



Forest Stewardship Council®



**Working Group
to revise the FSC Controlled Wood
Standard for Forest Management
Enterprises (FSC-STD-30-010)**

Terms of Reference and Operating Rules
September 2019



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Terms of
reference

WORKING GROUP SUMMARY	
Type of Working Group:	Stakeholders and technical experts
Project Supervisor:	Manu Jose Mattam
Coordinator:	Tania Einfeldt
Working language:	English (other languages may be supported as needed)

PROJECT SUMMARY					
Project Title:	Working Group to revise the FSC Controlled Wood Standard for Forest Management Enterprises (FSC-STD-30-010)				
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PROJECT INFORMATION

1 Introduction

The FSC Global Strategic Plan 2015–2020 (GSP) requires FSC to significantly increase its overall impact on the management of the world’s forests, including both certified and uncertified forests to turn the tide of forest destruction around the world. In order to grow, the FSC system must be accessible – for forest managers, primary producers, retailers and consumers. At the same time, system credibility and integrity must be ensured. There is an obvious tension between growing the scale of the FSC system and ensuring credibility.

The Strategy for FSC Mix products and controlled wood published on 29 April 2019 was developed to optimize the role of FSC Mix products and controlled wood in realizing the overall strategic goals of FSC while resolving this conflict. The strategy specifies the ultimate objective of increasing FSC-certified area and FSC impact in uncertified areas, which will lead (over time) to a reduction of the FSC system’s reliance on FSC Mix products and the controlled wood used to produce them.

Controlled wood enters the FSC system through two paths, viz. through controlled wood in FM certification (CW-FM) which involves material that is verified at the forest level and therefore subject to a more rigorous verification system, and controlled wood obtained from suppliers through the less rigorous risk-based verification (CW in Chain of Custody certification, CW-CoC).

One of the actions in the strategy document is to align the CW-FM requirements with the FM requirements as laid down in the FSC International Generic Indicators and to facilitate an increased uptake of the CW-FM standard. However, since the Strategy for FSC Mix products and controlled wood also aims to reduce reliance on all forms of controlled wood (including CW-FM), FSC wants CW-FM certified organizations to move to FM certification eventually. Therefore, the primary purpose of CW-FM would be to act as a step towards FM certification.

In this sense, it is crucial that while the revised version of the *FSC Controlled Wood Standard for Forest Management Enterprises* (FSC-STD-30-010) aligns CW-FM requirements with FM requirements, it also includes an approach to limit the use of CW-FM to the two options described later in this document. The purpose of the revision of FSC-STD-30-010 is to align with the objectives of the strategy and facilitate the use of the standard, and ultimately contribute to increase the supply of FSC 100%.

2 Background of the Project

The *FSC Controlled Wood Standard for Forest Management Enterprises* (FSC-STD-30-010) specifies basic requirements applicable at the forest management unit (FMU) level for forest management enterprises to demonstrate that the wood they supply has been controlled to avoid wood that is illegally harvested, harvested in violation of traditional and civil rights, harvested in forest management units in which high conservation values are threatened by management activities, harvested in areas in which forests are being converted to plantations or non-forest use, or harvested from forests in which genetically modified trees are planted. The standard was approved in 2006 by the FSC Board of Directors. It was going to be subject to revision in 2015, however, due to the need to align the revised version of the standard with the Strategy for FSC Mix products and controlled wood, the process was put on hold until the publication of the strategy. As part of the outcomes of the strategy, the FSC Board of Directors has approved a revision of the FSC CW-FM standard (FSC-STD-30-010).

The revision process will involve the establishment of a **Working Group (WG)** with the objective of identifying the best feasible approach to facilitate the use of the CW-FM standard in line with the objectives of the strategy.

3 Setup of the project

In the context of this project, FSC will establish a **chamber balanced Working Group (WG) consisting of three stakeholders and three technical experts** to advise and provide content related input to the revision process of the FSC Controlled Wood Standard for Forest Management Enterprises (FSC-STD-30-010) and to deliver on the tasks and responsibilities outlined in these Terms of Reference (TOR).

- **Subgroup of stakeholders** - a group of three selected stakeholders with professional experience in the field of forest management, controlled wood, legality in the forestry sector, traditional and human rights, high conservation values (HCVs), forest conversion, GMOs (trees), forest group certification and/or smallholder certification equally representing the perspectives of the social (1 person), environmental (1 person) and economic (1 person) chambers.

Within the WG decisions are taken by the stakeholder subgroup, in consensus between the three chambers.

- **Subgroup of technical experts** - three selected research scientists or highly qualified specialists in forest management, rights of Indigenous Peoples and/or traditional peoples (including conflicts pertaining to these rights, and experience in consultation/mediation with Indigenous Peoples and traditional peoples), HCVs, or with extensive auditing experience and/or expertise in crafting stepwise approaches.

Technical experts are contracted to participate in the Working Group discussions as resource persons and to provide input based on science and technology. Technical experts shall have voice in the WG discussions, but no formal vote in its decision-making processes.

Applications to the subgroup of stakeholders are open only to FSC members and applications to the subgroup of technical experts are open to all stakeholders. When applying, candidates shall identify the chamber ¹ they represent (economic, environmental or social).

In addition, the following bodies are involved in the project, established in line with FSC-PRO-01-001 V3-1:

A **Project Supervisor**, appointed by the FSC Policy Operations Director, to supervise the project.

A **Coordinator**, appointed by the FSC Policy Operations Director for administering the process and managing the WG and the Consultative Forum. The Coordinator is responsible for ensuring that the WG operates responsibly and in accordance with its terms of reference and applicable procedures.

A **Steering Committee** composed of the FSC Chief Operations Officer (Frank Harnischfeger), the Director Policy Operations (Stefan Salvador), the Chief Policy Officer (Hans-Joachim Droste), the Chief Marketing Officer (Jeremy Harrison), and the Global Network Director (Lieske van Santen) provides oversight on all phases of the process until the final decision by the FSC Board of Directors.

Liaisons from the FSC Board of Directors and the Policy and Standards Committee can be appointed by the FSC Board of Directors, but will not have a decision-making role on the Steering Committee.

A **Consultative Forum** is a self-selecting group of interested/affected members, certificate holders, certification bodies and other stakeholders interested in providing ongoing, direct and meaningful input into the process as follows:

- Prior to WG meetings, provide topics and papers to be discussed by the WG.
- Provide advice to the WG in specific aspects when required.

A **Facilitator**, to support the Working Group in running successful conference calls and face to face meetings.

¹ Non-members shall identify the interest group they represent (economic, environmental or social).

WORKING GROUP INFORMATION

4 Objective

The Working Group (WG) consisting of three stakeholders and three technical experts is expected to advise, provide content-related input and come to an agreement about the revision of the FSC Controlled Wood Standard for Forest Management Enterprises (FSC-STD-30-010).

The Working Group shall prioritize as their first task the identification of the best feasible approach to facilitate the use of the CW-FM standard in line with the objectives of the Strategy for FSC Mix products and controlled wood.

In this context, the WG shall at the minimum:

- Align CW-FM requirements with FM requirements, i.e. relevant International Generic Indicators and their definitions.
- Identify and explore the most feasible approaches to limiting the use of CW-FM to the following two options: (a) Use CW-FM certification as a voluntary interim step towards FM certification and/or (b) Use CW-FM certification as a possible mandatory control measure when implementing CW-CoC.
- Include requirements/tools to enable CW-FM certification for smallholders (align with existing FSC work on smallholder certification).
- Verify the need for specific requirements for CW-FM group certification (align with existing FSC work on group certification) and where required, develop them.
- Develop requirements for CW-FM certification of salvaged timber, submerged timber and non-timber forest products (NTFPs).
- Align CW-FM standard with the Policy for the Association of Organizations with FSC (FSC-POL-01-004).
- Discuss possibilities to make CW-FM requirements adaptable to national/regional realities using the relevant national standards and the SIR concept in order to facilitate the applicability of the standard on the ground.
- Define the framework guidelines for the revision of the Standard for evaluation of FSC Controlled Wood in Forest Management Enterprises (FSC-STD-20-012)

The WG shall, in addition to other issues, consider at least the following specific aspects:

- FSC controlled wood categories.
 - CW category 1: Incorporate ADVICE-30-010-01 Applicable National and Local Laws and Regulations for Controlled Wood for Forest Management Enterprises (update and refine the list of applicable legislation as provided in FSC-STD-30-010 V2-0 Clause 3.1 Table 1).
 - CW category 2:
 - Align nomenclature/terminology with FSC-STD-40-005
 - Include a requirement on conflict timber
 - CW category 3: Develop requirements for the use of approved nationally developed HCV frameworks and/or FSC risk assessments.

- CW category 4: Make sure requirements for conversion in CW-FM are consistent with the outcomes of the process for the development of the FSC Policy on Conversion.
- Review all existing interpretations related to the CW-FM standard and incorporate them appropriately.
- Update as well as add relevant definitions according to the most recent versions of FSC normative documents, including, but not limited to FSC-STD-01-001, FSC-STD-40-005, FSC-STD-40-004, FSC-PRO-60-002, FSC-PRO-60-002a and FSC-STD-20-012.

5 Tasks and responsibilities of the Working Group

a) For all WG members

Stakeholders and technical experts will work together throughout the process, discussing issues and interacting with each other as a group within and outside of meetings as necessary and/or as required by the coordinator.

All WG members shall:

- Analyze, discuss, and negotiate the requirements of the document regarding the need for revision;
- Seek comprehensive advice on the development and outcome from the FSC Global Network, FSC Board of Directors, FSC accredited CBs, FSC certificate holders, other FSC stakeholders and/or relevant technical experts;
- Provide detailed input into the development of draft versions;
- Review and advise on comments received during public consultation;
- Participate in stakeholder outreach and information-sharing forums, as needed;
- Assist the coordinator in drafting nuanced content for potentially contentious sections of the document.

b) Specific for stakeholder subgroup

Additionally, members of the **stakeholder subgroup** shall:

- Agree on a Chairperson for the Working Group;
- Present consensus-based proposals for the development of the drafts;
- Recommend when a draft is ready for public consultation;
- Recommend when the final draft is ready to be sent for decision making by the FSC Board of Directors;
- Provide input into the final revision report to the FSC Board of Directors.

c) Specific for technical experts

Additionally, **technical experts** shall:

- Provide detailed technical inputs into the development of draft versions, including, where required, expert knowledge or access to peer reviewed literature to enable the WG to develop suitable requirements
- Assist in the review of comments received during public consultation
- Assist in drafting specific sections of the document which lie within their area of expertise.

6 Selection of Working Group members

A call for expressions of interest (supported by CVs) will be launched to the public for identifying the candidates for stakeholders and technical experts.

Members of the WG will be selected by the Steering Committee according to the following criteria:

a) Ability to provide specific technical input on:

1. Forest management
2. Controlled wood
3. Legality in the forestry sector
4. Rights of Indigenous Peoples and/or traditional peoples, and human rights
5. High conservation values (HCVs)
6. Forest conversion
7. Forest group certification
8. Smallholder certification

b) Up-to-date knowledge and experience of FSC's systems and procedures;

c) Understanding of the potential impact of a normative document on affected stakeholders;

d) Understanding of and support for FSC's mission and vision;

e) Desire to seek and reach consensus on controversial issues;

f) Ability to review and comment on documents submitted in the working language(s) agreed for the WG;

g) Track record on successful working groups is an asset;

h) Gender balance and balance of geographical regions, where possible.

i) In the selection of technical experts, scientific career will be considered (research experience, scientific peer-reviewed publications, participation in congresses, etc.).

Applicants, who do not get chosen, may apply to participate in the Consultative Forum.

7 Structure and Accountabilities

The WG consists of 6 members: 3 chamber balanced stakeholders and 3 technical experts.

The term of WG members ends with the approval of the revised version of the standard by the Board of Directors.

Appointed WG members are expected to adhere to the rules and regulations of this TOR and are expected to donate enough time to thoroughly fulfil their duties.

Appointed WG members shall sign a service and confidentiality agreement with FSC upon appointment.

The WG is accountable to FSC.

8 Work plan and time commitment

The WG will be established after the approval of this TOR. The expected start-date for the Working Group is March 2020, with a targeted completion by June 2022.

An estimated timetable is provided in Annex 2. The timetable and the detailed work plan will be updated as necessary.

The WG will conduct most of its work via e-mail or similar means of electronic communication (e.g. Go-to meeting conference), and through one-on-one calls with the Coordinator when required. At least three face-to-face meetings are envisaged: A kick-off meeting, a meeting after the first public consultation to review the comments and to revise the draft and a third face-to-face meeting after the second public consultation. There might also be a need for an additional meeting prior to the first public consultation, based on the level of complexity required in aligning the CW-FM requirements with the IGIs.

9 Expenses and Remuneration

FSC is an international not-for-profit membership organization with limited funding.

Participation in the WG takes place on a voluntary non-paid basis. However, FSC agrees to negotiate a fee for the participation in the WG discussions, if needed.

If required, FSC covers reasonable travel and accommodation expenses related to the work plan upon submission of the respective invoices and receipts, and if expenses are agreed upon in advance.

10 Confidentiality and conflict of interest

Working Group members shall sign a confidentiality and non-disclosure agreement with FSC at the beginning of their work.

Per default, non-attributable content of discussions and papers prepared by or presented to the WG is not considered confidential, unless otherwise specified.

The WG operates according to Chatham House Rules. So, while members of the WG have full authority to share the non-confidential substance of discussions and papers,

they shall not report or attribute neither the comments of individuals nor their affiliations outside of meetings, whether conducted face to face or virtual.

Members are expected to declare any conflicts of interest, where they arise. This will cause the person(s) to be excused from the discussion and to abstain from participating in decision-making.

11 Language

The working language of the WG is English. Language support to Spanish is provided on request.

All drafts for public consultation, as well as other documents, as requested and as possible, shall be translated into Spanish. Documents may also be translated into other languages if requested by the Working Group and depending on resource availability.

OPERATING RULES

12 Deliberations and Decision Making

Within the WG decisions are taken by the stakeholder subgroup.

For the WG to meet and deliberate, there must be quorum, defined as a minimum of **3 stakeholders and at least one representing each chamber**. The Coordinator will strive to select meeting dates and venues that allow for full participation of all Working Group members.

NOTE: a neutral facilitator will be appointed for each working group meeting to support the Working Group in running a successful meeting.

All members of the stakeholder subgroup must participate in each point of decision-making. If member(s) of this subgroup are not present for a decision, then a provisional decision may be made, subject to participation by the absent member(s). Quorum is required for any provisional decisions, and full participation is preferred².

The members of the stakeholder subgroup shall strive and make every effort possible to take decisions by consensus (see Glossary).

If consensus cannot be achieved, outstanding concerns shall be documented and presented to the FSC Board of Directors in the final report that accompanies the document presented for decision.

The technical experts, coordinator, FSC staff, Steering Committee members, liaison persons and any other supportive personnel shall not participate in any decision-making. However, any concerns expressed by technical experts will be recorded and reported.

If the members of the stakeholder subgroup are not able to agree on a final draft within six (6) months after the final round of public consultation, the Steering Committee shall take a decision on how to move forward with the process.

13 Effective WG meetings

- Established solid foundation at the start (objectives, roles, timetable, etc.).
- Agreed meeting protocols.
- Detailed agendas provided before and at meetings; meeting materials provided well in advance of meetings whenever possible to ensure that members have enough time to review.
- Clear decision-making structures, e.g., use of decision-making matrix based on criteria that need to be considered and scenario-testing.
- Simple, logical discussion format, e.g., commencing with clarifying the issue(s) the requirement is meant to address before starting to comment on the specific requirement.
- Regular, ongoing temperature checks on points-of-agreement.
- Decision point, end of day and end of meeting summaries.
- Refine work plan during the first meeting to guide process.

² Due to the number of people composing the stakeholder subgroup, quorum for this working group is full participation (3 stakeholders).

- Use of PSU and technical experts in drafting the documents to support WG's role and task.
- Decision on use of sub-groups, break-out groups in meetings, etc.
- Temperature check from stakeholder groups before a final draft is recommended to the FSC Board for approval.
- When impasse issues arise that cannot be resolved by the WG, they will be addressed through the consultative process, with options and perspectives circulated for consultation. The WG will then work to resolve the issues based on comments received. If the issue is highly technical in nature, additional research/investigation on that issue might also be called upon to provide additional information for making informed decisions.
- Straw poll of the WG before going to decision-making.

14 Effective communications and representation of stakeholders

WG members are expected to consult with other colleague(s) to ensure a wide range of views are sought.

To support stakeholder engagement, the Coordinator will also:

- Implement a communications strategy to ensure ongoing and meaningful stakeholder engagement
- Proactively push communication towards those who self-declare their interest, or otherwise may be impacted by the standard, via email news briefs to the self-selecting Consultative Forum as well as the FSC mailing lists (Network Partners, members, etc.)
- Make available for all interested parties:
 - Background documentation and references
 - WG agendas
 - WG minutes (non-attributable)
 - Signed off internal documents and drafts of the WG
 - Attributable comments of stakeholders on draft documents (unless requested otherwise in writing)
- Use tracking/document handling software tools to facilitate dialogue amongst stakeholders as part of the consultation process.
- Seek FSC-related forum to provide updates and solicit input on the documents, for example at Network Partner meetings, regional FSC meetings, global meetings, etc.

Annex 1: Glossary

For the purpose of this document, the terms and definitions given in *FSC-STD-01-002 FSC Glossary of Terms*, and the following apply:

Chairperson: A Working Group member, chosen by the other members, to act as a contact point and spokesperson for the Working Group. He/she brings together the shared concerns, suggestions and recommendations of the Working Group members and shares them with the other actors involved in the project.

Chamber balanced WG: a group of selected stakeholders with professional experience in the field of question, to advise and provide content related input to the development or revision of a FSC normative document, equally representing the perspectives of the social, environmental and economic chambers (and Southern and Northern perspectives in case of a Sub-chamber balanced WG).

Chatham House Rule: "When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed". The Chatham House Rule has the aim to encourage openness and the sharing of information at meetings.

Consensus: general agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests.

NOTE: Consensus should be the result of a process seeking to consider the views of interested parties, particularly those directly affected, and to reconcile any conflicting arguments. It need not imply unanimity (adapted from ISO/IEC Guide 2:2004).

Technical consultation: targeted internal consultation to receive feedback on an FSC normative document during the drafting or re-drafting stage before the document is released for public consultation.

Technical experts: selected experts with professional experience in the field of question, to advise and provide content related input to the development or revision process of an FSC normative document.

Annex 2: Estimated Timeline

	2019						2020												2021												2022							
ACTIVITIES	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A
Workplan and ToR for WG	█	█	█	█	█																																	
Establish WG and CF						█	█	█																														
First round of revision								█	█	█	█	█	█	█	█	█																						
First public consultation																	█	█	█																			
Second round of revision																			█	█	█	█	█	█														
Second public consultation																								█	█	█												
Final revision																									█	█	█	█	█	█	█							
Submission to PSC																																	█	█				
Decision making by BoD																																	█	█	█			
Publication																																			█	█		

Annex 3: Organogram

