

**Evaluation of allegations of an FSC Policy for Association violation  
Proposal for the addition of this mechanism within the FSC Policy for Association  
Complaints Procedure, FSC-PRO-01-009**

**Overview Document prepared for public consultation**

**Background:**

The *Policy for the Association of Organizations with FSC* (FSC-POL-01-004), or *FSC Policy for Association*, protects the reputation of FSC, and all entities associated with it, by acting as a safeguard against organizations involved in unacceptable activities. This policy is supplemented by two procedural documents that describe how this policy is implemented.

If a potential violation of the *FSC Policy for Association* is brought to the attention of the FSC Secretariat, then the *Processing Policy for Association Complaints in the FSC Certification Scheme* (FSC-PRO-01-009) is applied. This policy can only **currently** be activated:

- **Reactively:** When a stakeholder files a complaint against an organization related to a potential violation of the *FSC Policy for Association*.

The *FSC Policy for Association* working group proposes to expand the scope of this procedure so the policy can be activated:

- **Proactively:** An investigation can begin when there is evidence or allegations of a potential violation of the *FSC Policy for Association*, as an alternative to, or before a complaint has been filed.

If approved, it will be integrated into the *Processing Policy for Association Complaints in the FSC Certification Scheme* (FSC-PRO-01-009), as outlined in clauses 1-5 below, and help avoid the reactive complaints process, which is both resource-intensive and potentially damaging to the system.

The proactive mechanism would be used:

- to evaluate evidence/allegations of *FSC Policy for Association* violations that are in the public domain but cannot be attributed to a specific stakeholder.
- In cases where stakeholders bring evidence of a *FSC Policy for Association* violation but are not interested in, or refuse, to engage in a complaints process as described in the complaints procedure.
- in situations where a certification body, or an FSC network partner, identifies a potential violation of the *FSC Policy for Association* and brings it to the attention of the FSC

**Please note:** The *Processing Policy for Association Complaints in the FSC Certification Scheme* (FSC-PRO-01-009), is not currently up for revision. However, the *FSC Policy for Association* working group has been instructed to consider a mechanism for proactively evaluating allegations outside the complaints process to this procedure. Adding this mechanism will complement, and make complete, FSC-PRO-01-009, so it includes both **reactive** and **proactive** mechanisms. The totality of FSC-PRO-009 will undergo a revision cycle in five years and, at that time, lessons learned will feed into that revision.

The Process for evaluating allegations of Policy for Association violations (to be inserted into the existing FSC-PRO-01-009 upon approval):

***Triggers for a FSC Policy for Association evaluation.***

1. Allegations concerning a violation of the *FSC Policy for Association* may be brought to the attention of FSC through any of the following:
  - 1.1 Findings resulting from the implementation of the *Due Diligence Evaluation for the Association with FSC* (FSC-PRO-01-004).
  - 1.2 Findings by the certification body or Accreditation Services International that the certified organization is, or has likely been, accountable for a *FSC Policy for Association* violation.
  - 1.3 Public reports or records with information of possible *FSC Policy for Association* violations by an organization.
  - 1.4 Direct contact with stakeholders, network partners, or FSC staff about a possible *FSC Policy for Association* violation by an organization.

***Initiation of the evaluation process***

2. Allegations shall be submitted in writing to the attention of the FSC Director General. Written acknowledgment of receipt of the allegation will be provided to the party who submitted the allegation within 10 working days.
3. The Director General shall establish:
  - 3.1 Communications with affected entities.
  - 3.2 The timeline for evaluating the allegation.
    - 3.2.1 As a general rule, evaluations will be completed, with recommendations provided to the FSC Board of Directors, within four months from acknowledging receipt. In extraordinary cases the FSC Director General has the discretion to extend this timeline.
  - 3.3 The evaluation body.
    - 3.3.1 The evaluation body may be a chamber-balanced panel, or a panel of experts, or one technical expert, or FSC staff, based on the complexity of the allegation.
    - 3.3.2 The Organization against whom the unacceptable activity is alleged shall be offered the opportunity to request that a chamber-balanced panel serve as the evaluation body, providing justification for this request.

NOTE TO STAKEHOLDERS: The *FSC Policy for Association* working group will discuss issues related to the composition of the evaluation body at the next working group meeting. It is envisioned that, in establishing the evaluation body, the Director General will follow a set of general rules and guidelines to ensure that the body is fit for purpose. The working group will also discuss the option to have a standing '*FSC Policy for Association Committee*' of the FSC Board to provide oversight in establishing the timeline, procedural deviations and evaluation body for this process.

3.3.3 The evaluation body shall be impartial and free of any conflict of interest in relation to the allegation and affected entities. If the allegation is brought to the attention of FSC by an identifiable stakeholder, he/she will be consulted with regards to any conflict of interest of the evaluation body.

***Evaluation of the allegation***

4. In evaluating the allegation, FSC and the evaluation body commit to follow, to the extent possible, clauses 5.10 to 7.6 of this Procedure (FSC-PRO-01-009). At the discretion of the Director General, FSC may deviate from them depending on the nature of the allegation and the possibility of resolving it through alternative dispute resolution techniques.

NOTE: The process for evaluating allegations includes the opportunity for the entity against whom the activity is alleged to challenge the allegation.

***Decision-making on actions to be taken***

5. The FSC Board of Directors shall evaluate the recommendations of the evaluation body and present a decision on the allegation at their next Board meeting. The decision shall be final and binding for all Parties.