Interpretation of Principle 6 (Criterion 6.4.5)

BACKGROUND
On January 16, 2014, Rainforest Alliance (RA) filed an Interpretation Request with FSC Canada. In accordance with FSC International’s draft Standard FSC-STD-60-006, FSC Canada consulted with two external and independent peer experts in drafting the interpretation. FSC Canada will work to clarify and align our Standard Interpretation policy with FSC International’s draft Standard FSC-STD-60-006 once it is formally approved.

The questions concern the interpretation of Indicator 6.4.5 in the National Boreal Standard, which states:

The applicant has documentation demonstrating support by interested parties (e.g. Environmental NGOs and Indigenous Peoples).

QUESTIONS addressed by FSC Canada:

1. Who is an interested Party?
2. Does support of interested party need to be documented?
3. Is it conformance if the certificate holder has obtained support from other parties than those mentioned in 6.4.5?
4. In the absence of documented support is evidence of best efforts to achieve support adequate? If so how should best efforts be evaluated?

INTERPRETATION

1. Who is an interested Party?
National Boreal Standard indicators 6.4.3 and 6.4.5 describe ‘interested parties’ but no definition is provided for the term ‘parties’. The closest definition of ‘interested parties’ is ‘interested stakeholder’, defined in the National Boreal Standard. The term ‘interested’ is defined as “having a desire to participate or be consulted” (National Boreal Standard). Both terms ‘parties’ and ‘stakeholders’ have similarities, are consistent with FSC international terminology. The following definition will be used:

Interested Stakeholder. An individual or organization with an interest in the state and/or management of a forest as a result of economic, social, spiritual or conservation-oriented ties to the forest and having a desire to participate or be consulted.
2. **Does support of interested party need to be documented?**

   The support of an interested party(s) needs to be documented. Support may be for the process and/or outcomes. Verifiers for indicator 6.4.5 include:

   - Letters of support from interested parties
   - Minutes of meetings with interested parties

   The absence of documented support by interested parties is not an acceptable option for conformance to indicator 6.4.5.

3. **Is it conformance if the certificate holder has obtained support from other parties than those mentioned in 6.4.5?**

   Indicator 6.4.5 provides examples of interested parties – e.g. Environmental-NGOs, Indigenous People’. These are examples of interested parties, but support from other interested parties who may have the ‘desire to participate or be consulted’ may also be identified with support sought. FSC does not exclude any party who shows interest and a desire to participate or be consulted.

   Indicator 6.4.5, however, needs to be read in relation to Criteria 6.4 and the proceeding indicators. It should be understood that 6.4.5 ‘interested parties’ are the same ‘interested parties’ as described in 6.4.3. It is the intent of the indicator that support is given from those who have been involved in the gap analysis and candidate protected areas process as described in 6.4.3. Because indicator 6.4.5 addresses actions related to protected areas, the examples provided in 6.4.5 of interested party(s) (Environmental-NGOs and Indigenous Peoples), will most likely be the interested party(s) whose support is sought. Without the demonstration of this support, it will be difficult for the applicant to demonstrate that the support obtained is not lobbied and skewed to their interest. Not all interested parties cooperating in 6.4.3 need to demonstrate support in 6.4.5.

4. **In the absence of documented support is evidence of best efforts to achieve support adequate? If so how should best efforts be evaluated?**

   Best effort is not adequate to demonstrate support as described in 6.4.5. The certificate holder needs to demonstrate that there is support by interested parties who have cooperated in the process and/or outcome of the gap analysis and candidate protected areas process as described in 6.4.3.