



Technical Clarifications

# FSC REMEDY FRAMEWORK TECHNICAL CLARIFICATIONS



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<b>Contact for comments:</b>	<p>FSC Global Development – System Integrity Unit  Adenauerallee 134  53113 Bonn  Germany</p> <p><b>Phone:</b> +49 (0)228 36766 0  <b>Fax:</b> +49 (0)228 36766 65  <b>Email:</b> <a href="mailto:remedy@fsc.org">remedy@fsc.org</a></p>

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*Chapters and Parts in this table of contents correspond to the Chapters and Parts of the FSC Remedy Framework.*

## ABBREVIATIONS

<b>FSC</b>	Forest Stewardship Council
<b>ETI</b>	Ethical Trade Initiative
<b>HRDD</b>	Human Rights Due Diligence
<b>DHRI</b>	Danish Human Rights Institute
<b>EPRS</b>	European Parliamentary Research Service
<b>HRRA</b>	Human Rights Risk Assessment
<b>HRIA</b>	Human Rights Impact Assessment
<b>OECD</b>	Organization for Economic Co-operation and Development
<b>UN</b>	United Nations
<b>UNGP</b>	United Nations Guiding Principles on Business and Human Rights
<b>WWF</b>	World Wildlife Fund
<b>BSi</b>	British Standards Institution
<b>ILO</b>	International Labour Organization
<b>ISO</b>	International Organization for Standardization
<b>UNEP</b>	United Nations Environment Programme
<b>FPIC</b>	Free, Prior and Informed Consent
<b>HCV</b>	High Conservation Value
<b>AFi</b>	Accountability Framework initiative
<b>ESG/CSR</b>	Environmental Social and Governance/Corporate Social Responsibility
<b>IGI</b>	FSC International Generic Indicators

## INTRODUCTION

This set of Technical Clarifications aims to clarify aspects related to the implementation of:

1. <FSC-PRO-01-007 FSC Remedy Framework Enabling certification and association, Governed by the Policy to Address Conversion V1-0 and the Policy for the Association of Organizations with FSC V2-0 >
2. <FSC-PRO-01-004 FSC Remedy Framework Enabling association, Governed by the Policy for Association V3>

This document is non-normative and was developed for all interested stakeholders. It will be updated as new clarifications are needed.

# TECHNICAL CLARIFICATIONS

## Scope and introduction

### 1. Why are there two FSC Remedy Framework procedures?

To ensure alignment with the FSC normative framework, there are two separate documents called FSC Remedy Framework. The main difference between the two normative documents lies in the applicability of remedy requirements:

- <FSC-PRO-01-007 FSC Remedy Framework> states the requirements for association governed by the FSC Policy for Association, **version 2** <FSC-POL-01-004 V2-0 Policy for the Association of Organizations with FSC> and for certification of management units governed by the FSC Policy to Address Conversion <FSC-POL-01-007 Policy to Address Conversion>.
- <FSC-PRO-01-004 FSC Remedy Framework> states the requirements for association governed by the FSC Policy for Association, **version 3** <FSC-POL-01-004 V3-0 Policy for Association>.

### 2. Does the FSC Remedy Framework also apply to suppliers of wood and forestry products to organizations implementing the FSC Remedy Framework?

The scope of the FSC Remedy Framework does not apply to suppliers of organizations implementing the FSC Remedy Framework. Through the agreement organizations sign with FSC to remedy unacceptable activities, the organizations commit to no conversion in their supply chain.

## Chapter 1: Foundational systems

### 3. Why do foundational systems only apply to unacceptable activities?

Implementation of the foundational systems are meant to address the most common root causes of unacceptable activities.

### 4. How should due diligence frameworks be developed?

Due diligence legislation should lead in developing these systems. Corporate groups that implement self-designed multi-stakeholder processes and due diligence systems ahead of legal obligations being in place should therefore ensure they learn the lessons from the failure of weakly implemented systems and ensure that rigorous systems are implemented that bring about real change. Stakeholder engagement processes are to be used to bring about real improvements in the remedy outcomes and should depart from business-as-usual practices. See this commentary for an example: <https://www.business-humanrights.org/en/blog/evidence-based-law-making-what-lessons-have-we-learnt-for-an-effective-due-diligence-law/>.

Other helpful resources include:

- Ethical Trading Initiative (ETI) (2016), *Human Rights Due Diligence Framework*: <https://www.ethicaltrade.org/resources/human-rights-due-diligence-framework>
- The (Belgian) Federal Institute for Sustainable Development's *Toolbox Human Rights* website on Human Rights Due Diligence <https://business-humanrights.be/tool/8/how>
- Danish Human Rights Institute (DHRI) (2020), *HRIA methodology*: <https://www.humanrights.dk/business/tools/human-rights-impact-assessment-guidance-and-toolbox>
- NomoGaia, *Human Rights Risk Assessment (HRRRA) and Human Rights Impact Assessment (HRIA)* <http://nomogaia.org/tools/>

- Swiss Peace Foundation (2016), *Enhanced Human Rights Due Diligence in Conflict Affected and High-Risk areas*: [http://www.swisspeace.ch/fileadmin/user\\_upload/Media/Publications/Essentials/swisspeace-Essential\\_5\\_2016.pdf](http://www.swisspeace.ch/fileadmin/user_upload/Media/Publications/Essentials/swisspeace-Essential_5_2016.pdf)
- On Common Ground (2005) adapted *DHRI methodology*: <https://oncommonground.ca>
- International Alert's guidance on *Conflict Sensitive Business Practices*: <https://www.international-alert.org/publications/conflict-sensitive-business-practice-guidance-extractive-industries-en>
- SHIFT (2016), *Doing Business with Respect for Human Rights*: <https://www.shiftproject.org/resources/publications/doing-business-with-respect-for-human-rights/>
- Organization for Economic Co-operation and Development (OECD) due diligence guidance:
  - General guidance: OECD (2018), *OECD Due Diligence Guidance for Responsible Business Conduct*: <https://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>
  - Clear short infographic guidance: *Due Diligence Guidance for Responsible Mineral Supply Chains*: <https://www.duediligenceguidance.org/>
  - By sector: <http://mneguidelines.oecd.org/duediligence/>
- Graf, A., & Iff, A. (2016), *Enhanced Human Rights Due Diligence in Conflict Affected and High-Risk Areas*. Basel, Switzerland: Swiss Peace Foundation [https://www.swisspeace.ch/fileadmin/user\\_upload/Media/Publications/Essentials/swisspeace-Essential\\_5\\_2016.pdf](https://www.swisspeace.ch/fileadmin/user_upload/Media/Publications/Essentials/swisspeace-Essential_5_2016.pdf).
- UN (2011), *Guiding Principles on Business and Human Rights Implementing the United Nations "Protect, Respect and Remedy" Framework*: [https://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr\\_eN.pdf](https://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr_eN.pdf));
- UNGP Reporting Framework: <https://www.ungpreporting.org/> and specifically: Mazars & Shift (2015), *UN Guiding Principles Reporting Framework*. Mazars LLP & Shift Project Ltd: [https://www.ungpreporting.org/wp-content/uploads/UNGPREportingFramework\\_withguidance2017.pdf](https://www.ungpreporting.org/wp-content/uploads/UNGPREportingFramework_withguidance2017.pdf)
- WWF United Kingdom & British Standards Institution (2012), *Exercising due diligence in establishing the legal origin of timber and timber products PAS 2021*. <http://awsassets.wwf.or.id/downloads/pas2021.pdf>
- European Parliamentary Research Service (2020), *Towards a mandatory due diligence system for supply chains*: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/659299/EPRS\\_BRI%282020%29659299\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/659299/EPRS_BRI%282020%29659299_EN.pdf)

#### 5. Are there helpful resources for having "documented management systems" in place?

The use of the United Nations Guiding Principles for Business & Human Rights (UNGPR) Reporting Framework is recommended to have documented management systems in place. It can be accessed here:

- Mazars & Shift (2015) *UN Guiding Principles Reporting Framework*: Mazars LLP & Shift Project Ltd: [https://www.ungpreporting.org/wp-content/uploads/UNGPREportingFramework\\_withguidance2017.pdf](https://www.ungpreporting.org/wp-content/uploads/UNGPREportingFramework_withguidance2017.pdf)

## Chapter 2: Trust building measures

#### 6. Why is there a requirement about monitoring greenhouse gases?

This requirement is about climate change in the context of the human right to health and well-being. The current climate emergency threatens all forms of life and is increasingly negatively impacting human health and well-being.

## 7. What are some useful resources to refer to regarding the protection of workers health?

The following resources offer valuable information and guidelines for protecting the health and safety of workers:

- UN Guiding Principles on Business and Human Rights: [https://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr\\_eN.pdf](https://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr_eN.pdf)
- Universal Declaration of Human Rights of the United Nations) Article 25.1: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
- UN Human Rights Council Resolution 48/13. The human right to a clean, healthy and sustainable environment: <https://undocs.org/A/HRC/RES/48/13>
- FSC IGI 2.3.1. of <FSC-STD-60-004 V1-0 FSC International Generic Indicators (IGIs)> <https://connect.fsc.org/document-centre/documents/resource/262>
- International Labour Organisation Code of Practice Safety and Health in Forestry Work (1998) [https://www.ilo.org/global/topics/safety-and-health-at-work/normative-instruments/code-of-practice/WCMS\\_107793/lang--en/index.htm](https://www.ilo.org/global/topics/safety-and-health-at-work/normative-instruments/code-of-practice/WCMS_107793/lang--en/index.htm);
- ISO 45001 – Occupational Health and Safety (2018) <https://www.iso.org/standard/63787.html>.
- United Nations Environment Programme video: <https://www.unep.org/news-and-stories/video/right-safe-clean-healthy-and-sustainable-environment>



## Chapter 3: Requirements for remedying environmental and social harm

### Part 1: Grievance mechanism

#### 1. What is meant by “continuous learning”?

The term “continuous learning” applies at an organization level and at an individual staff member level. Both staff and the organization are continuously learning using monitoring, evaluation, and internal feedback systems that ensure active learning and the development of policies and procedures takes place from experience. “A learning organization is an organization skilled at creating, acquiring, and transferring knowledge, and at modifying its behaviour to reflect new knowledge and insights.” Please see:

Garvin, David A. (1993) *Building a Learning Organization*. Harvard Business Review. <https://hbr.org/1993/07/building-a-learning-organization>.

#### 2. When establishing a grievance mechanism, should the mechanism be the same for all stakeholders?

Yes. There may be different requirements for ensuring the grievance mechanism is accessible and culturally appropriate for different stakeholder groups. This may require different methods of communicating to different stakeholders, however, the grievance mechanism should be the same. There may also be special considerations for grievance mechanisms when cases involve the Free, Prior, and Informed Consent of affected rights holders.

#### 3. What are helpful resources for establishing a grievance mechanism?

Some helpful references for establishing grievance mechanisms include:

- Guiding Principle 31 (p33) in: UN (2011) *Guiding Principles on Business and Human Rights Implementing the United Nations “Protect, Respect and Remedy” Framework* UN. [https://www.ohchr.org/documents/publications/GuidingprinciplesBusinessshr\\_eN.pdf](https://www.ohchr.org/documents/publications/GuidingprinciplesBusinessshr_eN.pdf)
- Guiding Principle 31 (p73) in: UN (2012) *The Corporate Responsibility to Respect Human Rights. An Interpretive Guide*. <https://www.ohchr.org/Documents/Issues/Business/RtRInterpretativeGuide.pdf>
- Box A, page 6 in: Ruggie, J (2011) *Piloting Principles for Effective Company-Stakeholder Grievance Mechanisms: A Report of Lessons Learned* A/HRC/17/31/Add.1 2011 <https://www.ohchr.org/Documents/Issues/Business/A-HRC-17-31-Add1.pdf>

#### 4. Who could be considered “legitimate representatives”?

A legitimate representative is an individual or organization that has obtained written permission or notification from the affected rights holder, reflecting that the representative legitimately represents them.

#### 5. Are there helpful resources on conflict resolution?

The following resources offer valuable information and guidelines for conflict resolution:

- <FSC-GUI-30-003 FSC Guidelines for the Implementation of the Right to Free, Prior and Informed Consent (FPIC)>. <https://connect.fsc.org/document-centre/documents/resource/332>
- VIACONFLICT (2012) *The Conflict Continuum*. <https://viaconflict.wordpress.com/2012/01/01/the-conflict-continuum/>
- Moore, C (2014) *The Mediation Process. Practical Strategies for Resolving Conflict*. 4<sup>th</sup> Edition. Figure 1.1. Continuum of Conflict Management and Resolution Approaches and Procedures. <https://download.e-bookshelf.de/download/0002/3724/53/L-G-0002372453-0003337617.pdf>

## Part 1: FPIC Application

6. What resources is FSC making available to help Indigenous Peoples and Local Communities gain the knowledge and capacity they need to participate meaningfully in the remedy process in actual cases?

The FSC Remedy Framework contains a mandatory Annex with the elements and steps of the Right to Free, Prior and Informed Consent (FPIC) process which in its entirety shall be considered for developing and conducting FPIC processes. In addition, FSC will be working to co-create materials to support communication around FSC and the remedy procedures for Indigenous Peoples and Local Communities.

7. How will the rights of Indigenous Peoples and legal and customary rights holders to FPIC be assured in remedy sites if these are outside original management units?

Independent Assessors are responsible for interacting with affected rights holders and ensuring FPIC is practiced in the remedy sites, within or outside of the management units. Third Party Verifiers are responsible for verifying the practice of FPIC throughout the remedy process.

## Part 1: Anti-corruption measures

8. Where can I find more information on anti-corruption measures?

The requirement at 5.1 of the FSC Remedy Framework is informed by <FSC-STD-60-004 International Generic Indicators> under Criterion 1.7. See this criterion for further guidance.

## Part 2: Identification of associated parties, impact areas and baseline assessments of social and environmental harm

9. What are examples of “prior assessments” which could inform social and environmental baseline assessments required by the FSC Remedy Framework?

Previously conducted assessments may include but are not limited to High Conservation Value (HCV) assessments, legally required Social and Environmental Impact Assessments, Due Diligence Assessments, and Human Rights Impact Assessments carried out in accordance with The Organization or corporate group’s sustainability, environmental, social and governance (ESG), and/or corporate social responsibility (CSR) requirements.

10. Are there suggestions for how to prioritize harm beyond the relevant terms included in the FSC Remedy Framework?

The following criteria from the UNGPs can helpfully be applied for identifying priority issues:

- High severity
- Direct role of the company
- Difficulty of remedy
- High risk
- Well-established recognition of rights
- Urgency

*UNGP* *Implementation* *Guidelines* (2011)  
[https://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr\\_eN.pdf](https://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr_eN.pdf)

Salient environmental issues and salient human rights issues defined in the FSC Remedy Framework should also be considered.

### 11. Are there any helpful resources for learning about consultation with stakeholders?

Some helpful references include:

- FSC standards and guidance on stakeholder consultation: <FSC-PRO-01-001 Development and Revision of FSC Requirements> and <FSC-STD-20-006 Stakeholder Consultations for Forest Evaluations>.
- Accountability Framework initiative (AFi) (2019) *Achieving Commitments Through Collaboration*: <https://accountability-framework.org/operational-guidance/achieving-commitments-through-collaboration/>
- OECD (2017) *OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector*. <http://dx.doi.org/10.1787/9789264252462-en>

### 12. Are there recommendations for mapping potential impact areas where forest concession area boundaries have changed over time due to factors beyond the company's influence (i.e. government making decisions that influence the redefining of the forest concession area boundaries)?

Such cases would be considered exceptional and would require assertive communication between the company, independent assessors, and FSC. In cases where complex boundary changes have taken place, the definition of best available information provided in the FSC Remedy Framework should be considered, as well as feasibility.

In some cases, the best available information may be the most recent iteration of the concession boundaries. It may not be feasible, in terms of cost and time, to conduct baseline assessments for different areas over long spans of time.

One solution that could be considered is to obtain the shape file of concession boundaries as of 2023 (the effective date of the FSC Remedy Framework) or current date. Then, analysis could be conducted according to those boundaries dating back until 1993 (one year prior to FSC's founding). Other methodologies based on the best available information and feasibility could be considered.

## Part 3: Remedy Planning

### 13. Regarding the Core Dialogue Group, what is meant by consulting impacted rights holders over a "spectrum of diversity" and including "other support"?

The spectrum of diversity could include women, elders, youth, customary leaders, village government, religious groups, seasonal workers, and collectors of Non-Timber Forest Products (NTFPs).

"Other support" is subjective and specific to the rights holders in question and the situation at hand. It can include existing trusted relationships, e.g., a religious leader, counsellor, or advisor. It can also mean professional specialists in restorative practices. The needs of the rights holders should be central.

### 14. What are some approaches to redress power imbalances?

Professional input is likely to be needed to design systems and processes that successfully redress power imbalances, particularly in the early stages of establishing such approaches. Examples can be found in: Kashtan, M. (2020) *The Highest Common Denominator. Using Convergent Facilitation to Reach Breakthrough Collaborative Decisions*.

### 15. Who are the stakeholders involved in determining the implementation threshold?

Impacted rightsholders.

**16. If a company is required to do a full remedy for past conversion, how much land must be remedied, and how much land must be protected?**

For full conversion remedy, the total remedy area must be 1:1 proportionate to the size of the converted area. The protected area shall be 20 percent of the size of the converted area. For example, if 100 hectares were converted, 100 hectares must be remedied and 20 hectares must be protected.

Please note that the 20 percent protected area to conform with remedy requirements is in addition to the 10 percent of the management unit known as Conservation Area Network required by FSC-STD-60-004 International Generic Indicators, indicator 6.5.5.

**17. If a management unit has changed ownership over time, is the organization pursuing remedy for conversion of natural forests between 31 December 1994 and 31 December 2020 responsible for partial remedy?**

Whether an organization is responsible for full or partial remedy depends on whether there was direct or indirect involvement, of the company in the conversion, or not, as defined below:

**Direct Involvement:** Situations in which the associated organization or individual is firsthand responsible for the unacceptable activities. (*Source: FSC-POL-01-004 V2-0*)

**Indirect Involvement:** Situations in which the associated organization or individual, with a minimum ownership or voting power of 51 per cent, is involved as a parent or sister corporate, subsidiary, shareholder or Board of Directors to an organization directly involved in *unacceptable activities*\*. Indirect involvement also includes activities performed by subcontractors when acting on behalf of the associated organization or individual. (*Source: FSC-POL-01-004 V2-0*)

If an organization acquired a management unit and had not any direct or indirect involvement in the conversion that occurred between 31 December 1994 and 31 December 2020, then they are required to provide partial remedy as described in Chapter 3, 17.4e, and 18.5b-c.

For example, Company A converted a management unit from natural forests to plantations between 1998-2004. Company B has no direct or indirect links with Company A. Company B purchases the management unit in 2015. In 2025, Company B would like to pursue remedy to become eligible for FSC forest management certification. Company B must conform to requirements for partial remedy that took place on the land from 31 December 1994 to 31 December 2020.

In some cases, the direct and indirect involvement has shifted over the time period between 31 December 1994 and 31 December 2020 in such a way that the remedy client could be responsible for partial remedy during a portion of that time period and full remedy for another portion of time during that time period. The dates when the environmental and social harm took place would be analysed in comparison to the involvement at that time.

For example, Company A started converting a management unit from natural forests to plantation in 1998. In 2004, Company A and Company B formed a joint venture and continued to convert natural forest to plantations in the management unit. In 2015, Company A withdrew, and Company B became the sole owner of the management unit. Conversion ceased in 2017. In 2025, Company B would like to pursue remedy to become eligible for FSC forest management certification. Company B is responsible for partial remedy for conversion that took place from 31 December 1994-2003 and responsible for full remedy for conversion that took place from 2004-31 December 2020.

**18. When remedying for conversion, can several different organizations applying the Remedy Framework choose one site (outside their respective converted areas) to conform with requirements for remedy and conservation?**

Maybe. Foremost, site selection must be justified as described in Section 18 of the FSC Remedy Framework. According to this section, in some cases, areas outside of the specific converted area are permissible for remedy. Section 21 allows for the possibility of organizations and corporate groups working together to maximize remedy outcomes. It is important to note that this site must be large enough to account for a 1:1 proportional area of the total converted area of all parties. Twenty percent of the area shall be protected.

Example: Organization A converted 100 hectares. Organization B converted 100 hectares. A & B find an ideal site for remedy, according to section 18. They may work together to remedy the required 200 hectares and conserve the required 40 hectares if the development of the Remedy Plan conforms to the requirements of the FSC Remedy Framework.

**19. Can an Organization address remedy through an excedent of existing natural forest area?**

Maybe. The remedy actions shall be additional, meaning they must be over and above actions already achieved or planned to be achieved, and not able to be achieved without the support and/or intervention of the Organization. If there are no plans to protect and conserve the existing natural area and such plans are developed during the remedy process, it may be eligible. Additionality is ultimately determined by the Third Party Verifier.

**20. Is there specific sections or indicators which need to be used when developing a Remedy Plan?**

The following terminology is suggested for sections of the Remedy Plan:



**THE SCOPE**

Is the broad geographic or thematic focus of a remedy plan.



**THE VISION**

Is a general summary of the desired condition one is trying to achieve through the work of the project. A good vision is relatively general, visionary (inspiring), and brief.



**GOALS**

are formal statements of the medium to long-term desired ecological or social condition, including the level of recovery sought. Goals must be clearly linked to targets, measurable, time-limited, and specific.



**OBJECTIVES**

Objectives are formal statements of the interim outcomes along the trajectory of recovery. Objectives must be clearly linked to targets and goals, and be measurable, time-limited, and specific.



**THE TARGETS**

Identify the natural ecosystems to be restored and / or conserved at a site as informed by the reference model, along with any social outcomes or constraints expected.



**INDICATORS**

Indicators are specific, quantifiable measures of attributes that directly connect longer-term goals and shorter-term objectives. Ecological indicators are variables that are measured to assess changes in the physical, chemical or biotic ecosystem attributes as guided by the reference model. Social–ecological or cultural indicators measure changes in human wellbeing such as participation in traditional practices, governance, language and education.



Source : *SER International Standards (Gann et al., 2019)*

There are no specific indicators which must be used in every Remedy Plan because each plan should be adjusted based on the context of the situation and ecosystem. Sample indicators are suggested in Annex 2.

**21. If it is complex case, does everything need to be in one Remedy Plan, or can there be multiple Remedy Plans?**

Typically, one Remedy Plan will need to be developed per specific case of conversion or unacceptable activity and/or per management unit where such cases had occurred. Where there are complex cases within a single management unit or that span several management units then several plans will be needed. The Organization or corporate group should choose what works best for its particular situation. An advantage of splitting complex cases into separate Remedy Plans is they can each be developed separately in a stepwise fashion if need be and submitted to the Third Party Verifier sequentially. Each Remedy Plan will need to be preceded with a corresponding Concept Note.

## **Part 7: Monitoring, reporting, transparency, and demonstration of progress**

**22. What is meant by participatory evaluation of stakeholders?**

For an example, consult Poitras and Le Tareau (2009): Quantifying the Quality of Mediation Agreements. *Negotiation and Conflict Management Research*, 2(4), 363–380. <<https://doi.org/10.1111/j.1750-4716.2009.00045.x>>, which proposes simplified aspects for the participatory evaluation including:

- Parties' perception on the process;
- Perception on the procedural justice: the degree to which the parties believe that the agreement was achieved in a fair and equitable way/process;
- Perception on the usefulness of the mediator/facilitator;
- Parties' satisfaction with the content of the agreement;
- Confidence with the agreement. Is the agreement feasible and implementable? Will the parties comply with the agreement?;
- Parties' perception on relationship change;
- Parties' perception regarding reconciliation between parties (To what degree the process helps improve parties' relationship?)

**23. What is meant by the FSC Dispute Resolution System mentioned in Chapter 3, 2.2 and 30.6? How should stakeholders expect to engage with this system?**

From a normative standpoint, the FSC Dispute Resolution System can be understood as the requirements contained in FSC-PRO-01-005 *Processing Appeals*, FSC-PRO-01-008 *Processing Complaints in the FSC Certification Scheme* and FSC-PRO-01-009 *Processing FSC Policy for Association Complaints*.

Before bringing a grievance to the FSC Dispute Resolution System, it should first be considered that according to the FSC Remedy Framework, "the ultimate responsibility for the plan, implementation, and delivery of conservation\* and restoration\* outcomes and social benefits shall rest with The Organization\* or corporate group\*" (Chapter 3, 2.4) and that there is a grievance mechanism (Chapter 3, Section 3) to handle grievances related to the remedy process. If dialogue processes and the grievance mechanism procedures have been exhausted or are not sufficient to resolve grievances, these grievances may be elevated to FSC.

There are different routes for processing such complaints:

- When the nature of the complaint relates to the actions of FSC or requirements of the normative framework (including the findings of the Third Party Verifier): See FSC-PRO-01-008 *Processing Complaints in the FSC Certification Scheme* and FSC-PRO-01-005 *Processing Appeals*
- When the nature of the complaint relates to possible unacceptable activities: See FSC-PRO-01-009 *Processing FSC Policy for Association Complaints*

**24. Regarding the assessment of HCV areas, is there a suggested format?**

Yes, see [HCV assessment report template with guidance \(2018\) | HCV Network.](#)

**25. What are considered “communication materials” which must contain a link to the FSC Remedy Progress Website?**

Communications materials includes all press releases, websites, social media postings, employee focused electronic or printed updates in the workplace, electronic or printed materials aimed at communities, suppliers, customers etc., and all articles or opinion pieces.

**26. What is the difference between on-going unacceptable activities and harm?**

It should be noted that there is a key difference between on-going unacceptable activities and harm. Unacceptable activities are the action taken that causes harm. The harm is the resultant effect that may continue for significant periods of time (maybe years, decades, or centuries) after the unacceptable activities have ceased.

## Third Party Verifiers and Independent Assessors

### 27. Is there a difference between verification and auditing?

Yes. Verification for the purposes of the FSC Remedy Framework is different from the normal auditing practices for FSC certification. Verification of the FSC Remedy Framework is carried out by a Third Party Verifier. Verification confirms the completion of past activities at a point in time, with no inherent forward-oriented view. In contrast, auditing of requirements for FSC certification is a conformance assessment that implies that the organization will be able to continue to meet requirements into the future, at least until the next audit.

### 28. Do certification bodies (CBs) automatically qualify as Third Party Verifiers, or do they require approval from FSC to act as Third Party Verifiers?

No, CBs do not automatically qualify as Third Party Verifiers. FSC approves Third Party Verifiers based on their independence and expertise to evaluate social and environmental harm. FSC registers Third Party Verifiers to a database managed by FSC. Certification bodies wishing to act as Third Party Verifiers should contact FSC International at [remedy@fsc.org](mailto:remedy@fsc.org) to start the approval process.

### 29. Are there currently Independent Assessors or Third Party Verifiers registered?

Yes, there are currently a pool of pre-approved Independent Assessors and Third Party Verifiers. FSC International is responsible for creating and maintaining a registered database of Independent Assessors and Third Party Verifiers. Organizations interested in applying to be considered part of the registered database should contact [remedy@fsc.org](mailto:remedy@fsc.org). Organizations entering the remedy procedure with FSC will receive the list of organizations that are in the database after signing a Memorandum of Understanding with FSC.

### 30. Can the same organization take on both Independent Assessor and Third Party Verifier roles, if they can demonstrate proper segregation of roles and internal checklists?

In each case, the Third Party Verifier may not be the same party as the Independent Assessor, as they are checking the work of the Independent Assessor. These are two different roles and cannot be performed by the same company. An organization may apply to be in the registered database for both roles. If their qualifications fit, they could be added to both databases.

### 31. How does FSC make sure there is no conflict of interest between Independent Assessor and the Third Party Verifier with the Organization?

FSC International ensures a clear separation between Third Party Verifiers and Independent Assessors. The Third Party Verifier is an entity approved by FSC. The qualifications of the Independent Assessor will be verified by FSC. Both entities undergo a self-disclosure process to ensure no familial, managerial, financial, or mission-related conflicts of interest with the company for each individual member of the team working on the project. FSC reviews any findings from this process, follows up on any identified issues, and decides if there is a conflict of interest. The entity also signs a legally binding agreement which allows the role to be suspended or resigned from if a conflict of interest is found or arises during a remedy process.



### 32. Does the Independent Assessor recommend remedy actions or just map out the harm?

The Independent Assessor identifies harms in consultation with affected stakeholders and rights holders. Impacted rights holders and affected rights holders and their legitimate representatives can recommend remedy actions.

### 33. Are Third Party Verifiers allowed to recommend corrective actions?

Third Party Verifiers can raise improvement requests about the remedy process to be addressed by the remedy client prior to the next verification, known as remedy learning requests. Remedy learning requests follow the same hierarchy, process, and timeframes as corrective actions, as outlined in 4.3.11 to 4.3.20 of <FSC-STD-20-001 General Requirements for FSC Accredited Certification Bodies> but are not related to certification. Raising corrective actions for certification is the responsibility of FSC accredited certification bodies.

## Remedy under <FSC-STD-30-010 FSC Controlled Wood Standard for Forest Management Enterprises>

### 34. According to INT-STD-30-010\_12, the remedy process shall have reached the Initial Implementation Threshold for the environmental and social remedy during the 5-year CFM certification period, before the producer is eligible for entering the step-up evaluation for the full forest management certification. Are there recommended steps to take to ensure the threshold is met in 5 years? What are the consequences if the Initial Implementation Threshold is not met within the 5-year CFM certification period?

The Initial Implementation Threshold is comprised of a variety of factors as described in the FSC Remedy Framework, Chapter 3, 20.1. To some extent, determining the threshold can be influenced by the remedy client, i.e. choosing priority activities which are achievable during a 5-year timeframe. In contrast, some aspects of the threshold are beyond the control of the remedy client, i.e. restoration and/or conservation of ecosystem attributes to the point where native recovery potential to natural forest is ecologically viable. For example, in some ecosystems, the growth rate of selected species may not allow for the restoration to reach such a point. In the case that the remedy has not reached the Initial Implementation Threshold, FSC will work collaboratively with the remedy client to agree upon a solution on a case-by-case basis. The remedy client should have an active remedy agreement with FSC and be in good standing according to the third party verification requirements and monitoring requirements described in Chapter 3, Section 29 of the FSC Remedy Framework, insofar as they are relevant up until the reaching the Initial Implementation Threshold. The Remedy Client should also demonstrate evidence of the reason for not reaching the Initial Implementation Threshold and good faith planning to meet the Threshold in a timely manner. FSC's objective is to support the continued implementation of remedy and therefore would not take or support punitive measures if the Initial Implementation Threshold is not met in 5 years. If and when a such a case related to not meeting the Threshold were to arise, a certification body could submit a request for further interpretation according to <PSU-PRO-10-201 Enquiry Procedure> to confirm the approach.



**FSC Global Development – System Integrity Unit**

Adenauerallee 134

53113 Bonn

Germany

**Phone:** +49 -(0)228 -36766 -0

**Fax:** +49 -(0)228 -36766 -30

**Email:** [remedy@fsc.org](mailto:remedy@fsc.org)