



# **FSC'S REPORT ON INDIGENOUS PEOPLES IN VOLUNTARY ISOLATION AND FM CERTIFICATION IN PERU, PARTICULARLY THE MASHCO PIRO PEOPLE IN THE RESERVA TERRITORIAL MADRE DE DIOS**

28/07/2025



**FORESTS<sup>TM</sup>  
FOR ALL  
FOREVER**

<b>Title:</b>	FSC's Report on Indigenous Peoples in Voluntary Isolation and FM Certification in Peru, particularly the Mashco Piro people in the Reserva Territorial Madre de Dios
<b>Dates:</b>	<b>Publication date:</b> 28 July 2025
<b>Contact for comments:</b>	<p>FSC International – System Integrity Unit  Adenauerallee 134  53113 Bonn  Germany</p> <p><b>Phone:</b> +49 -(0)228 -36766 -0  <b>Fax:</b> +49 -(0)228 -36766 -30  <b>Email :</b> FSCintegrity@fsc.org</p>

© 2023 Forest Stewardship Council, A.C. All Rights Reserved  
FSC® F000100

You may not distribute, modify, transmit, reuse, reproduce, re-post or use the copyrighted materials from this document for public or commercial purposes, without the express written consent of the publisher. You are hereby authorized to view, download, print and distribute individual pages from this document subject for informational purposes only.

## CONTENTS

<b>List of acronyms</b>	<b>4</b>
<b>Executive summary</b>	<b>5</b>
<b>Introduction</b>	<b>10</b>
<b>Implementation of fsc's strategy to address the issue of Indigenous Peoples in Voluntary Isolation and FM Certification in Peru</b>	<b>15</b>
Engagement with key stakeholders	15
Seeking technical advice	19
ASI investigation into the rights of IPVI in relation to FSC Forest Management Certification in Peru	30
<b>Conclusions</b>	<b>36</b>
<b>Proposed solutions</b>	<b>39</b>
Normative developments	39
Disclaimer: the Working Group tasked with developing an Advice Note will consider these proposed solutions together with other inputs and the comments received through the public consultation. The Advice Note will not necessarily follow these proposals literally.	44
Assurance enhancement	44
TLA's suspension of Maderera Canales Tahuamanu SAC	44
Communicate proactively	45
Deepen engagement	45
<b>Bibliography</b>	<b>46</b>

## LIST OF ACRONYMS

IPVIs	Indigenous Peoples in Voluntary Isolation
ADRIP	American Declaration on the Rights of Indigenous Peoples
ASC	Additional Study for Categorization
ASI	Assurance Services International
C169	ILO Convention 169 “Convention on Indigenous and Tribal Peoples”
CA	Compliance Assessment
CB	Certification Body
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CH	Certificate Holder
FMU	Forest Management Unit
FPIC	Free Prior and Informed Consent
FSC	Forest Stewardship Council
IACHR	Inter-American Commission on Human Rights
IACtHR	Inter-American Court of Human Rights
IFC	International Finance Corporation of the World Bank
IGIs	International Generic Indicators
ILO	International Labor Organization
IO	International Organizations
IPO	Indigenous Peoples Organization
MADERACRE	Maderera Río Acre SAC
MCT	Maderera Canales Tahuamanu SAC
NFSS	National Forest Stewardship Standard
OHCHR	United Nations Office of the High Commissioner of Human Rights
P&C	FSC Principles and Criteria
PbN	Preferred by Nature
PfA	Policy for Association
PIPC	Permanent Indigenous Peoples Committee
SDG	Standard Development Group
TLA	Trademark License Agreement
TR	Territorial Reserve
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNPFII	United Nations Permanent Forum for Indigenous Issues

## Executive summary

Indigenous Peoples in Voluntary Isolation (IPVIs) are “indigenous peoples or segments of indigenous peoples who do not maintain sustained contacts with the majority non-indigenous population, and who generally reject any type of contact with persons not part of their own people”.<sup>1</sup> IPVIs may also be peoples who had previously contact with the national societies, but after violent traumatic experiences, they have decided to reject contact and live in a situation of isolation.<sup>2</sup>

According to the United Nations, around 200 groups of Indigenous Peoples live in voluntary isolation and initial contact around the world, particularly in remote forests in Bolivia, Brazil, Colombia, Ecuador, India, Indonesia, Papua New Guinea, Peru and Venezuela.<sup>3</sup> These peoples are nomadic or seminomadic, they engage in gathering and hunting, which allows them to preserve their cultures and languages. They are highly dependent on their natural environment and natural resources, and are considered as extremely vulnerable people whose life, health, physical and cultural survival is threatened by any contact with persons foreign to their community.<sup>4</sup>

Peru is the second country with the highest number of IPVI groups in the world.<sup>5</sup> The Mashco Piro is one of the seminomadic peoples inhabiting the Peruvian territory, in the Amazon region. A significant proportion of the Mashco Piro population lives in isolation and moves between the Mashco Piro Indigenous Reserve, the Madre de Dios Territorial Reserve and the Murunahua Indigenous Reserve.<sup>6</sup> The Mashco Piro are known to adjust their movements in accordance with variations in water levels, opting to remain in proximity to rivers during the summer months and in elevated areas during the rainy season.<sup>7</sup>

The Madre de Dios province, in the Peruvian Amazon, is rich in natural resources. Its landscape is a mosaic of natural protected areas, forest for production, intangible reserves protected in favour of IPVIs, native communities, agricultural lands and small-scale mining.<sup>8</sup> The region faces several governance challenges such as illegal mining, illegal logging, drug trafficking, and disputes over oil exploration projects. The proximity between legal and illegal activities to areas inhabited or transited by the Mashco Piro people raises a risk of sightings and encounters between the Mashco Piro and other non-IPVI individuals, including with loggers and native communities.<sup>9</sup>

In this context, some Indigenous Peoples Organizations (IPOs) have requested the FSC to revoke the certification of Maderera Canales Tahuamanu SAC (NC-FM/COC-005485) (hereinafter MCT) arguing that

---

<sup>1</sup> IACHR, *Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: Recommendations for the Full Respect of their Human Rights* (2013) p. 4.

<sup>2</sup> Idem.

<sup>3</sup> UN, “Protecting the Rights of Indigenous Peoples in Voluntary Isolation and Initial Contact” (no date).

<sup>4</sup> IACHR, *Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: Recommendations for the Full Respect of their Human Rights* (2013) p. 9.

<sup>5</sup> Ibid p. 5.

<sup>6</sup> Ministerio de Cultura del Perú, *Ficha técnica del Pueblo Mashco Piro*: [Ficha Mashco Piro.pdf](#) (no date).

<sup>7</sup> Idem.

<sup>8</sup> In 2006, the landscape in the Madre de Dios Province had the following distribution: 44.8% in Natural Protected Areas; 25% Forest for Permanent Production; 5.1% territories of native communities; 1% agricultural lands and 4.1% for mining activities. However, some limits are not well defined and general social unrest. See: W. Ojeda, W. Nalvarte, W. Moreno and M. Alvarez, *Memoria del Seminario-Taller “La Zonificación Ecológica-Económica y el Ordenamiento Territorial de la Región de Madre de Dios”* (1 y 2 de septiembre de 2005) p. 5, available at: Libro Goremad; WWF, “Promoting Integrated Sustainable Management of the Peruvian Amazonian Landscape Madre de Dios” (no date).

<sup>9</sup> Defensoría del Pueblo del Perú, “La protección de los derechos de los pueblos indígenas Mashco Piro en situación de aislamiento y de las comunidades nativas del río Alto Madre de Dios”, Informe no. 004-2016-DP/AMASPPI-PPI (2 septiembre de 2016) p. 2; Defensoría del Pueblo del Perú, “La categorización de la Reserva Territorial Madre de Dios y la protección de los derechos de los pueblos en situación de aislamiento y contacto inicial”, Informe no. 002-2019-DP-AMASPPI-PPI (5 de septiembre de 2019).

the company is operating within the Mashco Piro's territories, without their free, prior and informed consent (FPIC). They argue that this contravenes both the FSC's Principles and Criteria and International Human Rights Law. They are concerned that logging activities in these territories pose a significant threat to the lives, well-being and cultural survival of the Mashco Piro.

A thorough examination of the case reveals that the Forest Management Unit of MCT is situated within an area claimed by IPOs as IPVI territories. There is an ongoing process to re-categorise the Territorial Reserve (TR) Madre de Dios as an Indigenous Reserve (IR) which intends to expand the current area of the TR by adding 240,472 ha of recognised territory of the Mashco Piro. The area proposed for expansion is currently a forest of permanent production, affecting approximately 14 concession, two of them are FSC certified: MCT and Maderera Río Acre SAC (FSC-C017050; NC-FM/COC-002176) (hereinafter MADERACRE).

The re-categorization process of the TR Madre de Dios has been ongoing for over a decade, with no resolution yet reached by the Peruvian government regarding the future of the affected concessions, resulting in a state of legal uncertainty for all parties, including the FSC.

FSC developed a strategy to make informed decisions, which included three pillars:

1. **Engagement with key stakeholders** to foster comprehension of FSC's approach with the situation and to gain a more comprehensive understanding of the local context.
1. **Seeking technical advice** from international organisations with special knowledge on the issue of the rights of indigenous peoples, as well as in business and human rights.
2. **Commissioning ASI an investigation** on the rights of Indigenous Peoples in voluntary isolation in FM Certification in Peru.

As result of this strategy, FSC learnt that FSC certification is highly valued in Peru, contributing to well-managed forests with high biodiversity and resilience. For many stakeholders, FSC-certified forests act as buffer zones against illegal activities, benefiting local economies and supporting native communities.

However, in the view of IPOs, FSC certified operations pose a major risk to unintended or forced contact with the Mashco Piro, which not only is contrary to their right to land, but also and fundamentally to their right to self-determination, and which could threaten their lives, health and cultural survival. Therefore, they are making a call for FSC to respect the rights of all Indigenous Peoples, including those in voluntary isolation like the Mashco Piro

In addition, the Inter-American Commission on Human Rights (IACHR) has made multiple calls to the Peruvian government to fulfill its human rights obligations towards the Mashco Piro by finalizing the categorization process for the Madre de Dios reserve, including the area of expansion which has been traditionally used by the Mashco Piro. As this process remains open, the case has been brought before the Inter-American Court of Human Rights (IACtHR).

This case has posed a significant challenge to the FSC system. The challenge did not arise merely from the fact that FSC-certified organizations hold legal concessions in an area claimed by IPOs as Indigenous territory—FSC Principles & Criteria provide a framework for addressing such situations through engagement. Rather, the true challenge lies in the fact that the IPVIs have a right to remain isolated, which makes direct engagement with them to find solutions together is impossible. This fundamental limitation has tested the FSC system's ability to uphold its standards while respecting the fundamental rights of IPVIs, including the right to land and self-determination, among others.

The overall conclusion of the strategy is that the impossibility to engage with IPVIs made most of FSC's Criteria of Principle 1 and Principle 3, as well as related Criteria and Indicators of the 2001 and 2024 National Forest Stewardship Standards for Peru, insufficient or inadequate for IPVIs as FSC's normative

framework is heavily focused on engagement. There is a need for additional instructions for Standard Development Groups (SDGs) to draft indicators in the National Forest Stewardship Standards requiring CHs to adopt precautionary and protection measures for IPVIs. In addition, ASI's investigation has shown that CBs understanding of the ILO Convention on Indigenous and Tribal Peoples (also known as ILO C169) and evaluation of conformity with FSC standards related to indigenous peoples' rights, especially in CHs operating in areas adjacent to existing indigenous reserves, seems to be poor in some respects. And finally, in the 2023 compliance assessment (CA) to the CB at MCT, some potential non-conformities may have not been identified and raised in relation to Criterion 2.3<sup>10</sup> of the 2001 NFSS for Peru. It seems that the FSC system was insufficient to prevent and address this very complex and specific situation of interaction between IPVI rights and FSC-certified areas in Peru.

Against this backdrop, this report proposes the following solutions for consideration:<sup>11</sup>

### Normative developments at Global Level

1. **Advice Note on evaluation of conformity with Principle 1, which requires complying with International Treaties (including ILO C169) and UNDRIP:**
  - **Issue:** CB audit reports lack references to evidence of conformance with C169.
  - **Solution:** Develop an advice note requiring explicit conformity with the responsibility to respect Indigenous Peoples' rights as per C169 and UNDRIP. This note should outline specific actions and measures that CHs should adopt, not just policy statements.
2. **Revisions to FSC Principles & Criteria V-5.3, International Generic Indicators (IGIs), and Explanatory Notes:**
  - **Issue:** Current criteria should adapt the right to self-determination and FPIC to the situation of IPVIs. IGIs and explanatory notes for SDGs need to offer guidance on additional requirements specific or adapted to IPVIs, particularly on the principle of no contact.
  - **Solution:** Include changes in the upcoming revision to ensure respect for IPVIs rights.
  - **Specific recommendations:**
    - Provide specific indicators in Criteria 1.3, 3.2, 3.3, 3.5, and 3.6 for IPVIs.
    - Outline requirements for indicators that protect IPVI rights in Explanatory Notes and Instructions for Standard Developers.
    - This advice note include a general Indicator regarding "respect" for the rights of IPs, specifying how these rights need to be interpreted for IPVIs (in the same lines as No. 3 below under "Develop an Advice Note to 2024 National Forest Management Standard").

### Normative developments at National Level in Peru

#### 3. Develop an Advice Note to 2024 National Forest Management Standard for Peru.

The Advice Note should address the three scenarios of interaction between FSC certified organizations and IPVI territories, and include:

- a) Requirements or indicators regarding "respect" of the rights of IPs as established in C169, specifying that the principle of no contact shall be upheld. It should include:
  - Policy commitment to respect human rights of IPVIs.
  - Human rights due diligence process.

<sup>10</sup> Criterion 2.3 of the 2001 NFSS for Peru reads: "Appropriate mechanisms shall be employed to resolve disputes over tenure claims and use rights. The circumstances and status of any outstanding disputes will be explicitly considered in the certification evaluation. Disputes of substantial magnitude involving a significant number of interests will normally disqualify an operation from being certified". See: FSC Forest Stewardship Standard for Peru V(6-0), FSC-STD-PER-06-2001 (2001) p. 3, available at: [Document | FSC Connect](#)

<sup>11</sup> For clarity, these proposed solutions are partially based on ASI's recommendations, with adaptations following FSC's own understanding of the issues.



- Remediation processes for adverse human rights impacts.

Furthermore, the requirement or indicator should specify that where a FMU partially overlaps with an area already declared as territorial or indigenous reserve in favour of IPVIs, the FMU is not eligible for certification.

- b) Requirements or indicators for cases where an FMU that is already certified, is later identified as part of a territory of traditional use by an IPVI population through a well-documented process and the best available information; or where an FMU may overlap with a territory traditionally used by IPVIs, but such territory has not been delimited and the boundaries of the IPVI territory are not clearly defined. For such cases, the Secretariat may consider two options:

Option 1:

- Excise overlapping portions of FMUs with Indigenous Reserves from the scope of certification and include additional safeguards, among others:
  - Establish buffer zones and protocols for IPVI sightings.
  - Cooperation with the Ministry of Culture for surveillance.
  - Any Forest Management operations in the excised area shall be considered unacceptable activities as per Policy for Association.
  - Request the government to delimit the IPVI territories and redefine the boundaries of the concession, if necessary.

Option 2:

- Set aside overlapping portions of the FMU as conservation areas, where no access nor activities are allowed.
- Similar safeguards and requirements as Option 1.

- c) Requirement or indicator for FMUs adjacent to territories of traditional use by IPVIs (no overlap), including:
- Implement management plans to avoid encounters with IPVI.
  - Establish buffer zones and monitoring systems.
  - Prohibit access to high-risk areas like rivers and riparian zones.
  - Consider seasonal use of areas by IPVI and restrict operations in those areas.

### **Assurance enhancement at CB level**

FSC and ASI should develop a training and calibration workshop for auditors regarding the evaluation of Principle 3, FPIC, and the new indicators relating to IPVI.

### **Assurance enhancement at ASI level**

ASI should increase surveillance of CBs evaluation of conformity with Principle 1, which requires complying with International Treaties (including ILO C169) and UNDRIP, as well as evaluation of the Advice Note to 2024 National Forest Management Standard for Peru regarding IPVI rights.

### **Re-evaluation of Maderera Canales Tahuamanu SAC (MCT)**

According to ASI's report, if FSC considers lifting the current suspension of MCT, FSC should require the following actions prior to lifting the suspension:

1. Demonstrate conformity with the Advice Note on IPVIs, as a condition for lifting the suspension.<sup>12</sup>

<sup>12</sup> This is an adaptation by FSC. ASI's report reads "MCT shall establish "conservation areas" or "forest reserves" or other designations over the entire area of its concession that is within the expansion of the Madre de Dios Territorial Reserve and shall make a commitment to not carry out any forest management activities (i.e., no timber harvest or extraction of non-timber forest products, or construction of roads, bridges and other infrastructure) within this area". See: ASI, "Investigation into the rights of PIACI in relation to FSC FM Certification in Peru" (1 April 2025) p. 52.



2. Going through a full re-assessment by a CB, prior to the certificate expiry date of 22 December 2025, using an audit team that includes international auditors and a specialist in Indigenous Peoples.
3. The re-assessment must pay special attention to evaluating compliance with Indicators 1.6.2 and 1.6.4 of the 2024 Forest Management Standard for Peru. It must determine if the dispute between MCT and the local IPO is "resolved" or in "dispute resolution" as required by Indicator 1.6.2. It must also determine if the dispute is of "substantial magnitude or duration" as defined in Indicator 1.6.4.

### **Communicate proactively**

FSC should communicate more proactively and effectively on the actions taken to investigate, understand and address concerns regarding the “respect” of the rights of IPVIs.

### **Deepen engagement**

FSC should engage more with IPOs regarding all the opportunities that IPs have to be part of FSC (e.g. Family and Community Forest Certification) and concepts that could be interesting for IPVIs (e.g. intact cultural landscapes).

## Introduction

Indigenous Peoples in Voluntary Isolation (IPVIs) are “indigenous peoples or segments of indigenous peoples who do not maintain sustained contacts with the majority non-indigenous population, and who generally reject any type of contact with persons not part of their own people”.<sup>13</sup> IPVIs may also be peoples who had previously contact with the national societies, but after violent traumatic experiences, they have decided to reject contact and live in a situation of isolation.<sup>14</sup>

According to the United Nations, around 200 groups of Indigenous Peoples live in voluntary isolation and initial contact around the world, particularly in remote forests in Bolivia, Brazil, Colombia, Ecuador, India, Indonesia, Papua New Guinea, Peru and Venezuela.<sup>15</sup> These peoples are nomadic or seminomadic, they engage in gathering and hunting, which allows them to preserve their cultures and languages. They are highly dependent on their natural environment and natural resources, and are considered as extremely vulnerable people whose life, health, physical and cultural survival is threatened by any contact with persons foreign to their community.<sup>16</sup>

Peru is the second country in the world with the highest diversity of IPVIs.<sup>17</sup> The Mashco Piro is one of the seminomadic peoples inhabiting the Peruvian territory, in the Amazon region. A significant proportion of the Mashco Piro population lives in isolation and moves between the Mashco Piro Indigenous Reserve, the Madre de Dios Territorial Reserve and the Murunahua Indigenous Reserve.<sup>18</sup> The Mashco Piro are known to adjust their movements in accordance with variations in water levels, opting to remain in proximity to rivers during the summer months and in elevated areas during the rainy season.<sup>19</sup> This nomadic behaviour is driven by two primary factors: the need to acquire resources and the desire to avoid contact with external groups.<sup>20</sup>

The Madre de Dios province, in the Peruvian Amazon, is rich in natural resources. Its landscape is a mosaic of, natural protected areas, forest for production, intangible reserves protected in favour of IPVIs, native communities, agricultural lands and small-scale mining.<sup>21</sup> The region faces several governance challenges such as illegal mining, illegal logging, drug trafficking, and disputes over oil exploration projects. The proximity between legal and illegal activities to areas inhabited or transited by the Mashco Piro people raises a risk of sightings and encounters between the Mashco Piro and other non-IPVI individuals, including with loggers and native communities.<sup>22</sup>

---

<sup>13</sup> IACHR, *Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: Recommendations for the Full Respect of their Human Rights* (2013) p. 4.

<sup>14</sup> Idem.

<sup>15</sup> UN, “Protecting the Rights of Indigenous Peoples in Voluntary Isolation and Initial Contact” (no date).

<sup>16</sup> IACHR, *Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: Recommendations for the Full Respect of their Human Rights* (2013) p. 9.

<sup>17</sup> Ibid p. 5.

<sup>18</sup> Ministerio de Cultura del Perú, *Ficha técnica del Pueblo Mashco Piro*: [Ficha Mashco Piro.pdf](#) (no date).

<sup>19</sup> Idem.

<sup>20</sup> Idem.

<sup>21</sup> In 2006, the landscape in the Madre de Dios Province had the following distribution: 44.8% in Natural Protected Areas; 25% Forest for Permanent Production; 5.1% territories of native communities; 1% agricultural lands and 4.1% for mining activities. However, some limits are not well defined and general social unrest. See: W. Ojeda, W. Nalvarte, W. Moreno and M. Alvarez, Memoria del Seminario-Taller “La Zonificación Ecológica-Económica y el Ordenamiento Territorial de la Región de Madre de Dios” (1 y 2 de septiembre de 2005) p. 5, available at: Libro Goremad; WWF, “Promoting Integrated Sustainable Management of the Peruvian Amazonian Landscape Madre de Dios” (no date).

<sup>22</sup> Defensoría del Pueblo del Perú, “La protección de los derechos de los pueblos indígenas Mashco Piro en situación de aislamiento y de las comunidades nativas del río Alto Madre de Dios”, Informe no. 004-2016-DP/AMASPPI-PPI (2 septiembre de 2016) p. 2. Available at: [Informe-N-004-2016-DP-AMASPPI-PPI-PIACI20200803-1197146-i33pu9.pdf](#); Defensoría del Pueblo del Perú, “La categorización de la Reserva Territorial Madre de Dios y la protección de los derechos de los pueblos en situación de aislamiento y contacto inicial”, Informe no. 002-2019-DP-AMASPPI-PPI (5 de septiembre de 2019). Available at: [Inf-002-2019-PPI-PIACI.pdf](#)

In this context, some Indigenous Peoples Organizations (IPOs) have expressed to FSC their concern that the certification of Maderera Canales Tahuamanu SAC (NC-FM/COC-005485) (hereinafter MCT) is operating within the Mashco Piro's territories, without their FPIC. They argue that logging activities in these territories pose a significant threat to the lives, well-being and cultural survival of the Mashco Piro. Consequently, ASI conducted a desk-review in 2022 and a compliance assessment<sup>23</sup> in 2023, concluding that although there are ongoing discussions on whether the certified areas will be protected in favour of IPVIs, MCT's certified concession is in a forest for permanent production where the CH only needs to have a contingency plan with any encounters with the Mashco Piro. During the assessment, the assessor confirmed that MCT has a contingency plan in place, which details the steps to take in the event of an involuntary encounter with the Mashco Piro and the basic instruction is to avoid any form of direct contact.<sup>24</sup>

In July 2024, Survival International, an organisation dedicated to protecting indigenous peoples and their lands, launched a campaign against the FSC, precisely on the case of MCT. The campaign argued that the FSC's certification of a logging organization operating in areas inhabited by the Mashco Piro, contravenes both the FSC's Principles and Criteria and International Human Rights Law. It is asserted that any logging in Mashco Piro's territory is detrimental to their lives, health and cultural survival and requested the FSC to revoke the certification to MCT.

A thorough examination of the case revealed that part of the FMU of MCT is situated within a contentious area being considered for protection in favour of the Mashco Piro. A significant proportion of the Mashco Piro population lives in isolation and moves between the Mashco Piro Indigenous Reserve, the Madre de Dios Territorial Reserve and the Murunahua Indigenous Reserve, which were established between 1997 and 2002.<sup>25</sup>

On 25th April 2002, the Ministry of Culture declared a portion of the territory used by the Mashco Piro tribe<sup>26</sup> to be a Territorial Reserve Madre de Dios. This reserve encompasses an area of 829,941 hectares, situated within the districts of Iñapari, Laberinto, Las Piedras, Tambopata and Manu in the provinces of Tahuamanu, Tambopata and Manu, within the department of Madre de Dios.<sup>27</sup>

In 2006, the new Law for the Protection of Indigenous or Native Peoples in Isolation and in a Situation of Initial Contact (hereinafter IPVI Law) was published. The IPVI Law established the concept of Indigenous Reserves and delineated the procedure for their establishment.<sup>28</sup> Consequently, the former Territorial Reserves shall be re-categorized as Indigenous Reserves, thereby ensuring a more robust level of protection for IPVIs.

---

<sup>23</sup> A compliance assessment is defined as "An ASI Assessment conducted on a certificate holder to evaluate the compliance of a Conformity Assessment Body's Certification processes and certificate holders Management System against Certification requirements". See: ASI, Glossary, ASI-INF-20-001-ASI Glossary -V5.3 (27 May 2024). Available at: 068S7000007QMP9IAO-5.

<sup>24</sup> ASI, Public summary of the compliance assessment to Preferred by Nature OÜ (ASI-APP-066), FSC FM/COC, Peru (22-25 August 2023), Assessment no. A-20210245008. Available at: [Assessment Detail](#)

<sup>25</sup> Ministerio de Cultura del Perú, Ficha técnica del Pueblo Mashco Piro: [Ficha Mashco Piro.pdf \(cultura.gob.pe\)](#)

<sup>26</sup> According to WWF's report, in 2001 FENAMAD requested 2,428,613 Ha to be declared as Territorial Reserve Madre de Dios in favour of the PIACI. 34% of the area requested was declared as Territorial Reserve (829,941 ha). 300,000 ha were declared as Forest of Permanent Production and the rest as a Natural Protected Area, the National Parc Alto Purus. Also, in the Forest of Permanent Production, 10 logging concessions were granted to private companies. See: WWF, Reporte PE 2015, "Consultoría estudios adicionales de categorización de la Reserva Territorial Madre de Dios. Estudio antropológico", prepared by Enrique Herrera Sarmiento (06 de julio de 2005) p. 3.

<sup>27</sup> RESOLUCIÓN MINISTERIAL N° 0427-2002-AG, "Declaran como Reserva del Estado área ocupada por pueblos indígenas en aislamiento voluntario, ubicada en el departamento de Madre de Dios" *El Peruano* (25 de abril de 2002). Available at: [Microsoft Word - d. RM 0427-2002-AG No contactados .doc](#)

<sup>28</sup> The difference between a territorial reserve (TR) and an indigenous reserve (IR) is that the latter is the most recent legal figure incorporated in Law 28736 (Ley para la protección de pueblos indígenas u originarios en situación de aislamiento y en situación de contacto inicial), and is intended to replace the previous figure of TR. The new figure of IR provides these territories with a higher level of legal protection and establishes their intangibility. See: Ministerio de Cultura y USAID, "Los pueblos indígenas en aislamiento y contacto inicial de la amazonía peruana: mecanismos para la protección de sus derechos" (2016) p. 16. Available at: [PUEBLOS- INDIGENAS-EN-AISLAMIENTO-Y-EN-CONTACTO-INICIAL.pdf](#)

The process of recategorization of the TR Madre de Dios was initiated in 2014 with the publication of Supreme Decree No. 001-2014-MC by the Ministry of Culture, which recognised PIACI "Mashco Piro, Yora and Amahuaca" in the Territorial Reserve "Madre de Dios" in the Madre de Dios department.<sup>29</sup>

In 2015, the World Wildlife Fund (WWF) Peru conducted an anthropological study<sup>30</sup> and an additional study of categorisation (ASC). These studies identified the need to expand the area of the reserve, given the evidence of the presence of IPVIs in areas not included within the Madre de Dios Territorial Reserve, which overlap with 14 logging concessions which were granted by the Peruvian Government since 2002.<sup>31</sup> Two of those concessions are currently FSC certified: MCT and Maderera Río Acre SAC (FSC-C017050; NC-FM/COC-002176).

On 30th November 2016, the Peruvian Multisectorial Commission approved the Additional Study for Categorization (ASC) and decided to establish a Technical Working Group to discuss the intervention strategies regarding the 14 logging concessions that overlap with the proposed expansion area of the reserve.<sup>32</sup> Although three options have been discussed, the Multisectorial Commission has not come to an agreement, and a definitive resolution regarding the future of the concessions has yet to be reached, engendering a state of legal uncertainty for all involved parties, including the FSC.

On 1 November 2024, the Inter-American Commission on Human Rights (IACHR) published its Admissibility and Merits Report No. 397/22, where the Commission determined that *"the State has not adequately recognised the ownership of the territories inhabited by the Mashco Piro, Yora and Amahuaca peoples in breach of its obligations regarding the right to property. The IACHR considered that the presence of indigenous peoples in voluntary isolation in areas of different legal categories demonstrates that the State has not guaranteed the full integrity of their territories and has in fact generated a kind of fragmentation that determines the existence of physical spaces that have greater protection than others"*.<sup>33</sup> The IACHR requested the Inter-American Court of Human Rights to order the Peruvian State to "correctly identify and delimit the lands and territories inhabited by the Mashco Piro, Yora and Amahuaca peoples, guaranteeing that they are protected by a legal figure that has the effects of a title with the characteristics of full dominion".<sup>34</sup>

In addition to the TR Madre de Dios, there is a new Indigenous Reserve established in March 2024, the Indigenous Reserve Sierra del Divisor Occidental, and four other open categorization processes in Peru. The fact that there are other open categorization processes raises the risk of future cases with similar characteristics and the need for FSC to adopt a normative solution to this issue.

In light of this, FSC International has identified 3 scenarios of interactions between the territories of IPVIs and FM Certificate Holders in Peru:

- **Scenario 1:** Where a portion of the certified concession of a CH falls within an Indigenous Reserve that has recently been established by Supreme Decree, but where the government has not yet terminated the logging concessions. This was the case of 1 former CH, whose certificate is terminated since 12 September 2024.

<sup>29</sup> RESOLUCIÓN MINISTERIAL N° 0427-2002-AG, "Declaran como Reserva del Estado área ocupada por pueblos indígenas en aislamiento voluntario, ubicada en el departamento de Madre de Dios" *El Peruano* (25 de abril de 2002).

<sup>30</sup> WWF, Reporte PE 2015, "Consultoría estudios adicionales de categorización de la Reserva Territorial Madre de Dios. Estudio antropológico", prepared by Enrique Herrera Sarmiento (06 de julio de 2005).

<sup>31</sup> Estudio Adicional para la Categorización de la Reserva Territorial Madre de Dios, elaborado por Enrique Herrera Sarmiento. Equipo técnico: Enrique Herrera Sarmiento (antropólogo), Rosa Barrios Collantes (abogada), Claudia María Gálvez-Durand Besnard (bióloga), Edith Ana Condori Yajahuanca (ingeniera forestal), Juda Augusto (especialista indígena), Rosita Silvano (especialista indígena), Heidi Rubio Torgler (bióloga), Francisco Estremadoyro (ingeniero forestal) (23 de febrero de 2016).

<sup>32</sup> The Technical Group was established on 30 January 2017.

<sup>33</sup> Comisión Interamericana de Derechos Humanos, Caso No. 13.572 Pueblos Indígenas Mascho Piro, Yota y Amahuaca (1 de noviembre de 2024). Available at: [PE\\_13.572\\_NdeREs.PDF](#)

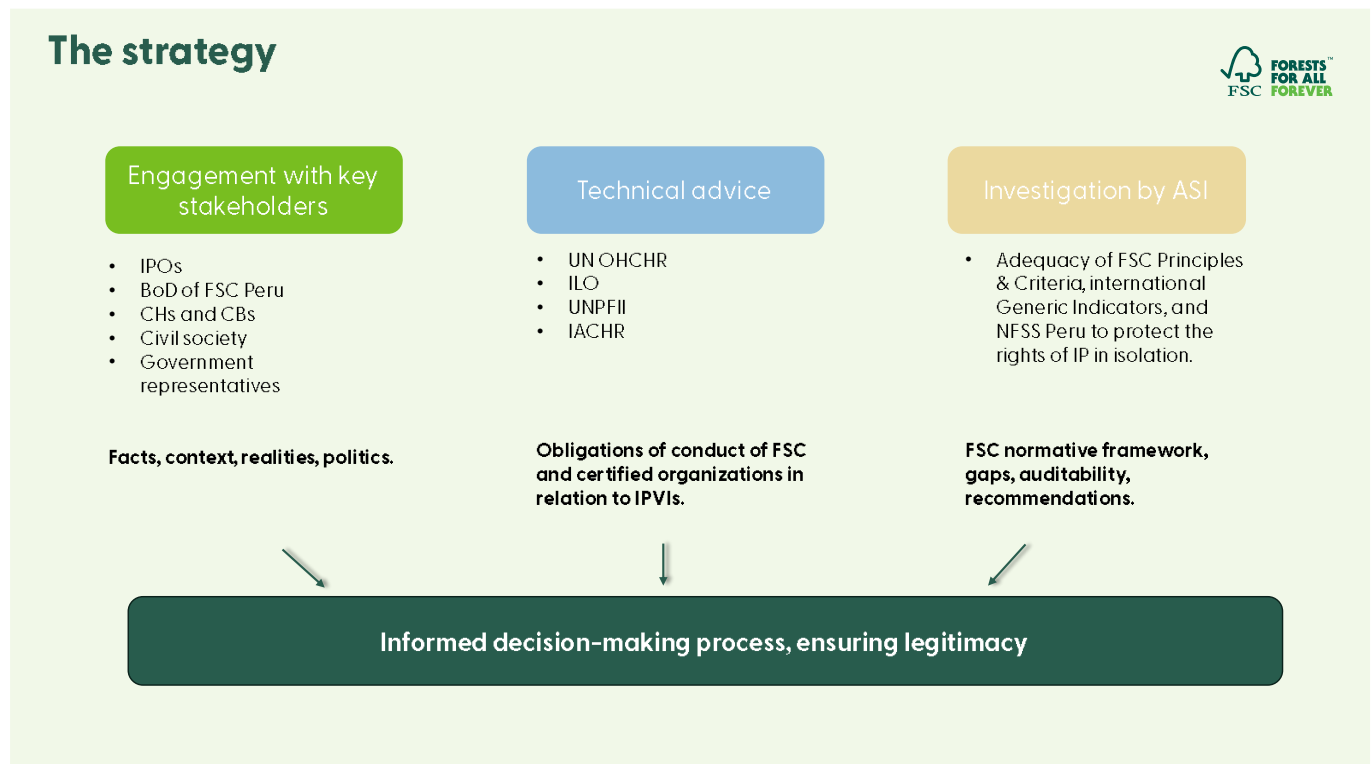
<sup>34</sup> Idem.

- **Scenario 2:** Where a portion of the certified concession of a CH falls within an area where there is evidence of presence of IPVI and which is under consideration for categorization as Indigenous Reserve, but the government has not finalized the process and the CH maintains a valid and legal logging concession. This is the case 2 CH: Maderera Canales Tahuamanu SAC and Maderera Río Acre SAC.
- **Scenario 3:** Where a portion of the certified concession of a CH is bordering or adjacent to an indigenous reserve and no overlap has been identified. This is the case of 4 CH in this scenario.

Having this in mind, FSC International has devised a strategy to facilitate a well-informed decision that is in alignment with our organisational commitment to uphold and protect the rights of Indigenous Peoples as stipulated in international legal instruments, including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the International Labour Organization's (ILO) Convention 169, while also considering the economic and environmental values.

The strategy is comprised of three primary components:

1. **Engagement with key stakeholders** to foster comprehension of FSC's approach with the situation and to gain a deeper understanding of the local context.
2. **Seeking technical advice** from international organisations with special knowledge on the issue of the rights of indigenous peoples, as well as in business and human rights.
3. **Commissioning an investigation to ASI** on the rights of Indigenous Peoples in voluntary isolation in FM Certification in Peru.



In the meantime, FSC decided to suspend the Trademark License Agreement (TLA) of MCT for 8 months, starting on 13 September 2024, as a precautionary measure to avoid any further risks of contact with IPVI. The FSC extended the suspension until 30 November 2025.

In the following section, a summary of the implementation of the three pillars of the strategy and the main learnings in each one of them is provided.



# Implementation of fsc's strategy to address the issue of indigenous peoples in voluntary isolation and fm certification in peru

## Engagement with key stakeholders

Between July and September 2024, FSC International met virtually with several stakeholders including a regional Indigenous People Organization (IPO), the PIPC, the FSC Indigenous Foundation (FSC-IF), the Board of Directors of FSC Peru, the affected Certification Body (CB) and the affected CH (MCT) to understand their perspectives on the issue. FSC was confronted with a very polarized context and with the reluctance of a key local IPO to engage in any conversations regarding potential solutions.

Consequently, FSC dispatched four representatives to convene with key stakeholders and decision-makers in Lima, Peru. The purpose of the visit was twofold: firstly, to convene with a wide variety of stakeholders and decision-makers to foster understanding of how FSC is engaging with the situation; and secondly, to gain a more complete picture of the local context.

A team comprising four staff members from FSC International, FSC Peru and the regional office in Latin America met with 16 stakeholders from 4-8 November 2024 in Lima, Peru. The stakeholders included government authorities, one IPO, CHs, CBs and civil society organizations (CSOs).

Regarding the re-categorization and expansion of the Territorial Reserve Madre de Dios, the team observed that stakeholders acknowledge the presence of IPVIs, but opinions disagree on:

1. The accuracy of the Additional Study of Categorization (ASC) – Some stakeholders criticized the ASC for modifying the limits of reserve area without prior consultation. Some other stakeholders opposed the expansion, claiming the ASC was based on false declarations and exaggerated testimonies regarding the evidence of presence of Mashco Piro peoples.
2. The future of concessions overlapping with the proposed expansion - Despite the approval of the ASC, stakeholders and government authorities have not reached a consensus on the future of concessions overlapping with the expansion to the reserve. For some stakeholders, logging concessions within the Indigenous Reserve Madre de Dios violate the principle of non-contact and intangibility of IPVIs territories; and consider that the State must exclude overlapping concession areas, provide compensation to the concessionaries and proceed with the expansion to the reserve. Other stakeholders communicated to FSC that excluding these areas is unfeasible due to lack of alternative areas for compensation, high costs of compensation, and the temporary nature of indigenous reserves, which require reassessment every 10 years.
3. The effectiveness of the Indigenous Reserve for protecting IPVIs – Some stakeholders consider that the Indigenous Reserves are not effective measures for protecting IPVIs, citing increased deforestation and illegal activities happening in other Indigenous Reserves.<sup>35</sup> They argue that categorization could facilitate easier access for third parties, as the areas would have limited monitoring and control points due to limited resources available for this purpose. Other stakeholders support the reserve's expansion but stress the need for stronger protection strategies, including training, enhanced surveillance, and productive initiatives to prevent resource extraction.
4. The role of certified logging concessions in protecting IPVIs – Some stakeholders concur that FSC certification plays a pivotal role in the sustainable management of forests and, for some stakeholders, also in the protection of IPVIs, particularly in the Madre de Dios area. They argue

---

<sup>35</sup> Aramis Castro, "Narcotráfico y deforestación avanzan en zonas de la Amazonía donde viven los pueblos indígenas en aislamiento", *Ojo Público* (03 de noviembre de 2024).



that in light of the imminent challenges to protect forests and IPVI from third agents, including drug trafficking organisations eager for land to expand their illegal coca plantations, illegal mining activities, illegal fishing, among others, FSC certified operations act as buffer zones that protect *de facto* the IPVI Mashco Piro. Other stakeholders disagree and consider that any activity, whether it is legal or illegal, certified or not, is incompatible with the principle of no-contact. They assert that such activities pose a high risk to the life, security and subsistence of the Mashco Piro.

Furthermore, the IACHR has concluded that the Peruvian State has not considered the full movement and settlement patterns in the delineation of the Territorial Reserve Madre de Dios in 2002, and continues to urge the State to conclude the expansion to the reserve. Consequently, the IACHR has requested the IACtHR to order the Peruvian State to correctly identify and delimit the IPVI territory, to conclude the re-categorization of the reserve, and to “adequately determine the concessions granted that overlap with or may affect the territory of the IPVI and provide for the necessary corrective measures to guarantee the full exercise of their collective property, including the necessary measures to ensure strict compliance with the principle of no contact and prior consultation in accordance with the standards indicated in this report”.<sup>36</sup>

### The Maderera Canales Tahuamanu case

MCT is an organization that holds a logging concession in the Madre de Dios province. This concession is in a forest designated for permanent production and is situated to the north-east of the TR Madre de Dios.

MCT received its first FM/COC certification on 31 May 2011, covering an area of 52,846.09 hectares of natural tropical forests. The licence code for this certification is FSC-C105960, and the certificate code is PBN-FM/COC-005485.

In 2022, a tragic incident occurred in MCT’s certified concession area. One of their workers was fatally struck by an arrow—believed to have been shot by a member of the Mashco Piro people—while approaching the river, and another worker was wounded.

Based on the interviews held with stakeholders, the FSC has identified at issues related to the MCT case: firstly, a dispute between MCT and a native community and a local IPO; and secondly, the overlap of the concession with the proposed expansion to the Madre de Dios Reserve.

The dispute between MCT and the IPO began in 2012, when the IPO supported the creation of a new native community within MCT’s concession area.<sup>37</sup> The IPO encouraged the group to settle there and reach the minimum number of members needed to gain official recognition as a native community, which they achieved in 2014.

MCT challenged this status in court, arguing that the group did not meet the legal criteria. In April 2024, the court ruled in MCT’s favor and revoked the community’s official status, at appeal stage. Since then, MCT and the IPO have been involved in several long and complex legal disputes. The OPI believes that all these disputes are a strategy by MCT to silence it.

The IPO’s involvement with this native community has drawn criticism from several stakeholders. They claim that some members of the native community have entered the TR Madre de Dios illegally and

---

<sup>36</sup> Comisión Interamericana de Derechos Humanos, Caso No. 13.572 Pueblos Indígenas Mascho Piro, Yota y Amahuaca (1 de noviembre de 2024). Available at: [PE\\_13.572\\_NdeREs.PDF](#)

<sup>37</sup> To support this allegation, stakeholders shared copies of internal reports of competent authorities of the irregular settlement in the area.

extracted natural resources, putting the Mashco Piro people at risk. These actions, according to the stakeholders, go against the goal of protecting the Mashco Piro from any outside contact.<sup>38</sup>

In relation to the overlap between the certified concession area and the areas claimed in favour of the IPVI Mashco Piro, the re-categorization process of the TR Madre de Dios began in 2014 and now affects a large part of MCT's concession.

Some stakeholders say that MCT has taken steps to avoid accidental contact with the Mashco Piro. These include creating a contingency plan for sightings, setting aside riverbank areas for conservation, installing surveillance points, and training workers on how to respond in case of sighting of an IPVI individual.

Others argue that the significant overlap between MCT's concession and the Mashco Piro's traditional lands poses risks to both the Mashco Piro and MCT's workers. This concern was highlighted by the fatal incident in 2022, when an MCT worker was killed—allegedly by an arrow from the Mashco Piro, and another one was wounded. Following this event, MCT suspended its operations in 2022 and has not resumed them since.

FSC suspended the TLA with MCT on 13 September 2024 as a precautionary measure considering this risk to the life of Mashco Piro individuals and MCT's workers for a period of 8 months. FSC extended the suspension until November 2025.

### **The Maderera Rio Acre case**

MADERACRE is an organization that holds several logging concessions in the Madre de Dios province. The concessions are in a forest designated for permanent production and is situated to the north-east of the TR Madre de Dios.

MADERACRE received its FM/COC certification on 26 January 2007. Currently, the certified area covers 270,048.90 ha of natural tropical forests in the Peruvian Amazon. The licence code for this certification is FSC-C017050, and the certificate code is NC-FM/COC-002176.

MADERACRE claims having taken the following measures regarding IPVIs:

- Establishment of a conservation reserve over the entire area of the concession overlapping with IPVI territory, this means, no logging takes place in that area.
- Protocol of action for the case of sightings of IPVIs, to ensure the principle of no contact, including regular mandatory trainings for its personnel to ensure a proper implementation of the protocol.
- Preventative vaccination programmes for all workers in the concessions.
- 13 surveillance points to control access of foreign people to its FMU, thereby protecting the TR Madre de Dios. The surveillance points operate 365 days/year, with satellite communication and patrolling.
- 120 KM of forest fire barriers between the Forest of Permanent Production and agricultural lands.
- Cooperation with Servicio Nacional de Areas Naturales Protegidas (SERNANP) and National Park Alto Purus to conduct joint patrolling activities in the Tahuamanu river to prevent access to the TR Madre de Dios by foreigners.

Interviews with stakeholders in Peru in November confirmed that MADERACRE cooperates with public authorities for joint patrolling. There is documentary evidence of establishment of conservation areas in the border between the Reserve and the operations, of the establishment of surveillance points of

---

<sup>38</sup> Documentation presented to the FSC delegation show that there have been several reports by Peruvian authorities in relation to the illegal access of members of the community into the Territorial Reserve Madre de Dios to extract fish.

control, as well as of the protocol of action for the case of sightings and regular training of the personnel regarding the protocol.

In June 2025, the Board of Directors of FSC International considered the case of MADERACRE. Instead of making an individual decision regarding this case, the Board requested the Secretariat to develop an Advice Note specifying best practices for Forest Managers on how to respect the particular rights and livelihoods of Indigenous Peoples Living in Voluntary Isolation, based on:

- The FSC report on the strategy to address the issue of IPVIs and forest management certification in Peru.
- The case study presented at the BoD's meeting
- Recommendations of the PIPC
- The guidance and best practice guidance provided by the UN, the Inter-American Court and Commission on Human Rights, and the ILO.
- The guidance of the Board during the same meeting.

This Advice Note will be an interim measure of universal application until the FSC Principles and Criteria (P&C), and International Generic Indicators (IGIs) are revised including criteria and indicators for IPVIs.<sup>39</sup>

Furthermore, the Board also requested the Secretariat to also consider further recommendations in the above listed reports and to develop a plan for their implementation. The Secretariat was also requested to share a summary of the report on FSC's Strategy to address the issue of Indigenous Peoples in Voluntary Isolation and FM Certification in Peru to the membership and to communicate more effectively the measures that are being taken more proactively in relation to IPVIs, including a Motion discussion group on relevant IPs topics.<sup>40</sup>

For the time being, MADERACRE's certification will remain valid as it is, subject to a third-party verification of conformity with all the measures that MADERACRE claims having taken and for which supporting documentation has been shared with the Secretariat. Once the mentioned Advice Note is in place, MADERACRE will need to demonstrate conformity with the Advice Note.

---

<sup>39</sup> FSC, Approved decision record of Board Meeting 102, celebrated in Warsaw, Poland (9th-12<sup>th</sup> June 2025) p. 4-5.

<sup>40</sup> Idem.

## Seeking technical advice

Between July and September 2024, FSC International sought the technical advice from international organizations (IO) with authority to pronounce themselves and to interpret International Human Rights Law. The objective was to better understand how human rights obligations, which are generally addressed to States, translate to non-state actors, such as FSC and the certified organizations. In other words, FSC International sought clarification on its human rights duties towards Indigenous Peoples living in voluntary Isolation and guidance on how to fulfil those duties.

FSC International sought the technical guidance from the International Labour Organization (ILO), the United Nations Office of the High Commissioner of Human Rights (OHCHR), the United Nations Permanent Forum for Indigenous Issues (UNPFII) and the IACHR. FSC received a written answer from ILO providing some clarification of Business's human rights duties in accordance with ILO C169.

ILO Helpdesk for Business expressed that *"the particular situation of indigenous peoples in voluntary isolation is not expressly mentioned in the Indigenous and Tribal Peoples Convention, 1989 (No. 169). However numerous elements of C169 set out principles to guide business' respect for their rights while also respecting their right to remain in isolation"*.

ILO referred to Arts. 3, 4, 5, 7, 14, 15 and 18 of C169 and pointed to observations or direct requests, addressed to ratifying States, where the Committee of Experts on the Application of Conventions and Recommendations (CEACR) has applied C169 to indigenous peoples in voluntary isolation.

### The application of C169 to Indigenous Peoples in Voluntary Isolation (the obligations of States)

#### **Art. 3 – Obligation of States to guarantee that Indigenous Peoples enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination.**

This Article needs to be read together with Art. 4, because the latter establishes parameters that States need to follow when adopting measures to guarantee that IPs enjoy all human rights.

#### **Art. 4 – Obligation of States to adopt special measures for safeguarding IPs**

In relation to Art. 4, ILO highlighted that States have the obligation to adopt special measures as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned, and that such measures shall not be contrary to the freely expressed wishes of the peoples concerned.

As an example of instances where the Committee of Experts on the Application of Conventions and Recommendations (CEACR) has applied Art. 4 of C169 to indigenous peoples in voluntary isolation, ILO referred to a 2019 observation (sic) Direct request addressed to the Government of Colombia.

In this sense, not only are States obliged to adopt measures for safeguarding IPs, but they are also obliged to ensure that those measures are not contrary to their wishes. In the case of IPVIs, they wish to remain isolated, which means that any measure that the State adopts needs to be guided by this decision, as is further established in Art. 7.

#### **Art. 7 – Obligation of states to respect and guarantee the right of the IPs to decide their own priorities for the process of development**

In relation to this Art., ILO made special reference to paragraph 1:

*"1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development."*

This Article enshrines the right of IPs to self-determination, which is adapted to IPVIs below under the following section.

**Art. 14 – Obligation of States to recognise the rights of ownership and possession of the IPs concerned over the lands which they traditionally occupy**

According to C169, art. 4:

1. *The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised. In addition, measures shall be taken in appropriate cases to safeguard the rights of the peoples concerned to use the lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect.*
2. *Governments shall take steps as necessary to identify the lands with the peoples concerned traditionally occupy, and to guarantee effective protection of their rights of ownership and possession.*<sup>41</sup>

ILO referred to the Observation 2021 to the Government of Peru, where the CEACR noted that four indigenous reserves has been officially delimited for the IPVI in the regions of Cusco, Madre de Dios, Ucayali and Loreto. This shows that C169 was again applied to Indigenous Peoples in Voluntary Isolation, specifically in the Madre de Dios, Peru.

**Art. 15- Obligation of States to Safeguard the rights of the peoples concerned to the natural resources pertaining to their lands. These rights include the right of these peoples to participate in the use, management and conservation of these resources.**

ILO highlighted that this article has also been applied to issues pertaining to Indigenous Peoples in Voluntary Isolation in Peru in CEACRs Observation 2014 to the Government of Peru.

**Art. 18 – Obligation of States to establish by law adequate penalties for unauthorized intrusion upon, or use of, the lands of the peoples concerned, and governments shall take measures to prevent such offenses.**

ILO highlighted that the CEACR noted in its 2017 direct request to the Government of Peru that, despite the progress represented by the procedures for the recognition and registration of the IPVI, and the existence of a legal framework of protection, the main problem remains their implementation and the lack of a clear national strategy and actions of protection. The CEACR requested the Government to indicate whether other processes are pending to provide information on any difficulties encountered by the authorities to protect and ensure the integrity of the IPVI and the measures taken to overcome these.

In the 2021 direct request, the CEACR noted that the Government of Peru had adopted additional measures in relation to Art. 18, such as the adoption of the Legislative Decree No. 1374 establishing the system of penalties for non-compliance with the provisions of Act No. 28736 for the protection of indigenous or native peoples in situation of isolation and initial contact; and empowering the Ministry of Culture to supervise compliance with the legislation relating to the IPVI. It was also noted that between 2018 and 2021, a total of 189 monitoring operations in the reserves and 1,821 patrols in indigenous reserve access areas were carried out by the Ministry of Culture.

ILO made further references to the application of this article to Indigenous Peoples in Voluntary Isolation in Paraguay and Ecuador.

---

<sup>41</sup> Art. 14 has a third paragraph that was not mentioned by ILO Helpdesk for Business' letter to FSC: "3. Adequate procedures shall be established within the national legal system to resolve land claims by the peoples concerned".



## Guidance from the UN Human Rights System and the Inter-American System on Human Rights on the rights of IPVIs

The UN Human Rights System and the Inter-American System for Human Rights have developed guidance documents on the rights of IPVIs, which FSC has consulted for this case. Particular attention shall be paid to the “Guidelines on the protection of Indigenous Peoples in Voluntary Isolation and in Initial Contact of the Amazon Basin and el Chaco”<sup>42</sup> (2012), the “Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: recommendations for the full respect of their human rights”<sup>43</sup> (2013), the Report of the Special Rapporteur on the rights of Indigenous Peoples, José Francisco Calí Tzay on “Mobile Indigenous Peoples”<sup>44</sup> (2024), and the latest decision of the Inter-American Court of Human Rights (IACtHR) in the *Case of Tagaeri and Taromenane Indigenous Communities v. Ecuador*<sup>45</sup> (2025).

The first premise is that IPVIs have a right to enjoy all human rights internationally recognized, and that these rights must be considered in the context of their unique characteristics and the fact that they do not maintain sustained contact or reject contact with non-indigenous populations.

Some of IPVIs unique characteristics are that they live in a strict relationship of dependence with their ecological environment from which they derive their livelihood, worldview, social institutions and customs; they have decided to avoid contact with the rest of the society, they are in a unique situation of vulnerability and cannot advocate for their own rights.

Given their strict dependence on their environment, two rights are fundamental for the respect of IPVIs human rights: a) the right to self-determination and FPIC; and b) the right to their land, territory and natural resources.

When these rights are respected and guaranteed, then other human rights can also be respected, such as their right to live, culture, food, health, among others.<sup>46</sup> The IACHR reminds that contact with others and with non-indigenous persons presupposes, not only a risk to their health and lives, as they have no antibodies for common diseases, but above all, “a fundamental challenge to their worldview. When contact occurs, an entire system of beliefs, traditions and assumptions (...) on which they have based their way of life and culture (...) is irreversibly shattered. The result is the loss of such beliefs and traditions (...) possibly resulting in the disappearance of an entire human culture”.<sup>47</sup>

### The right to self-determination, FPIC and the principle of no contact

The right to self-determination of indigenous peoples was recognized in Art. 7 of ILO C169, Arts. 3, 4 and 5 of UNDRIP. This right is also in Art. III of the American Declaration on the Rights of Indigenous Peoples

---

<sup>42</sup> UNHCHR, “Directrices de protección para los pueblos indígenas en aislamiento y en contacto inicial de la región amazónica, el gran chaco y la región oriental de Paraguay” (mayo 2012). These Guidelines are based on: HRC. EMRIP. “Draft Guidelines on the Protection of Indigenous Peoples in Voluntary Isolation and in Initial Contact of the Amazon Basin and El Chaco” (30 June 2009). UN Doc. A/HRC/EMRIP/2009/6.

<sup>43</sup> IACHR, “Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: Recommendations for the full respect of their human rights” (2013).

<sup>44</sup> HRC, Resolution 51/16, “Report of the Special Rapporteur on the rights of Indigenous Peoples, José Francisco Calí Tzay – Mobile Indigenous Peoples” (16 July 2024).

<sup>45</sup> IACtHR. *Caso de los Pueblos Indígenas Tagaeri y Taromenane Vs. Ecuador*, Sentencia de 4 de septiembre de 2024 sobre Excepción Preliminar, Fondo, Reparaciones y Costas (publicada en marzo de 2025).

<sup>46</sup> HRC. EMRIP. “Draft Guidelines on the Protection of Indigenous Peoples in Voluntary Isolation and in Initial Contact of the Amazon Basin and El Chaco” (30 June 2009) para. 20; UNHCHR. Directrices de protección para los pueblos indígenas en aislamiento y en contacto inicial de la región amazónica, el gran chaco y la región oriental de Paraguay (Mayo 2012), para. 20; IACHR, “Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: Recommendations for the full respect of their human rights” (2013) para. 22; IACtHR. *Caso de los Pueblos Indígenas Tagaeri y Taromenane Vs. Ecuador*, Sentencia de 4 de septiembre de 2024 sobre Excepción Preliminar, Fondo, Reparaciones y Costas (publicada en marzo de 2025), para. 255.

<sup>47</sup> IACHR, “Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: Recommendations for the full respect of their human rights” (2013), para. 20.

(ADRIP), and the IACtHR has recognized that the right to self-determination of indigenous peoples is protected by Art. 23 of the American Convention relating to the right to cultural identity.

IPVIs decision to remain isolated is a manifestation of the right to self-determination.<sup>48</sup> One of the consequences of the respect for self-determination and the right of IPVIs to remain isolated is that IPVIs do not intervene in the conventional channels of participation, therefore, it is not possible to conduct free, prior and informed consultation concerning the determination of their territory and the development of investment projects or extraction of natural resources that may affect them.

The IACtHR consider that “the duty of consultation, in the case of IPVIs, translates into the obligation for the State to consider their decision to remain in isolation in any project or decision that may affect them, incorporating the precautionary principle and ensuring that the measures adopted are proportional, considering their nature and potential impact on the particular way of life of the IPVIs”.<sup>49</sup>

Some obligations of the State, arising from this are:

- Refrain from issuing declarations or taking actions that deny the presence of IPVIs in the national territory when there are indicia of their presence
- Adopt specific policies, legislation and regulations to protect the rights of IPVIs, particularly their vital spaces and to prevent outsiders or their actions from entering into situations that could affect or influence, either accidentally or intentionally, persons belonging to IPVIs.
- Establish monitoring mechanisms on a permanent basis, using methodologies that do not involve contact, to observe
- Adopt in the domestic legal framework, suitable and culturally appropriate judicial remedies for protecting the rights of IPVIs that consider representation through IPOs, where forced contact shall be penalized.
- Devise and institutionalize training programmes geared toward all relevant state officials at the local, regional and national level, for the protection of IPVIs, particularly to the respect of their right to self-determination and the principle of no contact
- On considering interventions or projects that may affect the rights of IPVIs to their lands, territories and natural resources, States are advised to consider these people’s rejection of contact as assertions of their decision to remain isolated and their non-consent to such interventions, and refrain from carrying them out.

### **The right to their land, territory and natural resources**

The rights of IPVIs to land, territory and natural resources are recognized in Arts. 14 and 15 of ILO C169, as well as in Arts. 10, 26, 27, 28, 29, 30 and 32 UNDRIP.

IPVIs totally depend on their environment and their lives resolve around and near-perfect symbiosis with that environment. This means that it is impossible to respect their decision to remain in isolation without guaranteeing and respecting the exercise of their territorial rights, as any attack to their environment would amount to an attack on their culture and would jeopardize the maintenance of their isolation.

The lands, territories and resources of IPVIs requires the fullest possible protection in order to prevent any action that could alter or modify the characteristics of the lands inhabited by IPVIs. To protect these lands, territories and natural resources, States should delimit this land in the first place.

---

<sup>48</sup> IACtHR. *Caso de los Pueblos Indígenas Tagaeri y Taromenane Vs. Ecuador*, para. 189; EMRIP. “Draft Guidelines on the Protection of Indigenous Peoples in Voluntary Isolation and in Initial Contact of the Amazon Basin and El Chaco”, para. 22; UNHCHR. Directrices de protección para los pueblos indígenas en aislamiento y en contacto inicial de la región amazónica..., para. 20.

<sup>49</sup> IACtHR. *Caso de los Pueblos Indígenas Tagaeri y Taromenane Vs. Ecuador*, para. 194.



Delimitation should be based on the use made of the land, and it should consider the nomadic characteristic of IPVIs.<sup>50</sup> According to the EMPRI, the delimitation should be made “only through indirect means as aerial photography of their camps, visits to abandoned camps, footprint analysis, abandoned implements, contacts reported by nearby peoples and/or testimony from indigenous persons who, for one reason or another, have left their isolation. The no-contact principle must always be taken as a basic requirement in the performance of such actions. Also, the delimitation needs to take into account the mobility patterns of IPVIs”.<sup>51</sup>

Two types of lands should be given special protection for the benefit of IPVIs:

- Lands and territories of IPVIs: those lands that enable them to maintain the ways of life and in which they have historically lived or travelled. Outsiders should be strictly forbidden to enter or to carry out any type of activity in these lands.
- Buffer zones: these are lands surrounding the lands of IPVIs. In order to prevent accidental contacts, specific protective measures should be taken to reduce their likelihood. Access to these zones should be restricted, economic activities should provide for mechanisms and physical barriers to avoid contact and activities within such zones should be monitored.

According to the jurisprudence of the IACtHR, the recognition of indigenous communal property rights must be guaranteed through the granting of a formal property title, or another similar form of state recognition, which provides legal certainty to indigenous land tenure against the actions of third parties or state agents.<sup>52</sup>

The IACtHR has also expressed that “the effective protection of the property rights of the IPVIs implies guaranteeing their intangibility, for which the State must, on one hand, refrain from actions that pose a risk of contact with the IPVIs. On the other hand, it also implies that the State must take measures to prevent third parties from violating this intangibility. This obligation of guarantee translates into the need to take effective measures in the face of known real risks of third-party incursions into the intangible zone”.

In summary, the guarantee of the protection of IPVIs lands has some basic components, such as:

- Recognize, through legislative or administrative measures, and in practice, the rights of IPVIs to their lands and ancestral territories
- Delimit, demarcate and title the ancestral lands with presence of IPVIs based on multidisciplinary and culturally appropriate mechanisms, and studies that take into account the areas in which the people or peoples in question move about and their specific situation, and with the participation of all relevant state agencies
- Establish the boundaries of buffer zones.
- Prohibitions of access by outsiders to the lands and territories of IPVIs, as well as of any type of economic or other activity in such lands, with special emphasis on extractive and missionary activities. This also implies that States should:
  - a) refrain from granting licenses or authorizations for extraction of natural resources in areas with the presence of IPVIs
  - b) in the event that there are current licences or authorizations for engaging in commercial activities related to the extraction of natural resources in areas with a presence of or use for transit by IPVIs, review their terms to determine what modifications are needed to ensure full respect for the rights of IPVIs, and implement those modifications promptly.

---

<sup>50</sup> As the IACtHR expressed, for the case of IPVIs, this “implies the duty of States to delimit the areas they occupy and have traditionally accessed”. IACtHR. *Caso de los Pueblos Indígenas Tagaeri y Taromenane Vs. Ecuador*, para. 206.

<sup>51</sup> HRC. EMRIP. “Draft Guidelines on the Protection of Indigenous Peoples in Voluntary Isolation and in Initial Contact of the Amazon Basin and El Chaco” (30 June 2009).

<sup>52</sup> IACtHR. *Caso de los Pueblos Indígenas Tagaeri y Taromenane Vs. Ecuador*, para. 199.

- Establishment of effective mechanisms for enforcing the above-mentioned prohibition, and sanctioning access to these areas or any form of forced contact.

### **The responsibility of business enterprises to “respect” Human Rights, particularly those of indigenous peoples in accordance with ILO C169**

When translating the obligations stated in C169, and the abovementioned documents on the rights of IPVIs, into guidance on the conduct expected from private entities, such as the FSC, ILO highlighted that private sector actors are called to **respect** international standards concerning human and labour rights, and honour commitments in conformity with national law and accepted international obligations.<sup>53</sup>

The private sector’s responsibility to respect human rights was first described in the UN Guiding Principles on Business and Human Rights, and later it was further clarified in an interpretative guide on the Corporate Responsibility to Respect Human Rights also prepared and published by the UN. Principle 11 states: *“Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved”*.<sup>54</sup> Avoiding infringing on human rights means avoiding causing harm.

Principle 13 states that:

*“The responsibility to respect human rights requires that business enterprises:*

*(a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur;*

*(b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts”*.

The guide explains that an “adverse human rights impact” occurs when an action removes or reduces the ability of an individual to enjoy his or her human rights.

Paragraph a) seems related to the responsibility of FSC-certified organizations, for example, FM certificate holders who conduct logging activities, to avoid adverse human rights impacts that could be caused by their operations. According to the guide, *“If an enterprise is at risk of causing or contributing to an adverse human rights impact through its own activities, it should cease or change the activity that is responsible, in order to prevent or mitigate the chance of the impact occurring or recurring. If an impact nevertheless takes place, the enterprise should engage actively in its remediation either directly or in cooperation with others (be it the courts, the Government, other enterprises involved or other third parties)”*.

Paragraph b) seems more related to FSC’s responsibility to prevent or mitigate adverse human rights linked to the operations by FSC certified organizations. In this case, *“If an enterprise is at risk of involvement in an adverse impact solely because the impact is linked to its operations, products or services by a business relationship, it does not have responsibility for the impact itself: that responsibility lies with the entity that cause or contributed to it. The enterprise therefore does not have to provide remediation (although it may choose to do so to protect its reputation or for other reasons). However, it has a responsibility to use its leverage to encourage the entity that caused or contributed to the impact to prevent or mitigate its recurrence. This may involve working with the entity and/or with others who can help.”* The FSC interprets that, in case FSC-certified operations are at risk of causing an adverse impact to the human

<sup>53</sup> ILO Helpdesk for Business, Answer letter to FSC to the request: “Please provide guidance on C.169 concerning people living in voluntary isolation in forested regions in Peru” (no date).

<sup>54</sup> OHCHR. “Guiding Principles on business and human rights. Implementing the United Nations “Protect, Respect and Remedy” Framework” (2011) 13. Available at: [GuidingPrinciplesBusinessHR\\_EN.pdf](#).

rights of any individual, FSC should use its leverage to encourage FSC certified organizations to prevent or mitigate the occurrence or re-occurrence of adverse human rights impacts.

Principle 15 is also particularly relevant to defining the responsibility of FSC's and FSC-certified organizations to respect human rights. It states that:

*"In order to meet their responsibility to respect human rights, business enterprises should have in place policies and processes appropriate to their size and circumstances, including:*

- (a) A policy commitment to meet their responsibility to respect human rights;*
- (b) A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;*
- (c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute."*

Principles 16 to 24 provide further details of the policy commitment, the human rights due diligence and the process to enable the remediation of any adverse human rights impacts business' cause of to which they contribute.

Furthermore, ILO and the International Finance Corporation (IFC) of the World Bank Group have made efforts to further deepen the understanding of business' responsibility to respect the rights of Indigenous Peoples in accordance with C169. According to ILO Handbook *"Understanding the Indigenous and Tribal Peoples Convention, 1989 (No. 169)"*, the responsibility of business enterprises, to respect human rights exist independently of State's human rights duties.

Also, the IFC has asserted that *"Non-compliance by governments will affect companies and may even lead to jeopardizing licenses and concessions"* and that *"there are circumstances where companies' actions could influence or compromise the State's implementation of its obligations under C169: private sector companies should not act in a manner that would interfere with the State's discharge of its obligations under its international agreements"*.<sup>55</sup> Therefore, ILO's Handbook advised companies to satisfy themselves that the government has fulfilled its responsibilities, which could be done by verifying whether, among others<sup>56</sup>:

- *The process used for identifying Indigenous Peoples' lands is consistent with C169,*
- *Procedures for resolving Indigenous Peoples' land claims and disputes have been subject to consultation,*
- *The title to land has been obtained properly, in accordance with the law, and without taking advantage of lack of understanding of laws in order to secure possession,*
- *The government authorities have recognized the rights of Indigenous Peoples to natural resources,*
- *Appropriate consultation has taken place prior to granting concessions or licenses.*

Furthermore, in relation to the right to land established in Art. 14 of ILO C169, the IFC mentions that

*"While land rights can only be granted by government entities, private companies can try to facilitate the legal recognition of indigenous and tribal peoples' rights to land, as well as efforts to demarcate areas over which these peoples have rights to land or claims to such rights. Such actions could include:*

- drawing the attention of governments to issues that need addressing*
- working with government and affected communities to seek resolution to outstanding disputes and land claims*

<sup>55</sup> ILO cited IFC, "ILO Convention 169 and the Private Sector: Questions and Answers for IFC Clients" (March 2007).

<sup>56</sup> ILO Handbook *"Understanding the Indigenous and Tribal Peoples Convention, 1989 (No. 169)"* (2013) 26.

- *facilitating the recognition of indigenous peoples' land claims if they so request (for example, by supporting efforts of indigenous communities to obtain formal legal rights to land through financial, legal or technical assistance) encouraging government-led consultations on land rights or facilitating government participation in company-led consultations on this subject*.<sup>57</sup>

Specifically, in relation to the situation of IPVIs, ILO's letter to FSC mentioned that *"IPVI cannot be contacted or consulted due to the need to protect their integrity. Therefore, the private sector faces fundamental challenges in applying their own policies and practices aiming to engage with Indigenous Peoples and prevent harm to occur because of their operations. Nonetheless, business should strive to respect the human rights of these peoples, working together with governmental and non-governmental institutions committed to protecting their health, culture and way of life"*. In the same letter, ILO also added that *"contact of external parties with IPVI entails serious risks for them, their way of life, their health and their very survival. Therefore, as part of their due diligence, private entities should consider additional safeguards for the human rights and integrity of IPVI"*.

In summary, the responsibility of business enterprises to respect human rights goes beyond mere compliance with national legislation. It exists independently of State's human rights duties and the non-compliance by governments might affect companies, and may even lead to jeopardizing licenses and concessions, companies are advised to satisfy themselves that the government has fulfilled its human rights obligations. This responsibility to respect human rights exists for all business organizations, who should ensure that they do not infringe on human rights of others, neither through their own activities nor through the activities of their business relationships. In the latter case, business enterprises should use their leverage to encourage their business partners to prevent or mitigate the occurrence of a negative human rights impact.

To fulfil their responsibility to respect human rights, business enterprises should have in place processes and policies, including a policy commitment to meet their responsibility to respect human rights; a human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights; and processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.

Specifically in relation to the right of Indigenous Peoples to land, where business enterprises are not convinced that the Government has granted land rights to Indigenous Peoples, business enterprises could try to facilitate the legal recognition of indigenous and tribal peoples' rights to land by drawing the attention of the Governments to the need to solve these issues, or working together with Governments and other relevant stakeholders to this end.

In the case of IPVI, given that the right to land is intrinsically related to the right to self-determination, namely to not be contacted, business organizations should consider additional safeguards for the human rights and integrity of IPVI, as part of their human rights due diligence.

### **Application of the responsibility of FSC to respect human rights to the case of Mashco Piro peoples in Peru**

Based on the summary above, in this section, the author will reflect on whether FSC's responsibility to respect the human rights of the Mashco Piro require FSC to terminate the certification of the organizations whose forest management units partially overlap with the expansion to the TR Madre de Dios.

In its submission of the Case No. 13.572 to the IACtHR of 1 November 2024, the IACHR concluded that the Mashco Piro people, who live in voluntary isolation, have traditionally used an extensive territory, which has not been fully delimited and protected in its entirety by the Peruvian State. When the current Territorial Reserve Madre de Dios was established in 2001, the Peruvian State did not consider the full extent of the

---

<sup>57</sup> Ibid, p. 7.

territory of the Mashco Piro but only a part of it. Furthermore, the State has not completed the categorization process for the expanded Indigenous Reserve Madre de Dios since 2016, despite evidence confirming the Mashco Piro's presence in the area.

Based on the reasoning of the IACHR, it appears that some areas that the Peruvian State declared as forest of permanent production and where logging concessions were granted in 2002 should have been protected in favour of the Mashco Piro peoples. In those lands outsiders should be strictly forbidden to enter or to carry out any type of activity. Furthermore, it also seems that the lands surrounding the Mashco Piro territories, should be protected as buffer zones where access should be restricted, and where economic activities should provide for mechanisms and physical barriers to avoid contact.

The maintenance of logging concession valid and active in areas traditionally used by the Mashco Piro, exposes the Mashco Piro to accidental contact with the loggers, which could be in violation of the right of the Mashco Piro to self-determination, FPIC and to the principle of no contact. This situation leaves the two FSC-certified organizations affected by this process in a position of legal uncertainty, and it leaves FSC in need to take a stance on whether the FSC and FSC-certified organizations should treat this territory as traditional lands used by the Mashco Piro people, despite not being legally recognized as such.

In March 2025, the Judgement of the IACtHR on the case *Pueblos Indígenas Tagaeri y Taromenane v. Ecuador* was published. Relevant for this case is the statement of the IACtHR, “*due to the close relationship between the protection of the territory and its resources, and the very existence of the IPVIs as ecosystemic peoples, it is considered that in the determination of their territory and in the measures for its protection, the precautionary principle should be applied, in the sense that, even in the absence of scientific certainty about the impact of oil exploration and exploitation projects on their territory, effective measures must be adopted to prevent serious or irreversible damage, which in this case would be the contact of these isolated populations. This also responds to the United Nations Guidelines of the United Nations that recommend incorporating the precautionary principle to guarantee the physical and cultural survival of the IPVIs*”.<sup>58</sup> For the Mashco Piro case, this Judgement can be interpreted mutatis mutandis in the sense that, even if the government has not made its final decision on the categorization process, and therefore there is no absolute certainty on the right-holders to that land, FSC should adopt measures to avoid adverse impacts on the human rights of IPVI Mashco Piro that could be caused by its business relationships, namely by FSC-certified organizations.

Against this backdrop, FSC needs to decide whether its responsibility to respect the human rights of the Mashco Piro requires it to terminate the certification of the organizations whose concessions partially overlap with Mashco Piro territory or not.

As mentioned above, FSC has a responsibility to prevent or mitigate adverse human rights impacts that may be linked to its FSC-certified organizations. In this sense, FSC is expected to use its leverage to encourage these organizations to prevent and mitigate the risk of infringing on the rights of the Mashco Piro people through their activities or operations.

FSC, as a voluntary certification scheme, influences FSC certified organizations' conduct through its policies, standards and procedures. Independent third parties check whether these standards are being followed. FSC Principles and Criteria require certified organizations to identify Indigenous Peoples in and around their forest management unit or who could be affected by their activities, as well as to identify legal and customary rights that those peoples may have over the land. Furthermore, FSC-certified organizations are required to engage with Indigenous Peoples and implement free, prior and informed consultation processes. Where there are disputes over the land with Indigenous Peoples, FSC-certified organizations are required to make efforts to resolve the dispute in an amicable manner. These requirements are based on engagement and dialogue, which are inadequate in the case of Indigenous Peoples in Voluntary Isolation (IPVIs), like the Mashco Piro, who avoid all contact.

As is further developed in the following section, FSC Principles and Criteria and the 2001 and 2024 National Forest Stewardship Standard for Peru do not have indicators or requirements that specify how FSC-certified organizations have to act in the case where, after having their certificate granted and valid,

---

<sup>58</sup> IACtHR. *Caso de los Pueblos Indígenas Tagaeri y Taromenane Vs. Ecuador*, para. 225.



they learn that their forest management unit partially overlaps with traditional lands of IPVIs, who cannot and should not be contacted. This gap can also be seen as an opportunity to further influence FSC-certified organizations who find themselves in such situations.

FSC can influence FSC-certified organizations towards preventing or mitigating any infringement to the human rights of the Mashco Piro people by setting indicators, criteria or requirements that lead FSC-certified organizations to:

- 1) interpret the decision of the Mashco Piro people to remain in isolation as their non-consent to any forest management activities in their territories or which may affect them, meaning, in the areas of the concession that overlap with territories traditionally used by IPVIs;
- 2) refrain from accessing into the Mashco Piro territories and from conducting any activity therein;<sup>59</sup>
- 3) establish a buffer zone between the limits of the Mashco Piro territories and the areas for forest management, in the form of a conservation area with restricted access;
- 4) request the governmental authorities to delimit the Mashco Piro territories and redefine the limits of the concession, if necessary;<sup>60</sup>
- 5) suspend activities in the event of sighting of IPVIs and implementation of a contingency plan that includes measures to prevent contact, responding to emergencies, guaranteeing the safety of IPVIs and workers, and measures to respect the rights of IPVIs.
- 6) adopt additional safeguards such as:
  - regular vaccination and medical control of all personnel of the organization
  - establishing surveillance and control points in all roads and rivers to prevent outsiders from accessing to the Mashco Piro territories
  - establishing protocols for sightings or involuntary contact with members of the Mashco Piro peoples, including regular and mandatory trainings for all personnel regarding the implementation of such protocols, and
  - any other safeguards that are considered necessary or appropriate.

FSC's influence is limited to organizations who hold an FSC certification. Non-certified organizations do not have to follow any standard established by FSC and conformance is not audited by third parties. This is evident already in the expansion area to the TR Madre de Dios. There is information of about 14 concessions which overlap with the territories being claimed in favour of IPVI Mashco Piro. Of those, only 2 are FSC-certified and FSC is analysing the possible response to these. FSC has no influence on any of the remaining concessions. For those operations, neither the public can exert pressure on FSC to strengthen its policies, standards and procedures in relation to IPVIs, nor FSC can encourage concessionaires to adopt safeguards to respect the human rights of the Mashco Piro people.

Based on the above, FSC is of the opinion that it has a higher leverage to encourage businesses' conduct towards preventing and mitigating the risk of infringing on the rights of the Mashco Piro where it maintains certification than where certification is terminated.

Another important aspect to consider is that the UN Guiding Principles on Business and Human Rights establish that the policies and processes that companies put in place to meet their responsibility to respect human rights should be appropriate to their size and circumstances (Principle 15). One key circumstance is that the overlap of the forest management units with the territories traditionally used by the Mashco Piro is a partial, not a full, overlap. If FSC sets indicators, criteria or requirements for respecting the rights of no contact the Mashco Piro and for refraining from implementing forest management activities in their

---

<sup>59</sup> This would encourage FSC-certified organizations to cease or change activities in IPVI territories as per Principle 13 a) of the UN Guiding Principles on Business and Human rights.

<sup>60</sup> This would encourage FSC-certified organizations to facilitating the recognition of indigenous peoples' land claims if they so request, as recommended by IFC in: ILO Handbook "Understanding the Indigenous and Tribal Peoples Convention, 1989 (No. 169)" (2013) p. 26.

territories and in the buffer zones, FSC's policies would take into consideration the specific circumstances of FSC-certified organizations. The termination of the certificate would not take into account this circumstance because it would affect the organization in its entirety, and not only the portion of the concession that overlaps with the Mashco Piro territory. Therefore, in the opinion of the FSC, maintaining certification with additional safeguards that are adequate to IPVIs seems better aligned with Principle 15 of the UN Guiding Principles on Business and Human Rights, than the alternative of terminating the certification.

In summary, FSC is of the opinion that it should not terminate the certifications of these organizations, it should instead use its leverage to encourage them to respect the rights of the Mashco Piro to their lands, natural resources, self-determination, cultural survival and all other human rights. This position seems to be aligned with the technical guidance that ILO provided to FSC, where it mentioned that "as part of their due diligence, private entities should consider additional safeguards for the human rights and integrity of IPVI".



## ASI investigation into the rights of IPVI in relation to FSC Forest Management Certification in Peru

The FSC commissioned ASI an investigation on whether and how FSC Principles and Criteria already cover the protection of IPVIs in general and define the approach to take in relation to the protection of the IPVI Mashco Piro in and around the Madre de Dios territorial reserve. FSC recognises that its decision needs to be in accordance with international and Peruvian law, therefore, the investigation intended to evaluate if there are gaps in the FSC system, and to identify the necessary requirements to ensure that the rights of IPVIs are well respected in the future.

The investigation objectives were:

1. Ascertain the human rights obligations of FSC FM certificate holders with regard to the protection and respect of the rights of IPVIs, in accordance with international and regional human rights treaties and national legislation.
2. Determine whether the FSC Principles and Criteria V5-3, particularly but not exclusively, Principle 3 adequately reflects the human rights obligations of private entities with regard to the protection and respect of the rights of IPVIs, in accordance with international and regional human rights treaties and national legislation.
3. Determine whether the 2024 NFSS for Peru (FSC-STD-PER-02-2024\_ES), particularly but not exclusively, Indicators under Criteria 3.1-3.4, adequately reflect the human rights obligations of private entities with regard to the protection and respect of the rights of IPVIs, in accordance with international and regional human rights treaties and national legislation.
4. Determine whether the 2001 NFSS for Peru (FSC-STD-PER-06-2001), particularly but not exclusively, Principles 1 (Criterion 1.3), Principle 2 (Criterion 2.3) and Principle 3 (Criterion 3.1), adequately reflect the human rights obligations of private entities with regard to the protection and respect of the rights of IPVIs, in accordance with international and regional human rights treaties and national legislation.
5. Determine whether and how CBs verified, particularly but not exclusively, Principles 1 (Criterion 1.3), Principle 2 (Criterion 2.3), Principle 3 (Criterion 3.1) and Principle 4 (Criteria 4.4 and 4.5) of NFSS Peru (FSC-STD-PER-06-2001) at the FM CHs selected for this investigation.
6. Make recommendations on how FSC can best contribute to the protection and respect of IPVIs in Peru according to Principle 3 and related international norms on IPs. In the event that a regulatory gap is identified, it is recommended that good practices in Colombia be examined in order to inform recommendations for FSC.

The methodology of the investigation included:

1. Literature review, including international treaties, regional treaties, international jurisprudence, national legislation and jurisprudence, academic journals and/or books, legal doctrine.
2. Review information stored and collected by ASI, including incidents and complaints.
3. Interviews with relevant stakeholders, including IPOs, Governmental authorities, CHs, CBs, CSOs and FSC staff and independent experts and academics.
4. Field investigations in Madre de Dios region in Peru over an 8-day period that included visits to the field offices of three concession holders and the forest of one concession holder.
5. A close review of the full reports of surveillance audits carried out over recent years (2020-2024) by three CBs on seven different certified concessions.

6. A close review of the FSC Principles and Criteria (V4, 2028 and V5-3, 2024), the Explanatory Notes for V5, the International Generic Indicators, and the FSC National Standards for Peru (2001 and 2024)
7. Submissions from Indigenous Federations and the ILO.
8. An expert report commissioned as background from a leading Peruvian human rights expert and lawyer
9. News media stories and websites.

ASI investigation found that, *“as of November 28, 2024, there were eight valid FSC Forest Management (FM) certificates for forestry concessions in Peru – 6 individual concessions and two group certificates. The total area of FSC certified forests is about 1 million hectares”*.<sup>61</sup>

Furthermore, *“as of November 28, 2024, there were four valid FSC FM certificates, one pending FM certificate, and one suspended FM certificate in Tahuamanu Province, Madre de Dios, Peru. Together these certificates account for 50% of the FSC certified area in the country, indicating the importance of this Province for FSC-certified forest products. The investigation’s on-site interviews included five of these 6 CHs.”*<sup>62</sup>

### **The human rights obligations of FSC FM certificate holders regarding the protection and respect of the rights of IPVIs**

Regarding the objective to ascertain the human rights obligations of FSC FM certificate holders with regard to the protection and respect of the rights of IPVIs, in accordance with international and regional human rights treaties and national legislation, ASI concluded that *at least 18 international law instruments establish the rights of Indigenous Peoples living in Peru. Prominent among them is the international ILO Convention 169 “Indigenous and Tribal Peoples Convention” (C 169), which includes specific provisions that address protection of the rights of IPVI. This international convention was adopted as Peruvian law in 1994 and is therefore part of the national legal framework that must be addressed by FSC certification. C 169 gave rise to important national legislation in 2002 which recognized the rights of seasonally migrating indigenous peoples and their right to territories, and therefore established Territorial Reserves for their protection.*<sup>63</sup>

*Peru’s “IPVI Law” (2006) required a recategorization of Territorial Reserves to Indigenous Reserves and mandated a process involving a Multi-sectoral Commission to re-evaluate Reserve boundaries based on updated information. As a result, an area to the east of the original boundary of the Madre de Dios Territorial Reserve was included in an expansion that recognized a larger territory being traditionally used by IPVI even though it overlapped with native communities and legally granted forest concessions.*<sup>64</sup>

*This expansion to the east and south is based on the best available information about the territory that IPVI traditionally had access to for their subsistence and traditional activities. The expansion has not been formally established in law, but the evidence calls for use of the precautionary principle to protect the rights of IPVI who occasionally use this area.*<sup>65</sup>

<sup>61</sup> During 2024, five other FM certificates were suspended and one terminated.

<sup>62</sup> ASI also states that: “Three of the seven certificates in the ASI work plan were in Tahuamanu region and all three were visited. The four other concessions in the work plan were in the Ucayali and Loreto regions. The audit reports for these concessions were reviewed, and certification bodies were interviewed remotely.” See: ASI, “Investigation into the rights of PIACI in relation to FSC FM Certification in Peru” (1 April 2025) p. 12.

<sup>63</sup> ASI, “Investigation into the rights of PIACI in relation to FSC FM Certification in Peru” (1 April 2025) p. 45 and 46.

<sup>64</sup> Ibid, p. 46.

<sup>65</sup> Ibid, p. 46.

## The alignment of FSC normative requirements with business' human rights obligations, as mandated by international and national human rights law

### FSC Principles and Criteria V5-3 (2023)

In relation to the question whether the FSC normative framework adequately reflects the human rights obligations of private entities with regard to the protection and respect of the rights of IPVI, ASI concluded that *"Principles 1 and 3 of the FSC P&C V5-3 (2023) adequately reflect the human rights obligations of private entities (i.e. concession holders in Peru) with regard to the protection and respect of the rights of IPVIs. The P&C and the IGI Explanatory Notes clearly establish that the requirements of C 169 are normative and must be included in a national standard in Peru and complied with by companies seeking FSC certification in Peru. This includes requiring and taking "special measures ... for safeguarding ... the cultures and environments of peoples concerned," including IPVIs.*<sup>66</sup>

*In addition, C 169 requires that a national standard and companies seeking FSC certification in Peru must address the requirement to pay "particular attention" to "nomadic peoples," including IPVIs, who do not "exclusively occupy" lands but have "traditionally had access to those lands for their subsistence and traditional activities."*<sup>67</sup>

*The Explanatory Notes and the IGI in Criterion 1.3 and Criterion 3.4 specifically address the needs of IPVIs in this regard. These mandate the development of clear and specific indicators in Criterion 1.3 and Criteria 3.1, 3.2 and 3.4 in Principle 3. However, there are no instructions about the inclusion of indicators to require specific measures to ensure that requirements of the UNDRIP and C169 relevant for IPVIs are addressed in a national standard. Guidance would be useful for national standard developers.*<sup>68</sup>

*The requirements of C 169 have been requirements for FSC certification in Peru since the development of the first FSC standard for Peru in 2001. They remain as requirements in the P&C V5-3 today. Four of the Criteria in Principle 3 in P&C V5-3 and the related IGIs focus on involvement and engagement and completion of agreements which are not relevant to the rights of IPVIs. This emphasis may lead standard developers in countries like Peru to focus on those IGI requirements and to neglect the development of strong indicators related to the rights of IPVIs, who are not in contact, and not protected by those IGI".*<sup>69</sup>

### 2024 FSC National Stewardship Standard for Peru

In relation to the 2024 FSC National Stewardship Standard for Peru, ASI concluded that: *"The indicators in Criteria 3.1<sup>70</sup> to 3.4 in the 2024 FSC National Standard for Peru closely follow the IGI, but they do not establish specific indicator requirements appropriate to the special and unusual situation for IPVI where there is an overlap in lands traditionally used by IPVI and areas of forest concessions authorized by the Government of Peru. ILO Convention C 169 is clear that special measures are required to protect the rights of IPVI in these situations.*<sup>71</sup>

*This gap specific to the rights of IPVI is apparent in the absence of specific Indicators with detailed requirements in Criterion 1.3 and in Criterion 3.1.*<sup>72</sup>

*Criterion 1.3 in the 2024 Peru national standard makes no reference to international agreements, only to "associated legal obligations as defined in applicable national law." However, as explained above, the fact*

---

<sup>66</sup> Ibid, p. 47.

<sup>67</sup> Idem.

<sup>68</sup> Idem.

<sup>69</sup> Idem.

<sup>70</sup> Two indicators in **Criterion 3.1** of the 2024 Peru national standard are directed specifically to IPVI. Indicator 3.1.3 requires: *"3.1.3: In Management Units that border territorial reserves or where the presence of indigenous peoples in isolation or initial contact (IPVI) has been reported, the Contingency Plan of the Ministry of Culture is applied."*

<sup>71</sup> ASI, "Investigation into the rights of PIACI in relation to FSC FM Certification in Peru" (1 April 2025) p. 48.

<sup>72</sup> Idem.

that Peru has ratified several international agreements, including C 169 makes them “applicable national law” and they are requirements in Criterion 1.3.<sup>73</sup>

This means that conformance with C 169 and its relevant Articles (for example Articles 4 and 14) is an FSC certification requirement. Therefore, certified concessions must demonstrate conformity through special measures to safeguard the cultures and environments of IPVI as well as rights to use lands not exclusively occupied by IPVI, but to which they have traditionally had access for their subsistence and traditional activities. In the current version of the 2024 Peru national standard, the Indicators for Criterion 1.3 do not include any such specific requirements to address these rights of IPVI.<sup>74</sup>

Criterion 3.1 has two indicators directed specifically to IPVI. Indicators 3.1.3 and 3.1.4, which require:

“3.1.3: In Management Units that border territorial reserves or where the presence of indigenous peoples in isolation or initial contact (IPVI) has been reported, the Contingency Plan of the Ministry of Culture is applied.”

“3.1.4: In the event of sightings or encounters with Indigenous Peoples in isolation or initial contact, evaluation reports are made to the respective authorities and institutions for pertinent actions.”

These two indicators added in 2024 require only that an Organization have a Contingency Plan and to report encounters. There are no indicators that set requirements about the contents of a Contingency Plan or that require special measures to respect rights and to avoid encounters. Additionally, Contingency Plans and reporting evidence are already legal requirements in Peru and required in Criterion 1.3 and the Contingency Plan is prepared by the Ministry of Culture, not the Organization. These indicators do not add any additional FSC requirements and do not provide any substantive requirements to protect the rights of IPVI.<sup>75</sup>

In addition, consistent with the emphasis of the IGI on engagement and contact, no other Indicators address requirements to respect IPVI rights in the absence of engagement or contact.<sup>76</sup>

The result is that the 2024 national standard for Peru does not adequately reflect international requirements (that are national law) related to IPVI in indicators in Criterion 1.3 or in Criteria 3.1, 3.2, 3.3 or 3.4.<sup>77</sup>

## **2001 FSC Standard for Forest Management in Peru**

In relation to the 2001 FSC Standard for Forest Management in Peru, ASI concluded that “The 2001 FSC Peru National Standard was an early standard, developed locally without international guidance or oversight. The Indicators were few and they were broad and open-ended, process-based requirements that could be met by policies and commitments rather than by specific actions. The Indicators in Criteria 1.3, 3.1, and 3.2 did not adequately reflect the human rights obligations in place at that time, and have not adequately reflected those obligations in more recent years when the 2001 standard has continued to be the standard used in all FSC certification in Peru”.<sup>78</sup>

Principle 1 in the 2001 standard refers to “all applicable laws... and international treaties and agreements to which the country is signatory.” **Criterion 1.3** refers to “provisions of binding international agreements” such as ILO conventions. Thus, the 2001 standard includes a Criterion and an Indicator in Principle 1 that does require compliance with C 169 and its related Articles. But it does not include any additional Indicators in Criterion 1.3 that establish any specific requirement that an Organization has to develop specific

---

<sup>73</sup> Ibid p. 35.

<sup>74</sup> Idem.

<sup>75</sup> Ibid p. 36.

<sup>76</sup> Ibid p. 48.

<sup>77</sup> Idem.

<sup>78</sup> Idem.

measures or take specific actions to demonstrate conformance with those C 169 requirements. Thus, it has been up to the discretion of CBs to interpret and assess these broad and vague requirements to comply with C 169.<sup>79</sup>

Indicator 2.3.3 required a forest manager to resolve disputes related to tenure and rights. A CB may have wrongly concluded that a dispute was resolved when they concluded the CH was in conformance with this Indicator. The CB also did not consider whether it was a “dispute of significant magnitude” because there were no indicators related to that requirement of Criterion 2.3”.<sup>80</sup>

### **CBs Assessments Reports of Conformity by CH with the 2001 Forest Management Standard for Peru**

This investigation involved a review of recent assessment reports conducted by FSC Certification Bodies (CBs) in the regions of Madre de Dios, Ucayali and Loreto to assess certificate holder conformity with the applicable standard.

*“A total of 17 different audit reports by three different CBs for seven concessions were reviewed. The reports were from the period 2020 – 2024 and included re-assessments and surveillance audits. The seven concessions were identified by ASI and FSC based on proximity to Indigenous and Territorial Reserves. As directed by the TOR, the review of these audit reports focussed on the CB assessment of conformity with Criterion 1.3, Criterion 2.3, Criteria 3.1, 3.2, 3.3 and 3.4, and Criteria 4.4 and 4.5 of the 2001 Forest Management Standard for Peru.”<sup>81</sup>*

*Conformance was verified through normal audit processes including stakeholder interviews and document review. Documents relating to process and statements of “respect” of the rights of IPVI were accepted as evidence of conformity. There is a high level of conformity and relatively few findings were issued in Criteria 1.3, 2.3, 3.1 4.4 or 4.5. This reflects the very open and vague requirements of the 2001 standard and the limited interest by the CBs in pursuing deeper issues and the requirements related to Indigenous rights set out in international agreements.<sup>82</sup>*

*Criterion 3.1 was considered to be not applicable in most cases. Most audit efforts by CBs were directed to the interaction with native communities, not IPVI. This is consistent with the content of the standard which also refers to native communities in most Indicators.<sup>83</sup>*

*CBs have not interpreted the standard as requiring evidence of special measures of special efforts to respect the rights of IPVI, especially on lands that are adjacent to the boundary of the Territorial Reserve where encounters with IPVI had been recorded, and in the expansion area to the east of the Reserve that overlaps concessions. CBs have not addressed the rights of IPVI, or conformity with the requirements of C 169.<sup>84</sup>*

*One CB did not identify a non-conformity with Indicator 2.3.3 even though an unresolved conflict appears to exist”.<sup>85</sup>*

*Note: Executive summary of ASI’s recommendations. For full reference to ASI recommendations, see ASI’s report.*

---

<sup>79</sup> Based on ASI, “Investigation into the rights of PIACI in relation to FSC FM Certification in Peru” (1 April 2025) p. 38.

<sup>80</sup> Ibid p. 48.

<sup>81</sup> Ibid p. 40.

<sup>82</sup> Ibid p. 49.

<sup>83</sup> Idem.

<sup>84</sup> Idem.

<sup>85</sup> The FSC has replaced ASI’s acronyms (CABs) for FSC’s acronyms (CBs) for consistency in the report and to avoid confusion by readers.



## ASI recommendations to FSC

1. *Require explicit conformity to international agreements, including the Indigenous and Tribal Peoples Convention, Convention 169 of the International Labour Organization, 1989 and the UN Declaration of the Rights of Indigenous Peoples.*<sup>86</sup>
2. *Make changes in the upcoming revision of FSC P&C V-5.3, IGIs and Explanatory Notes to ensure that the rights of Indigenous Peoples in countries in South America, Indonesia and elsewhere in the world, who choose to remain in voluntary isolation or are in initial contact, and to whom concepts of engagement and Free, Prior and Informed Consent are not applicable, are addressed and protected.*<sup>87</sup>
3. *Revise the 2024 National Forest Management Standard for Peru to enhance to the protection of the rights of IPVI.*<sup>88</sup>
4. *Recognize the expansion to the Madre de Dios Territorial Reserve as the “best available information” about the territory traditionally used by IPVI.*<sup>89</sup>
5. *Restrict forestry operations within the expansion area of the Madre de Dios Territorial Reserve.*<sup>90</sup>
6. *If FSC wishes to consider lifting the suspension of Maderera Canales Tahuamanu, FSC should apply several conditions to be met as conditions to lifting the suspension.*<sup>91</sup>
7. *Conduct a full assessment of the Forestal Rio Huascar concession prior to certification.*<sup>92</sup>
8. *Clarify information about the situation of IPVI and FSC certificate holders in the Peruvian Amazon, particularly with respect to misinformation that has had global coverage.*<sup>93</sup>
9. *Update the maps and information about the extent of roads and forest tracks in FSC certified concessions in the Peruvian Amazon.*<sup>94</sup>

---

<sup>86</sup> This is the summary of the recommendation as appears in the Executive summary of ASI's report in page 5. To consult the full recommendation, see: ASI, “Investigation into the rights of PIACI in relation to FSC FM Certification in Peru” (1 April 2025) p. 49 and 50.

<sup>87</sup> This is the summary of the recommendation as appears in the Executive summary of ASI's report in page 5. To consult the full recommendation, see: Ibid p. 50.

<sup>88</sup> This is the summary of the recommendation as appears in the Executive summary of ASI's report in page 6. To consult the full recommendation, see: Ibid p. 50 and 51.

<sup>89</sup> This is the summary of the recommendation as appears in the Executive summary of ASI's report in page 6. To consult the full recommendation, see: Ibid p. 51.

<sup>90</sup> This is the summary of the recommendation as appears in the Executive summary of ASI's report in page 6. To consult the full recommendation, see: Ibid p. 52.

<sup>91</sup> This is the summary of the recommendation as appears in the Executive summary of ASI's report in page 6. To consult the full recommendation, see: Idem.

<sup>92</sup> This is the summary of the recommendation as appears in the Executive summary of ASI's report in page 6. To consult the full recommendation, see: Ibid p. 53.

<sup>93</sup> This is the summary of the recommendation as appears in the Executive summary of ASI's report in page 6. To consult the full recommendation, see: Idem.

<sup>94</sup> This is the summary of the recommendation as appears in the Executive summary of ASI's report in page 6. To consult the full recommendation, see: Ibid p. 54.

## Conclusions

The long unresolved re-categorization process of the Territorial Reserve Madre de Dios in the Peruvian Amazon and the implications of it for FSC-certified organizations reached FSC and caused negative attention towards FSC. However, it has become an invaluable opportunity to test and enhance FSC's system.

While the media articles were related to one specific certificate holder (MCT) whose FMU partially overlaps with the expansion area of the Madre de Dios Indigenous Reserve, FSC soon realized that this is not an isolated case. Rather, this is an issue with at least three levels of interaction between FSC-certified FMUs and proposed or recently established indigenous reserves in favour of IPVI. In that context, FSC developed a strategy to make an informed decision to this issue.

The FSC delegation that interviewed multiple stakeholders in Peru in November, learnt that FSC is a very valued certification scheme in Peru. The forests in the Madre de Dios province are considered the best managed in the country, with higher biodiversity rates, higher resilience, and the best protected against threats of illegal logging or other illegal activities by criminal organizations. Many stakeholders claimed that FSC standards have played a key role in achieving this and that FSC-certified forests have served as buffer zones between the expansion of illegal activities (particularly drug trafficking) and IPVI territories.

FSC certification is important for forest management organizations operating in the Madre de Dios province. The FSC certified organizations in Madre de Dios province are also of significant importance for FSC, as ca. 50% of certified forests in Peru are in this province. There are 5 valid FM certificates and 1 suspended FM certificate in Madre de Dios, but only 2 certificates (MADERACRE and MCT) overlap with the proposed area of expansion of the Madre de Dios Indigenous Reserve.

FSC is supported by government authorities in Peru, civil society organizations, business and IPOs. During FSC's visit in Peru, the IPO interviewed valued positively that FSC has integrated the rights of indigenous peoples in its policy instruments: the Policy for Association and the FSC Principles & Criteria. It appears that the media campaign is not a sign of distrust against FSC, but a call to FSC to respect the rights of all Indigenous Peoples, including the rights of those who have decided to live in isolation, like the Mashco Piro. In the view of the IPO, the certification of logging concessions located within the expansion area of the Indigenous/Territorial Reserve Madre de Dios -which they consider indigenous territory- not only is against International Human Rights Law (ILO C169 and the UNDRIP), but it is also contrary to FSC's own policies because it does not respect the right to land, FPIC and self-determination of the Mashco Piro people, which puts their physical and cultural survival at risk. It is also apparent that the campaign has been used as a tool to exert pressure on the Peruvian Government and MCT, through FSC.

FSC also learned that despite the repeated calls of the IACHR to the Peruvian government to fulfil its human rights obligations towards the Mashco Piro people by finalizing the categorization process of the Madre de Dios reserve including the expansion area, the Peruvian government has not reached an agreement to implement the necessary measures to this end. The lack of agreement between the different Ministries and the lack of political will to finalize the categorization process, has left FSC with the task of deciding on the future of the certificates of organizations that hold valid legal concessions over lands that are overlapping with the expansion area of the reserve. This is a very political decision that implies a position on the recognition of the area as indigenous territory due to the traditional use of it by the Mashco Piro.

This situation has put the FSC system at test. The fact that the FSC-certified organizations hold legal concessions in an area claimed by IPOs as indigenous territory is not the problem. What tested the FSC system is the fact that the IPVI have a right to remain isolated, therefore engaging with them is not possible. This turns most of FSC's Criteria of Principle 1 and Principle 3, as well as related Criteria and Indicators of the 2001 and 2024 National Forest Stewardship Standards for Peru inadequate for IPVIs. In addition,



ASI's investigation has shown that CBs understanding and evaluation of conformity with FSC standards related to indigenous peoples' rights, especially in CHs operating in areas adjacent to indigenous reserves, seems to be poor. And finally, in ASI's 2023 compliance assessment (CA) at PbN, ASI also missed raising a potential non-conformity to the CB relating to indicator 2.3.3. It seems that the FSC system was insufficient to prevent and address this very complex and specific situation of interaction between IPVI territories and FSC-certified areas.

The insufficiencies in the FSC system to respect the rights of IPVIs is probably the result of a combination of factors, time being one of them. The 2001 National Forest Stewardship Standard for Peru was adopted in 2001 without any guidance in FSC's P&C to set indicators for IPVI. Furthermore, at that time the Territorial Reserve Madre de Dios, the Forest of Permanent Production, the Forestry law under which the concessions were granted, and the Peruvian IPVI law did not exist. It seemed impossible for the standard developers at that time to foresee the scenarios of interaction between IPVI territories and FSC-certified operations that arose some 15 years later, under a different legal landscape than the one existing when the standard was developed. Many developments happened during the 23 years in which the 2001 National Standard for Peru was in effect. The 2001 Standard is the one that applied to the CHs that are now in the expansion area of the Madre de Dios Indigenous Reserve.

Another factor that might explain why the FSC Principles & Criteria (2023) and the 2024 National Standard for Peru are also not to a 100% fit to foresee and address this issue is the difficulty of translating international human rights law -normally addressed to States- into concrete and verifiable requirements for private entities to *respect* the human rights of indigenous peoples in voluntary isolation. C169 and all other soft-law guidance documents developed by the UN and the Inter-American System on Human Rights for IPVIs are not designed to be directly applied by private entities. FSC needs to read C169 and corresponding national legislation through the lenses of the duty of private entities to *respect* human rights, and then set verifiable requirements, where organizations can demonstrate their *respect* to the human rights of IPVIs.

Aware of this difficulty, FSC has requested the technical advice from the UNOHCHR, ILO, the IACHR and the UNPFII. Only ILO replied with a letter which reaffirmed that the C169 applies to IPVI, and that *"IPVI cannot be contacted or consulted due to the need to protect their integrity. Therefore, the private sector faces fundamental challenges in applying their own policies and practices aiming to engage with Indigenous Peoples and prevent harm to occur because of their operations. Nonetheless, business should strive to respect the human rights of these peoples, working together with governmental and non-governmental institutions committed to protecting their health, culture and way of life", and that "as part of their due diligence, private entities should consider additional safeguards for the human rights and integrity of IPVI"*.

FSC's interpretation of its responsibility to respect the human rights of IPVIs require it to use its leverage to encourage FSC-certified organizations to respect the rights of the Mashco Piro to their lands, natural resources, self-determination, cultural survival and all other human rights. FSC can do this by setting indicators, criteria or requirements that lead FSC-certified organization to refrain from accessing and conducting activities in the areas of their concession that overlap with the expansion to the TR Madre de Dios, and to adopt additional safeguards.

In relation to the case of MCT, FSC found that in addition to the issue of overlap between its concession area and territories claimed in favour of IPVIs, the main issue was the conflict between MCT and a local IPO, which goes well beyond the issue of overlap between the certified FMU and the expansion area of the Madre de Dios Indigenous Reserve. Their conflict is primarily related to the questionable conduct of the local IPO to achieve control over the territory concessioned to MCT, on the one side, and the potentially disproportionate use of litigation by MCT to defend its concession and to silence the local IPO, on the other side. In its investigation, ASI found that the CB did not identify a potential non-conformity with Indicator 2.3.3 even though an unresolved conflict appeared to exist.

Against this backdrop, FSC has now the invaluable opportunity to strengthen its system and to be a pioneer in showing “respect” for the rights of IPVI.

## Proposed solutions

This section presents some potential solutions, partly based on ASI's recommendations to FSC, with FSC's own adaptations.

### Normative developments

#### At global level

##### **1. Develop an Advice Note on the interpretation of Principle 1 in relation to demonstrating conformity with C169**

ASI concluded that the CB reports reviewed during the investigation do not make any reference to the requirements of C169 or evidence about actions or measures that the CHs had implemented. Declarations from managers that they are aware of C169 has been sufficient to demonstrate conformity. This could be a practice more broadly spread beyond Peru.

Therefore, it is recommended that FSC develop an advice note to require explicit conformity with the business' responsibility to respect the rights of Indigenous Peoples, included in international agreements like C169 and UNDRIP. The Advice Note should set specific actions and measures that CHs need to take to demonstrate conformity, not simply policy statements about compliance with C 169. FSC could use Principles 11-24 of the UN Guiding Principles on Business and Human Rights could guide the content of the Advice Note.

For example, the Advice Note could set additional criteria for CHs to "respect" the rights of indigenous peoples, as established in C169, such as: *"Having in place policies and processes appropriate to their size and circumstances, including:*

- (a) A policy commitment to meet their responsibility to respect the human rights of Indigenous Peoples established in C169, including the right to land and the right to self-determination of IPVIs;*
- (b) A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on IPs. In order to ensure the correct identification, prevention and mitigation of risks of human rights impacts on IPVIs, the organizations shall consult the government authorities responsible for their protection;*
- (c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute."*

##### **2. Make changes in the upcoming revision of FSC P&C V-5.3, IGIs and Explanatory Notes to ensure that the rights of Indigenous Peoples in voluntary isolation are protected through FSC National Standards**

ASI recommends FSC to include in the upcoming revision of FSC P&C V-5.3 and supplementary documents the following changes:

- The P&C should revise Criterion 3.2, 3.3, 3.5 and 3.6 to ensure that the rights of Indigenous peoples in countries in South America, Indonesia and elsewhere, who have chosen to remain in voluntary isolation or are in initial contact, and to whom concepts of engagement and Free, Prior and Informed Consent are not applicable, are addressed and protected.
- The International Generic Indicators should provide indicators in Criteria 1.3, 3.2, 3.3, 3.5 and 3.6 that are applicable specifically for the rights of Indigenous Peoples to whom the concepts of engagement and Free, Prior and Informed Consent are not applicable.

- Explanatory Notes and Instructions for Standard Developers should outline the requirements for Indicators that protect the rights of IPVI in countries where they live.

### At national level in Peru

#### **Publish an Advice Note to the 2024 National Forest Management Standard for Peru to enhance to the protection of the rights of IPVI.**

FSC should develop an Advice Note, that contains the following three elements:

- a) A requirement regarding “respect” of the rights of IPs, specifying how these rights need to be interpreted for IPVIs, particularly where the FMU overlaps with an existing Indigenous Reserve.
- b) Requirements to address cases where an FMU that is already certified, is later identified as part of a territory of traditional use by an IPVI population through a well-documented process and the best available information; or where an FMU may overlap with a territory traditionally used by IPVIs, but such territory has not been delimited and the boundaries of their territory are not clearly defined.
- c) Requirements to address cases where an FMU borders or is adjacent to an Indigenous Reserve, without any overlap.

#### **a) A requirement regarding “respect” of the rights of IPs, specifying how these rights need to be interpreted for IPVIs, particularly where the FMU overlaps with an existing Indigenous Reserve.**

FSC should, by means of an Advice Note provide additional requirements for Organizations to “respect” the rights of indigenous peoples, as established in C169 and UNDRIP, for example:

- (a) The Organization shall have a policy commitment to meet their responsibility to respect the human rights of Indigenous Peoples established in C169, including the responsibility to uphold the principle of no contact if IPVI live near or transit through its FMU;
- (b) The Organization shall have a human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on IPs. In order to ensure the correct identification, prevention and mitigation of risks of human rights impacts on IPVIs, the organizations shall consult the Ministry of Culture;
- (c) The Organization shall have a process to enable the remediation of any adverse human rights impacts they cause or to which they contribute.”

This requirement should also specify that where a FMU partially overlaps with an area already declared as territorial or indigenous reserve in favour of IPVIs, the FMU is not eligible for certification.

#### **b) Requirements for cases where a certified FMU, is later identified as part of a territory of traditional use by an IPVI population through a well-documented process and the best available information, but it has not officially been declared as Indigenous Reserve; or where an FMU may overlap with a territory traditionally used by IPVIs, but such territory has not been delimited and the boundaries of the IPVI territory are not clearly defined. For such cases, the Secretariat may consider two options:**

### **Option 1**

FSC could set indicators for excising the portion of the FMU that overlaps with a territory that is identified as part of a territory of traditional use by an IPVI population through a well-documented process and the best available information, but that has not been declared as an Indigenous Reserve; or where an FMU may overlap with a territory traditionally used by IPVIs, but such territory has not been delimited and the boundaries of the IPVI territory are not clearly defined. The Organization should refrain from accessing this area and from conducting any activity therein, meaning that the Organization should not timber harvest, extract non-timber forest products, construct roads, bridges and other infrastructure. Any operation on the area overlapping with the Indigenous Reserve would be an unacceptable activity, as per Policy for Association.

### **Option 2**

Setting aside as “conservation areas” the part of the FMU that overlaps with a territory that is identified as part of a territory of traditional use by an IPVI population through a well-documented process and the best available information, but that has not been declared as an Indigenous Reserve; or where an FMU may overlap with a territory traditionally used by IPVIs, but such territory has not been delimited and the boundaries of the IPVI territory are not clearly defined. The Organization should refrain from accessing this area.

In both options, FSC should consider setting additional requirements or safeguards, such as:

- Setting aside an intangible conservation zone of [xx] meters between the border of the Indigenous Reserve and the managed forest – as a buffer zone, with restricted access.
- Developing and implement a protocol for action in event of IPVI sighting and involuntary encounters.
- Requesting the governmental authorities to delimit the IPVI territories and redefine the limits of the concessions, if necessary.
- Training regularly all personnel working for the certified organization on the protocol for action in event of IPVI sighting and involuntary encounters.
- Making efforts to establish a cooperation agreement with the Ministry of Culture to support the surveillance and monitoring of the Indigenous Reserve in the border between the concession and the IPVI territory.
- Establishing regular vaccination and medical controls of all personnel of the organization
- Suspend activities in the event of sighting of IPVIs and implementation of a contingency plan that includes measures to prevent contact, responding to emergencies, guaranteeing the safety of IPVIs and workers, and measures to respect the rights of IPVIs.

Both options could also include more verification requirements for CBs, in relation to the public consultation process, where the FMU evaluated overlaps or is adjacent to a IPVI territory, for example:

- Notify and seek targeted participation of the Ministry of Culture and AIDSEP in evaluation processes, as interested stakeholders on areas that could have presence of IPVIs.

Comparative table of Option 1 and Option 2		
	Option 1: Excising overlapping area from scope of certification	Option 2: Setting overlapping area as intangible conservation area
Scope	<p>Both solutions are designed to apply to all CHs whose FMU partially overlaps with territories that are in the process of categorisation as Indigenous Reserves, as long as the Multisectorial Commission has approved the Additional Study for Categorization (ASC). FMU that overlap in full with IPVI territories should be automatically ineligible for certification.</p> <p>Considering the ASC as the threshold to apply this requirement to the organizations is in line with ASI's recommendation no. 4, where it states that FSC should recognize the expansion to the TR Madre de Dios as the "best available information" regarding the territory that IPVIs have traditionally used for their livelihoods and activities. The ASC not only is "best available information", but it also defines the boundaries of the IPVI territories, which gives indications of the portions of the FMU that overlap with IPVI territories.</p> <p>This solution could also apply to CHs whose FMU may overlap with a territory traditionally used by IPVIs, but the delimits and the boundaries of the IPVI territory are not clearly defined. In such case, certified organization would need to request the Government to delimit the IPVI territory and, based on that information, apply all the safeguards stated above.</p>	
Political acceptability	<p>Likely to be acceptable to most social stakeholders. Potentially too onerous for CHs.</p> <p>Some of the safeguards could be strongly criticised by or be unacceptable to some stakeholders (e.g. "Requesting the governmental authorities to delimit the IPVI territories and redefine the limits of the concessions, if necessary"), which could be perceived as lack of deference to the national legislation or competent authorities' decisions.</p>	<p>Likely to be unacceptable to IPOs, CSO and some branches of the Peruvian government. Potentially acceptable to CHs, CBs and some other branches of the Peruvian government.</p> <p>Some of the safeguards could be strongly criticised by or be unacceptable to some stakeholders (e.g. "Requesting the governmental authorities to delimit the IPVI territories and redefine the limits of the concessions, if necessary"), which could be perceived as lack of deference to the national legislation or competent authorities' decisions.</p> <p>FSC could be perceived as following the interests of economic actors.</p>
Risks	<p>It may be difficult for CBs to evaluate conformance with the requirement of refraining from accessing to the IPVIs territories, since CBs themselves would not be allowed to access to those territories. Alternative verification methods that do not require access might be needed, such as the use of satellite imagery to confirm that</p>	<p>It may be difficult for CBs to evaluate conformance with the requirement of refraining from accessing to the IPVIs territories, since CBs themselves would not be allowed to access to those territories. Alternative verification methods that do not require access might be needed, such as the use of satellite imagery to confirm that</p>



	<p>no activities have taken place in those areas, review of registries at surveillance points, or others.</p> <p>Conformance with the requirement to request the Government to redefine the boundaries of its concession could be unfeasible on the ground, as such redefinition is out of the control of CHs.</p>	<p>no activities have taken place in those areas, review of registries at surveillance points, or others.</p> <p>Conformance with the requirement to request the Government to redefine the boundaries of its concession could be unfeasible on the ground, as such redefinition is out of the control of CHs.</p>
--	--	--

These political acceptability and the risks should be pondered by the Working Group tasked with developing an Advice Note.

**c) Requirements to establish additional precautionary measures for certified FMU that border or are adjacent to an Indigenous Reserve.**

The advice note should also address the situation where a FMU is bordering or is adjacent to an indigenous reserve (there is no overlap, only close proximity). In this regards, FSC should follow ASI's recommendation to FSC to include requirements of Criteria 1.3, 3.1 and 3.2 of the existing FSC Principles and Criteria V5.3. As a starting point, FSC should consider the following wording proposed by ASI:

Indicators in Criterion 1.3

*"1.3.1 Organizations shall develop and implement specific measures to demonstrate conformity with the applicable requirements of nationally-ratified international agreements including C 169, the Indigenous and Tribal Peoples Convention of 1989. Where IPVIs are around the FMU, Organizations shall also include measures aligned with the specific guidance by the IACHR and UNHCHR relative to the rights of IPVIs."*

Indicators in Criterion 3.1

*"3.1.4 In management units where adjacent or nearby areas are identified as territory of IPVI, the Organization shall develop and implement a documented management plan to avoid encounters with IPVI. This plan shall be based on a precautionary approach to preventing encounters with IPVI and should include, where applicable:*

- establishment of intangible conservation areas at the border between the concession and the IPVI territory, as a buffer zone;*
- establishment of monitoring and control*
- identification of all streams, rivers and riverbanks as areas where risk of encounters is more likely and establishment of "buffer zones" or "forest reserves" with no activity;*
- identification of other areas within the concession where risk of encounters is more likely;*
- prohibition of any boat use or other access to rivers and riparian areas, including for fishing activities, by forest workers;*
- consideration of the known seasonal or periodic use of specific areas by IPVI and restrict forestry operations accordingly to avoid encounters;*
- other measures to avoid contact with IPVI."*

The plan required in this proposed Indicator is an addition to, and does not replace, the Anthropological Contingency Plans required in current Indicator 3.1.3. The Contingency Plans adequately describe how

to respond to evidence of IPVI in the form of encounters, sightings and signs, but do not adequately document a preventative approach to avoiding encounters.

Indicators in Criterion 3.2

*“3.2.2. In management units where adjacent or nearby areas are identified as territory of IPVI, the Organization implements measures that protect the rights of IPVI to use territories and resources on lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities.”*

Disclaimer: the Working Group tasked with developing an Advice Note will consider these proposed solutions together with other inputs and the comments received through the public consultation. The Advice Note will not necessarily follow these proposals literally.

## Assurance enhancement

### At CB level

FSC and ASI should develop a training and calibration workshop for auditors regarding the evaluation of Principle 3, FPIC, and the new indicators relating to IPVI.

### At ASI level

ASI should increase surveillance of CBs evaluation of conformity with Principle 1, which requires complying with International Treaties (including ILO C169) and UNDRIP, as well as evaluation of the Advice Note to 2024 National Forest Management Standard for Peru regarding IPVI rights.

## TLA's suspension of Maderera Canales Tahuamanu SAC

### Re-evaluate Maderera Canales Tahuamanu as a condition to lift its suspension.

According to ASI's report, if FSC considers lifting the current suspension of MCT, FSC should require the following actions prior to taking that action:

- After FSC has developed the Advice Note to **the 2024 National Forest Management Standard for Peru to enhance to the protection of the rights of IPVI**, MCT shall demonstrate conformity with the Advice Note.<sup>95</sup>
- *An accredited CAB shall conduct a full re-assessment, prior to the certificate expiry date of 22/12/2025, using an audit team that includes international auditors and a specialist in Indigenous Peoples to evaluate conformance with the 2024 National Forest Management Standard for Peru including the revised indicators Criterion 1.3, 3.1 and 3.2 proposed above.*<sup>96</sup>
- *The re-assessment shall include a full evaluation of compliance with Indicators 1.6.2 and 1.6.4 of the 2024 Forest Management Standard for Peru to determine if the dispute between MCT and Indigenous Organizations (FENAMAD and others) is “resolved” or in “dispute resolution” as required by Indicator 1.6.2 or is a “dispute of substantial magnitude or duration” as defined in Indicator 1.6.4.*<sup>97</sup>

<sup>95</sup> This is an adaptation by FSC. ASI's report reads “MCT shall establish “conservation areas” or “forest reserves” or other designations over the entire area of its concession that is within the expansion of the Madre de Dios Territorial Reserve and shall make a commitment to not carry out any forest management activities (i.e., no timber harvest or extraction of non-timber forest products, or construction of roads, bridges and other infrastructure) within this area”. See: ASI, “Investigation into the rights of PIACI in relation to FSC FM Certification in Peru” (1 April 2025) p. 52.

<sup>96</sup> Idem.

<sup>97</sup> Idem.

## **Communicate proactively**

FSC should communicate more proactively and effectively on the actions taken to investigate, understand and address concerns regarding the “respect” of the rights of IPVIs.

## **Deepen engagement**

FSC should engage more with IPOs regarding all the opportunities that IPs have to be part of FSC (e.g. Family and Community Forest Certification) and concepts that could be interesting for IPVIs (e.g. intact cultural landscapes).

## Bibliography

- Aramís Castro, “Narcotráfico y deforestación avanzan en zonas de la Amazonía donde viven los pueblos indígenas en aislamiento”, Ojo Público (03 de noviembre de 2024).
- ASI, “Investigation into the rights of PIACI in relation to FSC FM Certification in Peru” (1 April 2025).
- ASI, Glossary, ASI-INF-20-001-ASI Glossary -V5.3 (27 May 2024).
- ASI, Public summary of the compliance assessment to Preferred by Nature OÜ (ASI-APP-066), FSC FM/COC, Peru (22-25 August 2023), Assessment no. A-20210245008.
- Comisión Interamericana de Derechos Humanos, Caso No. 13.572 Pueblos Indígenas Mascho Piro, Yota y Amahuaca (1 de noviembre de 2024).
- Defensoría del Pueblo del Perú, “La categorización de la Reserva Territorial Madre de Dios y la protección de los derechos de los pueblos en situación de aislamiento y contacto inicial”, Informe no. 002-2019-DP-AMASPPI-PPI (5 de septiembre de 2019).
- Defensoría del Pueblo del Perú, “La protección de los derechos de los pueblos indígenas Mashco Piro en situación de aislamiento y de las comunidades nativas del río Alto Madre de Dios”, Informe no. 004-2016-DP/AMASPPI-PPI (2 septiembre de 2016) 2.
- Estudio Adicional para la Categorización de la Reserva Territorial Madre de Dios, elaborado por Enrique Herrera Sarmiento. Equipo técnico: Enrique Herrera Sarmiento (antropólogo), Rosa Barrios Collantes (abogada), Claudia María Gálvez-Durand Besnard (bióloga), Edith Ana Condori Yajahuanca (ingeniera forestal), Juda Augusto (especialista indígena), Rosita Silvano (especialista indígena), Heidi Rubio Torgler (bióloga), Francisco Estremadoyro (ingeniero forestal) (23 de febrero de 2016).
- FSC, Approved decision record of Board Meeting 102, celebrated in Warsaw, Poland (9th-12th June 2025) 4-5.
- HRC, EMRIP, “Draft Guidelines on the Protection of Indigenous Peoples in Voluntary Isolation and in Initial Contact of the Amazon Basin and El Chaco” (30 June 2009). UN Doc. A/HRC/EMRIP/2009/6, para. 20.;
- HRC, Resolution 51/16, “Report of the Special Rapporteur on the rights of Indigenous Peoples, José Francisco Calí Tzay – Mobile Indigenous Peoples” (16 July 2024) UN Doc. A/79/160.
- IACHR, Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: Recommendations for the Full Respect of their Human Rights (2013).
- IACtHR, *Caso de los Pueblos Indígenas Tagaeri y Taromenane Vs. Ecuador*, Sentencia de 4 de septiembre de 2024 sobre Excepción Preliminar, Fondo, Reparaciones y Costas (publicada en marzo de 2025).
- IFC, “ILO Convention 169 and the Private Sector: Questions and Answers for IFC Clients” (March 2007).
- ILO Handbook, “Understanding the Indigenous and Tribal Peoples Convention, 1989 (No. 169)” (2013)
- ILO Helpdesk for Business, Answer letter to FSC to the request: “Please provide guidance on C.169 concerning people living in voluntary isolation in forested regions in Peru” (no date).
- ILO, C169 “Indigenous and Tribal Peoples Convention” (1989) No. 169.
- Ministerio de Cultura del Perú, Ficha técnica del Pueblo Mashco Piro: [Ficha Mashco Piro.pdf \(cultura.gob.pe\)](#)
- Ministerio de Cultura y USAID, “Los pueblos indígenas en aislamiento y contacto inicial de la amazonía peruana: mecanismos para la protección de sus derechos” (2016).

OHCHR, “Directrices de protección para los pueblos indígenas en aislamiento y en contacto inicial de la región amazónica, el gran chaco y la región oriental de Paraguay” (mayo 2012).

OHCHR, “Guiding Principles on business and human rights. Implementing the United Nations “Protect, Respect and Remedy” Framework” (2011).

OHCHR, “United Nations Declaration on the Rights of Indigenous Peoples” (2007) UN Doc. A/RES/61/295.

Ojeda, W. Nalvarte, W. Moreno and M. Alvarez, Memoria del Seminario-Taller “La Zonificación Ecológica-Económica y el Ordenamiento Territorial de la Región de Madre de Dios” (1 y 2 de septiembre de 2005).

RESOLUCIÓN MINISTERIAL N° 0427-2002-AG, “Declaran como Reserva del Estado área ocupada por pueblos indígenas en aislamiento voluntario, ubicada en el departamento de Madre de Dios” *El Peruano* (25 de abril de 2002).

UN, “Protecting the Rights of Indigenous Peoples in Voluntary Isolation and Initial Contact” (no date).

WWF, “Promoting Integrated Sustainable Management of the Peruvian Amazonian Landscape Madre de Dios” (no date).

WWF, Reporte PE 2015, “Consultoría estudios adicionales de categorización de la Reserva Territorial Madre de Dios. Estudio antropológico”, prepared by Enrique Herrera Sarmiento, (06 de julio de 2005).



**FSC International – System Integrity Unit**

Adenauerallee 134

53113 Bonn

Germany

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

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

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