for complaints process within the FSC scheme to proceed regardless of whether an official authority is conducting an investigation.	Idem.
i. Consider the appropriate course of action if additional evidence is presented after a decision has been made on a complaint or appeal.	Idem.

Key PIPC Feedback		FSC's comment
Problem	Proposal	
j. There is a lack of transparency regarding complaints procedures at the operational level. It can be difficult to locate the appropriate complaints procedures and identify the correct body to approach for resolving complaints, whether it be FSC, ASI or CB.	<ul style="list-style-type: none"> To improve transparency, it is recommended that the complaints procedures are clearly outlined and easily accessible to all stakeholders A compendium on indigenous cases should provide details on how to submit complaints and to whom and whom to contact for assistance. 	<p>The information will be directed to the FSC teams, who may provide support or are responsible for the issue.</p> <p>Proposals will be presented to the working group for discussion.</p>

	<ul style="list-style-type: none"> • Increase awareness/communication about the procedures/mechanism and their utility to indigenous communities. 		
k.	<p>Certifying bodies often lack understanding of how internal protocols of indigenous communities should be applied in relation to other documents of the FSC Normative Framework, i.e. data protection. Likewise, ASI, the organization responsible for handling complaints on CBs, does not relate to indigenous peoples. The lack of cultural sensitivity in implementing bodies can discourage individuals from pursuing a burdensome complaints process.</p>	<ul style="list-style-type: none"> • Consider "culturally appropriate engagement" when addressing disputes. If this is done well, then complaints can be avoided – see clause 1.6. P&C. • To prevent the need for submitting complaints before implementing bodies lacking cultural sensitivity, it may be necessary to consider a preliminary process. 	Idem.
l.	<p>Currently there are very few complaints directly submitted by indigenous communities. Most of complaints related to indigenous peoples may come from partners to communities. There should be more field testing to know what is functioning and what not regarding the implementation of the complaints mechanism.</p>	<ul style="list-style-type: none"> • Build capacity of indigenous communities to express and submit complaints and to develop own practices related to case management. 	Idem.
m.	<p>There should not be a standardized complaints procedure for indigenous peoples, as communities are very different.</p>		Idem.



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