

ADVICE-20-007-22 **Advice Note on requirements for certificate holders introduced by the Policy to Address Conversion and M37/2021**
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Normative reference	FSC-POL-01-007 V1-0 <i>Policy to Address Conversion</i> FSC-STD-01-001 V5-3 <i>FSC Principles and Criteria for Forest Stewardship</i> FSC-STD-60-004 V2-1 <i>International Generic Indicators</i>
Approval date	02 May 2023 (by Director Policy Operations)
Effective date	01 July 2023
Expiry date	This Advice Note expires in a country once a Forest Stewardship Standard based on FSC-STD-60-004 V2-1 becomes effective in the country and the transition period towards that Forest Stewardship Standard is completed. NOTE: Once The Organization has transitioned to the revised Forest Stewardship Standard, The Organization is no longer required to conform with this Advice Note.
Scope	This Advice Note applies to any person or entity holding or applying for FSC Forest Management certification and certification bodies with Forest Management in their accreditation scope when conducting an evaluation.
Terms and Definitions	<p>Conversion: A lasting change of natural forest cover or High Conservation Value areas, induced by human activity. This may be characterized by significant loss of species diversity, habitat diversity, structural complexity, ecosystem functionality or livelihoods and cultural values. The definition of conversion covers gradual forest degradation as well as rapid forest transformation.</p> <ul style="list-style-type: none"> • Induced by human activity: In contrast to drastic changes caused by natural calamities like hurricanes or volcanic eruptions. It also applies in cases of naturally ignited fires where human activities (e.g. draining of peatlands) have significantly increased the risk of fire. • Lasting change of natural forest cover: Permanent or long-term change of natural forest cover. Temporary changes of forest cover or structure (e.g. harvesting followed by regeneration in accordance with the FSC normative framework) is not considered conversion. • Lasting change of High Conservation Value (HCV) areas: Permanent or long-term change of any of the High Conservation Values. Temporary changes of HCV areas that do not negatively and permanently impact the values (e.g. harvesting followed by regeneration in accordance with Principle 9) is not considered a lasting change. • Significant loss of species diversity: Loss of species is considered significant where rare species and threatened species or other locally important, keystone and/or flagship species are lost, whether in terms of numbers of individuals or in terms of number of species. This refers to both displacement and extinction.

NOTE: The establishment of ancillary infrastructure necessary to implement the objectives of responsible forest management (e.g. forest roads, skid trails, log landings, fire protection, etc.) is not considered conversion.

NOTE: This definition applies in the context of Criteria 6.9 and 6.11, i.e., from 31 December 2020 on (see definition of conversion in <FSC-POL-01-007 V1-0 Policy to Address Conversion>).

Direct involvement: Situations in which the associated organization or individual is first-hand responsible for the unacceptable activities (Source: FSC-POL-01-004 V2-0).

High Conservation Value (HCV): Any of the following values:

- HCV1: Species Diversity. Concentrations of biological diversity including endemic species, and rare, threatened or endangered species, that are significant at global, regional or national levels.
- HCV 2: Landscape-level ecosystems and mosaics. Intact Forest Landscapes, large landscape-level ecosystems and ecosystem mosaics that are significant at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.
- HCV 3: Ecosystems and habitats. Rare, threatened, or endangered ecosystems, habitats or refugia.
- HCV 4: Critical ecosystem services. Basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.
- HCV 5: Community needs. Sites and resources fundamental for satisfying the basic necessities of local communities or Indigenous Peoples (for example for livelihoods, health, nutrition, water), identified through engagement with these communities or Indigenous Peoples.
- HCV 6: Cultural values. Sites, resources, habitats and landscapes of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or Indigenous Peoples, identified through engagement with these local communities or Indigenous Peoples. (Source: based on FSC-STD-01-001 V5-2).

High Conservation Value Areas: Zones and physical spaces which possess and/or are needed for the existence and maintenance of identified High Conservation Values (source: FSC-STD-60-004).

Indirect involvement: Situations in which the associated organization or individual, with a minimum ownership or voting power of 51%, is involved as a parent or sister company, subsidiary, shareholder or Board of Directors to an organization directly involved in unacceptable activities. Indirect involvement also includes activities performed by subcontractors when acting on behalf of the associated organization or individual (Source: FSC-POL-01-004 V2-0).

The Organization: The person or entity holding or applying for certification and therefore responsible for demonstrating compliance with the requirements upon which FSC certification is based.

Very limited portion: The affected area shall not exceed 5% of the Management Unit, irrespective of whether the conversion activities have taken place prior to or after The Organization is awarded with FSC Forest Management certification (Source: FSC-POL-01-007 V1-0).

Background At the 9th FSC General Assembly in October 2022, Motion 37/2021 *Required changes to the FSC Principles and Criteria to implement the Policy to Address Conversion* was passed by the membership. This motion

contained key changes to Criteria 6.9 and 6.10, and a new Criterion 6.11 of <FSC-STD-01-001 FSC Principles and Criteria for Forest Stewardship>, including the introduction of a new cut-off date of 31 December 2020 and the possibility to certify land converted between 1 December 1994 and this date, if remedy for social and environmental harms caused by the conversion is provided. Following the updates to FSC-STD-01-001, the corresponding International Generic Indicators under FSC-STD-60-004 have been aligned following <FSC-PRO-01-001 V4-0 The Development and Revision of FSC Requirements, Section 12: Alignments between requirements>.

Forest Stewardship Standards will be revised to reflect these changes according to <ADVICE-60-006-02 V1-0 Advice Note on Incorporation of new or revised International Generic Indicators introduced in future versions of FSC-STD-60-004 into National Standard (National Forest Stewardship Standards and Interim National Standards)>.

This Advice Note regulates how these changes to the Principles and Criteria and to the International Generic Indicators affect any person or entity holding or applying for FSC Forest Management certification until the relevant requirements have been incorporated into the relevant Forest Stewardship Standard.

ADVICE From the effective date of this Advice Note and until a revised Forest Stewardship Standard (FSS) incorporating the changes resulting from M37/2021 becomes effective in a country and the transition period towards that Forest Stewardship Standard is completed:

1. The revised Criteria 6.9 and 6.10, and the new Criterion 6.11 in <FSC-STD-01-001 V5-3 FSC Principles and Criteria for Forest Stewardship> supersede the corresponding criteria laid out in the existing FSS.
 2. The Organization shall conform with the International Generic Indicators under Criteria 6.9 and 6.10, and the new Criterion 6.11* in <FSC-STD-60-004 V2-1 International Generic Indicators>.
 3. Clause 2 shall prevail over conflicting, inconsistent, or otherwise incompatible requirements in existing FSS.
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***International Generic Indicators under Criteria 6.9 and 6.10, and the new Criterion 6.11**

6.9.1 There is no conversion of natural forest or High Conservation Value Areas to plantations, or to non-forest land-use, nor transformation of plantations on sites directly converted from natural forest to non-forest land-use, except when it:

- 1) Affects a very limited portion of the Management Unit, and
- 2) Will produce clear, substantial, additional, secure, long-term conservation and social benefits in the Management Unit, and
- 3) Does not damage or threaten High Conservation Values, nor any sites or resources necessary to maintain or enhance those High Conservation Values.

6.10.1 Based on Best Available Information, accurate data is compiled on all conversions between 1 December 1994 and 31 December 2020 within the Management Unit.

6.10.2 Areas converted from natural forest to plantation between 1 December 1994 and 31 December 2020 are not certified, except where:

- 1) The conversion affected a very limited portion of the Management Unit and is producing clear, substantial, additional, secure long-term conservation benefits in the Management Unit, or
- 2) The Organization which was directly or indirectly involved in the conversion demonstrates restitution of all social harms and proportionate remedy of environmental harms as specified in the applicable FSC Remedy Framework, or
- 3) The Organization which was not involved in conversion but has acquired Management Units where conversion has taken place demonstrates restitution of priority social harms and partial remedy of environmental harms as specified in the applicable FSC Remedy Framework, or
- 4) The Organization qualifies as a small-scale smallholder.

6.11.1 Based on Best Available Information, accurate data is compiled on all conversions of natural forests and High Conservation Value Areas after 31 December 2020 within the Management Unit.

6.11.2 Areas where natural forests or High Conservation Value Areas have been converted after 31 December 2020 are not certified, except where the conversion:

- 1) Affected a very limited portion of the Management Unit, and
 - 2) Is producing clear, substantial, additional, secure long-term conservation and social benefits in the Management Unit, and
 - 3) Did not threaten High Conservation Values, nor any sites or resources necessary to maintain or enhance those High Conservation Values.
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