



## **FAQ on Congo Basin Standard development process**

### **1. Why is the process of the development of the Congo Basin standard taking long?**

The process of the development of the Congo Basin standard started in March 2008. A need for a wider outreach to the stakeholders in the sub-region, the need for resources at earlier stage of its development to bring many people from different countries and different chambers together, coupled with limited experience in standard setting of some Members of Standard Development Group (SDG), are reasons for the delay in the Congo Basin standard process. Since October 2010, the process was accelerated with financial support and training to the improvement of capacities of FSC-Congo Basin -SDG Members.

### **2. When will the standard be approved?**

Approval of the Congo Basin regional Standards is foreseen for April 2012 when the Policy and Standards committee is planned to meet to approve pending standards under the old P&C.

### **3. If the regional standard is not approved by the Policy and Standards Committee, what will happen?**

Before sending National/ Regional standards to the Policy and Standards Committee (PSC), the Policy and Standards Unit (PSU) does a technical evaluation to ensure that all major issues that might hinder the approval have been addressed. This would mean in principle that almost all standards that reach the PSC should get approved.

The PSC is a balanced chamber members committee with delegated powers from the FSC International Board of Directors. The committee evaluates and approves on behalf of the FSC Board proposed FSC National Forest Stewardship Standards, which were evaluated and technically assessed by PSU.

The Committee's decisions are made by consensus. When consensus cannot be reached, the reasons for not approving a standard will be provided to the developers of the National or Regional Standard Development Group, together with a request to address them.

The committee either:

- a) Gives a standard preliminary approval as a FSC Forest Stewardship Standard; or



- b) Gives a standard preliminary approval as an FSC Forest Stewardship Standard, with minor amendments; or
- c) Defers the decision to the full Board of Directors.

**4. At this point in time is it still possible to react on the standard?**

Prior to submission of standards to FSC for approval, a formal motion must be put before the Standards Development Group members that the draft standard:

- a) Has undergone sufficient consultation and testing
- b) Meets the aim and objectives of specified Terms of Reference of the Standard Development Group
- c) Merits the approval of FSC

Such a motion has been proposed to the Congo Basin SDG after every workshop on each draft of the standard. A final formal submission has now been passed by the SDG. No sustained objection was/or has been received since by PSU. An objection at this time would be highly disruptive, given the level of consensus reached at the regional level, and would cause considerable delay in the approval of the standard by the Committee. However, if there would be any concerns, please send these to FSC, so that we can cover them in our assessment.

Section 12 of FSC-STD-60-006 (V1-2) EN “Process requirements for the development and maintenance of National Forest Stewardship Standards” describes the process for review and revision of Forest Stewardship Standards following approval. This allows for minor revisions, which are generally typographic in nature, to take place during the life of the standard (generally 5 years). Three years after the approval, a review and proposal to revise as necessary will be submitted to FSC and take account of any comments and suggestions for revision received in the lifetime of the standard.

**5. Why did FSC include the 10% conservation figure for the Congo Basin Standard?**

The reason for suggesting 10% is the minimum we have approved in other similar Forest Stewardship Standards (FSS). The 10% figure is widely arrived at in FSC FSS around the world and although essentially an arbitrary minimum, it has served national standards well. So FSC harmonised the Standard with other standards.

FSC does not suggest that conservation zones shall necessarily be only production land. They may include wetlands and open space, as well as other areas important for conservation. These may well work out to be the least productive or inaccessible areas of the forest.



However, in all cases, the overall selection must be justified to maximise the conservation of biodiversity across the FMU.

**6. How will Certification Bodies (CBs) be supported on the field with implementation?**

To aid with consistent application by CBs we can offer to give a workshop once the standard is approved, but we would need to look for funding. Any interpretation request on the standard will be assessed and interpretation given to all CBs, even where only one asks for interpretation. This will be publically available on the website.

Further work is underway on High Conservation Values and Free, Prior and Informed Consent, which will be disseminated to Certification Bodies, companies and other stakeholders.

**7. Will there be a National process after regional approval?**

Yes there will be a national process after approval by the Policy and Standards Committee.

The Regional Standard will be approved for use as a national standard for each country, with the inclusion of the legality grid from approved VPAs as the Annex A list of laws, which FSC requires for all national standards.

After regional approval, National work will take place to mainly reduce redundancy between the Standard and the VPA. This work will focus on:

- a) Assessing redundancy within the standard vis-à-vis national legislation and the FLEGT legality grid. Developing verifiers, where these cannot be identified from the VPA.
- b) Field testing at national level coordinated with FLEGT partners in order to seek national level acceptance in those countries where the FLEGT VPA permits it for certification schemes i.e. Cameroon and Congo Brazzaville.

**8. If voted, how will the revised will P&C affect the regional standard?**

FSC will start the transfer process from the current P&C to the revised P&C framework. This process will be done in the following ways:

- a) FSC develops a set of International Generic Indicators that will be used as a baseline document for all National or regional standards development. Standard development Groups and the FSC network will be encouraged to participate in the process of developing the international generic indicators, in order to make the sets of indicators more



meaningful to their national realities. The process of developing generic indicators will last for 1.5years.

- b) Standard development groups in this case the Congo Basin, will begin the process of transferring regional standards into the revised P&C framework after the international generic indicators have been finalised and approved. For more information on the development of FSC International Indicators and the Adaption of National Standards, please click [here](#).

#### **9. If there will be national processes how will process be developed?**

National process will compose of the activities listed in 7 (a) and (b) above. This will in practice require the engaging the services of a consultant to assess existing gaps and or redundancies with the FLEGT Legality Grids. The outcome of this will be a standard that will be consulted and field tested at country level (preferably the VPA countries) thus giving the regional standard in the field tested country a national character.

#### **10. Field testing the standard:**

Field testing at national level coordinated with FLEGT partners in order to seek national level acceptance in those countries where the FLEGT VPA permits it for certification schemes i.e. Cameroon, and Congo Brazzaville.

Several attempts were made during the process to field test the standard. However, with the degree of experience with certification in the Congo Basin and the amount of input we have had from CBs, the standard should be well adapted in its current form to field audit.

#### **11. Why ASI has organized systematic assessments of the quality of certificates issued in the Congo Basin?**

Following the request by FSC, from September 2011 ASI conducted compliance audits for all current Forest Management and Controlled Wood certificates issued by CBs in the Congo Basin. Normally ASI audits CBs every 5 years.

FSC asked ASI to systematically audit all Congo Basin certificates because of contradicting opinions from diverse stakeholders on what occurs in FSC certifications in the region of the Congo Basin. The ASI audits should bring the independent facts to FSC, and identify if the opinions are founded or not. These audits are normal in FSC system, and are useful for both FSC, forestry industry, stakeholders and partners because their results should be used to provide clarifications about the quality of FSC certification in the Congo Basin.



**12. FSC promised to organize a field visit in the Congo Basin to witness the benefits and challenges of FSC certification in the Congo Basin. When this should happen and who should participate to this mission?**

FSC agreed with partners to organize this visit when the report of ASI assessments is ready. This is not yet the case. This mission is now slightly delayed, also due to the revision of the P&C, and is expected to be scheduled after April 2012. FSC expects to constitute a small team including a representative of FSC, certificate holders, Environmental NGOs, Government, and a social chamber member.

**13. What FSC has done or is doing to ensure that the FSC certified timber is recognized by EU Timber Regulation and FLEGT/VPA?**

With regards to the FLEGT/VPA's, see the answers under question 7, 9 and 10.

With regards to the EU TR, we are following the internal negotiations in the FLEGT Committee, and it is increasingly clear that a direct recognition by the European Commission of any private certification scheme as providing sufficient due diligence is very going to be very unlikely. Certainty about this we will only have when the Implementing Act on Due Diligence is published, which is due before 3th June this year.

FSC is working hard to make its system entirely consistent with the requirements of the EU TR, and we target to have all the elements in place at the end of this year. This will provide FSC Certificate Holders that become "operators" (first placers on the EU market) a fairly high certainty that in practice the competent authorities will accept certified timber/products and controlled wood timber/products as in line with the due diligence requirements.

On top of that, we are working on a full FSC Due Diligence System which can serve for FSC certified companies, including for their not yet certified timber streams (under certain conditions). How that exactly will look like, and what the formal status of it will be (a procedure or a set of advice) is going to be discussed with experts in the coming months. The idea is that one or more "monitoring organizations" (MOs) would make this part of its tools, officially recognized by the European Commission as part of the recognition procedure for such MOs. Which is an indirect way of formal recognition of the System by the Commission (whereby we will have to see whether such a recognition will be limited to that one MO or not). A discussion held on the 15th February with FSC Certification Bodies, some of whom may become monitoring organizations, showed great interest and support for this project.