

DRAFT

FSC Standards Revisions in Canada

Standards Development Group – Terms of Reference

September 17, 2019

1. Background

In February 2012, FSC International membership approved the revised Principles & Criteria (P&Cs). FSC P&Cs are the guiding framework for developing regional forest management standards globally.

In January 2013 the FSC Canada membership approved a Strategic Direction motion to create a national standard with common indicators and regional indicators where warranted.

The Forest Management Standards Revision Process started in August 2012 with the Process Design Phase. The first step was a survey asking Canadian stakeholders about the values important to them.

In June 3, 2019, the FSC National Forest Stewardship Standard of Canada (FSC-STD-CAN-01-2018 V1-0) (hereafter referred to as the Standard) was released. Its effective date will be January 1st, 2020.

However, other actions need to be completed to finalize the process. Two more years of work and consultation are expected.

2. Overview of tasks

Tasks includes:

- Develop a Scale, Intensity and Risk (SIR) version of the FSC National Forest Stewardship Standard of Canada for smallholders and community forests;
- Integrate indicators related to Intact Forest Landscape (IFL) and Indigenous Cultural Landscape (ICL) into the Standard;
- Develop and integrate indicators based on 23 new IGI;
- Network Partners related work associated to the implementation of the Pesticide Policy as the development and integration of indicators related to pesticides, based on the IGI that will be developed by FSC IC working group;
- Provide preliminary advices regarding implementation, maintenance and monitoring of the Standard;
- Incorporate a Risk-based approach in National Forest Stewardship Standard (FSC-PRO-60-010 V1) – timeline to be determined.
- Etc.

3. Standards Development Group (SDG)

3.1 Objectives of the Process

The FSC Standards Committee, a committee of the Canada Board of Directors, will provide oversight and strategic direction in the development/completion of the Standard material as necessary.

Representation on the Standards Development Group is across chambers (Aboriginal, Social, Environmental and Economic), with an equal number of people in each chamber and consideration for regional representation, gender balance and diversity of experience.

The main objective of the Standards Development Group is to:

1. Support the development/completion/modification of the Standard with common indicators and regional indicators, where warranted. The development/completion/modification of the Standard will involve supporting the transfer and adaption of FSC International Generic Indicators (IGIs) and the development of Canadian specific SMART (Specific, Measurable, Attainable, Rational, Timebound) indicators. Furthermore,
 - 1.1 Support the determination of whether the FSC IGIs need to be 'Nationally Adapted'.
 - 1.2 Support the determination of which IGIs and Canadian indicators need to have the concept of 'Scale, Intensity and Risk' applied.
 - 1.3 Support the determination and identification of warranted regional indicators.
 - 1.4 Support the determination of the development of 'intent' statements.
 - 1.5 Strive for the indicators to be simple and practical.
 - 1.6 Focus on field performance, as far as possible.
2. Support the follow-up and monitoring of the indicators developed.
3. Propose wording for indicators to improve the Standard, as necessary.

3.2 Eligibility

Members of Standards Development Groups shall be selected as follows:

- a) Members should engage and contribute in a constructive manner that serves to support the development of the FSC Canada's Standard;
- b) Two representatives from each chamber (Aboriginal, Environmental, Economic, Social). In special cases, a primary and alternate will be named and will share one seat;
- c) Members should have expert knowledge and/or experience of FSC certification, forest management, and related issues;
- d) Members should have up-to-date knowledge and experience of FSC's

- systems and procedures;
- e) Members should represent the points of view from the corresponding FSC chamber, and the points of view of small, medium and large enterprises affected by the standard;
 - f) Members should understand the potential impact of the Standard on affected stakeholders;
 - g) Members should understand and support FSC's mission and vision;
 - h) Members are expected to review and comment on documents submitted in the working language(s) established for the Standards Development Group;
 - i) Members should have experience with consensus based multi-party processes;
 - j) Members should have the availability to fulfill the expected time and work requirements associated with the Standards Revision Process.

Standards Development Group members may be asked to leave the Group by the FSC Canada Board if they are not fulfilling their duties properly. In these situations, the Chamber shall recommend a replacement.

3.3 Responsibilities

The SDG is responsible for:

1. Signing off on the terms of reference, workplan and timeline;
2. Setting up a Consultative Forum for the standards revision process;
3. Attending face to face and conference call meetings. At least one chamber representatives is required at meetings in order to meet quorum;
4. Scrutinizing and recommending draft standards;
5. Signing off on all drafts of the standard before they are submitted to FSC Canada and to stakeholders for consultation;
6. Reviewing and advising on comments submitted by stakeholders and suggesting wording on specific aspects that might achieve consensus support from all members of the Standards Development Group;
7. Liaising with technical experts and regional groups;
8. Maintaining confidentiality as defined in these terms of reference;
9. Aligning the Standards Revision Process with most FSC Principles, Criteria and International Generic Indicators;
10. Supporting the implementation of FSC CA Approved Motion *Strategic Direction of the Standards Revision Process*;
11. Seeking a formal motion for the recommendation to submit the draft standard for approval to FSC Canada Board of Directors and FSC Standards and Policy Unit.

The SDG shall:

- Serve as a liaison: SDG members serve as chamber representatives, engaging members in their respective chambers and bringing chamber perspectives back

to the SDG.

- Seek comprehensive advice on all aspects of the National Revision Process from the FSC, FSC Regional and National Offices and other Network Partners, FSC-accredited certification bodies, FSC certificate holders, FSC members, FSC stakeholders and/or relevant technical experts.
- Provide detailed input to the development of drafts.
- Review and consider stakeholder comments received during the consultations and outside of the consultations.
- Participate in stakeholder outreach and information-sharing forums, as possible.

3.4 Decision Making

The Standards Development Group shall make its decision on the draft standard, or other material, by consensus, defined as general agreement in favor of the motion, with the absence of sustained objection from any member of the Standards Development Group. Should any member of the SDG feel unable to support a particular point, or points, a minority opinion may be expressed within the report without detracting from the consensus achieved on the balance of the work. If consensus cannot be reached, then the FSC Canada Board of Directors can step in and make the final decision based on available technical information.

Furthermore:

1. At any time, any member of the SDG and/or the FSC CA representative can voice concern to, and/or request guidance from the FSC CA Standards Committee.
2. The FSC Canada Board of Directors has formal decision-making authority in the development of normative documents and oversight of Forest Stewardship Council in Canada.
3. If a final draft cannot be agreed within the time specified in the Standards Development Group's work plan, advice of the FSC CA Board of Directors and/or Policy and Standards Unit shall be sought as to how to proceed.
4. Each member of the SDG has the responsibility to operate responsibly and in accordance with the Terms of Reference and applicable procedures, including effective representation of chambers and regions. He/she ensures that all members of the SDG have the opportunity to express their opinions and concerns, striving for consensus in all deliberations and decision-making.
5. In order for the SDG to meet and deliberate, there must be quorum of the SDG, defined as a minimum of four SDG members, including at least one member per Chamber.
6. FSC CA representative will strive to select meeting dates and venues that allow for full participation of all SDG members.

7. At least one chamber representative of SDG must participate in each point of decision-making in order to meet quorum. If member(s) are not present for a decision, then a provisional decision may be made, subject to participation by the absent member(s). Quorum is required for any provisional decisions, and full member participation is preferred. The SDG shall strive and make every effort possible to take decisions by consensus (see Glossary), with the support of a facilitator/ moderator.
8. If consensus cannot be achieved, then the decision shall be taken by voting. In the case of a vote, agreement by 5 of the 8 chamber seats of the SDG members, including at least one member per chamber, shall be considered a decision. If a decision cannot be reached by voting, then the arguments for and against the issue shall be documented and the issue shall be forwarded to the FSC Canada Board of Directors. In all cases, outstanding concerns of individual SDG members shall be documented and presented to the FSC Canada Board of Directors in the final report that accompanies the document presented for decision.
9. Expert recommendations from appointed technical experts will be strongly considered and if the recommendation is not followed, the rationale for this decision by the SDG will be documented and justified.

3.5 Cases where Chamber Seat is Shared by Two Members

In cases where the SDG chamber members share a seat, one member will be identified as the primary and the other will be considered as the alternate. It is the responsibility of the 2 members to communicate in all actions related to participating on the SDG.

One member only is expected to participate on calls and in-person meetings. The members are expected to alternate between calls and meetings.

3.6 Disclaimer

The opinions and recommendations of the Members of the Standards Development Group will be those of the individuals and not attributed to their respective employers or any organizations with which they may be associated.

4. Expert input and FSC representatives & staff role

Technical experts may be appointed to participate in Standards Development Group discussions. These technical experts shall have voice in the Standards Development Group discussions, but technical experts shall not participate in decision-making.

The FSC CA representative, FSC Staff and any other supportive personnel shall also not participate in any decision-making. When considering the SDG's input while proposing draft indicators language to the SDG, the FSC CA representative will need to be clear

on which input has the SDG's support per se. The SDG shall make the decision to recommend the final draft of the normative document to the FSC Canada Board of Directors for final approval. Formal decision-making authority on the approval of FSC normative documents rests with the FSC Canada Board of Directors.

NOTE: Members of the FSC International Board of Directors, FSC CA staff and FSC accredited certification bodies shall not be eligible for formal decision making and therefore Standards Development Group membership, but they may be appointed as technical experts.

5. Compliance to all FSC Standards and Policies

The SDG shall take into account all relevant FSC documents pertaining to the process (refer to Section 1.8 of Annex A, FSC-STD-60-006 (v1-2) and should use existing resources in developing, reviewing and revising the National Standard including, but not limited to:

- FSC Principles & Criteria, FSC's definition of Controlled Wood, FSC-STD-60-006 (v1-2).
- The Explanatory Notes of the revised P&C (FSC-STD-01-001 V5);
- Forest Stewardship Council FSC-GUI-60-004 (final, amended PSC version) FSC Forest Stewardship Standards: Structure, Content and Suggested Indicators;
- International Generic Indicators (FSC-STD-60-004);
- Existing and approved National and Regional Forest Stewardship Standards and interim CB standards;
- Recommendations of the Plantations Working Group;
- FSC Canada stakeholder survey results;
- Results from Motions contributing to indicator development;
- New motions, advice notes and Policies.

6. Chairing and Coordination of the Process

The SDG will be chaired by FSC Canada staff member (FSC CA representative). The Chair will be independent from any one chamber and broker consensus rather than represent any one chamber. FSC Canada staff will act as the facilitator and coordinator and will be responsible for all record keeping for the process.

The FSC CA representative is responsible for drafting the documents based on input from the SDG and coordinating with other expertise as necessary. Where practicable, drafts will be done in "track changes" format to facilitate SDG review of changes and progress, and the FSC CA representative will also provide an indication of where additional changes have been requested by the SDG or its members. The FSC CA representative also provides mechanisms that the SDG can use to communicate with

the stakeholders they represent.

7. Consultative Forum and stakeholder Engagement

7.1 Consultation Forum

The Standards Development Group shall be responsible for setting up a Consultative Forum for the standards development process.

The role of the Consultative Forum shall be to ensure that all stakeholders who may be affected by the implementation of the standard have the opportunity to comment, formally, during the standard development process. FSC Staff will support the development of a Consultative Forum and stakeholder engagement.

Membership of a Consultative Forum shall be open to any stakeholder on request. The number of members shall not be limited.

The Consultative Forum shall at a minimum include individuals and/or organizations reflecting the full range of stakeholders affected by the standard(s) under development at the national level.

The Consultative forum shall be consulted and kept informed at each stage of the standards development; their comments being addressed and recorded.

7.2 Communication Plan

Various drafts of the Standard will be posted by FSC Canada on the FSC Canada website and distributed directly to FSC members, certificate holders, certification bodies and the general distribution list, which includes a range of stakeholders. Input received on draft standards will be recorded and considered during the development of the final Standard and responded to within a summary of comments.

8. Languages

The working language for the Standards Development Group will be English.

All formal drafts for consultation, as well as other documents as requested and as possible, shall be translated into French.

9. Confidentiality

Discussions and drafts of the Standard are considered confidential and SDG members resolve not to speak to any media about this process or its products until the Standard or other related material has been made public by FSC Canada.

All documents prepared by or presented to the SDG are assumed to be public unless identified otherwise by FSC and agreed by the SDG.

The SDG operates according to Chatham House Rules. So, while members of the SDG have full authority to share the non-confidential substance of discussions and papers, they shall not report or attribute neither the comments of individuals nor their affiliations outside of meetings, whether conducted face to face or virtual. The default approach of the SDG is that the non- attributable content of discussions and papers is not confidential, unless so specified.

10. Time Commitment

Estimated time of SDG members required to participate in the process will fluctuate throughout the process but is approximately 3 days per month for two years, on average.

11. Honorarium and Expenses

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

Participation in the Standard Development Group takes place on a voluntary non-paid basis and honoraria will not be provided. However, FSC Canada will cover travel-related costs associated with the Standards Development Process, if requested by the SDG member. Expenses including travel and accommodation for face-to-face meetings will be compensated according to FSC Canada's Travel Guidelines.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

For Standards Development Group Member:

For FSC Canada:

SDG Member

Date:

Location:

Francois Dufresne

Date:

Location:

Annex 1. Principles for an Effective Process

Effective Working Group Meetings

- Established solid foundation at the start (objectives, roles, timetable, etc.)
- Agreed meeting protocols
- Detailed agendas provided before and at meetings; meeting materials provided well in advance of meetings whenever possible to ensure that members have sufficient time to review.
- Clear decision-making structures, e.g., Use of decision-making matrix based on criteria that need to be considered and scenario-testing
- Simple, logical discussion format, e.g., commencing with clarifying the issue(s) and available information before starting to comment
- Regular, ongoing temperature checks on points-of-agreement
- Decision point, end of day and end of meeting summaries
- Development of workplan during the first meeting to guide process
- Use of FSC CA Staff and technical experts in drafting the documents to support SDG's role and task
- Decision on use of sub-groups, break-out groups in meetings, etc.
- Temperature check from stakeholder groups before a final draft is recommended to the FSC Board for approval.
- When impasse issues arise that cannot be resolved by the SDG, they will be addressed through the consultative process, with options and perspectives circulated for consultation. The SDG will then work to resolve the issues based on comments received. If the issue is highly technical in nature, additional research/ investigation on that issue might also be called upon to provide additional information for making informed decisions.
- Straw poll of the SDG before going to decision-making.

Effective communications and representative of stakeholders.

SDG members are encouraged to consult and represent the views of their respective constituencies. FSC CA Staff will support SDG members outreach with stakeholders. This includes:

- Allowing FSC to advertise their contact details within their constituency
- Attending related stakeholder meetings when possible
- Proactively contacting a range of stakeholders during the standards revision process
 - a combination of soliciting views on questions/issues; sharing information and building enthusiasm for formal consultations.
- Coordinating with other colleague(s) to ensure a wide range of views are sought
- Passing on agreed public statements emerging from SDG meetings
- Representing the views of their constituency within the SDG meetings for the betterment of FSC and its mission. At the beginning of sessions, SDG members will be asked for 'report-outs' to share input they have received

from their constituents.

At the end of meetings, specific issues will be identified which SDG members are expected to consult. These issues may be posted on the website for easy access.

To support stakeholder engagement, the FSC CA representative will also:

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

Annex 2. Glossary

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

Chamber balanced Working Group: a group of selected FSC members with professional experience in the field of question, to advise and provide content related input to the development or revision process of a FSC normative document, equally representing the perspectives of the social, environmental and economic chamber of the FSC membership (and "southern#" and "northern#" perspectives in case of a Sub-chamber balanced Working Group).

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

Consensus: general agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests. NOTE: Consensus should be the result of a process seeking to take into account the views of interested parties, particularly those directly affected, and to reconcile any conflicting arguments. It need not imply unanimity (adapted from ISO/IEC Guide 2:2004).

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

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