



PUBLIC CONSULTATION REPORT

FSC-ADV-20-007-26 Indigenous Peoples in Voluntary
Isolation and in Initial Contact (IPVIIC)

17/10/2025



INTRODUCTION

FSC normative framework has well-elaborated requirements for addressing Indigenous Peoples' rights, but they do not address the specific situation of Indigenous Peoples living in Voluntary Isolation or in Initial Contact (IPVIIC). In order to fill that gap, the FSC Board asked the Secretariat to draft an Advice Note on best practices for forest managers to respect IPVI rights and livelihoods in June 2025.

FSC secretariat established a small working group and developed an Advice Note for that purpose together with the proposers of the Motion 10 (GA2025) and PIPC on June- September in 2025 and launched the draft for public consultation between 12 September – 12 October 2025. Three webinars were organized to support the public consultation: one global, one targeted to PIPC and one targeted to the Peruvian stakeholders.

This document provides a summary of the feedback and FSC's Policy & Performance Unit (PnP)'s responses to the comments received

The FSC team would like to thank all participants of the public consultation.

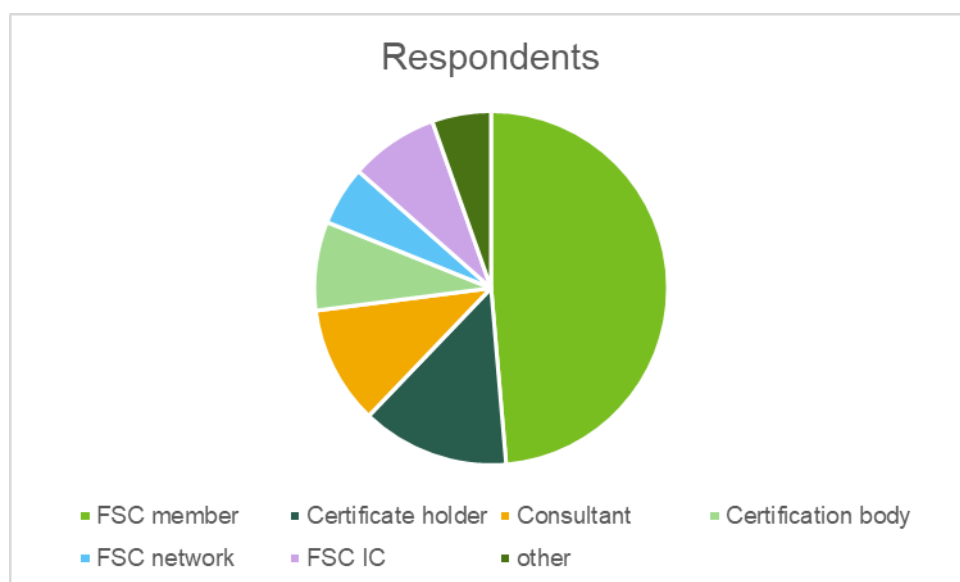
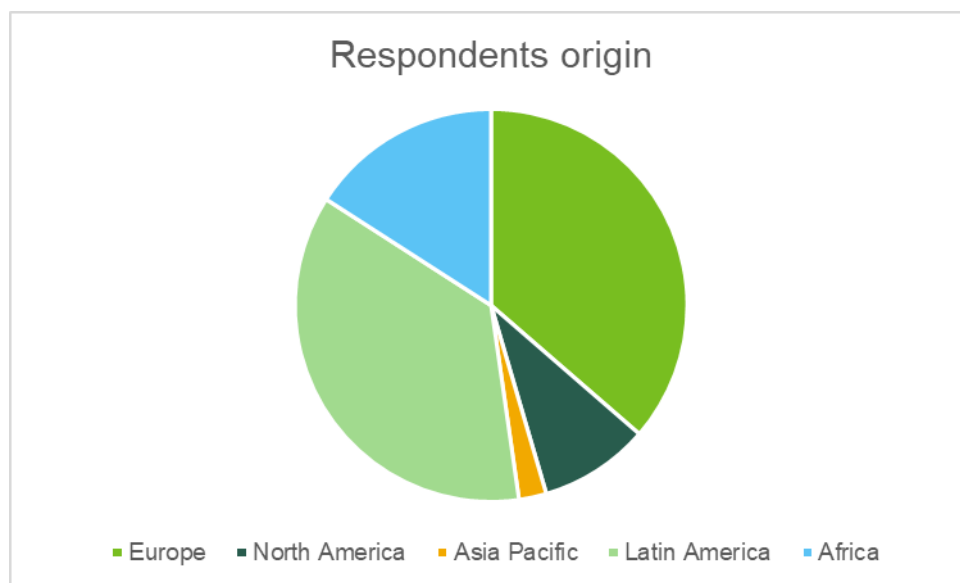
For comments or questions related to the development process, please contact Pasi Miettinen, Process lead, at forestmanagement@fsc.org.

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PARTICIPATION IN THE PUBLIC CONSULTATION

37 stakeholders participated in the public consultation in English, Spanish or French. Most of the participants came from Latin America (total 16, including 7 from Peru) and Europe (16). Vast majority of them were FSC members (18). There were also 5 certificate holders, one representative of Indigenous People and one representative of a government. The overall statistics are illustrated below:



Methodology

Generally, the public consultation allowed to comment on all requirements in the standard. At the same time specific feedback was asked on each section of the Advice Note.

QUESTIONS, RESPONSES AND FSC FEEDBACK

1. Do you agree with the Scope of the advice note?

Responses nr: 17/37

Agree 30%

Strongly agree 10%

Disagree 10%

Neutral 7%

Strongly disagree 0%

Responses:

- 1) Porque el ámbito se refiere a áreas en lugar de avistamientos o presencia de personas viviendo en aislamiento y a sus derechos. Ellos no conocen de límites y se trata aquí de proteger sus derechos, no respetar límites (*google translation: •Because the scope refers to areas, not sightings or presence of people living in isolation and their rights. They don't know boundaries, and the point here is to protect their rights, not respect boundaries.*)
- 2) If this is a general problem then the scope should not be limited to Peru but include all countries with IPVIIC's.
- 3) It should be included areas that are not "considered indigenous reserve" but where there are temporal settlements, collecting or hunting places of IPVIIC.
- 4) The Scope section reflects a necessary and respectful approach to safeguarding IPVIIC territories. I recommend reinforcing the language around non-contact protocols, Indigenous governance, and precautionary principles. The scope should also explicitly recognize the cultural and spiritual significance of these territories and ensure that all forest operations are subject to rigorous, community-informed risk assessments. The scenarios are unclear due to overlapping criteria in Scenarios 1 and 3, both of which use the term "area Considered Indigenous Reserve." This term is confusing, subjective, and lacks legal recognition. In both cases, it is treated as if it were a distinct category, which adds to the ambiguity. Scenario 4 begins by defining the management unit as a protected natural area. However, this scenario is unlikely because protected area studies already account for surrounding zones, preventing overlap with indigenous reserves. The final sentence applies to all scenarios: in Peru, the government holds authority over land use and access to natural resources, which are not privately owned. The Scope section reflects a necessary and respectful approach to safeguarding IPVIIC territories. I recommend reinforcing the language around non-contact protocols, Indigenous governance, and precautionary principles. The scope should also explicitly recognize the cultural and spiritual significance of these territories and ensure that all forest operations are subject to rigorous, community-informed risk assessments.
- 5) Here and hereinafter are the comments raised by our FM team in Latin America. The scenarios are unclear due to overlapping criteria in Scenarios 1 and 3, both of which use the term "area Considered Indigenous Reserve." This term is confusing, subjective, and lacks legal recognition. In both cases, it is treated as if it were a distinct category, which adds to the ambiguity. Scenario 4 begins by defining the management unit as a protected natural area. However, this scenario is unlikely because protected area studies already account for surrounding zones, preventing overlap with indigenous reserves. The final sentence applies to all scenarios: in Peru, the government holds authority over land use and access to natural resources, which are not privately owned.
- 6) Company policy to avoid Peruvian materials
- 7) La section « Champ d'application » reflète une intention louable de protection, mais elle gagnerait à expliciter davantage les mécanismes de gouvernance autochtone et les principes de

non-contact. Elle devrait également inclure des références aux protocoles culturels et aux obligations internationales en matière de droits des peuples autochtones en isolement volontaire. (Google translation: *The “Scope” section reflects a laudable intention of protection but would benefit from further elaboration of Indigenous governance mechanisms and non-contact principles. It should also include references to cultural protocols and international obligations regarding the rights of Indigenous peoples in voluntary isolation.*)

FSC PnP answers:

- a) It is a right observation that we are aiming to protect the rights of IPVIIC rather than boundaries of their territories. However, the forest management certification is based on Management Units, which are required to have clear boundaries.
- b) We will develop a global Advice Note for IPVIIC, informed by the outcomes of the General Assembly in Panama, 26-31 October, and the submitted Motion 10/2025.
- c) We trust that the Peruvian Standard Development Group will address the concerns presented in the Response nr 4.
- d) Regarding the Response 5, the definition of “Considered Indigenous Reserve” has been revised and replaced by: “Proposed as Indigenous Reserve/ Proposed as an Expansion of Indigenous Reserve (PIR/PEIR)”
- e) Based on our WG local expertise, we trust that scenario 4 does exist.
- f) The CoC company policies regarding Peruvian materials are highly relevant, but outside the scope of this Advice Note.
- g) Regarding point 7, Indigenous governance mechanisms of IPVIIC goes beyond this Advice Note. Non-contact principles are addressed in the contingency plan.

2. Do you agree with the definition of “Buffer zone”?

Responses: 19/37

Agree 33%

Strongly agree 7%

Disagree 13%

Neutral 10%

Strongly disagree 0%

1. Se debería especificar que en caso de existir una propuesta de ampliación de una reserva territorial o indígena en proceso de evaluación y de superponerse esta propuesta de ampliación con parte del el área de una UMF certificada, el área de la posible superposición debe considerarse parte de la zona de amortiguamiento provisional hasta que se concluya el proceso de evaluación o se cuente con la aprobación de la ampliación. (Google translation: *It should be specified that if there is a proposal to expand a territorial or indigenous reserve under evaluation and this proposed expansion overlaps with part of the area of a certified FMU, the area of the potential overlap should be considered part of the provisional buffer zone until the evaluation process is completed or the expansion is approved.*)
2. But to ensure proper use of the definition, it would be appropriate to indicate an appropriate minimum threshold or refer to practical examples to indicate how wide a buffer should be to prevent contact.
3. Buffer zone thresholds should be clearly defined and established in consultation with competent authorities and relevant organizations, including the Ministry of Culture, rather than determined solely by the FSC certification holder. This ensures that buffer zones are legally compliant, culturally appropriate, and effectively safeguard the rights, safety, and well-being of Indigenous Peoples in Voluntary Isolation. Consultation with the competent authority ensures alignment with

national legal frameworks governing Indigenous Peoples and their territories. It also reinforces compliance with FSC Principles and Criteria.

4. Me parece que en el caso de pueblos en aislamiento voluntario, no se trata de "amortiguar", sino de reconocer su territorio, delimitarlo y respetarlo. (*Google translation: It seems to me that in the case of peoples in voluntary isolation, it's not about "buffering" their territory, but rather about recognizing it, delimiting it, and respecting it.*)
5. I am unsure about the prohibition on the use of drones. In situations when information about the movements of non-contacted people is needed, the proper use of drones could be of great help.
6. "Buffer zone": The requirement on noise limits within the buffer zone is difficult to assess objectively. FSC could improve clarity by specifying a minimum area or length for the buffer zone. It would be more practical to specify "Buffer zone" width.
7. The current definition of "Buffer zone" provides a functional baseline but lacks cultural nuance. I suggest that it be expanded to reflect Indigenous perspectives on territorial integrity, spiritual boundaries, and relational stewardship. The definition should also clarify governance responsibilities and include provisions for adaptive management based on evolving community input.
8. La définition actuelle de la « zone tampon » pose une base fonctionnelle, mais elle reste trop technique et insuffisamment ancrée dans les réalités culturelles. Elle devrait intégrer les dimensions spirituelles, territoriales et relationnelles propres aux peuples autochtones concernés, en précisant les responsabilités de gouvernance et les modalités de surveillance communautaire. (*Google translation: The current definition of the "buffer zone" provides a functional basis, but remains too technical and insufficiently anchored in cultural realities. It should integrate the spiritual, territorial and relational dimensions specific to the indigenous peoples concerned, specifying governance responsibilities and community monitoring arrangements.*)

FSC PnP answers:

- a) Response nr 1 is addressed by the revising of the definition of "considered indigenous reserve" by Proposed as Indigenous Reserve/ Proposed as an Expansion of Indigenous Reserve (PIR/PEIR):
- b) The width of the Buffer zone is based on the definition stating that "...Noise from nearby forest operations shall not be heard beyond the boundaries of the buffer zone." The thresholds shall be defined in a participatory process, including the engagement with the competent authority. However, FSC cannot place direct requirements to the public authorities – only to the certificate holder.
- c) Recognizing, delimiting, and respecting the IPVI territories are deeply built into the Advice Note.
- d) We have had lots of discussion regarding the use of drones. Basically, they could be very helpful, but they always keep noise and sighting them can be deeply alarming to the people who do not know what they are. Also, taking a picture of somebody without his/her consent is considered not acceptable.
- e) Detecting the noise should be auditable. We have also added a new clause: "1.8 Location and dimensions of the buffer zone shall be indicated in the Prevention and Contingency Plan"
- f) The generic buffer zone definition is technical, but we expect that the certificate holders will take cultural realities into account in their forest management and contingency plans.

3. Do you agree with the definition of IPVIIC?

Responses: 16/37

Agree 23%

Strongly agree 17%

Disagree 7%

Neutral 7%

Strongly disagree 0%

- 1) Porque incluye Peoples in Initial Contact y este concepto no debería mezclarse con Indigenous Peoples in Voluntary Isolation (*Google translation: 1) Because it includes Peoples in Initial Contact and this concept should not be mixed with Indigenous Peoples in Voluntary Isolation*)
- 2) Aunque se define que los PIACI son grupos que eligen no mantener contacto con la sociedad "mayoritaria", en los hechos y en términos culturales, las sociedades nacionales en todo el mundo están en realidad formadas por un conjunto de minorías, definidas por sus opciones religiosas, artísticas, agrícolas, roles de género, y muchas otras. En realidad no existe una sociedad "mayoritaria". Pueden haber grupos hegemónicos, como los blancos descendientes de europeos en los Estados Unidos, pero además de esos grupos hegemónicos, existen muchos otros no hegemónicos. En los Estados Unidos, por ejemplo, en los Estados Unidos hay, además de los grupos hegemónicos, 574 pueblos indígenas (tribus) reconocidos por el gobierno federal, afrodescendientes, latinos, chinos, japoneses, gays, y muchas otras minorías, que constituyen en realidad la "mayoría" de la población. (*Google translation: 2) Although PIACI are defined as groups that choose not to maintain contact with the "majority" society, in fact and in cultural terms, national societies throughout the world are actually made up of a set of minorities, defined by their religious, artistic, agricultural, gender role choices, and many other aspects. In reality, there is no such thing as a "majority" society. There may be hegemonic groups, such as whites of European descent in the United States, but in addition to these hegemonic groups, there are many non-hegemonic groups. In the United States, for example, in addition to the hegemonic groups, there are 574 federally recognized indigenous peoples (tribes), African Americans, Latinos, Chinese, Japanese, gays, and many other minorities, who actually constitute the "majority" of the population.*)
- 3) The definition of IPVIIC reflects a respectful and precautionary approach. However, I recommend reinforcing the language around territorial sovereignty, cultural continuity, and the right to remain uncontacted. The definition should be co-developed with Indigenous representatives and reflect both legal protections and relational principles rooted in Indigenous worldviews.
- 4) The concept of "Considered Indigenous Reserve" is problematic, as it lacks legal recognition under Peru's PIACI law. Article 3 of the law defines indigenous reserves only through formal approval by supreme decree, and does not provide for provisional categories. FSC, as a certification scheme, could instead use a term like "Proposed Indigenous Reserve" to refer to territories under evaluation, avoiding legal misinterpretation. The definition of IPVIIC reflects a respectful and precautionary approach. However, I recommend reinforcing the language around territorial sovereignty, cultural continuity, and the right to remain uncontacted. The definition should be co-developed with Indigenous representatives and reflect both legal protections and relational principles rooted in Indigenous worldviews.
- 5) Un peuple en situation d'isolement est un peuple qui dispose d'un statut particulier et qui doit reconnaître sa légitimité et jouer pleinement son rôle dans le processus de la sauvegarde. (*Google translation: ...people in a situation of isolation is a people who have a special status and who must recognize their legitimacy and fully play their role in the safeguarding process.*)
- 6) La définition proposée est globalement pertinente, mais elle gagnerait à intégrer explicitement les principes de non-contact, de souveraineté territoriale et de reconnaissance culturelle. Elle devrait être co-construite avec les instances autochtones représentatives et refléter les dimensions spirituelles, relationnelles et juridiques propres aux IPVIIC. (*Google translation: The proposed definition is generally relevant, but it would benefit from explicitly integrating the principles of non-contact, territorial sovereignty and cultural recognition. It should be co-constructed with*

representative indigenous bodies and reflect the spiritual, relational and legal dimensions specific to IPVIICs.)

FSC PnP answer:

- a) All the responses (1 to 6) given to the definition are well-noted and well-justified. We trust that the Peruvian standard development group will take them into account, when using this definition as a starting point to further elaborate the concept in the Peruvian Forest Stewardship Standard.

4. Do you agree with the definition of “Indigenous Reserve”?

Responses: 16/37

Agree 33%

Strongly agree 3%

Disagree 7%

Neutral 10%

Strongly disagree 0%

- 1) Porque lo define la Ley peruana, no el FSC. El FSC solo debe seguir la ley nacional. (*Google translation: Because it's defined by Peruvian law, not the FSC. The FSC only has to follow national law.*)
- 2) Si no se conoce bien dónde y hasta dónde se desplazan los IPVIIC cómo establecer los límites de una reserva de territorio para ellos? (*Google translation: If it is not clear where and how far the IPVIIC travel, how can the boundaries of a territory reserve for them be established?*)
- 3) Es una definición que hacen las leyes peruanas (*Google translation: It is a definition made by Peruvian laws*)
- 4) In the definition of an indigenous reserve, it reads: "...these reserves are categorized to restrict non-Indigenous settlements,,,") This obscures a key fact. The point is that there are no settlements other than this isolated peoples, including those of other indigenous groups. As it is written, it could be misunderstood to mean that non-indigenous people cannot settle there, but that indigenous people other than the PIACI themselves could do so, which is clearly inappropriate.
- 5) The current definition of “Indigenous Reserve” provides a legal framework but lacks cultural depth. I suggest expanding it to include the spiritual, ecological, and relational dimensions of Indigenous territories. Governance mechanisms should be clearly outlined, and the definition should reflect the primacy of Indigenous authority and the precautionary principle in all forest-related activities.
- 6) Une reserve autochtone est un aspect fondamental dans le processus de protection et d'attribution des statuts dignes de la reconnaissance des atouts et règles fondamentales. (*Google translation: An indigenous reserve is a fundamental aspect in the process of protection and allocation of statuses worthy of the recognition of assets and fundamental rules*)
- 7) La définition actuelle de la « Réserve autochtone » repose sur une approche juridique utile, mais elle reste trop technique et ne reflète pas suffisamment les réalités culturelles et spirituelles des peuples concernés. Elle devrait inclure des critères de légitimité autochtone, des mécanismes de gouvernance communautaire, et des garanties de protection fondées sur le principe de précaution.

FSC PnP answers:

- a) Thank you very much for all your important observations. We have replaced the definition of the “Indigenous reserve” with a formal English translation from the Peruvian law
- b) We trust that the Peruvian standard development group will take these and all other comments into account, when using this definition as a starting point to further elaborate the concept in the Peruvian Forest Stewardship Standard.

5. Do you agree with the definition of “Considered Indigenous Reserve”?

Responses: 16/37

Agree 20%

Strongly agree 10%

Disagree 10%

Neutral 13%

Strongly disagree 0%

Responses:

- 1) Porque lo define la Ley peruana, no el FSC. El FSC solo debe seguir la ley nacional. (Google translation: Because it is defined by Peruvian law, not the FSC. The FSC must only follow national law.)
- 2) Es una manera en la cual los pueblos indígenas ejercen su derecho a tener un territorio. Sin embargo, conviene que se hagan las gestiones necesarias para que obtengan un reconocimiento formal. (Google translation: It is a way for indigenous peoples to exercise their right to territory. However, it is important to take the necessary steps to ensure that they obtain formal recognition.)
- 3) It should be extended to areas that are "considered indigenous reserve" by the indigenous organizations, even if they do not have an approved study for categorization. In Peru the legal recognition of indigenous territories in all their forms (property rights, cession in use, indigenous reserves) is very slowly which generates many conflicts with forest and mining concessions.
- 4) The concept of “Considered Indigenous Reserve” is problematic, as it lacks legal recognition under Peru’s PIACI law. Article 3 of the law defines indigenous reserves only through formal approval by supreme decree, and does not provide for provisional categories. FSC, as a certification scheme, could instead use a term like “Proposed Indigenous Reserve” to refer to territories under evaluation, avoiding legal misinterpretation. Note: We respectfully disagree with the statement that certification bodies have shown inadequate attention to international conventions, particularly ILO Convention 169, which is ratified by Peru. Forest Management certificates in the Tahuamanu area (Madre de Dios, Peru), issued by the certification body Preferred by Nature, underwent six ASI assessments in 2023 and/or 2024, with no nonconformities identified in this regard. These results demonstrate consistent oversight and alignment with international requirements, including ILO Convention 169.
- 5) The definition of “Considered Indigenous Reserve” provides a useful legal reference but lacks clarity on the criteria for recognition and the mechanisms for Indigenous validation. I recommend that it be co-developed with Indigenous representatives and include provisions for cultural legitimacy, territorial sovereignty, and precautionary governance. The term should reflect both legal status and relational stewardship.
- 6) La définition actuelle repose sur une logique administrative utile, mais elle ne reflète pas suffisamment les dimensions culturelles, spirituelles et politiques des territoires autochtones. Elle devrait être co-construite avec les instances autochtones représentatives et inclure des critères de légitimité communautaire, de gouvernance territoriale et de protection fondée sur le principe de précaution. (Google translation: The current definition is based on useful administrative logic, but it does not sufficiently reflect the cultural, spiritual and political dimensions of indigenous territories. It should be co-constructed with representative indigenous bodies and include criteria

of community legitimacy, territorial governance and protection based on the precautionary principle.)

FSC PnP answers:

- a) FSC is bound to comply with national laws, as required by Principle 1. However, as a voluntary scheme, FSC usually adds further requirements based on its mission.
- b) Referring to the important responses to the Question 4 above, we will systematically turn the concept of “Considered Indigenous Reserve” to “Proposed Indigenous Reserve/ Proposed Expansion of Indigenous Reserve (PIR/PEIR)”
- c) We trust that the Peruvian standard development group will take these and all other comments into account, when using this definition as a starting point to further elaborate the concept in the Peruvian Forest Stewardship Standard.

6 Do you agree with the definition of “Prevention and Contingency Plan”?

Responses: 15/37

Agree 17%

Strongly agree 13%

Disagree 7%

Neutral 13%

Strongly disagree 0%

Responses:

- 1) It will be helpful to share somehow the plan with those communities so they can know that the Organization do not intent to interfere with them
- 2) No se trata de evitar contingencias, sino de respetar los territorios de los pueblos en aislamiento Voluntario (*Google translation: It is not about avoiding contingencies, but about respecting the territories of peoples in voluntary isolation.*)
- 3) Right to self-determination is more than rights to the lands, territories and natural resources. The prevention and contingency plan should be oriented not just "to ensure the physical and cultural survival of the IPVIIC" but to enable them to develop their own culture in their own terms. That means, between others, to respect religious and spiritual places. In general, the term 'survival' is very unhappy, they are the owners of these territories.
- 4) The definition of “Prevention and Contingency Plan” is operationally sound and reflects a precautionary approach. To strengthen its legitimacy, I recommend that it include scenario-based protocols, culturally adapted risk assessments, and mechanisms for Indigenous-led oversight. The plan should be dynamic, context-sensitive, and grounded in both ecological and cultural resilience.
- 5) Le plan proposé est pertinent dans sa structure, mais il gagnerait à intégrer des scénarios contextualisés, des indicateurs de résilience culturelle et des mécanismes de validation autochtone. Il devrait également prévoir une gouvernance partagée, une transparence opérationnelle et une capacité d'adaptation aux réalités territoriales évolutives. (*Google translation: The proposed plan is relevant in its structure, but would benefit from incorporating contextualized scenarios, cultural resilience indicators and indigenous validation mechanisms. It should also provide for shared governance, operational transparency and the ability to adapt to evolving territorial realities.*)

FSC PnP answers:

- a) These are helpful observations and we trust that the Peruvian standard development group will take these and all other comments into account, when using this definition as a starting point to

further elaborate the concept in the Peruvian Forest Stewardship Standard. Advice Note is expected to be only a very short piece of requirements.

7. Do you agree with the requirements presented to all Management Units

Responses: 15/37

Agree 13%

Strongly agree 10%

Disagree 10%

Neutral 17%

Strongly disagree 0%

- 1) En el numeral 1.6. sugerimos y solicitamos excluir como parte de las responsabilidades de la OMF el monitoreo remoto del estado de las áreas de reserva, toda vez que esas áreas no serían parte de la UMF y si se trata de una propuesta de ampliación superpuesta con parte del área de la UMF, esa porción de área aún no puede ser llamada "reserva". En el numeral 1.7. se debe tener en cuenta que en el caso del proceso de evaluación de la propuesta de ampliación de la RTMDD, el estudio adicional de categorización (EAC) ha sido seriamente cuestionado por contener información inexacta, falsa o tergiversada sobre la presencia de PIACI en ciertos sectores fuera de la RTMDD, ante esta realidad, la nota conceptual debería considerar que las AC que voluntariamente hayan establecido las OMF en el área de superposición con una propuesta de ampliación sean consideradas como las áreas de amortiguamiento entre las operaciones forestales y el territorio PIACI. La información y sus medios de verificación sobre los cuestionamientos a la objetividad y veracidad de ciertos testimonios recogidos en el EAC han sido puestos a disposiciones del FSC y de ASI como parte de la investigación que han llevado a cabo en el año 2024, se entregó también información del requerimiento que hizo la Comisión Multisectorial PIACI a la Municipalidad Provincial Tahuamanu para que elabore un informe que sustente la necesidad de que el EAC sea revisado y reformulado, también se puso a disposición del FSC el informe elaborado por la municipalidad. Sobre el literal a) del numeral 1.7. se debe especificar que el requerimiento de exigir, a la OMF, realice un control y prohíba el tránsito y pesca en arroyos y ríos de mayor riesgo de encuentros, es aplicable únicamente cuando esos espacios son parte de la UMF, una OMF no solo no tiene competencias fuera de su área de concesión, sino que cometería una falta a la legislación si prohíbe el tránsito de terceros ajenos a su operación por caminos, ríos y otros. En el caso del numeral 1.8. se debería especificar que lo requerido a la OMF no aplica en caso el acceso de terceros a tierras y territorios de los PIACI se da por vías preexistentes o de servidumbre de paso, no permitir o respetar la servidumbre de paso de terceros con derechos representa una violación al marco legal peruano.

(Google translation: 1) In section 1.6, we suggest and request that remote monitoring of the status of reserve areas be excluded from the FMO's responsibilities, since these areas would not be part of the FMU, and if it is a proposed expansion overlapping with part of the FMU's area, that portion of the area cannot yet be called a "reserve." In section 1.7, it should be noted that in the case of the evaluation process for the proposed expansion of the RTMDD, the additional categorization study (EAC) has been seriously questioned for containing inaccurate, false, or distorted information regarding the presence of PIACI in certain sectors outside the RTMDD. Given this reality, the concept note should consider that the ACs that have voluntarily established the FMOs in the overlapping area with a proposed expansion be considered as buffer areas between forestry operations and the PIACI territory. The information and its means of verification regarding the questions about the objectivity and veracity of certain testimonies collected in the EAC have been made available to the FSC and ASI as part of the investigation they

carried out in 2024. Information was also provided on the request made by the PIACI Multisectoral Commission to the Tahuamanu Provincial Municipality to prepare a report supporting the need for the EAC to be reviewed and reformulated. The report prepared by the municipality was also made available to the FSC. Regarding literal a) of numeral 1.7, it should be specified that the requirement to require the OMF to carry out a control and prohibit transit and fishing in streams and rivers with a higher risk of encounters is applicable only when those spaces are part of the UMF. An OMF not only does not have jurisdiction outside its concession area, but would also commit a violation of the legislation if it prohibits the transit of third parties not involved in its operation on roads, rivers, and others. In the case of section 1.8, it should be specified that the requirements of the OMF do not apply if third parties access PIACI lands and territories through pre-existing roads or rights-of-way. Failure to permit or respect the right-of-way of third parties with rights represents a violation of the Peruvian legal framework.)

- 2) En el inciso 1.3, no se especifica a quienes "la Organización deberá proporcionar capacitaciones" el cumplimiento del inciso 1.5. (mapeo de territorios) es fundamental. Debe exigirse en cualquier caso. (Google translation: 2) Section 1.3 does not specify to whom "the Organization shall provide training." Compliance with Section 1.5 (territorial mapping) is essential. It must be required in any case.)
- 3) I agree with 1.1., 1.2, 1.3, 1.5, About 1.4 Vaccination is a recommendation not mandatory in a lot of countries. About 1.6, agree with Indigenour reserves but no with CIR, because this is an issue in Perú. FSC shall to follow the laws, and if some area is not official declared, the activities will be continued, take the best mitigation measures, but not stopped, because legally if they have a management plan approved for the national forest service, FSC can not mandate something over the law.
- 4) I would suggest including in 1.1. the UNDRIP. UNDRIP has a clearer definition of the self-determination right, a further understanding of the territorial rights of indigenous peoples, it is being cited by the Interamerican Court of Human Rights, and it would allow to address better the concerns from IPVIIC
- 5) Item 1.2 refers to a Prevention and Contingency Plan "consulted" with the Directorate of IPVIIC in the Ministry of Culture. However, the term "consulted" is vague and weak, as it doesn't clarify the extent of the consultation. The plan should instead have a favorable opinion from with the Directorate of IPVIIC in the Ministry of Culture DACI, the competent authority.
- 6) Item 1.6: Indigenous reserves are managed by the government, so Forest Management Organizations are not responsible for monitoring their condition. While remote technologies like drones are suggested for monitoring, their use is prohibited in buffer zones. Satellite imagery may also have limited effectiveness.
- 7) Item 1.7: Although the Organization (in the case of concessions) must implement protection measures for the management unit, it does not have authority over river management, nor can it prohibit fishing or the use of boats; these powers belong to the National Water Authority or the Ministry of Production. On the Tahuamanu River, there are recognized fishing associations that reach the river's headwaters, and photographic evidence shows they enter the territorial reserve, according to reports from SERNANP (Alto Purus National Park). Additionally, prohibiting the right of transit through roads, rivers, and other routes contradicts the Political Constitution of Peru (Article 2, Clause 11).
- 8) The requirements outlined for all Management Units are generally well-structured and reflect a precautionary approach. However, I recommend strengthening the language around community consultation, cultural legitimacy, and adaptive risk management. Each scenario should include clear provisions for Indigenous oversight and long-term ecological accountability.
- 9) Les exigences proposées pour l'ensemble des unités de gestion sont cohérentes et structurées. Toutefois, elles devraient intégrer des mécanismes de validation autochtone, des protocoles de

précaution renforcés, et des indicateurs de résilience écologique et culturelle. Une approche différenciée selon les contextes territoriaux permettrait d'assurer une meilleure légitimité et efficacité. *(Google translation: The proposed requirements for all management units are consistent and structured. However, they should incorporate indigenous validation mechanisms, strengthened precautionary protocols, and indicators of ecological and cultural resilience. A differentiated approach according to territorial contexts would ensure greater legitimacy and effectiveness)*

FSC PnP answers:

- a) Regarding Response 1, FSC is not requiring the companies to control areas outside the certified Management Unit. However, if such areas remain in the managerial control of the company, then the Policy for Association provisions will apply.
- b) Regarding Response 2, The training requirement in Clause 1.3 applies to all the staff and the managers.
- c) Regarding Response 3, FSC is bound to comply with national laws, as required by Principle 1. However, as a voluntary scheme, FSC usually adds further requirements based on its mission.
- d) Regarding Response 4: UNDRIP is built into the Peruvian Forest Stewardship Standard.
- e) Regarding Response 5: The Clause 1.2 has been revised to address the concern. The revised version reads: "The Organization shall establish, maintain, and regularly review a Prevention and Contingency Plan, that has been reviewed by the Directorate of IPVIIC in the Ministry of Culture, to identify, prevent, mitigate, remedy and account for t impacts on IPVIIC."
- f) There are many valuable suggestions and observations, which the Peruvian standard development group should consider, when using this Advice Note as a starting point to revise the Peruvian Forest Stewardship Standard.

8 Do you agree with the requirements presented to MUs overlapping with Indigenous Reserves

Responses: 15/37

Strongly agree 17%

Agree 13%

Neutral 20%

Strongly disagree 0%

- 1) The requirements for Management Units overlapping with Indigenous Peoples are essential and should be upheld with rigor. They appropriately recognize the need for consent, cultural protection, and precaution. I recommend that implementation be guided by Indigenous governance frameworks and include scenario-based protocols for non-contact zones, spiritual territories, and relational stewardship.
- 2) Ces exigences sont fondamentales pour garantir la protection des territoires autochtones. Elles doivent être mises en œuvre avec rigueur, en s'appuyant sur les cadres de gouvernance autochtone, le principe de non-contact, et des mécanismes de surveillance communautaire. Toute activité forestière dans ces zones doit être suspendue ou soumise à une validation préalable par les autorités autochtones concernées. *(Google translation: These requirements are fundamental to ensuring the protection of indigenous territories. They must be implemented rigorously, based on indigenous governance frameworks, the principle of non-contact, and community monitoring mechanisms. Any forestry activity in these areas must be suspended or subject to prior validation by the relevant indigenous authorities.)*

FSC PnP answer:

- a) These are valuable suggestions and observations, which the Peruvian standard development group should consider, when using this Advice Note as a starting point to revise the Peruvian Forest Stewardship Standard.

9. Do you agree with the requirements presented to MUs overlapping with Considered Indigenous Reserves

Responses: 16/37

Agree 20%

Strongly agree 10%

Disagree 7%

Neutral 13%

Strongly disagree 3%

- 1) Sobre el literal b) del punto 3.1. se solicita especificar que la zona intangible de conservación dentro de la Unidad de Manejo superpuesta con la "reserva considerada" se considerará como zona de amortiguamiento teniendo en cuenta que las dimensiones, límites y categoría de esa área aun no han sido definidas formalmente. *(Google translation: Regarding literal b) of point 3.1, it is requested to specify that the intangible conservation zone within the Management Unit overlapping with the "considered reserve" will be considered a buffer zone, taking into account that the dimensions, limits and category of that area have not yet been formally defined.)*
- 2) The requirements for Scenario 3 reflect a necessary precautionary approach. I recommend reinforcing the language around territorial recognition, Indigenous governance, and non-contact protocols. The framework should ensure that all forest activities are suspended or redirected when overlapping with culturally sensitive or legally contested zones, and that Indigenous-led validation is central to any operational decision.

FSC PnP answer:

- a) Clause 3.1.b has been revised to read "Identify the overlapping area as an intangible IPVIIC land and territory within the Management Unit in conformity with Clause 1.6"
- b) Otherwise, we expect that the Peruvian standard development group will consider these suggestions and observations when using this Advice Note as a starting point to revise the Peruvian Forest Stewardship Standard.

9 Do you agree with the requirements presented to the publicly owned and managed MUs

Responses: 14/37

Agree 17%

Strongly agree 10%

Strongly disagree 3%

Neutral 17%

Disagree 0%

- 1) This scenario does not occur; it is not real. The requirements in Section 4 provide a structural baseline but require further clarification. I recommend that the term "Considered Indigenous Reserves" be consistently defined and that operational thresholds be co-developed with Indigenous representatives. The section should include scenario-based safeguards, community-

led monitoring, and clear accountability mechanisms to prevent encroachment or misclassification.

- 2) Les exigences proposées sont pertinentes, mais elles devraient être renforcées par des mécanismes de validation autochtone, des protocoles de non-contact, et une reconnaissance explicite des dimensions spirituelles et territoriales. Toute coexistence doit être encadrée par des garanties de gouvernance partagée et des dispositifs de surveillance communautaire. (Google translation: *The proposed requirements are relevant, but they should be reinforced by indigenous validation mechanisms, non-contact protocols, and explicit recognition of spiritual and territorial dimensions. Any coexistence must be framed by guarantees of shared governance and community monitoring mechanisms.*)
- 3) La gestion commune des Réserves autochtones est essentielle pour garantir la légitimité, la résilience et la protection des territoires. Les conditions proposées doivent être mises en œuvre avec rigueur, en s'appuyant sur les cadres de gouvernance autochtone, le principe de précaution, et des mécanismes de co-décision. La reconnaissance du droit à l'autodétermination territoriale doit être centrale dans toute démarche de gestion partagée. (Google translation: *Joint management of Indigenous Reserves is essential to ensure the legitimacy, resilience, and protection of territories. The proposed conditions must be implemented rigorously, based on Indigenous governance frameworks, the precautionary principle, and co-decision mechanisms. Recognition of the right to territorial self-determination must be central to any shared management approach.*)

FSC PnP answer:

- a) Working Group took another look at the first response and concluded that the Scenario 4 does exist.
- b) Otherwise, we expect that the Peruvian standard development group will consider these suggestions and observations when using this Advice Note as a starting point to revise the Peruvian Forest Stewardship Standard.

10 Do you agree with the requirements presented to the Certification bodies

Responses: 15/37

Agree 20%

Strongly agree 7%

Disagree 7%

Neutral 13%

Strongly disagree 3%

- 1) Faltaría mencionar que los CB deben estar capacitados en legislación internacional y casos de la CIDH y no solo en legislación peruana (Google translation: *It should be mentioned that CBs must be trained in international legislation and IACHR cases and not only in Peruvian legislation*)
- 2) It is not feasible in large countries as Brazil that Certification bodies include relevant Ministry of Culture in stakeholder consultations of Forest Management evaluations.
- 3) Lo importante no es crear un "vacío" en los territorios de los pueblos en aislamiento voluntario, sino respetar su territorio y los términos del consentimiento libre, previo e informado que debe recabarse ANTES de las operaciones forestales y de certificación. (Google translation: *The important thing is not to create a "vacuum" in the territories of peoples in voluntary isolation, but to respect their territory and the terms of free, prior, and informed consent that must be obtained BEFORE forestry and certification operations.*)
- 4) These aspects are limitations on having FSC operations in Perú. If one operation complies with the law, FSC should consider this situation and not regulate something that is not regulated in the country.

- 5) It is not clear if what it is required is "consultation" to indigenous people's organizations, or free, prior and informed consent of indigenous people's organizations. I suppose that this issue is most probably clarified in the Peruvian Standard, so perhaps to include a reference to the standard.

FSC PnP answer:

- a) These are all relevant aspects. The responsibility for the training of the auditors is in the hands of the certification bodies. The competence of the auditors is supervised by ASI.
- b) Compliance with laws is the basic requirement laid out in Principle 1. There are nine more principles to the certificate holders to conform with

11 Additional comments (5)

11.1 The advisory should not only focus on safeguarding the lives and health of Indigenous Peoples in Voluntary Isolation, but also explicitly ensure that their fundamental rights are upheld and respected. These rights include

- (a) the right to self-determination, specifically the right to remain in isolation, and
- (b) the right to their land, territories, and natural resources. At present, this is not clearly reflected in the text and should be incorporated, consistent with the findings of the FSC Report on IPVIs and Forest Management certification in Madre de Dios, Peru.

Proposed Wording: This Advice Note shall remain in effect until a revised Forest Stewardship Standard (FSS) for Peru, incorporating indicators for the protection of the life, "welfare, and fundamental rights" of Indigenous Peoples in Voluntary Isolation and Initial Contact (IPVIIC) based on this Advice Note, is approved and has completed its transition period.

The precatory approach should clearly emphasize the obligation of all forest operations and management to protect Indigenous Peoples in Voluntary Isolation. Specifically, it should underscore their extreme vulnerability and the need to safeguard their lives, well-being, and fundamental rights.

Proposed wording: "All forest operations and management must ensure they do no harm to Indigenous Peoples in Voluntary Isolation, recognizing their extreme vulnerability and the need to protect their lives, well-being, and fundamental rights". A precautionary approach shall be applied: if available information indicates that management activities could cause severe or irreversible harm to the environment or human welfare, the Organization must take effective measures to prevent such harm, even when scientific information is incomplete or uncertain.

The advisory does not currently reflect that Contingency Plans and the reporting of relevant evidence are already legal requirements in Peru, as stipulated under Criterion 1.3. Specifically, Contingency Plans are prepared by the Ministry of Culture (FSC Report on IPVIs and Forest Management Certification in Madre de Dios, Peru, p. 33). Therefore, prevention and contingency planning should not be defined solely by the FSC certification holder.

- The advisory should clearly specify that FSC certification holders are expected to develop Contingency Plans that align with those prepared by the Ministry of Culture, rather than creating entirely independent plans. These plans should be developed through a formal consultation process and submitted for approval to the competent authority. Key recommendations for improvement:
 - Clearly identify the Ministry of Culture as the competent authority that must be consulted to ensure legitimacy and alignment with national frameworks.
 - Emphasize that these Contingency Plans should be dynamic, updated based on the effectiveness and results of measures in place, and subject to annual assessment during FSC audits conducted by certification bodies. Incorporating these clarifications would

strengthen the advisory by ensuring alignment with national legal requirements, enhancing legitimacy, and providing clear guidance for FSC certification holders.

Part I: Requirements for the Organization – All Management Units 1.7 Buffer zones

- Comment: Buffer zone thresholds should be clearly defined and established in consultation with competent authorities and relevant organizations, including the Ministry of Culture, rather than determined solely by the FSC certification holder. This ensures that buffer zones are legally compliant, culturally appropriate, and effectively safeguard the rights, safety, and well-being of Indigenous Peoples in Voluntary Isolation. Consultation with the competent authority ensures alignment with national legal frameworks governing Indigenous Peoples and their territories. It also reinforces compliance with FSC Principles and Criteria.

1.9 Observed community members:

- Comment: We recommend adding a new requirement (e) to ensure that all new tracks, signs, or other evidence of Indigenous Peoples in Voluntary Isolation or Initial Contact (IPVIIC) are systematically recorded and mapped. This measure will support the monitoring of movements and territorial occupancy while safeguarding their safety, well-being, and fundamental rights.
- Proposed wording: In case an IPVIIC community member is observed, or signs of recent IPVIIC activity are observed within the area of the Management Unit, The Organization shall: a) Immediately cease nearby operations; b) notify the observation to the competent authority; c) await the instructions of the competent authority before resuming relevant operations; d) adjust the size of the buffer zone in case of repeated observations. e) Systematically record and map all new tracks, signs, or evidence of IPVIIC activity

Part I, Point 4 – Scenario 4 (Publicly owned and managed MUs)

- Comment Where formal conservation areas overlap with Indigenous Reserves, the advisory indicates that the overlapping area should be set aside as an intangible conservation area. We recommend adding guidance on the definition of buffer zones around these set-aside areas, including how their size and boundaries should be determined. The advisory should also clarify that this process must be consulted with, or presented to – Minister of Culture - to ensure alignment with national frameworks, legal requirements, and the rights of Indigenous Peoples.

FSC PnP answer to 11.1: We consider these aspects well-justified and they have been taken into account, along with the other comments received, in the latest draft of the Advice Note, which was agreed by the WG on Friday 17th October. We also think that these comments will support developing a global Advice Note for IPVIIC.

11.2 I consider this kind of advice absolutely unnecessary.

- CBs and auditors must ensure consistent evaluation of the “solutions” to forest management certification, and must be able to interpret and conclude about the compliance with the P&C accordingly the local context, taking into account the size, intensity, laws, benefits, relationship with the forest, labour conditions, forest type. forest products, ecosystem services, etc.

11.3 I think FSC is wasting crucial time and resources and is further and further away from its main purpose: to promote responsible forest management. To drive forest stewardship by making certification attractive, useful, and viable (FSC Global Strategy), I believe is time to focus and simplify the P&C, and the system as a whole, providing the framework for streamline all certification process and procedures.

11.4 For me, the “big problem of FSC” is to have 10 Principles, 70 criteria and more than 200 indicators to just promote responsible forest management; to take care of environmental and social resources and values, and ensure viability. That is too much. I also think there is an “extreme standardization process” being developed by FSC, which is wrong and is transforming the FM (and even CoC) evaluations on a useless and boring process. Instead, I believe the right way is to have essential rules and requirements

for certification, focusing on take care of environmental and social resources and values, and on ensuring viability. So, for me, the starting point is to review P&C and define only a few Principles (3 or 4...) and some Criteria to identify the essential aspects to be considered at management and operational level.

And, in order to have effective and credible processes and procedures to achieve a streamlined, feasible, stable, and easily understandable normative framework (FSC Global Strategy), I think it is necessary to have only general Principles and Criteria for forest management. This will really enable more focused, efficient and cost effective audits by certification bodies. Again, I believe FSC must focus on FM certification on the basis of a simple and worldwide recognized standard (P&C), investing in what is the most important: to have qualified CBs and auditors to evaluate, supported on knowledge, experience and sensibility, with effective public/stakeholder consultation and participation, the compliance with the P&C in any socio-environmental context (small, large, indigenous, natural, plantations, tropical, temperate, etc.), under the effective supervision of the FSC, a role that shall be mainly played by FSC local offices.

11.5 FSC must invest the majority of its resources:

- (i) on communication about FSC system and to increase public/market knowledge about the benefits of FM certification (The Ecosystem Services!) and demand on FSC 100% certified materials,
- (ii) on training, mainly for FSC local offices staff, CBs and auditors) and
- (iii) on supervision and support, roles that shall be mainly played by FSC local offices. A "Unique and global" forest certification initiative (FSC) emerged to be "the" way to promote responsible management.

However, and unfortunately, it is failing due to excessive bureaucracy and lack of popularity, practicality, usefulness and effectiveness., with (once again...) a proliferation of certification schemes that are confusing the agents and disturbing the forest products and services sectors/markets

FSC PnP answer to 11.2 -11.5: These are valuable responses, but they seem to go outside the scope of the Advice Note

OVERALL CONCLUSION

There were 37 registered participants to the consultation, but only between 14-19 answered to the questions, perhaps reflecting the fact that only very few professionals have firsthand experience on dealing with the Indigenous People in Voluntary Isolation.

There was nobody indicating "strong disagreement" to the contents of the Advice Note, and there were always far more supportive than critical responses to the 10 major questions.

There were important responses regarding "Considered Indigenous Reserve", which resulted into the replacement of the concept of "Considered Indigenous Reserve" by "Proposed Indigenous Reserve/ Proposed Expansion of Indigenous Reserve (PIR/PEIR)". Also the definition of "Indigenous Reserve" was replaced by the formal legal definition of the term.

Otherwise, only some small revisions were deemed necessary to the Advice Note



FSC International – Policy and Performance Unit

Adenauerallee 134

53113 Bonn

Germany

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

Fax: +49 -(0)228 -36766 -65

Email : policy_performance@fsc.org