






Forest Stewardship Council®



Processing FSC® Policy for Association Complaints

FSC-PRO-01-009 V4-0 EN



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Approval body:	FSC Board of Directors
Contact for comments:	Dispute Resolution FSC Global Development Adenauerallee 134 53113 Bonn, Germany  +49-(0)228-36766-0  +49-(0)228-36766-30  dispute.resolution@fsc.org
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**PROCESSING FSC POLICY FOR ASSOCIATION COMPLAINTS
FSC-PRO-01-009 V4-0 EN**

The Forest Stewardship Council® (FSC) is an independent, not-for-profit, non-government organization established to promote environmentally appropriate, socially beneficial, and economically viable management of the world's forests.

FSC's vision is that the world's forests meet the social, ecological, and economic rights and needs of the present generation without compromising those of future generations.

Introduction

FSC-POL-01-004 *Policy for the Association of Organizations with FSC*, or *FSC Policy for Association* (PfA), is an expression of the values shared by organizations associated with FSC. It defines six unacceptable activities that associated organizations and their affiliated groups* commit to avoid in both certified and non-certified operations.

The procedure in this document, FSC-PRO-01-009, describes the FSC process used to address formal complaints* of violations to the *FSC Policy for Association* in a timely, independent and effective manner.

FSC is committed to finding solutions to issues arising from unacceptable activities. In implementing this procedure, FSC will assess multiple options, from mediation* to investigation, sanctions and conditions-setting, to improve the performance of organizations associated with FSC, remedy* harm caused by unacceptable activities and protect FSC's reputation.

Version history

- V1-0** Initial version, not specific to complaints* of non-conformance with the *FSC Policy for Association*.
- V2-0** Revised to incorporate the requirement for formal complaints* of non-conformance with the *FSC Policy for Association*.
- V2-1** Revised to include requirements about communicating FSC Board decisions on complaints* to the parties* and stakeholders.
- V3-0** Revised for use for *FSC Policy for Association* complaints* only. The Guidance for Complaints Panels evaluating *FSC Policy for Association* complaints*, and the basic principles of the FSC Dispute Resolution System, were integrated into this procedure.
- V4-0** Revised to introduce external investigators*, decision panel*, use of alternative dispute resolution*, FSC initiated investigations, alternative consequences for violations and several other changes to the procedure. NOTE: The period until the *FSC Policy for Association* (FSC-POL-01-004) revision is completed or until 1.5 years has passed from the approval of V4-0, is considered a trial period after which the delivery of the procedure is assessed and alignment with the *FSC Policy for Association* is introduced, if needed. During this trial period the FSC Board of Directors is to receive all decisions by the decision panel*, including decisions to maintain association* with or without conditions, before they are considered final. The decisions by the panel are not expected to be changed by the Board unless there is a compelling reason to do. In this case, the Board is required to provide justification to the decision panel* with additional guidance on how to apply the framework in similar cases in the future.

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A Objective

This procedure is used to process complaints* about violations of the *FSC Policy for Association*, as well as to define the consequences to the associated* organization (and their affiliated groups*) or individuals when a violation is found to have occurred.

The procedure defines several pathways to reach a conclusion in the process, the most severe of which is a decision to disassociate* from the organization (and their affiliated groups*) or individuals that are found to be in violation of the *FSC Policy for Association*. The procedure also allows FSC to impose measures to redress operations depending on the gravity of the violations and when deemed necessary to preserve FSC's reputation.

B Scope

This procedure is applied to individuals and organizations associated* with FSC (i.e., members, certificate holders and certification bodies) and to their affiliated groups*.

An evaluation according to this procedure may be initiated by FSC upon presentation of substantial information* that the associated party (or its affiliated group*) might be in violation of the *FSC Policy for Association*. This may occur through a formal complaint* lodged by a stakeholder or by other means, as further detailed in Clause 2.3 below.

This procedure is only used to evaluate possible violations to the *FSC Policy for Association*. Complaints* against an organization related to the six unacceptable activities of the *FSC Policy for Association* that overlap with certification requirements shall follow the ordinary route for dispute resolution defined in respective certification requirements and *FSC-PRO-01-008 Processing Complaints in the FSC Certification Scheme*. The complaints* will be processed according to dispute resolution procedures of the certificate-holder, the certification body and/or Assurance Services International (ASI).

C Effective and validity dates

Approval date	3 December 2020
Publication date	5 January 2021
Effective date	5 January 2021
Transition period	Applies immediately to all complaint* cases where complaint panel has not been established before 31 December 2020. In case there is a decision to be taken before the decision panel* is fully functional, FSC Board of Directors shall continue to take all PfA complaint* case decisions.
Period of validity	Until replaced or withdrawn. NOTE: The period until the <i>FSC Policy for Association</i> revision is completed or until 1.5 years has passed from the approval of V4-0, is considered a trial period.

D References

The following references are relevant for the application of this document. For undated references, the latest edition of the referenced document (including any amendments) applies.

<i>FSC-POL-01-004</i>	<i>Policy for the Association of Organizations with FSC</i>
<i>FSC-PRO-01-008</i>	<i>Processing Complaints in the FSC Certification Scheme</i>

1 Principles and general requirements

- 1.1 In the spirit of the FSC system, and following the “lowest-level principle*”, stakeholders should first attempt to resolve potential *FSC Policy for Association* violations through dialogue* and/or mediation* and to engage in all reasonable efforts to address concerns.

NOTE: Before initiating an evaluation according to this procedure, FSC will first assess whether the potential violation can be addressed through alternative dispute resolution* techniques within a reasonable time, and to the satisfaction of FSC and affected stakeholders*. Dialogue* with the parties* with the aim of resolving the issue through less formal means is a cornerstone of this procedure and is encouraged wherever possible.

- 1.2 The principles of fair treatment and inclusivity are followed. Throughout the process, FSC will provide the parties* with opportunities to supply evidence and counterevidence, stating their position and commenting on conclusions.
- 1.3 The parties* and FSC should refrain from commenting publicly on the situation and actions being taken by FSC until such time as defined in this procedure. The parties* may be expected to sign a Non-Disclosure Agreement (NDA) in relation to any confidential information produced during the investigation.
- 1.4 The parties* shall cooperate in the process.
- 1.5 All entities involved in investigating, evaluating and decision-making shall be free of conflict of interest.
- 1.6 The associated organization* may voluntarily terminate its association* with FSC at any time. However, FSC has the discretion to continue the investigation and evaluation process.
- 1.7 The complainant* may withdraw the formal complaint* voluntarily at any time. However, if there is substantial information* of a possible violation, FSC has the discretion to continue the investigation and evaluation process.

2 Initiating an evaluation

- 2.1 An evaluation of a potential violation of the *FSC Policy for Association* is initiated through the submission of a formal stakeholder complaint*, accompanied by substantial information* about allegations*.
- 2.2 Any stakeholder may submit a formal complaint*.
- 2.3 FSC may use its discretion to independently initiate an evaluation if substantial information* is brought to the attention of FSC through other means.
- 2.4 The process for evaluating whether the organization is in violation of the *FSC Policy for Association* is effectively the same irrespective of which of the above steps (Clause 2.1 or 2.3) are used to initiate the process, with additional sub-steps defined for the complainant* in situations where there is a complainant* involved in the process (i.e., when a formal stakeholder complaint* has been lodged).
- 2.5 The scale and timing of FSC’s response to allegations* of violation of the *FSC Policy for Association* shall be based on the severity of the issues and the risk to FSC’s reputation (See Annex 3 as reference for initial assessment of severity).

Notification and receipt

- 2.6 FSC shall be notified and provided with substantial information* that the associated organization* or its affiliated group* may be in violation of the *FSC Policy for Association*.
- 2.7 The complainant* shall complete the complaint* form on FSC website in either English or Spanish. Only complaints* that provide all required information in the form shall be accepted. Affected stakeholders* with limited resources may seek FSC's assistance with translation or use of an alternative submission channel.
- 2.8 Receipt of the complaint* shall be acknowledged within ten (10) business days.

Resolution or initiation of evaluation

- 2.9 Where appropriate, FSC shall contact the parties* with the aim of promoting dialogue* between the parties* and to resolve the situation without initiating a full investigation. Mediation* or other forms of facilitated dialogue* may take place, if accepted by the defendant* and the affected parties*. FSC shall not act as a mediator but may assist in identifying facilitators and will monitor the process and the outcome.
- 2.10 In case the substantial information* provided by the complainant* or received through other means is regarded as sufficient – such as final conclusions of legal proceedings – FSC may decide to move directly to decision-making without establishing an additional investigation process. Additional evidence, if readily available, may also be collected by FSC, to add to the original complaint* submission. The defendant* shall be given a maximum of ten (10) business days to respond to the allegations* and presented information before proceeding to the decision-making.
- 2.11 Where there is an ongoing investigation by authorities, or any other active official process related to the allegations*, FSC may wait for the completion of such process before launching an investigation.
- 2.12 If the complaint* cannot be resolved through alternative dispute resolution* techniques to the satisfaction of FSC and the parties*, the complaint* may be accepted, provided that:
 - I. all required information in the complaint* submission form is provided;
 - II. there is substantial information* to warrant a full evaluation; and
 - III. the complaint* falls within the scope of the *FSC Policy for Association*.
- 2.13 The decision to accept or reject the complaint* shall be communicated to the complainant* and defendant*.
- 2.14 If the complaint* is accepted, a public announcement shall be made.
- 2.15 Upon the decision to initiate an investigation, a timeline shall be developed by FSC for each step in the process.

3 Investigation

- 3.1 An investigator*, or a team of investigators, shall be assigned by FSC to conduct an in-depth investigation of the alleged violation(s). Depending on the case, the investigator(s)* may be composed of an expert consultant or a team of consultants. See Annex 2 for the Selection of investigator.
- 3.2 The role of the investigator(s)* is to gather, examine and analyze evidence on whether the organization is in violation of the *FSC Policy for Association*, evaluating the issue thoroughly. The investigator(s)* shall:
 - a) Review all relevant information gathered through certification reports, the formal complaint* submission, and any other evidence provided and/or available.

- b) Contact the parties* to request additional information (if needed) and to understand their perspectives.
- c) Contact third parties*, as necessary. Interviews are conducted with consideration of interviewee safety, particularly to vulnerable groups.
- d) Verify all information, as possible, through field visits, cross-checking of information, technical or scientific review, GIS data, and other means.
- e) Maintain ongoing communication with FSC, providing updates to designated FSC staff.

NOTE: The role of the investigator(s)* is not to act as a mediator.

- 3.3 If new information arises during the investigation that was not part of the original complaint* yet points to a possible violation of the *FSC Policy for Association*, FSC may include it in the investigation.
- 3.4 The complainant* and defendant* shall have a right to object to the selection of the investigator(s)*. They shall have maximum ten (10) business days to object. An objection shall be based on valid reasons, such as conflict of interest. No response shall be considered as accepting the selection.
- 3.5 FSC shall make the final decision on any objection by the complainant* or defendant*. If the objection is honoured, another investigator* will be selected and presented to the complainant* and defendant* (see 3.4.).
- 3.6 FSC may also seek advice from the decision panel* (see Section 4 and Annex 2) in selecting the investigator(s)*.
- 3.7 The scale of the investigation shall be based on the complexity of and potential risk presented by the case.
- 3.8 The investigator(s)* shall prepare an investigation report that describes the findings of the investigation.

Verification of findings

- 3.9 The defendant* shall be provided with a copy of the investigation report and the complainant* with a summary of the report, with confidential information removed at the discretion of FSC. They have ten (10) business days respond to the findings. They shall keep this report confidential.
- 3.10 Attempts by the defendant* to conceal evidence of the violation is grounds for disassociation*.

4 Decision-making

- 4.1 FSC shall convene a decision panel* for each case that is investigated, or for which sufficient information allowing decision making is provided by the complaint* (see Clause 2.10). See Annex 2 Section B. Decision Panel.
- 4.2 The complainant* and defendant* shall have the right to object to the selection of a decision panel* participant, if there is a perceived conflict of interest. They shall have maximum ten (10) business days from the notification of the decision panel* participants to object. No response shall be considered as accepting the selection.
- 4.3 FSC shall make the final decision on any objection by the complainant* or defendant*. If the objection is honoured, another decision panel* candidate will be called to join the panel and presented to the complainant* and defendant* (see 4.2.).
- 4.4 The decision panel* will evaluate the case based on the provided information,

investigation report(s) and any response provided by the defendant*, and take decisions on:

- a) maintaining association* without conditions, or
 - b) maintaining association* with related temporary conditions.
- 4.5 In case the decision panel* evaluates that FSC should disassociate* from the organization, the panel shall recommend to the FSC Board of Directors:
- a) a decision to disassociate* and
 - b) main preconditions for initiating the process for ending disassociation*.
- 4.6 The standard of certainty “clear and convincing evidence” should be used as the threshold for making decisions on whether there is a violation of the *FSC Policy for Association* justifying disassociation*. This standard is met when the certainty of the violation is substantially more likely to be true than not (see Annex 1). If no violation is found, association* shall be maintained without conditions.
- NOTE: See Annex 3 for guidance on determining the recommended action.
- 4.7 The final decision shall be binding for all parties* involved and may not be appealed.

Communication of the decision

- 4.8 FSC shall communicate the decision to the parties*.
- 4.9 A public announcement shall be made by FSC for any decision taken by the decision panel* or FSC Board of Directors.
- 4.10 The announcement and a summary of the investigation report shall be published on the FSC website.

Temporary conditions and sanctions or disassociation

- 4.11 In case of setting temporary conditions and sanctions:
- a) The organization shall be required to implement the conditions within the timeframe specified in the decision.
 - b) Achievement of these conditions will be monitored by an independent third party, appointed by FSC; deviations shall be reported to FSC.
 - c) The decision to disassociate* may be taken if the conditions are not satisfactorily fulfilled within the stated timeframe.
- 4.12 In case of disassociation*:
- a) Action to terminate the contractual relationship shall normally be taken within 30 days from public communication of the decision.
 - b) The disassociated organization interested in ending disassociation* with FSC shall request beginning a process to do so.

NOTE: See Annex 4 for a general description of the process for ending disassociation*, including pre-conditions that must be fulfilled in order to initiate the process.

5 Record-keeping

- 5.1 FSC shall maintain all relevant correspondence, reports, decisions and other information in electronic and/or hard copy for at least ten (10) years after which data are reviewed and deleted where no longer essential, in line with data protection laws.

Annex 1: Standard of certainty

The standard of certainty

The standard of certainty is the degree of certainty which determines whether an allegation* is defensible or not. In the context of the *FSC Policy for Association*, it is a threshold that the investigator(s)* and decision panel* consider when evaluating allegations* to determine whether an organization violates *FSC Policy for Association*, and thus whether disassociation* or temporary conditions and sanctions should be considered.

Overview of standards of certainty

The following is an overview of commonly used standards of certainty:

Preponderance of evidence

This standard is based on a balance of probabilities. The evidence available would be more likely to be true than not.

Clear and convincing evidence

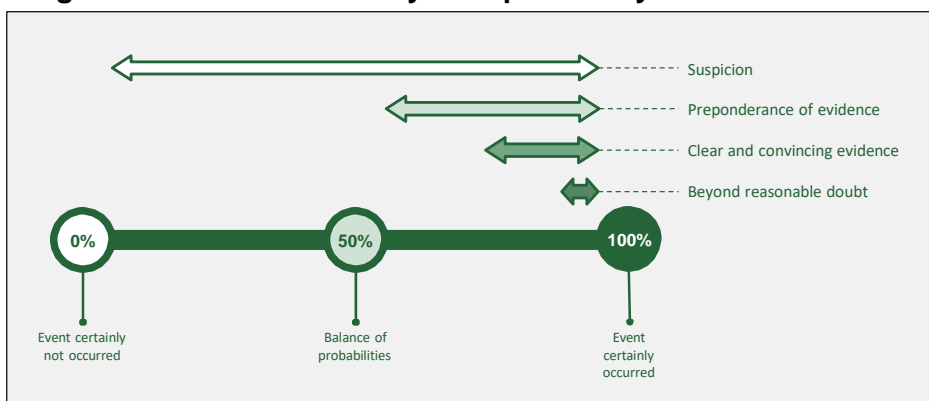
This standard is higher than the preponderance of evidence. The evidence available must be substantially more probable to be true than not. There must be a firm conviction or belief that the organization is accountable for a violation of the *FSC Policy for Association*.

Beyond reasonable doubt

There must be proof of such a convincing character that there is no reasonable doubt in believing that the organization is accountable for a violation of the *FSC Policy for Association*. However, it does not mean an absolute certainty, or no doubt.

With respect to the *FSC Policy for Association*, 'clear and convincing evidence' should be used as the standard of certainty in making decisions to disassociate from an organization.

Image 1. Standard of certainty on a probability scale



Annex 2: Selection of the investigator(s) and decision panel

A. Investigator

1. The investigator(s)* are assigned by FSC on an ad hoc basis to investigate the case.
2. Depending on the case, the investigator(s)* may be an expert consultant or a team of consultants. This is determined considering factors such as:
 - a) level of complexity of the case;
 - b) technical expertise required;
 - c) language;
 - d) regional/local knowledge needed.
3. The investigator(s)* shall be free of any conflicts of interest related to the case.
4. The complainant* and defendant* shall have the right to object to the investigator(s)* if there is a perceived conflict of interest. They have maximum ten (10) business days, after notification of the decision panel* participants, to object.
5. FSC shall make the final decision on any objection by the complainant* or defendant*. If the objection is honoured, another investigator* will be selected and presented to the complainant* and defendant*.
6. The investigator(s)* shall sign and adhere to a confidentiality agreement.

B. Decision panel

1. FSC shall have a pool of six to nine preselected decision panel* candidates, selected for expertise in dispute handling and in areas directly related to the context of the specific unacceptable activities.
2. The decision panel* candidates shall be appointed by the FSC Board of Directors to serve for a three-year term, with a possible additional term.
3. For each case, three candidates are called to serve as a decision panel* by FSC, based on allegations* presented and the candidate's area of expertise.
4. The working language of the panel shall be English.
5. Selected panel participants shall be free of any conflicts of interest related to the case.
6. The panel participants shall sign a non-disclosure agreement.
7. The complainant* and defendant* shall have the right to object to the decision panel* participant, if there is a perceived conflict of interest. They have maximum ten (10) business days, after notification of the decision panel* participants, to object.
8. FSC shall make the final decision on any objection by the complainant* or defendant*. If the objection is honoured, another panel candidate will; be called to join the panel and presented to the complainant* and defendant*.

NOTE: FSC membership is not considered as conflict of interest when selecting investigators* and decision panel* candidates. FSC, FSC Network Partner or ASI staff members are not to be considered for the roles defined in Annex 2.

Annex 3: Guidance for determining the consequence of a violation to the *FSC Policy for Association*

The following guidance is used to determine whether to issue temporary conditions and sanctions to the organization or to disassociate from the organization.

In order to maintain association*, the following three factors **must be met**:

1. No significant remaining reputational risk to FSC
2. The unacceptable activity has stopped
3. No risk of material originating from operations directly violating the *FSC Policy for Association* entering into FSC products

If the above are met, then the following factors are to be considered in deciding to maintain association* with conditions.

Table 1. Factors to consider in deciding to maintain association with conditions

Factor	Supports maintaining, if
a) Frequency of occurring violations for the associated organization or any entity within the affiliated group*	first time instead of repeated violations
b) Time dimension regarding how long the organization was involved in the unacceptable activity	short-term instead of long-term
c) Timeline in progressing in implementation of the conditions	the main conditions are reachable within short time (e.g. 12 months) instead of over a long period of time
d) Cause of the unacceptable activity	oversight instead of systemic
e) Number of unacceptable activities violated	one or few instead of many
f) Degree of social or environmental damage committed	minimal instead of severe
g) Means of control of the organization regarding the unacceptable activity	low available means of control instead of high
h) Reputational damage already done	minimal instead of severe
i) The potential and capability of the organization to drive positive impacts in a given sector or region with FSC	high instead of low

Conditions placed on organizations

The conditions placed on an organization are based on the violations that occurred with respect to the *FSC Policy for Association* as well as other trust-building measures. The organization is required to demonstrate commitment to working with FSC and to implementing the conditions as defined. The conditions include:

- a) Remedy* (both social and environmental) to address harm and impacts of past violations.
- b) Improved due diligence and quality management systems to prevent future violations of the *FSC Policy for Association*.
- c) Transparency in reporting implementation of conditions and demonstrated stakeholder engagement in the process.

- d) Independent verification of implementation of the conditions.
- e) Other trust-building measures, such as actions towards conformance with the organization's own policy commitments.

For disassociated organizations, these conditions are further elaborated during the process to develop a time-bound organization specific roadmap for ending the disassociation* (see Annex 4).

NOTE: FSC may decide to suspend or terminate the Trademark License Agreement of the organization until conditions set are met, in cases of maintaining association* with temporary conditions.

Annex 4: Ending a disassociation

A disassociated organization may request to start a process to end disassociation* by expressing interest to FSC. As part of that process, an organization-specific roadmap must be developed. A roadmap is a framework and plan of how to remedy*, correct and prevent reoccurrence of previously identified violations of the *FSC Policy for Association*. It also includes other trust-building measures. Disassociation* can be lifted only upon completion of the agreed conditions specified in the roadmap.

Preconditions for initiating the process for ending disassociation

Before entering into a formalized engagement with FSC through an agreed roadmap, the disassociated organization must meet the following preconditions:

1. The management of the disassociated organization demonstrates commitment to complying with the *FSC Policy for Association*. The organization has acknowledged harm caused, disclosed information to develop the roadmap (such as full corporate structure and wood supply-chain) to FSC confidentially and committed in writing to the process to end disassociation*.
2. The disassociated organization has adopted a set of relevant initiatives (policies, protocols, codes of conduct, etc.) abandoning previous business practices and adopting (more) responsible practices.
3. The disassociated organization has taken credible steps towards implementation of new policies, including communicating the general elements of a roadmap to be developed with relevant staff, and in a transparent way with relevant stakeholders.
4. Issues of concern for FSC that should constitute the roadmap elements have been identified so that relevant targets for the organization's actions and performance can be defined.
5. The roadmap's targeted end points are reachable by the organization within a reasonable time and can be independently verified.
6. The organization commits to reimbursing the costs of the complaint* investigation process and to compensating the costs of the process of ending disassociation*.

Table 2. Process of ending disassociation*

Step	By
1. Indication of readiness and interest of ending disassociation*	Organization
2. Assessment and decision to start a process of ending disassociation*	FSC
3. Development of the roadmap requirements based on FSC guidance document	Independent third party with organization
4. Approval of the roadmap	FSC
5. Implementation of the requirements	Organization
6. Verification of the targets reached	Independent third party
7. Ending disassociation*	FSC Board of Directors

Annex 5: Terms and definitions

For the purposes of this procedure, the terms and definitions given in *FSC-POL-01-004 Policy for the Association of Organizations with FSC*, *FSC-STD-01-002 FSC Glossary of Terms* and the following apply:

Affected stakeholder: Any person, group of persons or entity that is subject to the effects of the unacceptable activities of the associated organization* or its affiliated group*. Examples of affected parties (but not restricted to): local communities, indigenous peoples, workers, tenure and use rights-holders or organizations authorized to act on behalf of affected parties.

Allegation: A statement of belief that some wrong or harm has occurred.

Alternative dispute resolution (ADR): Resolving disputes and agreeing on corrective measures without engaging in the formal complaint* process, through methods such as negotiation and mediation*.

Affiliated group: The totality of legal entities to which an associated organization is affiliated in a corporate relationship in which either party controls the performance of the other (e.g. parent or sister company, subsidiary, holding company, joint venture) as described in *Policy for Association* FSC-POL-01-004.

Association (Associated organization): An association with FSC is formally established through any of the following contractual relationships: FSC membership agreement; FSC certificate holder license agreement; FSC certification body license agreement; FSC partnership agreement.

Complaint (formal complaint): A formal allegation* against a party based on substantial information* and submitted using an FSC template for *Policy for Association* complaints.

Complainant: An individual or organization filing a formal complaint*.

Decision panel: A panel of three participants called to evaluate, decide and in case of disassociation*, to recommend a decision on *FSC Policy for Association* complaint* cases. The pool of candidates is pre-selected, and participants are called based on the characteristics of the complaint* and expertise of the candidates. See Annex 2 for further details.

Defendant: A person or organization against whom a complaint* has been filed.

Disassociation: The termination of all existing contractual relationships (member and license) between FSC and the associated organization (and its affiliated group*). Disassociation* also prevents entry into any new contractual relationships with FSC.

Dialogue: An interaction focusing on increasing understanding, looking into deeper issues instead of positions and exploring options, followed with discussion with an aim on agreeing on the right way to proceed.

Ending a disassociation: The disassociated organization has met the defined conditions to be eligible to apply for association* with FSC again, if it wishes to do so. It does not mean that any previous contractual relationships are automatically resumed, or that any certificates are reinstated.

Investigator(s): One or more persons established on an ad hoc basis for the purpose of investigating possible violations to the *FSC Policy for Association*. See Annex 2 for further details.

Lowest-level principle: A principle also known as subsidiarity, issue handling and decision-making at the lowest practical level.

Mediation: An attempt to settle a dispute through active participation of an independent third-party that aids parties* to agree on a fair outcome.

Parties: The entities directly involved in the investigation, including the entity that filed the complaint* (i.e., the complainant*) and the entity against which the complaint* is filed (i.e., the defendant*)

Remedy: To correct or return something as near as possible to its original state or condition. (Guiding Principles on Business and Human Rights. UN. 2011).

Substantial information: Credible information provided by third parties and/ or gathered through independent research obtained from reliable/reowned sources which constitutes a solid piece of evidence to be considered in an investigation. Substantial information* may include any of the following forms so long as the evidence meets the criteria required in this definition: scientific reports, technical analysis, certification reports, corroborated news articles, official reports and/ or announcements by governmental authorities, legal analysis, Geographic Information System information (boundary coordinates, satellite change mapping), videos or footage, images, independent interviews, affidavits and declarations, meeting minutes, and corporate/organizational information.

Table 3. Verbal forms for the expression of provisions

[Adapted from ISO/IEC Directives Part 2: Rules for the structure and drafting of International Standards]

“shall”: indicates requirements strictly to be followed in order to conform to the document.

“should”: indicates that among several possibilities one is recommended as particularly suitable, without mentioning or excluding others, or that a certain course of action is preferred but not necessarily required.

“may”: indicates a course of action permissible within the limits of the document.

“can”: is used for statements of possibility and capability, whether material, physical or causal.



Forest Stewardship Council®

www.fsc.org

FSC International Center GmbH
Adenauerallee 134 · 53113 Bonn · Germany



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