

MALAYSIAN CRITERIA AND INDICATORS FOR FOREST MANAGEMENT CERTIFICATION (MC&I)

1. Introduction

The *Malaysian Criteria and Indicators for Forest Management Certification (MC&I)* dated 30 October 2002 is the standard used for assessing forest management practices at the forest management unit (FMU) level for the purpose of certification.

2. Background

2.1 This *MC&I* is a result of the collaboration between the Malaysian Timber Certification Council (MTCC) and the Forest Stewardship Council (FSC) which was initiated in 1999.

2.2 Under the collaboration, a *Workshop on Forest Certification* was held in December 2000, resulting in the formation of a multi-stakeholder National Steering Committee (NSC) which was given the mandate to decide on the terms and conditions for further MTCC-FSC collaboration as well as to revise the existing forest management standard so as to be compatible with the requirements of FSC. In addition, a joint MTCC-FSC study to compare the existing forest management standard with the FSC Principles and Criteria (P&C) was undertaken by two independent consultants and the final report was submitted to MTCC and FSC in September 2001.

2.3 In all, a total of five NSC meetings were held, i.e. on 24 April 2001, 14 August 2001, 22-23 October 2001, 25-26 January 2002 and 14-15 August 2002, and important decisions made paving the way for the development of the *MC&I*. At the second NSC meeting, a decision was made to adopt the FSC P&C format and structure in revising the existing forest management standard.

2.4

At the third NSC meeting, a four-member Technical Working Group (TWG) was formed and thereafter met on 12-16 November 2001 and 22-23 January 2002 and prepared the initial draft of the *MC&I* up to the Indicator level.

2.5

The fourth NSC meeting considered and adopted the draft *MC&I* prepared by the TWG. The meeting also agreed to the formation of three regional TWGs to incorporate Verifiers for Sabah, Sarawak and Peninsular Malaysia into the draft *MC&I*, and that these Verifiers be finalised at regional and national level consultations. The need to formulate Verifiers separately for the three regions in Malaysia is to take into account the different economic, environmental and social conditions between the regions.

2.6

In Sarawak, a regional TWG meeting was held in Kuching from 1-2 April 2002 to formulate the Verifiers for Sarawak and these Verifiers were subsequently finalised at the regional consultation held on 21-23 May 2002 in Kuching.

2.7

In Sabah, the Forestry Department took the lead in preparing the working document incorporating the Verifiers for Sabah which were finalised at the regional consultation held on 17-18 April and 25-26 June 2002 in Kota Kinabalu.

2.8

In Peninsular Malaysia, a total of four regional TWG meetings were held to incorporate the Verifiers for Peninsular Malaysia, i.e. on 10 April, 17-18 May, 6-7 June and 17-18 June 2002. Subsequently, the regional consultation to finalise the Verifiers for Peninsular Malaysia was held on 24-25 July 2002 in Kuala Lumpur.

2.9

Thereafter MTCC, as the NSC Secretariat, collated the Verifiers for Sabah, Sarawak and Peninsular Malaysia and the draft *MC&I* incorporating these Verifiers was further deliberated before being adopted by the NSC at its fifth meeting held on 14-15 August 2002.

2.10 At the National-Level Consultation held on 28-30 October 2002 in Kuala Lumpur which was attended by 112 participants representing all the stakeholder groups, the *MC&I* was finalised and adopted as the standard for forest management certification.

3. Terminology used in the *MC&I*

As the *MC&I* follows the format and structure of the FSC P&C, definitions as contained in the document “FSC Principles and Criteria (Revised February 2000)” are applicable to this document. In addition, relevant definitions from other documents such as the “TTTO Criteria and Indicators for Sustainable Management of Natural Tropical Forests, 1998”, “The CIFOR Criteria and Indicators Generic Template, 1999” and “Convention on Biological Diversity, 1992” are also adopted for terms not covered under the “FSC Principles and Criteria (Revised February 2000)”. These definitions are as listed in **Appendix I**.

4. Format of the *MC&I*

The *MC&I* is formatted into 3 columns, with the first column containing the Criteria listed under the corresponding FSC Principle.

The second and third columns show the corresponding Indicators and Verifiers proposed for each Criterion. In the case of the Verifiers, to take into account the regional differences, slightly different Verifiers have been adopted and listed separately for Sabah, Sarawak and Peninsular Malaysia.

5. Review of the *MC&I*

The *MC&I* will be reviewed and updated periodically, based on feedback and experience gained through its application in the field.

NATIONAL STEERING COMMITTEE
30 October 2002

MALAYSIAN CRITERIA AND INDICATORS FOR FOREST MANAGEMENT CERTIFICATION (MC&I)

FSC Principles & Criteria	Indicators	Verifiers
<p>Principle #1: Compliance with laws and FSC Principles</p> <p>Forest management shall respect all applicable laws of the country in which they occur, and international treaties and agreements to which the country is a signatory, and comply with all FSC Principles and Criteria.</p>		
<p>1.1 Forest management shall respect all national and local laws and administrative requirements.</p>	<p>1.1.1 Records and availability of, and adherence to up-to-date relevant national and local laws, and regulations and policies, in particular those related to forest management.</p>	<p>Peninsular Malaysia</p> <ul style="list-style-type: none"> • Federal Constitution • National Forestry Policy, 1978 • National Policy on Biological Diversity, 1998 • National Forestry Act, 1984 • State Forest Enactments • State Ordinances related to protection of wildlife • State Forest Rules • Land Conservation Act, 1960 • Environmental Quality Act, 1974 • National Parks Act, 1980 • State Parks Act • Protection of Wildlife Act, 1972 • Aboriginal Peoples Act, 1954 • Occupational Safety and Health Act, 1994 • National Land Code, 1965 • Water Act, 1920 <p>Sabah</p> <ul style="list-style-type: none"> • Federal Constitution • State Forest Policy, 1954 • Forest Enactment, 1968 • Forest Rules, 1969 • Conservation of Environment Enactment, 1996 • Parks Enactment, 1984 • Wildlife Conservation Enactment, 1997 • Water Resources Enactment, 1998 • Cultural Heritage (Conservation) Enactment, 1997 • Biodiversity Enactment, 2000 • Occupational Safety and Health Act, 1994 • Land Ordinance, 1930 (Sabah Cap. 68) • Labour Ordinance (Sabah) Cap 67 • Sabah Forest Management Licence Agreement • Environmental Quality Act, 1974 • Native Court Ordinance, 1952 (Cap 86) • Interpretation of the Native Ordinance, 1952 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts

FSC Principles & Criteria	Indicators	Verifiers
		<p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Federal Constitution • Natural Resources and Environment (Amendment) Ordinance, 1997 (Cap. 84) and Regulations/Orders made thereafter • State Forest Policy, 1954 • Forests Ordinance, 1958 (Cap. 126) • Forest Rules, 1962 • Wild Life Protection Ordinance, 1998 (Cap. 26) • Wild Life Protection Rules, 1998 • Water Ordinance, 1994 and Regulations made thereunder • Sarawak Cultural Heritage Ordinance, 1993 • Occupational Safety and Health Act, 1994 • Labour Ordinance, 1952 (Sarawak Cap. 76) • Land Code, 1958 (Cap. 81) • Native Courts Ordinance, 1992 and Rules • Native Customs (Declaration) Ordinance, 1996 • Sarawak Biodiversity Centre Ordinance, 1997 and Regulations made thereunder • Majlis Adat Istiadat Sarawak Ordinance, 1977 • Sarawak River Board Ordinance, 1993 and Rules made thereunder <p>All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts</p>
	<p>1.1.2 Forest managers are knowledgeable of the relevant national and local laws, and the regulatory framework.</p>	
	<p>1.1.3 Record of violations and actions taken to address them.</p>	

FSC Principles & Criteria	Indicators	Verifiers
1.2 All applicable and legally prescribed fees, royalties, taxes, and other charges shall be paid.	1.2.1 Availability of and adherence to current list of all legally prescribed fees, royalties, taxes, and other charges. 1.2.2 Records are kept of all payments made.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • State Forest Rules <p><u>Sabah</u></p> <ul style="list-style-type: none"> • FD Circulars • Gazetted royalty structure and rates <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forests Ordinance (Cap. 126) – <i>First Schedule</i> (Section 52 (2)): Produce Taken Under Licence – Rates of Royalty and <i>Second Schedule</i> (Section 52 (4)): Produce Taken Under Permit • Forest Premium and Cess under Forest Timber Licence • Fifth Schedule of Forest Timber Licence • Wild Life Protection Rules, 1998 – Second Schedule: Fees for Licence and Permit <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Timber Disposal Permits • Royalty Billing Records

FSC Principles & Criteria	Indicators	Verifiers
<p>1.3 In signatory countries, the provisions of all binding international agreements such as CITES, ILO Conventions, ITTA, and Convention on Biological Diversity, shall be respected.</p>	<p>1.3.1 Forest managers are aware of all binding international agreements such as CITES, core ILO Conventions, ITTA, and Convention on Biological Diversity.</p>	<p>Relevant provisions related to forest management of the following binding international agreements are respected in forest management:</p> <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • United Nations Convention on Biological Diversity, 1992 • Convention on Wetlands of International Importance Especially as Waterfowl Habitat (RAMSAR), 1971 • International Tropical Timber Agreement, 1994 • United Nations Framework Convention on Climate Change, 1992 • Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973 • International Labour Organization (ILO) Conventions <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • United Nations Convention on Biological Diversity, 1992 • Convention on Wetlands of International Importance Especially as Waterfowl Habitat (RAMSAR), 1971 • International Tropical Timber Agreement, 1994 • United Nations Framework Convention on Climate Change, 1992 • Convention on International Trade in Endangered Species of wild Fauna and Flora, 1973 (CITES) • International Labour Organisation(ILO) Conventions <p><u>Sabah</u></p> <ul style="list-style-type: none"> • United Nations Convention on Biological Diversity, 1992 • Convention on Wetlands of International Importance Especially as Waterfowl Habitat (RAMSAR), 1971 • International Tropical Timber Agreement, 1994 • United Nations Framework Convention on Climate Change, 1992 • Convention on International Trade in Endangered Species of wild Fauna and Flora, 1973 (CITES) • International Labour Organisation(ILO) Conventions

FSC Principles & Criteria	Indicators	Verifiers
<p>1.4 Conflicts between laws, regulations and the FSC Principles and Criteria shall be evaluated for the purposes of certification, on a case by case basis, by the certifiers and the involved or affected parties.</p>	<p>1.4.1 Availability of documentation of any conflicts between laws, regulations and the FSC Principles and Criteria.</p> <p>1.4.2 Forest managers are willing to participate in any process to resolve such conflicts that may arise with the affected parties.</p>	<ul style="list-style-type: none"> • <u>Peninsular Malaysia/Sabah/Sarawak</u> • Records of evaluation of conflicts between laws, regulations and the FSC Principles and Criteria, if any. • <u>Peninsular Malaysia/Sabah/Sarawak</u> • Records of forest manager's participation in resolving such conflicts • Mechanisms to resolve conflicts
<p>1.5 Forest management areas should be protected from illegal harvesting, settlement and other unauthorised activities.</p>	<p>1.5.1 Availability of legal provisions for the establishment and protection of the permanent forest estate (PFE) for Peninsular Malaysia and forest management areas for Sabah and Sarawak.</p>	<ul style="list-style-type: none"> • Compliance with <u>Peninsular Malaysia</u> • National Forestry Policy, 1978 - Paragraphs 2.2.1 and 2.2.2 • National Forestry Act, 1984 - Sections 7 to 13 • Protection of Wildlife Act, 1972 – Sections _____ and all other relevant <u>State Ordinances</u> <p><u>Sabah</u></p> <ul style="list-style-type: none"> • State Forest Policy, 1954 • Forest Enactment, 1968 • Conservation of Environmental Enactment, 1996 • Parks Enactment, 1984 • Wildlife Conservation Enactment, 1997 • Water Resource Enactment, 1998 • Biodiversity Enactment, 2000 • Land Ordinance, 1930 (Sabah Cap. 68) • Native Court Ordinance, 1952 (Cap 86) • Interpretation of the Native Ordinance, 1952 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Sabah Forest Management Licence Agreement • Timber Licence Agreement <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • State Forest Policy, 1954 • Forests Ordinance (Cap. 126) • <u>Native Courts Ordinance and Rules, 1992</u> • <u>Native Customs (Declaration) Ordinance, 1996</u> • <u>Sarawak Biodiversity Centre Ordinance, 1997 and Regulations made thereunder</u> • <u>MaJlis Adat Istiadat Sarawak Ordinance</u> • <u>Sarawak River Ordinance, 1993 and Rules made thereunder</u> • <u>All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts</u> • <u>Natural Resources and Environment Ordinance (Cap. 84) and Regulations/Orders made thereafter</u> • <u>Wild Life Protection Ordinance, 1998 (Cap. 26)</u> • <u>Wild Life Protection Rules, 1998</u> <p>through records of monitoring</p>

FSC Principles & Criteria	Indicators	Verifiers
	<p>1.5.2 Control of encroachment, illegal harvesting, hunting, and settlement, and other unauthorised activities in managed areas of the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak by forest managers, and forested areas outside the PFE for Peninsular Malaysia by other regulatory agencies.</p>	<p>Compliance with</p> <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • National Forestry Act, 1984 - Sections 32, 47, 50, 81, 82 and 86 • Forest Rules - Rules 9, 25 and 32 • National Parks Act, 1980 - Sections 4 and 11 • Protection of Wildlife Act, 1972 - Sections 48 to 50 • State Forest Enactments <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Enactment, 1968 • Forest Rules, 1969 • Wildlife Conservation Enactment, 1997 • Water Resources Enactment, 1998 • Conservation of Environment Enactment, 1996 • Cultural Heritage (Conservation) Enactment, 1997 • Biodiversity Enactment, 2000 • Native Court Ordinance, 1952 (Cap 86) • Interpretation of the Native Ordinance, 1952 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Sabah Forest Management Licence Agreement • Timber Licence Agreement <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Natural Resources and Environment Ordinance (Cap. 84) and Regulations/Orders made thereafter • Forests Ordinance (Cap. 126) • Forest Rules, 1962 • Wild Life Protection Ordinance, 1998 (Cap. 26) • Wild Life Protection Rules, 1998 • Majlis Adat Istiadat Sarawak Ordinance • Native Courts Ordinance and Rules, 1992 • Native Courts Rules, 1993 • Native Customs (Declaration) Ordinance, 1996 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Sarawak Biodiversity Centre Ordinance, 1997 and regulations made thereunder <p>through records of monitoring</p>

FSC Principles & Criteria	Indicators	Verifiers
1.6 Forest managers shall demonstrate a long-term commitment to adhere to the FSC Principles and Criteria.	1.6.1 Availability of policies or statements of commitment to forest management practices consistent with the FSC Principles & Criteria. 1.6.2 Policies or statements are communicated throughout the organisation and contractors, and are made available to the public.	<u>Peninsular Malaysia/Sabah</u> <ul style="list-style-type: none"> • Records or statement of such commitment <u>Peninsular Malaysia/Sabah</u> <ul style="list-style-type: none"> • Records of staff briefings • Contractual agreements • Public summary of policy statement

Principle #2: Tenure and Use Rights and Responsibilities

Long-term tenure and use rights to the land and forest resources shall be clearly defined, documented and legally established.

2.1 Clear evidence of long-term forest use rights to the land (e.g. land title, customary rights, or leased agreements) shall be demonstrated.	2.1.1 Availability of documentation of legal status, and established forest use rights of the land or forest resources within the relevant national and regional legal frameworks, in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Records of gazettelement • Concessionaire agreements • Forest harvesting licence • Entry permits • Road permits • Use permits <u>Sabah</u> <ul style="list-style-type: none"> • Sustainable Forest Management Licence Agreement • Land Ordinance, 1930 (Sabah Cap. 68) • Native Court Ordinance, 1952 (Cap 86) • Interpretation of the Native Ordinance, 1952 • Timber Licence Agreements • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <u>Sarawak</u> <ul style="list-style-type: none"> • Forests Ordinance (Cap. 126) • Forest Timber Licence • Land Code, 1958 (Cap. 81) (grants, leases, native customary rights and communal reserves) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
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FSC Principles & Criteria	Indicators	Verifiers
	<p>2.1.2 Forest managers should support legally recognized mechanisms for resolving land claims.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of participation in the resolution of land claims, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Land Ordinance, 1930 (Sabah Cap. 68) • Native Court Ordinance, 1952 (Cap 86) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
<p>2.2 Local communities with legal or customary tenure or use rights shall maintain control, to the extent necessary to protect their rights or resources, over forest operations unless they delegate control with free and informed consent to other agencies.</p>	<p>2.2.1 Availability of documentation, if any, of legal or customary tenure or use rights of local communities within relevant national and regional legal frameworks in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • National Forestry Act, 1984 • Aboriginal Peoples Act, 1954 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Land Ordinance, 1930 (Sabah Cap. 68) • Established Native Customary Rights • Native Court Ordinance, 1952 (Cap 86) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Notification in Sarawak Government Gazette ▪ Native Customs (Declaration) Ordinance, 1996 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts

FSC Principles & Criteria	Indicators	Verifiers
	<p>2.2.2 Forest managers should collaborate with holders of duly recognized legal or customary tenure or use rights within relevant national and regional legal frameworks, in activities that may affect such rights.</p>	<p><u>Peninsular Malaysia/Sabah</u></p> <ul style="list-style-type: none"> • Records of participation in the resolution of land claims, if any
<p>2.3 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.</p>	<p>2.3.1 Records of all disputes over tenure and use rights are maintained for areas in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak.</p> <p>2.3.2 Availability of appropriate mechanisms to resolve such disputes.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of disputes over tenure and use rights are maintained, if any <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of the appropriate mechanisms, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Land Ordinance, 1930 (Sabah Cap. 68) • Native Court Ordinance, 1952 (Cap 86) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Land Code, 1958 (Cap. 81) • Native Courts Ordinance, 1992 • Native Courts Rules, 1993

FSC Principles & Criteria	Indicators	Verifiers
<p>Principle #3: Indigenous Peoples' Rights</p> <p>The legal and customary rights of indigenous peoples to own, use and manage their lands, territories, and resources shall be recognized and respected.</p> <p>3.1 Indigenous peoples shall control forest management on their lands and territories unless they delegate control with free and informed consent to other agencies.</p>	<p>3.1.1 Availability of documentation of the customary rights of indigenous people's lands within relevant national and regional legal frameworks.</p> <p>3.1.2 Management of such lands is controlled by indigenous people unless they delegate control with free and informed consent to other agencies.</p> <p>3.1.3 Availability of appropriate mechanisms to resolve any conflicts and grievances between parties involved.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of customary rights of indigenous people's lands gazetted under the Aboriginal Peoples Act, 1954 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Land Ordinance, 1930 (Sabah Cap. 68) • Established Native Customary Rights • State Cultural Heritage (Conservation) Enactment, 1997 • Native Court Ordinance, 1952 (Cap 86) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Land Code, 1958 (Cap. 81) ▪ Notification in Sarawak Government Gazette ▪ Native Customs (Declaration) Ordinance, 1996 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Peninsular Malaysia/Sabah/Sarawak</u></p> <ul style="list-style-type: none"> • Records of delegation of power by indigenous people, if any <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of conflicts and grievances and resolutions <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Land Ordinance, 1930 (Sabah Cap. 68) • Native Court Ordinance, 1952 (Cap 86) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Land Code, 1958 (Cap. 81) • Native Courts Ordinance, 1992 • Native Courts Rules, 1993 • Native Customs (Declaration) Ordinance, 1996 • Decisions of Civil Courts, including Native Courts

FSC Principles & Criteria	Indicators	Verifiers
<p>3.2 Forest management shall not threaten or diminish, either directly or indirectly, the resources or tenure rights of indigenous peoples.</p>	<p>3.2.1 Forest management practices in indigenous people's lands recognized within relevant national and regional legal frameworks should not threaten or diminish, either directly or indirectly, their resources or tenure rights.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Management prescriptions should not threaten or diminish, either directly or indirectly, the resources or tenure rights of indigenous peoples gazetted under the Aboriginal Peoples Act, 1954 <p><u>Sabah</u></p> <ul style="list-style-type: none"> ▪ Land Ordinance, 1930 (Sabah Cap. 68) ▪ Sustainable Forest Management Licence Agreement • Timber Licence Agreement • Cultural Heritage (Conservation) Enactment, 1997 • Native Court Ordinance, 1952 (Cap 86) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Compliance with the terms and conditions of the Forest Timber Licence ▪ Native Customs (Declaration) Ordinance, 1996 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
<p>3.3 Sites of special cultural, ecological, economic or religious significance to indigenous peoples shall be clearly identified in cooperation with such peoples, and recognized and protected by forest managers.</p>	<p>3.3.1 Availability of list and maps depicting locations of important cultural, ecological, economic or religious sites in the area to be certified.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • List and maps depicting locations of important cultural, ecological, economic or religious sites in the area to be certified <p><u>Sabah</u></p> <ul style="list-style-type: none"> ▪ State Cultural Heritage (Conservation) Enactment, 1997 ▪ Forest Management Plan <ul style="list-style-type: none"> • List and maps depicting locations of important cultural, ecological, economic or religious sites in the area to be certified • Records of consultation with Council of Native Elders <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Sarawak Cultural Heritage Ordinance, 1993 ▪ Records of Museum Department ▪ Sarawak Museum Journal ▪ Borneo Research Bulletin ▪ Sarawak Gazette ▪ Forest Management Plan ▪ Records of consultation with local communities

FSC Principles & Criteria	Indicators	Verifiers
	<p>3.3.2 Availability of appropriate mechanisms within current administrative processes for identifying and protecting such sites, including processes for conflict resolution, and to encourage the participation of indigenous people.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of mechanisms to identify and protect such sites, including processes for conflict resolution, and to encourage the participation of indigenous people <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Land Ordinance, 1930 (Sabah Cap. 68) • State Cultural Heritage (Conservation) Enactment, 1997 • Native Court Ordinance, 1952 (Cap 86) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Native Courts Ordinance, 1992 and Rules ▪ Local consultation
	<p>3.3.3 Records of dialogue between forest managers and appointed representatives of local communities.</p>	<p><u>Peninsular Malaysia/Sabah/Sarawak</u></p> <ul style="list-style-type: none"> • Records of dialogue and consultation held
	<p>3.3.4 Rights of access to these sites by indigenous people, recognized within relevant national and regional legal frameworks, or by mutual agreement should be permitted.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Register of Entry Permits <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Land Ordinance, 1930 (Sabah Cap. 68) • State Cultural Heritage (Conservation) Enactment, 1997 • Native Court Ordinance, 1952 (Cap 86) • Interpretation of the Native Ordinance, 1952 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Notification in Sarawak Government Gazette • Forests Ordinance (Cap. 126) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts

FSC Principles & Criteria	Indicators	Verifiers
<p>3.4 Indigenous peoples shall be compensated for the application of their traditional knowledge regarding the use of forest species or management systems in forest operations. This compensation shall be formally agreed upon with their free and informed consent before forest operations commence.</p>	<p>3.4.1 Availability of documentation, if any, of traditional forest-related knowledge and practices of indigenous people in the use of forest species or management systems in forest operations.</p> <p>3.4.2 Availability of appropriate mechanisms and compensation for the commercial utilization of traditional forest-related knowledge and practices of indigenous people in accordance with existing legislation or by mutual agreement.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of any traditional forest-related knowledge and practices of indigenous people in forest operations, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Records of any traditional forest-related native knowledge related to forest management • Records of consultation with natives • Biodiversity Enactment, 2000 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Records of any traditional forest-related native knowledge related to forest management • Records of consultation with natives <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of appropriate mechanisms and compensation for the commercial utilization of traditional forest-related knowledge and practices of indigenous people, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Records of appropriate mechanisms and compensation for the commercial utilization of traditional forest-related knowledge and practices of indigenous people, if any • Records of consultation with Native Fund Trustees <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Sarawak Biodiversity Centre Ordinance, 1997 and Regulations made thereunder (Check 1

FSC Principles & Criteria	Indicators	Verifiers
Principle #4: Community Relations and Worker's Rights Forest management operations shall maintain or enhance the long-term social and economic well-being of forest workers and local communities.	4.1 The communities within, or adjacent to, the forest management area should be given opportunities for employment, training, and other services.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> Records of training, retraining, local infrastructure, facilities and social programs provided, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> Sustainable Forest Management Licence Agreement Timber Licence Agreement Records of training, retraining, local infrastructure, facilities and social programs provided, if any
	4.1.1 Forest managers provide, where appropriate, support for training, retraining, local infrastructure, facilities and social programs commensurate with the scale and intensity of forest management operations.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> Conditions in Timber Licence List of number of licences approved to local communities for the collection of non-wood forest produce List of number of licences approved to local communities for the processing of wood and non-wood forest produce List of number of sub-licences issued to local communities engaged in forest harvesting activities List of number of contracts awarded to local communities for undertaking forest development activities Employment records Training records <p><u>Sabah</u></p> <ul style="list-style-type: none"> List of Services & Facilities provided by the employers Employment records Training records Sustainable Forest Management Licence Agreement Timber Licence Agreement Community forestry programmes <p><u>Sarawak</u></p> <ul style="list-style-type: none"> Employment records Training records ILO Convention 86 – Contracts of Employment (Indigenous Workers) Convention, 1947
4.1.2 Preference be given to responsible people in communities living within, or adjacent to, the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak for employment, contracting, training etc.		

FSC Principles & Criteria	Indicators	Verifiers
<p>4.2 Forest management should meet or exceed all applicable laws and/or regulations covering health and safety of employees and their families.</p>	<p>4.2.1 Up-to-date information on all applicable laws and/or regulations covering health and safety of forest workers should be disseminated to them.</p>	<ul style="list-style-type: none"> • <u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Employment records • Training records • <u>Sabah</u> <ul style="list-style-type: none"> • Staff records • Sustainable Forest Management Licence Agreement • Timber Licence Agreement • <u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Occupational Safety and Health Act, 1994 • Employees' Social Security Act, 1969 • Workmen's Compensation Act, 1952 • Records of dissemination of health and safety information • <u>Sabah</u> <ul style="list-style-type: none"> • Circulars on laws and regulations covering health and safety of forest workers • Occupational Safety and Health Act, 1994 (Act 514) • Labour Ordinance (Sabah) Cap 67 • Employees' Social Security Act, 1969 • Workmen's Compensation Act, 1952 • Workers Minimum Standards of Housing and Amenities Act, 1990 (Act 446) (check whether applicable for the whole of Malaysia) • <u>Sarawak</u> <ul style="list-style-type: none"> • Occupational Safety and Health Act, 1994 and regulations made thereunder • Labour Ordinance, 1952 (Sarawak Cap. 76) • Employees' Social Security Act, 1969 • Employees' Social Security (General Regulations), 1971 • Forests Ordinance (Cap. 126)

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	4.2.2 Availability of management policies addressing the health and safety of forest workers and their families in accordance with current legislation and/or regulations.	<ul style="list-style-type: none"> • <u>Peninsular Malaysia</u> • Management Policy on Health and Safety of forest workers • <u>Sabah</u> • Forest Management Plan • Statement of Policy • Sustainable Forest Management Licence Agreement • Timber Licence Agreement • <u>Sarawak</u> • Statement of policy
	4.2.3 Appropriate safety and operational equipment in good working condition, including operational procedures, should be made available to forest workers in the work place.	<ul style="list-style-type: none"> • <u>Peninsular Malaysia</u> • Records of equipment and maintenance • Operational procedures made available to forest workers in the work place • <u>Sabah</u> • Records of equipment, maintenance and frequency of check-up • Operational procedures made available to forest workers in the work place • <u>Sarawak</u> • Records of equipment and maintenance
	4.2.4 Forest managers should maintain up-to-date safety records in compliance with all applicable laws and/or regulations covering health and safety of forest workers.	<ul style="list-style-type: none"> • <u>Peninsular Malaysia</u> • Minutes of Departmental Joint Council (Majlis Bersama Jabatan) meetings covering forest workers • Health and safety records of forest workers • <u>Sabah</u> • Health and safety records of forest workers
	4.2.5 Demarcation of hazardous areas and provision of guidelines for storage and handling of hazardous materials.	<ul style="list-style-type: none"> • <u>Peninsular Malaysia/Sabah/Sarawak</u> • Signage demarcating hazardous areas, if any • Guidelines for storage and handling of hazardous materials, if any

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<p>4.3 The rights of workers to organize and voluntarily negotiate with their employers shall be guaranteed as outlined in Conventions 87 and 98 of the International Labour Organization (ILO).</p>	<p>4.3.1 Provisions for workers to freely organize into Union of their own choice in accordance with ILO Convention 87.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • International Labour Organization (ILO) Convention No. 87 - The Freedom of Association and Protection of the Right to Organise Convention, 1948 - Articles 2, 3, 5 and 11 • Industrial Relations Act, 1967 • Employment Act, 1955 • Federal Constitution – Article 10 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Labour Ordinance (Sabah) Cap 67 • Trade Unions Act, 1959 (Act 262) • International Labour Organization (ILO) Convention No. 87 - The Freedom of Association and Protection of the Right to Organise Convention, 1948 - Articles 2, 3, 5 and 11 • Federal Constitution – Article 10 • Industrial Relations Act, 1967 • Pensions Act <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Labour Ordinance, 1952 (Sarawak Cap. 76) • Federal Constitution – Article 10 • Industrial Relations Act, 1967 • Trade Unions Act, 1959 (Act 262) • Pensions Act
	<p>4.3.2 Provisions for workers the right to organize and undertake collective bargaining leading to agreements in accordance with ILO Convention No. 98- The Right to Organise and Collective Bargaining Convention, 1949 - Articles 1 and 2, ILO Convention No. 111 - Discrimination (Employment and Occupation), 1958 - The Right to Equal Treatment, ILO Convention No. 100 – Equal Remuneration, 1951 - The Right to Equal Pay</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Industrial Relations Act, 1967 (Sections 4 & 13) <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Labour Ordinance (Sabah) Cap 67

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	<p>4.3.3 Availability of appropriate procedures to address grievances raised by workers and/or their organizations and for conflict resolution.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • National Joint Council and Departmental Joint Council • Industrial Relations Act, 1967 (Sections 18,19,19A,19B, 21-33A, 34-37) • Records of fora for participation to resolve grievances, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Labour Ordinance (Sabah) Cap 67 • Industrial Relations Act, 1967 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Industrial Relations Act, 1967
<p>4.4 Management planning and operations shall incorporate the results of evaluations of social impact. Consultations shall be maintained with people and groups directly affected by management operations.</p>	<p>4.4.1 Forest managers should evaluate, through consultations, social impact of forest operations directly affecting communities, and the people and groups directly affected by the forest operations should have access to information on the results of the social impact evaluations.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Minutes of meetings of the Jawatankuasa Tindakan/Pembangunan Daerah • Records of meetings and/or consultations between forest managers with communities affected <p><u>Sabah</u></p> <ul style="list-style-type: none"> • EIA compliance report • Social Baseline Studies • Records of meetings and/or consultations between forest managers with communities affected <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Records of meetings with local communities
	<p>4.4.2 Forest planning and management practices should consider and incorporate the results of such evaluations.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of action, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Sustainable Forest Management Licence Agreement • Timber Licence Agreement

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<p>4.5 Appropriate mechanisms shall be employed for resolving grievances and for providing fair compensation in the case of loss or damage affecting the legal or customary rights, property, resources, or livelihoods of local peoples. Measures shall be taken to avoid such loss or damage.</p>	<p>4.5.1 Provisions and measures within relevant national and regional legal frameworks should be taken to prevent loss or damage affecting the local people's legal or customary rights, property, resources, or their livelihoods.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Federal Constitution • Records of meetings and/ or consultations between forest managers with communities <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Federal Constitution • Forest Enactment, 1968 • Timber Licence Agreement • Sustainable Forest Management Licence Agreement • Native Court Ordinance, 1952 (Cap 86) • Land Ordinance, 1930 • Interpretation of the Native Ordinance, 1952 • SUHAKAM Ordinance (check) • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Native Courts Ordinance, 1992 and Rules • Land Code, 1958 (Cap. 81) • SUHAKAM Ordinance (check) • Native Customs (Declaration) Ordinance, 1996 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts

FSC Principles & Criteria	Indicators	Verifiers
	<p>4.5.2 Appropriate mechanisms within relevant national and regional legal frameworks are employed to resolve grievances involving loss or damage affecting the local people's legal or customary rights, property, resources, or their livelihoods, caused by forest operations.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of arbitration • Records of judgements by Courts of Law <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Enactment, 1968 • Timber Licence Agreement • Sustainable Forest Management Licence Agreement • Native Court Ordinance, 1952 (Cap 86) • Land Ordinance, 1930 (Sabah Cap. 68) • SUHAKAM Ordinance (check) • Interpretation of Native Ordinance, 1952 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Native Courts Ordinance, 1992 and Rules • Land Code, 1958 (Cap. 81) • SUHAKAM Ordinance (check) • Native Customs (Declaration) Ordinance, 1996 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts

FSC Principles & Criteria	Indicators	Verifiers
<p>Principle #5: Benefits from the forest</p> <p>Forest management operations shall encourage the efficient use of the forest's multiple products and services to ensure economic viability and a wide range of environmental and social benefits.</p>		
<p>5.1 Forest management should strive toward economic viability, while taking into account the full environmental, social, and operational costs of production, and ensuring the investments necessary to maintain the ecological productivity of the forest.</p>	<p>5.1.1 Records of investments and reinvestments made in forest management, including administration, research, human resource development, environmental and social costs in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak such as protection of biodiversity, environmental mitigation, monitoring and governance including business or development plan, cost benefit analysis, compensation and forgone revenue.</p> <p>5.1.2 Provisions and management are made to maintain, restore or enhance the productive capacity and ecological integrity of the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak to ensure its economic viability.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Forest management plan which includes prescriptions for reduced impact logging, silviculture, rehabilitation, wildlife management, biodiversity management and conservation, and environmental mitigation. • Results of Pre-felling and Post-felling Forest Inventories • Records of enrichment planting • Records of planting of rattan, forest fruit trees etc. <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Timber Licence Agreement • Sustainable Forest Management Licence Agreement • Forest Management Plan <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Reduction of royalty rate for low impact helicopter harvesting system ▪ Procedures on Reduced/Low Impact Harvesting Systems, 1999 ▪ Silviculture guidelines ▪ A Master Plan for Wildlife in Sarawak, 1996

FSC Principles & Criteria	Indicators	Verifiers
5.2 Forest management and marketing operations should encourage the optimal use and local processing of the forest's diversity of products.	5.2.1 Application of forest management practices to encourage the optimal use of forest resources.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Forest resource inventories • Non-timber forest products licensing <u>Sabah</u> <ul style="list-style-type: none"> • Gazetted Royalty Structure and Rates • Reduced Impact Logging (RIL) • Biodiversity Enactment, 2000 <u>Sarawak</u> <ul style="list-style-type: none"> • Directional tree felling
5.3 Forest management should minimize waste associated with harvesting and on-site processing operations and avoid damage to other forest resources.	5.3.1 Availability and implementation of guidelines for reduced/low impact logging to minimize damage to residual stand.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Guidelines for Reduced Impact Logging (RIL) <u>Sabah</u> <ul style="list-style-type: none"> • Reduced Impact Logging (RIL) Operation Guide Book specifically for crawler tractor use, 2000 • Cable logging techniques • Reference manual for timber harvesting operations in Commercial Class II Forest Reserves in Sabah, 1996 <u>Sarawak</u> <ul style="list-style-type: none"> • Procedures on Reduced/Low Impact Harvesting Systems, 1999

FSC Principles & Criteria	Indicators	Verifiers
	<p>5.3.2 Application of log extraction operations that minimize product wastage, degrade and foregone revenue opportunities.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Provisions for the utilisation of residue (eg. branches) <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Reduced Impact Logging (RIL) Operation Guide Book specifically for crawler tractor use, 2000 • Cable logging techniques • Reference manual for timber harvesting operations in Commercial Class II Forest Reserves in Sabah, 1996 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Procedures on Reduced/Low Impact Harvesting Systems, 1999
<p>5.4 Forest management should strive to strengthen and diversify the local economy, avoiding dependence on a single forest product.</p>	<p>5.4.1 Application of forest management strategy that encourages the production of a mix of commercial forest products, including the utilization of non-timber forest products, particularly by local community enterprises.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Diversification strategy • Records of implementation, if any • Data on quantity of timber and non-timber forest products harvested within the PFE and other forested areas during the last five years, e.g. Forestry Statistics Peninsular Malaysia, Forestry Department, Peninsular Malaysia (Annual publication – five-year time series) <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forests Ordinance (Cap. 126)

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<p>5.5 Forest management operations shall recognize, maintain, and, where appropriate, enhance the value of forest services and resources such as watersheds and fisheries.</p>	<p>5.5.1 Availability and implementation of guidelines and/or procedures to identify and demarcate sensitive areas for the protection of soil and water, watercourses and wetlands.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • <i>Kod Amalan Pengusahaan Hutan Darat Asli Semenanjung Malaysia</i>, 1997 • Areas in the PFE with elevation greater than or equal to 1,000 m where felling of trees is prohibited • Areas in the PFE with elevation less than 1,000 m but having slope generally greater than or equal to 40° where felling of trees is prohibited • Trees equal to and those above cutting limits for environmentally sensitive spots within the Production Forest of the PFE marked and protected • Areas in the PFE classified as soil protection forest, soil reclamation forest, water catchment forest and flood control forest under the National Forestry Act 1984, Section 10(1) where commercial felling of trees is prohibited • Areas identified with elevation greater than or equal to 1,000 m, with elevation less than 1,000 m but having slope generally greater than or equal to 40° and classified as soil protection forest, soil reclamation forest, water catchment forest and flood control forest are mapped. <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Guidelines on forest management planning. • Forest management plan. • Annual Work Plan. • Comprehensive harvesting plan. • RIL Operation Guidebook specially for crawler tractor use, 2000 • Reference manual for timber harvesting operations in Commercial Class II forest reserves in Sabah • Water Resource Enactment, 1998 • EIA Guidelines For Forest Logging and Forest Clearance, 2002 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Procedures for Identifying and Demarcating Sensitive Areas for the Protection of Soil and Water, 1999

FSC Principles & Criteria	Indicators	Verifiers
	<p>5.5.2 Availability and implementation of management guidelines, where appropriate, to maintain and/or enhance the value of forest services and resources.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Forest management plan, with prescriptions to maintain and/or enhance the value of forest services and resources where appropriate <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Annual Work Plan • Water Resources Enactment, 1998 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Forest Management Plan
<p>5.6 The rate of harvest of forest products shall not exceed levels which can be permanently sustained.</p>	<p>5.6.1 Rate of harvest shall not be greater than estimated regrowth of the residual stand based on permanent sample plots within a pre-defined cutting cycle</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Annual coupe = Net Harvestable Production Area divided by Cutting Cycle Length (ha/yr) • Annual volume removed be less than or equal to Mean Commercial Annual Increment (m³/ha/yr) for regulated forests <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Annual Work Plan • Records of Permanent Sample Plots (PSP) Data <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Records of Permanent Sample Plot data • Forest Management Plan

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	<p>5.6.2 Records of quantity of timber and important non-timber forest products harvested should be maintained, taking cognizance of their sustainability in the long term.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • List of timber and non-timber forest products harvested under licence. • Records of timber and non-timber forest products and quantity harvested under licence e.g. Forestry Statistics Peninsular Malaysia, Forestry Department, Peninsular Malaysia (Annual publication – five-year time series) • Licences issued for hunting and quantity harvested <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Compliance Reports • Compartment Register Book (CRB) • Quarterly Progress Reports <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Log Specification Form (Royalty Assessment)

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<p>Principle #6: Environmental Impact</p> <p>Forest management shall conserve biological diversity and its associated values, water resources, soils and unique and fragile ecosystems and landscapes, and, by so doing, maintain the ecological functions and the integrity of the forest.</p>	<p>6.1 Assessment of environmental impacts shall be completed – appropriate to the scale, intensity of forest management and the uniqueness of the affected resources – and adequately integrate into management systems. Assessments shall include landscape level consideration as well as the impacts of on-site processing facilities. Environment impacts shall be assessed prior to commencement of site-disturbing operations.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> Environmental impact assessment should be conducted in the PFE in accordance with the Environmental Quality Act 1974, taking into consideration the following: <ul style="list-style-type: none"> conservation of biological diversity and its associated values, water resources, soils and unique and fragile ecosystems and landscapes, as well as the impacts of on-site processing facilities, if present. <p><u>Sabah</u></p> <ul style="list-style-type: none"> Forest Management Plan incorporating assessment of environmental impacts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> Forest Management Plan
<p>6.1.1 Assessment of environmental impacts are carried out, including landscape level considerations, as well as the impacts of on-site processing facilities, appropriate to the scale and intensity of forest management, prior to commencement of forest operations in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak.</p>	<p>6.1.2 Assessment of environmental impacts are carried out, including the potential impacts on endangered, rare and threatened species of flora and fauna, and the need for biological corridors in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak, appropriate to the scale and intensity of forest management.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> Environmental impact assessment should be conducted in the PFE in accordance with the Environmental Quality Act 1974, taking into consideration the following: <ul style="list-style-type: none"> endangered, rare and threatened species of flora and fauna, and the need for biological corridors. <p><u>Sabah</u></p> <ul style="list-style-type: none"> Forest Management Plan incorporating assessment of environmental impacts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> Forest Management Plan
<p>6.1.3 Forest management plans should incorporate measures to mitigate the environmental impacts identified in the assessments.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> Forest management plan with mitigation measures for all impacts identified in the environmental impact assessment. 	

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<p>6.2 Safeguards shall exist which protect rare, threatened and endangered species and their habitats (e.g. nesting and feeding areas). Conservation zones and protection areas shall be established, appropriate to the scale and intensity of forest management and the uniqueness of the affected resources. Inappropriate hunting, fishing, trapping and collection shall be controlled.</p>	<p>6.2.1 Availability and implementation of guidelines to identify and protect endangered, rare and threatened species of forest flora and fauna, including features of special biological interest such as seed trees, nesting and feeding areas in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • <i>Garis Panduan Kriteria Pemilihan dan Prosedur Penandaan Pokok Ibu (Ibu Pejabat Perhutanan Semenanjung Malaysia, 1997)</i> • Forest Manual 1953 (revised 1995) • Director General of Forestry's Circulars • Minimum cutting limit for <i>Neobalanocarpus heimii</i> (chengal) be equal to or greater than 60 cm dbh • Endangered, rare and threatened tree species marked and felling is prohibited, if present • Schedules to the Protection of Wildlife Act, 1972 • Wildlife Protection Order • List of endangered, rare and threatened species of flora and fauna, including features of special biological interest such as seed trees, nesting and feeding areas in the PFE. • Endangered, rare and threatened forest flora and fauna species protected, if present. <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Sustainable Forest Management Licence Agreement • Wildlife Conservation Enactment, 1997 • Biodiversity Enactment, 2000 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Wild Life Protection Ordinance, 1998 (Cap. 26) (First and Second Schedules)

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	<p>6.2.2 Availability and implementation of management guidelines to establish representative conservation and protection areas, in accordance with existing forest ecosystems, appropriate to the scale and intensity of forest management.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Forest Manual, 1953 (revised 1995) • Buffer strips for permanent streams and rivers in Inland Forest and Peat Swamp Forest of at least 5 m in width on either side of the stream or river, are marked and felling of trees is prohibited • Guidelines for the establishment of forest reserve boundaries • Instructions for the establishment of water catchment areas; water intake points • Guidelines for the Establishment of Virgin Jungle Reserves (VJR), 1987 • VJR size of at least 150 ha as of 1987 with buffer strip of 20 m width • State parks, where relevant • Wildlife sanctuaries and game reserves, where relevant • Seed Production Areas <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Wildlife Conservation Enactment, 1997 • Biodiversity Enactment, 2000 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ A Master Plan for Wildlife in Sarawak, 1996
	<p>6.2.3 Existence of cooperation between forest managers, and conservation organizations and regulatory authorities in implementing conservation and management activities.</p>	<p><u>Peninsular Malaysia/Sabah</u></p> <ul style="list-style-type: none"> • Records of meetings or collaboration

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	<p>6.2.4 Hunting, fishing and collecting activities should be controlled and inappropriate activities prevented in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of licence for hunting, fishing and collecting activities • Measures to prevent inappropriate hunting, fishing, trapping and collection such as periodical patrolling of forest areas, signage, closure of access to forest area <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Wildlife Conservation Enactment, 1997 • Sustainable Forest Management Licence Agreement • Forest Management Plan • Timber Licence Agreement • Native customs for river resource management • Biodiversity Enactment, 2000 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Appointment of Honorary Wildlife Rangers • Circular No. DF 6/99 – Conservator of Wildlife in Forest Timber Licence Areas
	<p>6.2.5 Forest workers shall be aware of endangered, rare and threatened species of forest flora and fauna found in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak. Such awareness shall be promoted among local communities.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of awareness activities such as briefings and posters <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Records of awareness activities such as briefings and posters and publications <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Posters

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<p>6.3 Ecological functions and values shall be maintained intact, enhanced, or restored, including:-</p> <ul style="list-style-type: none"> a) Forest regeneration and succession. b) Genetic, species and ecosystem diversity. c) Natural cycles that affect the productivity of the forest ecosystem. 	<p>6.3.1 Availability and implementation of management guidelines to assess post-harvest natural regeneration, and measures to supplement natural regeneration, where necessary, in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • <i>Panduan Kerja Luar Inventori Hutan Selepas Tebangan</i> [Field Manual on Post-felling Forest Inventory] • <i>Manual Kerja Luar Sistem Pengurusan Memilih (Selective Management System - SMS), Bab 10 – Kaedah Penilaian/Pemeriksaan Ke Atas Aktiviti-Aktiviti Pemulihan Hutan Selepas Tebangan</i> [Field Manual of Selective Management System (SMS), Chapter 10 – Assessment Procedures for Post-felling Rehabilitation Activities] • Handbook on Enrichment Planning, 1978 • <i>Panduan Aktiviti Tanaman Mangaya (Pekeliling KPPSM Bil. 2/96) [Bab 9, Manual Kerja Luar Sistem Pengurusan Memilih (Selective Management System), JPSM, 1997]</i> • Results of the post-felling inventory • Records of silvicultural treatments • Analysis of change of forest stand/ species composition in relation to the pre-felling inventory <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Pre-harvest Inventory • Closing Inspection Report • Forest Damage Assessment Report • Records of Silvicultural Treatments • Permanent Sample Plot Records <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Procedures for the Inspection of Forest Harvesting Areas, 1999 • Silviculture guidelines

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	<p>6.3.2 Availability and implementation of guidelines for the conservation of genetic, species and ecosystem diversity in the FMU</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Wildlife sanctuaries and game reserves, National Parks and State Parks where relevant • Guidelines for the Establishment of Virgin Jungle Reserves (VJR), 1987 • Manual Perhutanan Semenanjung Malaysia, 1953 (Pindaan 1995), Bahagian III, Bab 18 – Pemeliharaan Hutan • Minimum cutting limit for <i>Neobalanocarpus heimii</i> (chengal) be equal to or greater than 60 cm dbh • Seed Production Areas • Garis Panduan Kriteria Pemilihan dan Prosedur Penandaan Pokok Ibu (1997) • Records of implementation of the guidelines • Other guidelines and measures for the conservation of genetic, species and ecosystem diversity e.g. network of protection forest areas and protection of rare, threatened and endangered species in the FMU <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Wildlife Conservation Enactment, 1997 • Biodiversity Enactment, 2000 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan • A Master Plan for Wildlife in Sarawak, 1996 • Wild Life Protection Ordinance, 1998 (Cap. 26) • IUCN SSC Species Action Plan
	<p>6.3.3 Harvesting is designed taking into consideration the need for biological corridors and buffer zones for wildlife.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Forest Management Plan <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Comprehensive Harvesting Plan • Annual Work Plan <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan

FSC Principles & Criteria	Indicators	Verifiers
<p>6.4 Representative samples of existing ecosystems within the landscape shall be protected in their natural state and recorded on maps, appropriate to the scale and intensity of operations and the uniqueness of the affected resources.</p>	<p>6.4.1 Representative areas of existing forest ecosystems, appropriate to the scale and intensity of forest management operations, identified and selected under 6.2.2, are demarcated and protected in their natural state.</p> <p>6.4.2 Implementation of appropriate protection and management activities for these areas.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records and maps of such areas <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Comprehensive Harvesting Plan • Annual Work Plan <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Management prescriptions for the protection and management activities of these areas • Records of implementation <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Comprehensive Harvesting Plan • Annual Work Plan <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan

FSC Principles & Criteria	Indicators	Verifiers
<p>6.5 Written guidelines shall be prepared and implemented to:- control erosion; minimize forest damage during harvesting; road construction, and all other mechanical disturbances; and protect water resources.</p>	<p>6.5.1 Availability and implementation of harvesting procedures to protect the soil from compaction by harvesting machinery and erosion during harvesting operations.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Spesifikasi Jalan Hutan (Jalan Tujau dan Lorong Penarik) untuk Semenanjung Malaysia, 1999 • Kod Amalan Pengusahaan Hutan Darat Asli Semenanjung Malaysia, 1997 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Comprehensive Harvesting Plan <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan
<p>6.5.2 Implementation of reduced/low impact logging to minimize damage to the environment.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Guidelines for Reduced Impact Logging (RIL), 2002 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • RIL Operation Guidebook specially for crawler tractor use, 2000 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> ▪ Procedures on Reduced/Low Impact Harvesting Systems, 1999 	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Spesifikasi Jalan Hutan (Jalan Tujau dan Lorong Penarik) untuk Semenanjung Malaysia, 1999 • Kod Amalan Pengusahaan Hutan Darat Asli Semenanjung Malaysia, 1997 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • RIL Operation Guide Book especially for crawler tractor use, 2000 • Forest Management Plan <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan
<p>6.5.3 Availability and implementation of guidelines for forest road lay-out and construction, including log landings and drainage requirements.</p>		

FSC Principles & Criteria	Indicators	Verifiers
<p>6.6 Management systems shall promote the development and adoption of environmentally friendly non-chemical methods of pest management and strive to avoid the use of chemical pesticides. World Health Organization Type 1A and 1B and chlorinated hydrocarbon pesticides; pesticides that are persistent, toxic or whose derivatives remain biologically active and accumulate in the food chain beyond their intended use; as well as any pesticides banned by international agreement, shall be prohibited. If chemicals are used, proper equipment and training shall be provided to minimize health and environmental risks.</p>	<p>6.6.1 Availability and implementation of guidelines and/or procedures on the use of chemicals in the forest approved by relevant regulatory authorities.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Spesifikasi Jalan Hutan (Jalan Tujau dan Lorong Penarik) untuk Semenanjung Malaysia, 1999 • Kod Amalan Pengusahaan Hutan Darat Asli Semenanjung Malaysia, 1997 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • RIL Operation Guide Book especially for crawler tractor use, 2000 • Forest Management Plan <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Peraturan Menggelang Pokok dan Memotong Akar/ Papanjat (GCL) (Pekeliling KPSPM Bil. 1/96) [Bab 8, Manual Kerja Luar Sistem Pengurusan Memilih (Selective Management System), JPSM, 1997] <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Sustainable Forest Management Licence Agreement • Pesticides Procedure (Labelling), 1984 • Pesticides Act, 1974 • Occupational Safety and Health (Classification, Packaging and Labelling) Regulations, 1997 • Occupational Safety and Health (Use and Standard of exposure of Chemicals Hazardous to Health) Regulations, 2000 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Pesticides Act, 1974 • Pesticides Procedures (Labelling), 1984 • Occupational Safety and Health (Classification, Packaging and Labelling) Regulations, 1997 • Occupational Safety and Health (Use and Standard of Exposure of Chemicals Hazardous to Health) Regulations, 2000

FSC Principles & Criteria	Indicators	Verifiers
	6.6.2 Forest workers should be aware of the procedures on the use of approved chemicals in the forest.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Training records <u>Sabah</u> <ul style="list-style-type: none"> • Safe Operating Procedures • Training Records • Records of cooperation between forest managers and native communities <u>Sarawak</u> <ul style="list-style-type: none"> • Internal training
6.7 Chemicals, containers, liquid and solid non-organic wastes including fuel and oil shall be disposed of in an environmentally appropriate manner at off-site locations.	6.7.1 Non-organic wastes such as oil, tyres, containers etc should be recycled, where possible.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Recycle non-organic wastes, where possible <u>Sabah</u> <ul style="list-style-type: none"> • Environmental Quality Act, 1974
	6.7.2 Containers, liquid and solid non-organic wastes including fuel and oil should be disposed of in an environmentally appropriate and legal manner.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Disposal of containers, liquid and solid non-organic wastes including fuel and oil in an environmentally appropriate and legal manner • Environmental Quality Act, 1974 <u>Sabah</u> <ul style="list-style-type: none"> • Environmental Quality Act, 1974
6.8 Use of biological control agents shall be documented, minimized, monitored and strictly controlled in accordance with national laws and internationally accepted scientific protocols. Use of genetically modified organisms shall be prohibited.	6.8.1 Documentation, monitoring and control of biological control agents in accordance with relevant national and regional laws, and internationally accepted protocols, if such agents are used.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Documentation and monitoring records of use of biological control agents, if applied <u>Sabah</u> <ul style="list-style-type: none"> ▪ Environmental Quality Act, 1974 (check its relevance - Secretariat)

FSC Principles & Criteria	Indicators	Verifiers
<p>6.9 The use of exotic species shall be carefully controlled and actively monitored to avoid adverse ecological impacts.</p>	<p>6.9.1 Evaluation of potential ecological impacts of exotic plant and animal species, if such species are to be used.</p> <p>6.9.2 Documentation, monitoring and control of exotic plant and animal species, if such species are used.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • List of exotic plant and animal species used, if any • Evaluation report of potential ecological impacts if such species are used <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Wildlife Conservation Enactment, 1997 <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of monitoring and control of exotic plant and animal species, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan
<p>6.10 Forest conversion to plantations or non-forest land uses shall not occur, except in circumstances where conversion:-</p> <p>a) entails a very limited portion of the forest management unit; and</p> <p>b) does not occur on high conservation value forest areas; and</p> <p>c) will enable clear, substantial, additional, secure, long-term conservation benefits across the forest management unit.</p>	<p>6.10.1 Conversion of forest area to plantations, consistent with the provisions of relevant national and regional legal frameworks and policies, should provide substantial, additional, secure and long term benefits from the natural forest.</p> <p>6.10.2 Conversion of forest area to non-forest land uses, consistent with the provisions of relevant national and regional legal frameworks and policies, should provide higher economic values as compared to its original use, in the overall context of the need for socio-economic development of the country.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Social, environmental and economic cost benefit analysis • Environmental impact assessment, in accordance with the Environmental Quality Act, 1974 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Conversion of forest area to non-forest land use should be in accordance with sections 11 & 12 of the National Forestry Act, 1984 • Social, environmental and economic cost benefit analysis • Environmental impact assessment, in accordance with the Environmental Quality Act, 1974 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan

FSC Principles & Criteria	Indicators	Verifiers
<p>Principle 7: Management Plan</p> <p>A management plan – appropriate to the scale and intensity of the operations – shall be written, implemented, and kept up to date. The long term objectives of management, and the means of achieving them, shall be clearly stated.</p> <p>7.1 The management plan and supporting documents shall provide:-</p> <ol style="list-style-type: none"> Management objectives. Description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands. Description of silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories. Rationale for rate of annual harvest and species selection. Provisions for monitoring of forest growth and dynamics. Environmental safeguards based on environmental assessments. Plans for the identification and protection of rare, threatened and endangered species. Maps describing the forest resource base including protected areas, planned management activities and land ownership. Description and justification of harvesting techniques and equipment to be used. 	<p>7.1.1 Implementation of forest management plan prepared in accordance with existing regional Forestry Department guidelines and relevant provisions listed in Principle #1 covering items (a) to (i) in Criterion 7.1.</p>	<p><u>Peninsular Malaysia/Sabah/Sarawak</u></p> <ul style="list-style-type: none"> Forest Management Plan

FSC Principles & Criteria	Indicators	Verifiers
<p>7.2 The management plan shall be periodically revised to incorporate the results of monitoring or new scientific and technical information, as well as to respond to changing environmental, social and economic circumstances.</p>	<p>7.2.1 Implementation of procedures to periodically revise the forest management plan, incorporating the results of monitoring or new scientific and technical information, the frequency of which should be appropriate to the scale and intensity of forest management operations, so as to respond to changing environmental, social and economic circumstances.</p> <p>7.2.2 Forest managers should be aware of new scientific and technical information pertinent to the management of the area to be certified.</p>	<p><u>Peninsular Malaysia/Sabah/Sarawak</u></p> <ul style="list-style-type: none"> • Periodic review as prescribed in the Forest Management Plan <p><u>Sabah</u></p> <ul style="list-style-type: none"> ▪ Records of new scientific and technical information affecting the management of the Forest Management Unit. <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of new scientific and technical information pertinent to the management of the area to be certified
<p>7.3 Forest workers shall receive adequate training and supervision to ensure proper implementation of the management plan.</p>	<p>7.3.1 Availability of facilities and programs for training of forest workers for proper implementation of the forest management plan.</p> <p>7.3.2 Forest workers should be trained as to their respective roles in the implementation of the forest management plan.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Training facilities and programmes of the Forestry Department Peninsular Malaysia <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Training facilities and programs of the Institut Perhutanan Sabah (IPS) • List of other training facilities and programs <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Training facilities and programmes of Forest Department Sarawak, Sarawak Timber Association, Sarawak Timber Industry Development Corporation and other agencies. <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of training of forest workers in the implementation of the forest management plan should be maintained. <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Staff training records <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Records of training of forest workers in the implementation of the forest management plan should be maintained.

FSC Principles & Criteria	Indicators	Verifiers
7.4 While respecting the confidentiality of information, forest managers shall make publicly available a summary of the primary elements of the management plan, including those listed in Criterion 7.1.	7.4.1 A summary of the primary elements of the forest management plan as prepared and implemented under Indicator 7.1.1 should be made available to the public.	<u>Peninsular Malaysia/Sabah/Sarawak</u> <ul style="list-style-type: none"> • Public summary of the Forest Management Plan

Principle 8: Monitoring and Assessment

Monitoring shall be conducted – appropriate to the scale and intensity of forest management – to assess the condition of the forest, yields of forest products, chain of custody, management activities and their social and environmental impacts.

8.1 The frequency and intensity of monitoring should be determined by the scale and intensity of forest management operations as well as the relative complexity and fragility of the affected environment. Monitoring procedures should be consistent and replicable over time to allow comparison of results and assessment of change.	8.1.1 Forest managers should comply with the regulatory monitoring procedures in accordance with relevant national and regional guidelines of the Forestry Departments and other relevant agencies.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Director General's Directive on the use of monitoring forms A – D (A: Infrastruktur, B: Pengusahasaan Hutan, C: Alam Sekitar, D: Pengelantaran) <u>Sabah</u> <ul style="list-style-type: none"> • Auditing and Monitoring Guidelines, Sabah Forestry Department, 2000 <u>Sarawak</u> <ul style="list-style-type: none"> • Procedures for the Inspection of Forest Harvesting Areas, 1999
8.1.2 Forest managers should identify and implement appropriate monitoring procedures, in accordance with the scale and intensity of the forest management operations, for assessing social, ecological, environmental and economic impacts.	8.1.2 Forest managers should identify and implement appropriate monitoring procedures, in accordance with the scale and intensity of the forest management operations, for assessing social, ecological, environmental and economic impacts.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Procedures to monitor social, ecological, environmental and economic impacts • Director General's Directive on the use of monitoring forms A – D (A: Infrastruktur, B: Pengusahasaan Hutan, C: Alam Sekitar, D: Pengelantaran) • Other monitoring records <u>Sabah</u> <ul style="list-style-type: none"> • Auditing and monitoring report • Environmental Impact Assessment Compliance report • Records of corrective actions

FSC Principles & Criteria	Indicators	Verifiers
<p>8.2 Forest management should include the research and data collection needed to monitor, at a minimum, the following indicators:-</p> <ul style="list-style-type: none"> a) Yield of all forest products harvested. b) Growth rates, regeneration and condition of the forest. c) Composition and observed changes in the flora and fauna. d) Environmental and social impacts of harvesting and other operations. e) Costs, productivity, and efficiency of forest management. 	<p>8.2.1 Forest managers should gather the relevant information, appropriate to the scale and intensity of the forest management operations, needed to monitor the items (a) to (e) listed in Criterion 8.2.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Results of analysis of growth and yield plots/ growth plots/ continuous forest inventory (CFI) plots • Results of pre-felling, post-felling and Virgin Jungle Reserves inventory analysis • Closing reports • Quarterly progress reports • Wildlife/ biodiversity inventory analysis/ research • Soil and water quality (physical environment) analysis/ research • Social impact analysis/ research/ consultations • Social, environmental and economic cost benefit analysis <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Annual Working Plan • Compartment Record Book • Permanent Sample Plots • Biodiversity rapid assessment report • Environmental Impact Assessment Compliance Report • Forest Resource Accounting <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Permanent Sample Plots • Rapid Environmental Appraisals • Rapid Rural Appraisals

FSC Principles & Criteria	Indicators	Verifiers
8.3 Documentation shall be provided by the forest manager to enable monitoring and certifying organizations to trace each forest product from its origin, a process known as the ‘chain of custody’?	8.3.1 Forest managers should provide relevant documents for identifying all forest products leaving the area to be certified so that their origin could be easily determined.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Removal pass • Wildlife licences/ permits <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Comprehensive Harvesting Plan • Daily Felling & Extraction Form • Log Summary Record • FIIB Licences • Removal Pass • Timber Disposal Permit • Log Arrival Book • Export Declaration Form <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Log Tracking System • Removal Pass
8.4 The results of monitoring shall be incorporated into the implementation and revision of the management plan.	8.4.1 Forest managers should incorporate the results and findings of the monitoring activities into the implementation and revision of the forest management plan.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Relevant results of monitoring activities shall be incorporated into the revision of the forest management plan
8.5 While respecting the confidentiality of information, forest managers shall make publicly available a summary of the results of monitoring indicators, including those listed in Criterion 8.2.	8.5.1 A summary of the results of monitoring indicators, including those listed in Criterion 8.2 should be made available to the public.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Public summary of results of monitoring indicators <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Public Summary of Compliance Report

FSC Principles & Criteria	Indicators	Verifiers
<p>Principle 9: Maintenance of High Conservation Value Forests</p> <p>Management activities in high conservation value forests shall maintain or enhance the attributes which define such forests. Decisions regarding high conservation value forests shall always be considered in the context of a precautionary approach.</p>		
<p>9.1 Assessment to determine the presence of the attributes consistent with High Conservation Value Forests will be completed, appropriate to scale and intensity of forest management.</p>	<p>9.1.1 Forest managers should conduct an assessment of HCVFs in accordance with relevant national and regional legal and regulatory frameworks, appropriate to scale and intensity of forest management operations in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak, and in consultation with relevant stakeholders and experts.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Assessment, identification and demarcation of HCVFs in the Forest Management Plan • Records of consultations/ dialogues with relevant interested and affected parties <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Environmental Impact Assessment • Any other reporting such as scientific expedition • Records of consultation with native communities • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Records of dialogues with relevant stakeholders and experts • Sarawak Cultural Heritage Ordinance, 1993 • All Adats recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
	<p>9.1.2 Forest managers should observe the precautionary principle in the management of such areas.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Management of HCVF areas is conducted based on the precautionary principle <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Annual Work Plan • Environmental Impact Assessment Compliance Agreement

FSC Principles & Criteria	Indicators	Verifiers
<p>9.2 The consultative portion of the certification process must place emphasis on the identified conservation attributes, and options for the maintenance thereof.</p>	<p>9.2.1 Forest managers should provide the assessors with a list of relevant stakeholders who have been consulted regarding the HCVPs.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • List of relevant interested and affected parties consulted <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Records of meetings with relevant stakeholders and experts regarding the HCVPs <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Records of dialogues with relevant stakeholders and experts
<p>9.3 The management plan shall include and implement specific measures that ensure the maintenance and/or enhancement of the applicable conservation attributes consistent with the precautionary approach. These measures shall be specifically included in the publicly available management plan summary.</p>	<p>9.2.2 Forest managers should demonstrate that the forest management operations consider and protect areas of high conservation value in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak.</p> <p>9.3.1 Measures to demarcate, maintain and/or enhance the HCVP attributes are documented in the forest management plan and effectively implemented.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • HCVP areas demarcated on maps in the forest management plan • Management prescriptions to maintain and/or enhance HCVP attributes • Management records <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Compartment Record Book • Annual Work Plan • Compliance Reports <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan
	<p>9.3.2 These measures should be included in the forest management plan summary made available to the public.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Public summary of the Forest Management Plan with the HCVP measures included

FSC Principles & Criteria	Indicators	Verifiers
<p>9.4 Annual monitoring shall be conducted to assess the effectiveness of the measures employed to maintain or enhance the applicable conservation attributes.</p>	<p>9.4.1 Forest managers should conduct, appropriate to scale and intensity of forest management operations, annual monitoring to assess the effectiveness of the measures in the management of the HCVFs in the PFE for Peninsular Malaysia and forest management areas for Sabah and Sarawak.</p> <p>9.4.2 Forest managers should incorporate the results and findings of the HCVFs monitoring activities into the implementation and revision of the forest management plan.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Monitoring procedures to assess the effectiveness of the measures in the management of the HCVFs • Monitoring records <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Monitoring procedures to assess the effectiveness of the measures in the management of the HCVFs • Monitoring Records <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Relevant results and findings of HCVF monitoring activities shall be incorporated into the revision of the forest management plan <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Periodic review of the Forest Management Plan

DEFINITION OF TERMS USED IN THE MCAI

The following are definitions of some important terms that are applicable for this document.

Adat: Adat means native custom which includes way of life, basic values, belief system, culture, accepted code of conduct, manners and conventions according to which indigenous society is ordered, and is enforceable in Courts of Law. (Source: National-Level Consultation, 28-30 October 2002)

Biological diversity: The variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species and of ecosystems. (Source: Convention on Biological Diversity)

Biological control agents: Living organisms used to eliminate or regulate the population of other living organisms. (Source: FSC Principles and Criteria)

Chain of custody: The channel through which products are distributed from their origin in the forest to their end-use. (Source: FSC Principles and Criteria)

Chemicals: The range of fertilizers, insecticides, fungicides, and hormones which are used in forest management. (Source: FSC Principles and Criteria)

Criterion (pl. Criteria): A means of judging whether or not a Principle (of forest stewardship) has been fulfilled. (Source: FSC Principles and Criteria)

Customary rights: Rights which result from a long series of habitual or customary actions, constantly repeated, which have, by such repetition and by uninterrupted acquiescence, acquired the force of a law within a geographical or sociological unit. (Source: FSC Principles and Criteria)

Ecosystem: A community of all plants and animals and their physical environment, functioning together as an interdependent unit. (Source: FSC Principles and Criteria)

Encroachment: The act or action of using forest land contrary to the provisions provided for in forestry laws and regulations with regard to forest land uses. (Source: FSC Principles and Criteria)

Endangered species: Any species which is in danger of extinction throughout all or a significant portion of its range. (Source: FSC Principles and Criteria)

Exotic species: An introduced species not native or endemic to the area in question. (Source: FSC Principles and Criteria)

Forest management/manager: The people responsible for the operational management of the forest resource and of the enterprise, as well as the management system and structure, and the planning and field operations. (Source: FSC Principles and Criteria)

Forest management area: A forest management area refers to the clearly defined area which is under direct management of the company undertaking forest management assessment for the purpose of timber certification. (Source: National-Level Consultation, 28-30 October 2002)

Forest Management Unit: A forest management unit (FMU) is a clearly defined forest area, managed to a set of explicit objectives and according to a long-term management plan. (Source: ITTO Criteria and Indicators for Sustainable Management of Natural Tropical Forests)

Genetically modified organisms: Biological organisms which have been induced by various means to consist of genetic structural changes. (Source: FSC Principles and Criteria)

High Conservation Value Forests: High Conservation Value Forests (HCVFs) are those that possess one or more of the following attributes:

- (a) forest areas containing globally, regionally or nationally significant concentrations of biodiversity values (e.g. endemism, endangered species, refugia); and/or large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance
 - (b) forest areas that are in or contain rare, threatened or endangered ecosystems
 - (c) forest areas that provide basic services of nature in critical situations (e.g. watershed protection, erosion control)
 - (d) forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health) and/or critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities)
- (Source: FSC Principles and Criteria)

Indicator: A qualitative, quantitative or descriptive attribute that, when periodically measured or monitored, indicates the direction of change. (Source: ITTO Criteria and Indicators for Sustainable Management of Natural Tropical Forests)

Indigenous peoples: "The existing descendants of the peoples who inhabited the present territory of a country wholly or partially at the time when persons of a different culture or ethnic origin arrived there from other parts of the world, overcame them and, by conquest, settlement, or other means reduced them to a non-dominant or colonial situation; who today live more in conformity with their particular social, economic and cultural customs and traditions than with the institutions of the country of which they now form a part, under State structure which incorporates mainly the national, social and cultural characteristics of other segments of the population which are predominant." (Source: FSC Principles and Criteria)

Landscape: A geographical mosaic composed of interacting ecosystems resulting from the influence of geological, topographical, soil, climatic, biotic and human interactions in a given area. (Source: FSC Principles and Criteria)

Local laws: Includes all legal norms given by organisms of government whose jurisdiction is less than the national level, such as departmental, municipal and customary norms. (Source: FSC Principles and Criteria)

Long term: The time-scale of the forest owner or manager as manifested by the objectives of the management plan, the rate of harvesting, and the commitment to maintain permanent forest cover. The length of time involved will vary according to the context and ecological conditions, and will be a function of how long it takes a given ecosystem to recover its natural structure and composition following harvesting or disturbance, or to produce mature or primary conditions. (Source: FSC Principles and Criteria)

Natural cycles: Nutrient and mineral cycling as a result of interactions between soils, water, plants, and animals in forest environments that affect the ecological productivity of a given site. (Source: FSC Principles and Criteria)

Natural Forest: Forest areas where many of the principal characteristics and key elements of native ecosystems such as complexity, structure and diversity are present, as defined by FSC approved national and regional standards of forest management. (Source: FSC Principles and Criteria)

Non-timber forest products: All forest products except timber, including other materials obtained from trees such as resins and leaves, as well as any other plant and animal products. (Source: FSC Principles and Criteria)

Permanent Forest Estate: Land, whether public or private, secured by law and kept under permanent forest cover. This includes land for the production of timber and other forest products, for the protection of soil and water, and for the conservation of biological diversity, as well as land intended to fulfil a combination of these functions. (Source: ITTO Criteria and Indicators for Sustainable Management of Natural Tropical Forests)

Plantation: Forest areas lacking most of the principal characteristics and key elements of native ecosystems as defined by FSC-approved national and regional standards of forest stewardship, which result from the human activities of either planting, sowing or intensive silvicultural treatments. (Source: FSC Principles and Criteria)

Precautionary approach: Tool for the implementation of the precautionary principle. (Source: FSC Principles and Criteria)

Principle: An essential rule or element; in FSC's case, of forest stewardship. (Source: FSC Principles and Criteria)

Regulated forest: Forest area harvested in the production forest of the PFE and has the forest structure, based on forest inventory, to sustain timber production. (Source: *MC&I* dated 4 October 2001)

Silviculture: The art of producing and tending a forest by manipulating its establishment, composition and growth to best fulfil the objectives of the owner. This may, or may not, include timber production. (Source: FSC Principles and Criteria)

Stakeholder: individuals and organisations with a legitimate interest in the goods and services provided by an FMU; and those with an interest in the environmental and social effects of an FMU's activities, products and services. They include: those individuals and organisations which exercise statutory environmental control over the FMU; local people; employees; investors and insurers; customers and consumers; environmental interest and consumer groups and the general public. (Source: FSC Principles and Criteria)

Succession: Progressive changes in species composition and forest community structure caused by natural processes (nonhuman) over time. (Source: FSC Principles and Criteria)

Tenure: Socially defined agreements held by individuals or groups, recognized by legal statutes or customary practice, regarding the "bundle of rights and duties" of ownership, holding, access and/or usage of a particular land unit or the associated resources there within (such as individual trees, plant species, water, minerals, etc). (Source: FSC Principles and Criteria)

Threatened species: Any species which is likely to become endangered within the foreseeable future throughout all or a significant portion of its range. (Source: FSC Principles and Criteria)

Use rights: Rights for the use of forest resources that can be defined by local custom, mutual agreements, or prescribed by other entities holding access rights. These rights may restrict the use of particular resources to specific levels of consumption or particular harvesting techniques. (Source: FSC Principles and Criteria)

Verifier: Data or information that enhances the specificity or the ease of assessment of an indicator. Verifiers provide specific details that would indicate or reflect a desired condition of an indicator. They add meaning, precision and usually also site-specificity to an indicator. They may define the limits of a hypothetical zone from which recovery can still safely take place (performance threshold/target). On the other hand, they may also be defined as procedures needed to determine satisfaction of the conditions postulated in the indicator concerned (means of verification). (Source: The CIFOR Criteria and Indicators Generic Template)