

Malaysian Criteria and Indicators for Forest Management Certification (Natural Forest)

[*MC&I*(Natural Forest)]

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

1. Introduction

The *Malaysian Criteria and Indicators for Forest Management Certification (Natural Forest)* [or in short the *MC&I(Natural Forest)*] supersedes the *Malaysian Criteria and Indicators for Forest Management Certification* [or in short the *MC&I(2002)*], as the standard to be used for forest management certification of natural forests at the forest management unit (FMU) level in Malaysia.

2. Background

- 2.1 The *MC&I(2002)* has been used as the standard for forest management certification under the Malaysian Timber Certification Scheme (MTCS) operated by the Malaysian Timber Certification Council (MTCC) since October 2005. In line with international practice and the standard setting process for the development of timber certification standards adopted under the MTCS, where it is required that the certification standard used is to be reviewed at least every five years to ensure continuous improvement, the *MC&I(2002)* was subjected to a review process beginning April 2009.
- 2.2 The announcement on the review process and timelines was communicated to all relevant stakeholder groups in Malaysia in writing, as well as through the MTCC website in February-March 2009. The review process officially commenced with the conduct of the First Public Comment on the *MC&I(2002)* to obtain feedback, comments and proposals to refine and improve the *MC&I(2002)* from the relevant stakeholder groups in Malaysia from 1 April-31 May 2009.
- 2.3 As a result of the First Public Comment period, comments were received from the Sarawak Forestry Corporation, Forestry Department Peninsular Malaysia, Malaysian Nature Society (Kuching Branch), Wildlife Conservation Society (Malaysia Program) and the Sarawak

Timber Association. All the comments received were posted on the MTCC website on 16 July 2009.

- 2.4 The Standards Review Committee (SRC) was the multi-stakeholder forum tasked to review the *MC&I(2002)* and to develop the revised standard. The SRC comprised 15 members who were representatives nominated by their respective stakeholder groups i.e. the social (indigenous peoples and workers' union), environmental and economic interest groups, and the relevant government agencies, from the three regions of Malaysia, i.e. Sabah, Sarawak and Peninsular Malaysia (**Appendix I**). MTCC served as the Secretariat of the SRC and played a facilitative role in the formation of the SRC.
- 2.5 To assist the Secretariat in its work, a Panel of Experts (PoE) comprising five members who are experts in the economic, environmental and social aspects of forest management, was formed. The PoE comprised individuals and those working in organisations which are not directly involved in the forest certification process and also not directly involved in representing any stakeholder group in the multi-stakeholder consultations (**Appendix II**). The PoE provided the Secretariat with independent advice on how comments and proposals received from the various stakeholder groups related to the Principles, Criteria, Indicators and Verifiers of the *MC&I(2002)* could be collated for the consideration of the SRC.
- 2.6 In its First Meeting on 23 July 2009, besides considering the comments received from the First Public Comment period, the PoE also considered the comments received from: (i) PEFC endorsement process of the MTCS; (ii) MTCC-Hamburg Joint Project; and (iii) considerations of ILO Core Conventions adopted by PEFC. The Secretariat consolidated the views of the PoE regarding the comments received and prepared a *Working Draft* dated 23 July 2009 for the consideration of the First Meeting of the SRC.

2.7 The SRC held its First Meeting on 29-30 October and 15-16 December 2009 to consider the *Working Draft*. As a result of the meeting, the *First Draft* of the revised standard which was agreed by the SRC to be named as the *First Draft of the MC&I(Natural Forest)* [to distinguish it from the existing *MC&I(Forest Plantations)* meant for the certification of forest plantations under the MTCS].

2.8 The *First Draft of the MC&I(Natural Forest)* was subsequently subjected to a Second Public Comment from 10 March to 9 April 2010. Comments were received from the following stakeholder groups:

- (i) Forestry Department Peninsular Malaysia
- (ii) Sabah Forestry Department
- (iii) Sarawak Forestry Corporation
- (iv) Forest Research Institute Malaysia
- (v) Department of Irrigation and Drainage, Sabah
- (vi) Department of Labour, Sarawak
- (vii) Sarawak Biodiversity Centre
- (viii) Malaysian Nature Society

2.9 The PoE held its Second Meeting on 29 April 2010 to provide its opinions on the comments received from the various stakeholder groups. A *Second Draft of the MC&I(Natural Forest)* was prepared by the Secretariat based on the comments received from the stakeholder groups and the opinions of the PoE.

2.10 The *Second Draft of the MC&I(Natural Forest)* was subsequently subjected to three regional multi-stakeholder consultations, i.e. in Kuching on 19-20 July 2010, in Kota Kinabalu on 22-23 July 2010 and in Kuala Lumpur on 26-27 July 2010.

2.11 The *Third Draft of the MC&I(Natural Forest)* incorporating the comments received from the various stakeholder groups through the regional consultations was reviewed by the Third Meeting of the PoE on 27-28 January 2011.

2.12 The *Third Draft of the MC&I(Natural Forest)* including the views of the PoE were subsequently considered by the Second Meeting of the

SRC on 16-18 March 2011, resulting in the *Final Draft of the MC&I(Natural Forest)* dated 18 March 2011.

2.13 The *Final Draft of the MC&I(Natural Forest)* was subjected to a Third (final) Public Comment period from 14 May-12 July 2011, which resulted in comments and proposals received from the various stakeholder groups as follows:

- (i) Wildlife Conservation Society (Malaysia Program)
- (ii) Natural Resources and Environment Board, Sarawak
- (iii) Sabah Forestry Department
- (iv) Forestry Department Peninsular Malaysia
- (v) Kadazandusun Cultural Association, Sabah
- (vi) Forest Research Institute Malaysia
- (vii) Sarawak Forest Department
- (viii) Bioversity International
- (ix) Johor National Parks Corporation
- (x) Environmental Protection Department, Sabah
- (xi) Persatuan Kedayan Sabah
- (xii) Sarawak Biodiversity Centre
- (xiii) Department of Labour Sarawak
- (xiv) Department of Irrigation and Drainage, Sabah
- (xv) Human Rights Commission of Malaysia (SUHAKAM)

The above comments were supplemented by comments submitted by the Secretariat.

2.14 The comments on the *Final Draft* were considered and finalised by the Third Meeting of the SRC held on 20-22 September 2011.

3. Terms and Definitions

The definitions of key terms used in the *MC&I(Natural Forest)* are as listed in **Appendix III**.

4. Format of the *MC&I*(Natural Forest)

The *MC&I*(Natural Forest) is formatted into three columns, with the first column containing the Criteria listed under the corresponding Principle. The second and third columns show the corresponding Indicators and Verifiers specified for each Criterion. In specific cases, slightly different Verifiers have been specified separately for Sabah, Sarawak and Peninsular Malaysia to take into account the regional differences.

5. Review of the *MC&I*(Natural Forest)

The *MC&I*(Natural Forest) will be reviewed and updated every five years, based on feedback, research findings and experience gained through its application in the field.

STANDARDS REVIEW COMMITTEE

22 September 2011

MALAYSIAN CRITERIA AND INDICATORS FOR FOREST MANAGEMENT CERTIFICATION (NATURAL FOREST)

Principle 1: Compliance with Laws and Principles

Forest management shall comply with all applicable laws of Malaysia and respect international treaties and agreements to which Malaysia is a signatory, and comply with all the Principles and Criteria contained in this standard.

Criterion	Indicator	Verifier
<p>1.1 Forest management shall comply with all applicable federal, state and local laws and administrative requirements.</p>	<p>1.1.1 Records and availability of up-to-date applicable federal, state and local laws, and regulations and policies, in particular those related to forest management.</p>	<p><u>Peninsular Malaysia</u> <u>Federal Laws</u></p> <ul style="list-style-type: none"> • Federal Constitution • Aboriginal Peoples Act, 1954 including relevant decisions of the Civil Courts • Employment Act, 1955 • Employees Provident Fund Act, 1991 • Employees' Social Security Act, 1969 <ul style="list-style-type: none"> ○ Employees' Social Security (General) Regulations, 1971 • Environmental Quality Act, 1974 <ul style="list-style-type: none"> ○ Environmental Quality (Scheduled Wastes) Regulations, 2005 ○ Environmental Quality (Prescribed Premises) (Scheduled Wastes Treatment and Disposal Facilities) Regulations, 1989 ○ Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order, 1987 • Factories and Machineries Act, 1967 • Fisheries Act, 1985 • Human Rights Commission Malaysia Act, 1999 • Industrial Relations Act, 1967 • International Trade in Endangered Species Act, 2008 • Land Conservation Act, 1960 • National Forestry Act, 1984 • National Land Code, 1965 • National Parks Act, 1980 • Occupational Safety and Health Act, 1994 <ul style="list-style-type: none"> ○ Occupational Safety and Health (Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Diseases) Regulations, 2004 ○ Occupational Safety and Health (Use and Standard of Exposure of Chemicals Hazardous to Health) Regulations, 2000 • Pesticides Act, 1974 • Trade Unions Act, 1959 (Act 262) • Waters Act, 1920 • Wildlife Conservation Act, 2010 • Workmen's Compensation Act, 1952

Criterion	Indicator	Verifier
		<p><u>State Laws</u></p> <ul style="list-style-type: none"> • State Forest Enactments • State Forest Rules • Johor State Park Corporation Enactment, 1989 • Perak State Park Corporation Enactment, 2001 • Selangor State Parks Corporation Enactment, 2005 <p><u>Policies</u></p> <ul style="list-style-type: none"> • Code of Conduct for Industrial Harmony, 1975 • National Forestry Policy, 1978 (revised 1992) • National Physical Plan - 2, 2010 • National Policy on Biological Diversity, 1998 • National Policy on Environment, 2002 • National Tiger Conservation Action Plan, 2008-2020 • National Timber Industry Policy, 2009-2020 <p><u>Sabah</u></p> <p><u>Federal Laws</u></p> <ul style="list-style-type: none"> • Federal Constitution • Employees Provident Fund Act, 1991 • Employees' Social Security Act, 1969 <ul style="list-style-type: none"> ○ Employees' Social Security (General) Regulations, 1971 • Environmental Quality Act, 1974 <ul style="list-style-type: none"> ○ Environmental Quality (Scheduled Wastes) Regulations, 2005 ○ Environmental Quality (Prescribed Premises) (Scheduled Wastes Treatment and Disposal Facilities) Regulations, 1989 • Factories and Machineries Act, 1967 • Human Rights Commission of Malaysia Act, 1999 • Industrial Relations Act, 1967 • Occupational Safety and Health Act, 1994 <ul style="list-style-type: none"> ○ Occupational Safety and Health (Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Diseases) Regulations, 2004 ○ Occupational Safety and Health (Use and Standard of Exposure of Chemicals Hazardous to Health) Regulations, 2000 • Pesticides Act, 1974 • Trade Unions Act, 1959 (Act 262) • Workmen's Compensation Act, 1952 <p><u>State Laws</u></p> <ul style="list-style-type: none"> • Sabah State Constitution • Biodiversity Enactment, 2000 • Environment Protection Enactment, 2002 <ul style="list-style-type: none"> ○ Environment Protection (Prescribed Activities) (Environmental Impact Assessment) Order, 2005

Criterion	Indicator	Verifier
		<ul style="list-style-type: none"> • Forest Enactment, 1968 <ul style="list-style-type: none"> ○ Forest Rules, 1969 • Interpretation (Definition of Native) Ordinance, 1952 • Labour Ordinance (Sabah Cap. 67) • Land Ordinance, 1930 (Sabah Cap. 68) • Native Court Enactment, 1992 <ul style="list-style-type: none"> ○ Native Court (Native Customary Laws) Rules, 1995 • Sabah Parks Ordinance, 1962 • State Cultural Heritage (Conservation) Enactment, 1997 • Wildlife Conservation Enactment, 1997 • Water Resources Enactment, 1998 • All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts <p><u>Policies</u></p> <ul style="list-style-type: none"> • State Forest Policy, 1954 • Code of Conduct for Industrial Harmony, 1975 • National Policy on Environment, 2002 • National Policy on Biological Diversity, 1998 • National Timber Industry Policy, 2009-2020 <p><u>Sarawak</u></p> <p><u>Federal Laws</u></p> <ul style="list-style-type: none"> • Federal Constitution • Employees Provident Fund Act, 1991 • Environmental Quality Act, 1974 <ul style="list-style-type: none"> ○ Environmental Quality (Scheduled Wastes) Regulations, 2005 ○ Environmental Quality (Prescribed Premises) (Scheduled Wastes Treatment and Disposal Facilities) Regulations, 1989 • Employees' Social Security Act, 1969 <ul style="list-style-type: none"> ○ Employees' Social Security (General) Regulations, 1971 • Factories and Machineries Act, 1967 • Human Rights Commission of Malaysia Act, 1999 • Industrial Relations Act, 1967 • Occupational Safety and Health Act, 1994 <ul style="list-style-type: none"> ○ Occupational Safety and Health (Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Diseases) Regulations, 2004 ○ Occupational Safety and Health (Use and Standard of Exposure of Chemicals Hazardous to Health) Regulations, 2000 • Pesticides Act, 1974 • Trade Unions Act, 1959 (Act 262) • Workmen's Compensation Act, 1952

Criterion	Indicator	Verifier
		<p><u>State Laws</u></p> <ul style="list-style-type: none"> • Sarawak State Constitution • Forests Ordinance (Cap. 126) <ul style="list-style-type: none"> ○ Forest Rules, 1962 • Interpretation Ordinance (Cap. 61) • Labour Ordinance (Sarawak Cap. 76) • Land Code (Cap. 81) • National Parks and Nature Reserves Ordinance, 1998 • Native Courts Ordinance, 1992 <ul style="list-style-type: none"> ○ Native Courts Rules, 1993 • Native Customs (Declaration) Ordinance, 1996 • Natural Resources and Environment Ordinance (Cap. 84) <ul style="list-style-type: none"> ○ Natural Resources and Environment (Prescribed Activities) Order, 1994 • Sarawak Biodiversity Centre Ordinance, 1997 <ul style="list-style-type: none"> ○ Sarawak Biodiversity Regulations, 2004 ○ Sarawak Biodiversity (Fees) Notification, 2003 • Sarawak Cultural Heritage Ordinance, 1993 • Sarawak Forestry Corporation Ordinance, 1995 • Sarawak Rivers Ordinance, 1993 (Cap. 4) and Regulations • Water Ordinance, 1994 and Regulations • Wild Life Protection Ordinance, 1998 (Cap. 26) <ul style="list-style-type: none"> ○ Wild Life Protection Rules, 1998 • All <i>adat</i> codified under the Native Customs (Declaration) Ordinance, 1996 and any other <i>adat</i> recognised and enforceable by the Native Courts under the Native Courts Ordinance, 1992 and the Native Courts Rules, 1993 • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights <p><u>Policies</u></p> <ul style="list-style-type: none"> • Statement of Forest Policy, 1954 • A Master Plan for Wildlife in Sarawak, 1996 • Code of Conduct for Industrial Harmony, 1975 • National Policy on Biological Diversity, 1998 • National Policy on Environment, 2002 • National Timber Industry Policy, 2009-2020
	1.1.2 Forest managers are aware and/or knowledgeable of the applicable federal, state and local laws, as well as the regulatory framework for forest management.	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Record and outcome of interview with Forest Manager on the applicable federal, state and local laws as well as the regulatory framework
	1.1.3 Record of violations and actions taken to address them.	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records of forest offences and actions taken

Criterion	Indicator	Verifier
1.2 All applicable and legally prescribed fees, royalties, taxes, and other charges shall be paid.	1.2.1 Availability of current list of all legally prescribed fees, royalties, taxes, and other charges.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • National Forestry Act, 1984 • State Forest Enactment • State Forest Rules – Second Schedule (premium rate), Third Schedule (royalty rate), Fourth Schedule (forest premium and cess) and Fifth Schedule (liquidated damages) <p><u>Sabah</u></p> <ul style="list-style-type: none"> • FD Circulars • Gazetted royalty structure and rates • Performance bond for Sustainable Forest Management Licence Agreement • Community forestry cess fund • Premium for forest reserve • Royalty based on species group • Occupational permit • Machinery registration fee • Rehabilitation fund • Revised licence fees and other charges as listed in “<i>Arahan Pengarah Bil: 10/2000 (Ref: JPHTN/PP 100 -4/1/13)</i>” <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 (5)]: Produce Taken Under Permit • Forest Premium and Cess under Fourth Schedule of Forest Timber Licence • Liquidated Damage under Fifth Schedule of Forest Timber Licence • Wild Life Protection Rules, 1998 – Second Schedule: Fees for Licence and Permit • Sarawak Biodiversity (Fees) Notification, 2003
	1.2.2 Records are kept of all payments made.	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records of payments made

Criterion	Indicator	Verifier
1.3 The provisions of all binding international agreements applicable to forest management shall be respected.	1.3.1 Forest managers are aware of all binding international agreements relevant to forest management.	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Record and outcome of interview with Forest Manager on their awareness on forest related binding international agreements <p>Where relevant, provisions related to forest management of the following international agreements are respected in forest management:</p> <ul style="list-style-type: none"> • United Nations Convention on Biological Diversity, 1992 – Articles 1-19 <ul style="list-style-type: none"> ○ Cartagena Protocol on Biosafety to the Convention on Biological Diversity, 2000 • Convention on Wetlands of International Importance Especially as Waterfowl Habitat, 1971 – Articles 1-6 • International Tropical Timber Agreement, 1994 – Chapters I and VII • United Nations Framework Convention on Climate Change, 1992 – Articles 1-6 • United Nations Declaration on Rights of Indigenous Peoples, 2007 – Articles 8, 12, 24, 26, 28 and 29 • Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973 – Articles I-X • International Labour Organization (ILO) Conventions <ul style="list-style-type: none"> ○ Convention No. 29 – Forced Labour Convention, 1930 - Articles 1 and 2 ○ Convention No. 87 – The Freedom of Association and Protection of the Right to Organise Convention, 1948 - Articles 2, 3, 5 and 11 ○ Convention No. 98 – The Right to Organise and Collective Bargaining Convention, 1949 - Articles 1 and 2 ○ Convention No. 100 – Equal Remuneration Convention, 1951 - The Right to Equal Pay - Articles 1-4 ○ Convention No. 105 – Abolition of Forced Labour Convention, 1957 - Articles 1 and 2 ○ Convention No. 111 – Discrimination (Employment and Occupation) Convention, 1958 - The Right to Equal Treatment - Articles 1-5 ○ Convention No. 138 – Minimum Age for Admission to Employment, 1973 ○ Convention No. 182 – Worst Form of Child Labour, 1999
1.4 Conflicts between laws, regulations and these 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.	1.4.1 Availability of documentation of any conflicts between laws, regulations and these Principles and Criteria.	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records of evaluation of conflicts between laws, regulations and these Principles and Criteria, if any
	1.4.2 Forest managers are willing to participate in any process to resolve such conflicts that may arise with the affected parties.	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records (minutes, field diaries, etc) of forest manager’s participation in resolving such conflicts

Criterion	Indicator	Verifier
1.5 Forest management areas shall be protected from illegal harvesting, settlement and other unauthorised activities.	1.5.1 Availability of legal provisions for the establishment and protection of the permanent reserved forest in the forest management unit (FMU).	<p>Compliance with the following through records of monitoring:</p> <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Aboriginal Peoples Act, 1954 – Section 7 • National Forestry Act, 1984 – Sections 7-13 • National Forestry Policy, 1978 (revised 1992) – Paragraphs 2.2.1, 2.2.2, 3.1 and 3.3.1 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Biodiversity Enactment, 2000 – Sections 16(b), 16(c) and 26 • Environment Protection Enactment, 2002 • Forest Enactment, 1968 – Part II (Sections 5-7, 22) • Interpretation (Definition of Native) Ordinance, 1952 • Land Ordinance, 1930 (Sabah Cap. 68) • Native Court Enactment, 1992 • Sabah Parks Ordinance, 1962 • State Cultural Heritage (Conservation) Enactment, 1997 – Sections 4, 5 and 23 • Water Resource Enactment, 1998 • Wildlife Conservation Enactment, 1997 – Sections 5, 9 to 39 and 54 to 106 • State Forest Policy, 1954 • All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Sustainable Forest Management Licence Agreement • Long Term Timber Licence Agreement <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forests Ordinance (Cap. 126) (1958 Edition) - Part II (Forest Reserves) and Part III (Protected Forests) • Forest Rules, 1962 – Rules 4, 10 and 19 • Land Code (Cap. 81) • Natural Resources and Environment (Prescribed Activities) Order, 1994 • National Parks and Nature Reserves Ordinance, 1998 • Wild Life Protection Ordinance, 1998 (Cap. 26) • All <i>adat</i> codified under the Native Customs (Declaration) Ordinance, 1996, and any other established customs of the communities recognised and enforceable by the Native Courts under the Native Courts Ordinance, 1992, and the Native Courts Rules, 1993 • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights • Statement of Forest Policy, 1954

Criterion	Indicator	Verifier
	1.5.2 Control of encroachment, illegal harvesting, hunting, and settlement, and other unauthorised activities in the FMU.	<p>Compliance with the following through record of monitoring:</p> <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Evidence of control measures (e.g. signages, boundaries demarcation, etc) • Records of actions taken and copies of reports to relevant authorities • National Forestry Act, 1984 – Sections 15, 32, 47, 50, 81, 82 and 86 • State Forest Rules – Rules 9, 25 and 32 • National Parks Act, 1980 – Sections 4 and 11 • Wildlife Conservation Act, 2010 • Aboriginal Peoples Act, 1954 • State Forest Enactments • Forest Management Plan <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Evidence of control measures (e.g. signages, boundaries demarcation, etc) • Records of actions taken and copies of reports to relevant authorities • Forest Enactment, 1968 – Part II (Sections 20 to 21, 23, 30, 30A and 33) • Forest Rules, 1969 – Section 20A • Wildlife Conservation Enactment, 1997 – Part III (Sections 11, 14 to 20), Part IV (Sections 25 to 39), Part VI (Sections 54 to 63), Part VII (Sections 64, 69 to 87), Part VIII (Sections 88 to 93), Part IX (Sections 94 to 98), Part X (Sections 99 to 103) and Schedules 1 to 4 • Water Resources Enactment, 1998 • Environment Protection Enactment, 2002 • State Cultural Heritage (Conservation) Enactment, 1997 – Sections 6, 9, 17 and 20 • Biodiversity Enactment, 2000 – Sections 16(b), 16(c) and 26 • Native Court Enactment, 1992 • Interpretation (Definition of Native) Ordinance, 1952 • All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Sustainable Forest Management Licence Agreement • Long Term Timber Licence Agreement • Annual Work Plan

Criterion	Indicator	Verifier
		<p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Evidence of control measures (e.g. signages, boundaries demarcation, etc) • Records of actions taken and copies of reports to relevant authorities • Forests Ordinance (Cap. 126) – Sections 21, 36, 77-80, 85, 90, 90A and 92A • Sarawak Forestry Corporation Ordinance, 1995 – Sections 10 (a), (b), (c), (d) and (g). • Forest Rules, 1962 – Rules 10 and 19 • Wild Life Protection Ordinance, 1998 (Cap. 26) – Part IV (Protection of Wild Life) and Part V (Provisions as to Procedures and Trials) • Wild Life Protection Rules, 1998 – Part VI (Enforcement) and Part VII (Compounding of Offences) • Native Courts Ordinance, 1992 • Native Courts Rules, 1993 • Native Customs (Declaration) Ordinance, 1996 – Sections 6,7 and 9 • All <i>adat</i> codified under the Native Customs (Declaration) Ordinance, 1996, and any other <i>adat</i> recognised and enforceable by the Native Courts under the Native Courts Ordinance, 1992, and the Native Courts Rules, 1993 • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights • Sarawak Biodiversity Centre Ordinance, 1997 - Part IV (Legal Proceedings, Offences and Penalties, etc.) • Forest Management Plan • Sarawak Biodiversity Regulations, 2004 <ul style="list-style-type: none"> ○ Reg 26 (Offences for propagation, etc., of protected species) ○ Reg 46 (Offences)
1.6 Forest managers shall demonstrate long-term commitment to adhere to these Principles and Criteria.	1.6.1 Availability of policies or statements of commitment to forest management practices consistent with these Principles and Criteria.	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Written policies or statements of such commitment
	1.6.2 Policies or statements are communicated throughout the organisation and contractors, and are made available to the public.	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records of staff briefings • Relevant statements in contractual agreements • Public summary of policy statement • Evidence of distribution of policy statement to stakeholders

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.

Criterion	Indicator	Verifier
<p>2.1 Clear evidence of long-term forest use rights to the land (e.g. land title, customary rights, or lease agreements) shall be demonstrated.</p>	<p>2.1.1 Availability of documentation of legal status, and established forest use rights of the land or forest resources within the relevant federal, state and local laws in the FMU.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of gazettement of permanent reserved forest (PRF) • Concessionaire agreements • Forest harvesting licence • Entry permits • Road permits • Use permits • Records and maps of aboriginal reserves • Records/maps of aboriginal areas • Records and maps of customary land area)and aboriginal inhabited place, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Sustainable Forest Management Licence Agreement • Land Ordinance, 1930 (Sabah Cap. 68) • Native Court Enactment, 1992 • Interpretation (Definition of Native) Ordinance, 1952 • Long Term Timber Licence Agreement • All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Forest Enactment, 1968 • Sabah State Constitution <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forests Ordinance (Cap. 126) – Part II (Forest Reserves), Part III (Protected Forests) and Part IV (Communal Forests) • Forest Timber Licence • Land Code (Cap. 81) (grants, leases, native customary rights and communal reserves) • All <i>adat</i> codified under the Native Customs (Declaration) Ordinance, 1996, and any other <i>adat</i> recognised and enforceable by the Native Courts under the Native Courts Ordinance, 1992, and the Native Courts Rules, 1993 • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights
	<p>2.1.2 Forest managers shall support legally recognised mechanisms for resolving land claims.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records of participation in the resolution of land claims within the FMU, if any

Criterion	Indicator	Verifier
<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, prior and informed consent to other parties.</p>	<p>2.2.1 Availability of documentation, if any, of legal or customary tenure or use rights of local communities within relevant federal, state and local laws in the FMU.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • National Forestry Act, 1984 – Sections 19, 28, 33, 34, 40 and 62 • Aboriginal Peoples Act, 1954 – Sections 6, 7, 8, 10, 13 and 19 including relevant decisions of the Civil Courts • United Nations Declaration on Rights of Indigenous Peoples, 2007 • Contractual agreement entered into with free, prior and informed consent, with local communities with legal or customary tenure or use rights for use of land <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Enactment, 1968 – Part V Section 41 • Land Ordinance, 1930 (Sabah Cap. 68) • Established Native Customary Rights • Native Court Enactment, 1992 • Native Court (Native Customary Laws) Rules, 1995 • All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Sustainable Forest Management Licence Agreement • Long Term Timber Licence Agreement • United Nations Declaration on Rights of Indigenous Peoples, 2007 • Contractual agreement entered into with free, prior and informed consent, with local communities with legal or customary tenure or use rights for use of land <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Land Code (Cap. 81) • Notification in Sarawak Government Gazette • All <i>adat</i> codified under the Native Customs (Declaration) Ordinance, 1996, and any other <i>adat</i> recognised and enforceable by the Native Courts under the Native Courts Ordinance, 1992, and the Native Courts Rules, 1993 • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights • Contractual agreement entered into with free, prior and informed consent, with local communities with legal or customary tenure or use rights for use of land
	<p>2.2.2 Forest managers shall recognise, respect and collaborate with holders of duly recognised legal or customary tenure or use rights within relevant federal, state and local laws, in activities that may affect such rights.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records of such collaboration, including participation in the resolution of land claims, if any • Maps showing the location of settlements of local communities/indigenous peoples in and adjacent to the FMU • Records of consultations held with the local communities/indigenous peoples to identify and document areas traditionally used and sites of significant importance to them (e.g. cultural, religious sites, water intake point) • Record of actions taken to protect the identified sites of significant importance (e.g. cultural, religious sites, water intake point)

Criterion	Indicator	Verifier
<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 Availability of appropriate mechanisms to resolve disputes over tenure and use rights.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of outcomes of direct negotiations or arbitration, if any • Records of decisions of Civil Courts, if any • Records of disputes over tenure and use rights are maintained, if any <p><u>Sabah/Sarawak</u></p> <ul style="list-style-type: none"> • Records of outcomes of direct negotiations or arbitration, if any • Records of decisions of Native Courts, if any • Records of decisions of Civil Courts, if any • Records of disputes over tenure and use rights are maintained, if any

Principle 3: Indigenous Peoples' Rights

The legal and customary rights of indigenous peoples to own, use and manage their lands, territories, and resources shall be recognised and respected.

Criterion	Indicator	Verifier
<p>3.1 Indigenous peoples shall control forest management on their lands and territories unless they delegate control with free, prior and informed consent to other parties.</p>	<p>3.1.1 Availability of documentation of the customary rights of indigenous peoples' lands within relevant federal, state and local laws, if any.</p>	<p>Where relevant, provisions related to forest management in international agreements specified under Indicator 1.3.1 are respected in forest management.</p> <p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of customary rights of aborigine's lands under the Aboriginal Peoples Act, 1954 – Sections 2, 3, 6, 7, 8, 10, 11, 12 and 19 • Maps of Aboriginal Reserve • Records/maps of aboriginal areas and aboriginal inhabited places within PRF • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights within PRF, if any • Records of consultations with the aborigines • United Nations Declaration on Rights of Indigenous Peoples, 2007 <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 Enactment, 1992 • Native Court (Native Customary Laws) Rules, 1995 • All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Forest Management Plan • Records of consultations with the natives • <i>Tagal</i> and <i>Sogit</i> systems • United Nations Declaration on Rights of Indigenous Peoples, 2007 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Land Code (Cap. 81) – Sections 5 and 6 • Forests Ordinance (Cap. 126) – Sections 6, 10, 11, 16, 32(1), 35, 46 and 47 • Notification in Sarawak Government Gazette (Second Schedule) • All <i>adat</i> codified under the Native Customs (Declaration) Ordinance, 1996, and any other <i>adat</i> recognised and enforceable by the Native Courts under the Native Courts Ordinance, 1992, and the Native Courts Rules, 1993 • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights • Records of consultations with the natives • Sarawak Biodiversity Regulations, 2004 <ul style="list-style-type: none"> ○ Reg 29 (Ethnobiological research)

Criterion	Indicator	Verifier
	3.1.2 Management and use of such lands and resources are controlled by indigenous peoples unless they delegate control with free, prior and informed consent to other parties.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> Record of consultations with representatives of aborigines/natives Records of delegation of control with free, prior and informed consent by aborigines/natives, if any
	3.1.3 Availability of appropriate mechanisms to resolve any conflicts and grievances between parties involved.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> Records of conflicts and grievances between parties involved concerning their legal and customary rights within the FMU, if any Records of outcomes of direct negotiations or arbitration concerning their legal and customary rights within the FMU, if any Records of decisions of Civil Courts concerning their legal and customary rights within the FMU, if any <u>Sabah/Sarawak</u> <ul style="list-style-type: none"> Records of conflicts and grievances between parties involved concerning their legal and customary rights within the FMU, if any Records of outcomes of direct negotiations or arbitration concerning their legal and customary rights within the FMU, if any Records of decisions of Native Courts concerning their legal and customary rights within the FMU, if any Records of decisions of Civil Courts concerning their legal and customary rights within the FMU, if any
3.2 Forest management shall not threaten or diminish, either directly or indirectly, the resources or tenure rights of indigenous peoples.	3.2.1 Forest management practices in indigenous people's lands recognised within relevant federal, state and local laws shall not threaten or diminish, either directly or indirectly, their resources or tenure rights.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> Forest management practices shall not threaten or diminish, either directly or indirectly, the resources or tenure rights of aborigines as provided for under the Aboriginal Peoples Act, 1954 Preventive and mitigation measures incorporated into Forest Management Plan <u>Sabah</u> <ul style="list-style-type: none"> Land Ordinance, 1930 (Sabah Cap. 68) Sustainable Forest Management Licence Agreement Long Term Timber Licence Agreement All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts Preventive and mitigation measures incorporated into Forest Management Plan <i>Tagal</i> and <i>Sogit</i> systems <u>Sarawak</u> <ul style="list-style-type: none"> Preventive and mitigation measures incorporated into Forest Management Plan All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
	3.2.2 Actions shall be taken to prevent or mitigate adverse impacts.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> Records of actions taken

Criterion	Indicator	Verifier
<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 recognised and protected by forest managers.</p>	<p>3.3.1 Availability of appropriate procedures within current administrative processes for identifying and protecting such sites and provisions for rights of access to these sites by indigenous peoples within relevant federal, state and local laws or by mutual agreement.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Procedures for identifying and protecting sites of special cultural, ecological, economic or religious significance to aborigines • List and maps depicting locations of important cultural, ecological, economic or religious sites in the FMU • Records of dialogue and consultation held with aborigines and relevant stakeholders, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Procedures for identifying and protecting sites of special cultural, ecological, economic or religious significance to natives • State Cultural Heritage (Conservation) Enactment, 1997 • Forest Management Plan • List and maps depicting locations of important cultural, ecological, economic or religious sites in the area to be certified • Records of dialogue and consultation held with Natives' Council of Elders, natives and relevant stakeholders, if any <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Procedures for identifying and protecting sites of special cultural, ecological, economic or religious significance to natives • Records of dialogue and consultation held with natives and relevant stakeholders, if any • List and maps depicting locations of important cultural, ecological, economic or religious sites in the area to be certified • Forest Management Plan • Notification in Sarawak Government Gazette, if any • Forest Ordinance (Cap. 126) (1958 Edition) – Part II (Forest Reserves), Part III (Protected Forests) and Part IV (Communal Forests)
	<p>3.3.2 Availability of appropriate mechanisms for conflict resolution.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of dialogue and consultation held with aborigines and relevant stakeholders, if any • Records of arbitration • Decisions of Civil Courts <p><u>Sabah/Sarawak</u></p> <ul style="list-style-type: none"> • Records of dialogue and consultation held with natives and relevant stakeholders, if any • Records of arbitration • Decisions of Native Courts and Civil Courts

Criterion	Indicator	Verifier
<p>3.4 Indigenous peoples shall be acknowledged and 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, prior 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 peoples in the use of forest species or management systems in forest operations.</p>	<p><u>Peninsular Malaysia / Sarawak</u></p> <ul style="list-style-type: none"> • Records of consultation with aborigines/natives • Records on the application of any traditional forest-related knowledge and practices of aborigines/natives in forest operations, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Records of consultation with natives • Records on the application of any traditional forest-related knowledge and practices of natives in forest operations, if any • Biodiversity Enactment, 2000 • <i>Tagal</i> and <i>Sogit</i> systems
	<p>3.4.2 Availability of appropriate mechanisms and fair and equitable compensation for the commercial utilisation of traditional forest-related knowledge and practices of indigenous peoples in accordance with existing legislation or by mutual agreement.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Mechanisms established and records of fair and equitable compensation for the commercial utilisation of traditional forest-related knowledge and practices of aborigines, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Mechanisms established and records of fair and equitable compensation for the commercial utilisation of traditional forest-related knowledge and practices of natives, if any • Records of consultation with Native Trustees with regard to <i>Adat</i> and <i>Sogit</i> systems • Community Forestry Committee <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Mechanisms established and records of fair and equitable compensation for the commercial utilisation of traditional forest-related knowledge and practices of natives, if any • Sarawak Biodiversity Regulations, 2004 <ul style="list-style-type: none"> ○ Reg 32 (Incentive and protection to indigenous people)

Principle 4: Community Relations and Worker's Rights

Forest management operations shall maintain or enhance the long-term social and economic well-being of local communities and forest workers.

Criterion	Indicator	Verifier
<p>4.1 The communities within, or adjacent to the FMU shall be given priority and opportunities for employment, training and other services.</p>	<p>4.1.1 Forest managers provide appropriate support for training, retraining, local infrastructure, facilities and social programmes that commensurate with the scale and intensity of forest management operations.</p>	<p><u>Peninsular Malaysia / Sarawak</u></p> <ul style="list-style-type: none"> • Records of training, retraining, local infrastructure, facilities and social programmes provided, if any • Records of consultation with workers and local communities including community representative committee • Annual Training Programme <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Sustainable Forest Management Licence Agreement • Long Term Timber Licence Agreement • Annual Training Programme • Community Forestry Committee • Records of training, retraining, local infrastructure, facilities and social programmes provided, if any • Records of consultation with workers and local communities including community representative committee
	<p>4.1.2 Qualified people in communities living within, or adjacent to, the FMU are given preference for employment and contract works.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Employment records • Training records • Contract records

Criterion	Indicator	Verifier
<p>4.2 Forest management shall 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 occupational safety and health of forest workers shall be disseminated to them.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of dissemination of up-to-date safety and health information to forest workers based on the following laws and regulations: <ul style="list-style-type: none"> ○ Occupational Safety and Health Act, 1994 <ul style="list-style-type: none"> ▪ Accident investigation record, under the Occupational Safety and Health (Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Diseases) Regulations, 2004 ○ Factories and Machineries Act, 1967 ○ Employees' Social Security Act, 1969 ○ Employees' Social Security (General) Regulations, 1971 ○ Workmen's Compensation Act, 1952 ○ Pesticides Act, 1974 – Sections 28-30 • Guidelines on occupational safety and health in logging operations <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Records of dissemination of up-to-date safety and health information to forest workers based on the following laws and regulations: <ul style="list-style-type: none"> ○ Occupational Safety and Health Act, 1994 <ul style="list-style-type: none"> ▪ Accident investigation record, under the Occupational Safety and Health (Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Diseases) Regulations, 2004 ○ Factories and Machineries Act, 1967 ○ Labour Ordinance (Sabah Cap. 67) ○ Employees' Social Security Act, 1969 ○ Employees' Social Security (General) Regulations, 1971 ○ Workmen's Compensation Act, 1952 ○ Pesticides Act, 1974 – Sections 28-30 • Guidelines on occupational safety and health in logging operations <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Records of dissemination of up-to-date safety and health information to forest workers based on the following laws and regulations: <ul style="list-style-type: none"> ○ Occupational Safety and Health Act, 1994 <ul style="list-style-type: none"> ▪ Accident investigation record, under the Occupational Safety and Health (Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Diseases) Regulations, 2004 ○ Factories and Machineries Act, 1967 ○ Employees' Social Security Act, 1969 ○ Employees' Social Security (General) Regulations, 1971 ○ Workmen's Compensation Act, 1952 ○ Pesticides Act, 1974 – Sections 28-30 ○ Forests Ordinance (Cap. 126) – Section 54A • Guidelines on occupational safety and health in logging operations

Criterion	Indicator	Verifier
	<p>4.2.2 Availability of management policies addressing the occupational safety and health of forest workers and their families in accordance with current legislation and/or regulations.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Management policy on occupational safety and health of forest workers in accordance with Occupational Safety and Health Act, 1994 - Section 16 • Establishment of Safety and Health Committees in accordance with Occupational Safety and Health Act, 1994 - Sections 30 and 31 • Employment of Safety and Health Officer in accordance with Occupational Safety and Health Act, 1994 - Section 29 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Statement of policy on occupational safety and health in accordance with Occupational Safety and Health Act, 1994 - Section 16 • Sustainable Forest Management Licence Agreement • Long Term Timber Licence Agreement • Establishment of Safety and Health Committees in accordance with Occupational Safety and Health Act, 1994 - Sections 30 and 31 • Employment of Safety and Health Officer in accordance with Occupational Safety and Health Act, 1994 - Section 29 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Statement of policy on occupational safety and health in accordance with Occupational Safety and Health Act, 1994 - Section 16 • Establishment of Safety and Health Committees in accordance with Occupational Safety and Health Act, 1994 - Sections 30 and 31 • Employment of Safety and Health Officer in accordance with Occupational Safety and Health Act, 1994 - Section 29
	<p>4.2.3 Appropriate safety and operational equipment in good working condition, including operational procedures, shall be made available to forest workers in the work place.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records of equipment and maintenance • Operational procedures are available and forest workers are aware of these procedures in the work place • Minutes of Safety and Health Committee meetings
	<p>4.2.4 Forest managers shall maintain up-to-date safety records in compliance with all applicable laws and/or regulations covering health and safety of forest workers.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Safety and health records of forest workers • Minutes of Safety and Health Committee meetings

Criterion	Indicator	Verifier
	4.2.5 Demarcation of hazardous areas and provision of guidelines for storage and handling of hazardous materials.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Guidelines for storage and handling of hazardous materials in accordance with the requirements of the following: <ul style="list-style-type: none"> ○ Environmental Quality (Scheduled Wastes) Regulations, 1989 ○ Occupational Safety and Health (Use and Standards of Exposure of Chemical Hazardous to Health) Regulations, 2000 ○ Pesticides Act, 1974 • Hazardous areas clearly demarcated with proper signage
4.3 The rights of workers to organise and voluntarily negotiate with their employers shall be guaranteed as outlined in Conventions 87 and 98 of the International Labour Organization (ILO).	4.3.1 Provisions for workers to freely organise into union of their own choice in accordance with ILO Convention No. 87.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • 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 • Employment Act, 1955 – Section 8 • Industrial Relations Act, 1967 – Sections 3-8A • Trade Unions Act, 1959 (Act 262) <u>Sabah</u> <ul style="list-style-type: none"> • 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 • Labour Ordinance (Sabah Cap. 67) • Industrial Relations Act, 1967 – Sections 3-8A • Trade Unions Act, 1959 (Act 262) <u>Sarawak</u> <ul style="list-style-type: none"> • 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 • Labour Ordinance (Sarawak Cap. 76) • Industrial Relations Act, 1967 – Sections 3-8A • Trade Unions Act, 1959 (Act 262)

Criterion	Indicator	Verifier
	<p>4.3.2 Provisions for workers the right to organise 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"> • 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) Convention, 1958 – The Right to Equal Treatment – Articles 1-5 • ILO Convention No. 100 – Equal Remuneration Convention, 1951 - The Right to Equal Pay – Articles 1-4 • Industrial Relations Act, 1967 – Sections 4 and 13 • Employment Act, 1955 – Section 8 • Trade Unions Act, 1959 (Act 262) <p><u>Sabah</u></p> <ul style="list-style-type: none"> • 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) Convention, 1958 – The Right to Equal Treatment - Articles 1-5 • ILO Convention No. 100 – Equal Remuneration Convention, 1951 - The Right to Equal Pay – Articles 1-4 • Industrial Relations Act, 1967 – Sections 4 and 13 • Trade Unions Act, 1959 (Act 262) • Labour Ordinance (Sabah Cap. 67) <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • 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) Convention, 1958 – The Right to Equal Treatment - Articles 1-5 • ILO Convention No. 100 – Equal Remuneration Convention, 1951 - The Right to Equal Pay – Articles 1-4 • Labour Ordinance (Sarawak Cap. 76) • Industrial Relations Act, 1967 – Sections 4 and 13 • Trade Unions Act, 1959 (Act 262)

Criterion	Indicator	Verifier
	4.3.3 The right of workers to benefits and protection is assured under applicable laws and/or regulations.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Employment Act, 1955 • Employees Provident Fund Act, 1991 • Employees' Social Security Act, 1969 <ul style="list-style-type: none"> ○ Employees' Social Security (General) Regulations, 1971 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Labour Ordinance (Sabah Cap. 67) • Employees Provident Fund Act, 1991 • Employees' Social Security Act, 1969 <ul style="list-style-type: none"> ○ Employees' Social Security (General) Regulations, 1971 <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Labour Ordinance (Sarawak Cap. 76) • Employees Provident Fund Act, 1991 • Employees' Social Security Act, 1969 <ul style="list-style-type: none"> ○ Employees' Social Security (General) Regulations, 1971
	4.3.4 Availability of appropriate procedures to address grievances raised by workers and/or their organisations and for conflict resolution.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Procedures to address grievances and for conflict resolution • National Joint Council and Departmental Joint Council • Industrial Relations Act, 1967 – Sections 18 – 37 • Records of participation to resolve grievances, if any • Employment Act, 1955 – Sections 8, 9, 12, 12A and 12B <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Procedures to address grievances and for conflict resolution • Labour Ordinance (Sabah Cap. 67) • Industrial Relations Act, 1967 – Sections 18-37 • Records of participation to resolve grievances, if any <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Procedures to address grievances and for conflict resolution • Industrial Relations Act, 1967 – Sections 18-37 • Records of participation to resolve grievances, if any • Labour Ordinance (Sarawak Cap. 76)

Criterion	Indicator	Verifier
<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 shall evaluate, through consultations, social impact of forest operations directly affecting communities, and the people and groups directly affected by the forest operations shall 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 District Action/Development Committee (<i>Jawatankuasa Tindakan/Pembangunan Daerah</i>) • Records of meetings and/or consultations between forest managers and communities affected • Report on social impact evaluation <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Records of meetings and/or consultations between forest managers and communities affected • Report on social impact evaluation • EIA compliance report, if applicable <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Records of meetings and/or consultations between forest managers and communities affected • Report on social impact evaluation
	<p>4.4.2 Forest planning and management practices shall consider and incorporate the results of such evaluations.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan

Criterion	Indicator	Verifier
<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 communities. Measures shall be taken to avoid such loss or damage.</p>	<p>4.5.1 Provisions and measures within relevant federal, state and local laws shall be taken to prevent loss or damage affecting the local communities' legal or customary rights, property, resources, or their livelihoods.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Federal Constitution – Articles 8 and 13 • Aboriginal Peoples Act, 1954 – Sections 2, 6, 7, 8, 11, 12 and 19 • Records of meetings and/or consultations between forest managers with communities • Forest Management Plan • Human Rights Commission of Malaysia Act, 1999 • Records of substantiated claims, if any <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Federal Constitution – Articles 8 and 13 • Sabah State Constitution – Section 41 • Forest Enactment, 1968 – Part II • Long Term Timber Licence Agreement • Sustainable Forest Management Licence Agreement • Native Court Enactment, 1992 • Land Ordinance, 1930 (Sabah Cap. 68) • Interpretation (Definition of Native) Ordinance, 1952 • Human Rights Commission of Malaysia Act, 1999 • All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Forest Management Plan • Established native customary rights, if any • <i>Tagal</i> and <i>Sogit</i> systems <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Federal Constitution – Articles 8 and 13 • Land Code (Cap. 81) – Sections 5 and 6 • Human Rights Commission of Malaysia Act, 1999 • All <i>adat</i> codified under the Native Customs (Declaration) Ordinance, 1996, and any other <i>adat</i> recognised and enforceable by the Native Courts under the Native Courts Ordinance, 1992, and the Native Courts Rules, 1993 • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights • Forest Management Plan
	<p>4.5.2 Appropriate mechanisms are employed to expeditiously resolve grievances, and provide fair and equitable compensation for any loss or damage affecting the local communities' legal or customary rights, property, resources, or their livelihoods, caused by forest operations.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records of consultation and negotiation • Records of mediation or arbitration • Records of decisions of the Native and/or Civil Courts • Records of compensation

Principle 5: Benefits from the forest

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.

Criterion	Indicator	Verifier
5.1 Forest management shall 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.	5.1.1 Investments and reinvestments are made in forest management, including for forest administration, research, human resource development, protection, economic, conservation, environmental and social aspects, consistent with the tenure of the FMU.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • 5-Year Development Plan Budget • Annual operating and development budget including from federal and other sources <u>Sabah</u> <ul style="list-style-type: none"> • Annual operating and development budget • Annual Work Plan • Compliance Report to the Annual Work Plan and the Sustainable Forest Management Licence Agreement <u>Sarawak</u> <ul style="list-style-type: none"> • Annual budget and expenditure for forest management area
	5.1.2 Provisions and management prescriptions are made to maintain, restore or enhance the productive capacity and ecological integrity of the FMU to ensure its economic viability.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Forest Management Plan • Results of pre-felling and post-felling forest inventories • Records of enrichment planting • Records of planting of rattan, forest fruit trees etc. <u>Sabah</u> <ul style="list-style-type: none"> • Long Term Timber Licence Agreement • Sustainable Forest Management Licence Agreement • Forest Management Plan • Annual Work Plan • RIL Operation Guide Book: Code of Practice for Forest Harvesting in Sabah, Malaysia, 2009 <u>Sarawak</u> <ul style="list-style-type: none"> • Reduction of royalty rate for logs extracted by helicopter (DF Circular No. 2/1998) • Guidelines/Procedures on Reduced and Low Impact Harvesting Systems, 1999 • Records of silvicultural treatment • A Master Plan for Wildlife in Sarawak, 1996 • Forest Management Plan • DF Circular No. 6/99 – Conservator of Wildlife in Forest Timber Licensed Areas

Criterion	Indicator	Verifier
5.2 Forest management and operations shall encourage the optimal use and local processing of the forest's diversity of products.	5.2.1 Forest management practices encourage the optimal use of forest resources.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Forest resource inventories • Non-timber forest products licensing • Quantity of timber and non-timber forest products extracted • Compliance with annual allowable cut
	5.2.2 Forest operations encourage local processing and diversifying the mix of commercial products derived from the forest.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Gazetted royalty structure and rates • Quantity and percentage of timber and non-timber forest products processed locally • Quantity and percentage of timber and non-timber forest products exported for Peninsular Malaysia
5.3 Forest management shall minimise waste associated with harvesting and on-site processing operations and avoid damage to other forest resources.	5.3.1 Implementation of guidelines for reduced/low impact logging to minimise damage to residual stand.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Guidelines for Reduced Impact Logging in Peninsular Malaysia, 2003 • <i>Pekeliling Ketua Pengarah Perhutanan Semenanjung Malaysia Bil. 1/2009 – Garispanduan Tatacara Pendaftaran Penggunaan Gergaji Berantai Dalam Kawasan Lesen Pengusahaan Hutan</i> (Director General of Forestry's Circular No. 1/2009 on Guidelines on Registration on the Use of Chainsaw in Licensed Forest Harvesting Area) • Forest Harvesting Plan <u>Sabah</u> <ul style="list-style-type: none"> • RIL Operation Guide Book: Code of Practice for Forest Harvesting in Sabah, Malaysia, 2009 • Comprehensive Harvesting Plan <u>Sarawak</u> <ul style="list-style-type: none"> • Guidelines/Procedures on Reduced and Low Impact Harvesting Systems, 1999 • Basic Chainsaw Maintenance and Directional Tree Felling 2001 • Detailed Harvesting Plan
	5.3.2 Log extraction operations to minimise product wastage, degradation and foregone revenue opportunities.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Guidelines for Reduced Impact Logging in Peninsular Malaysia, 2003 • Provisions for the utilisation of merchantable harvesting residue, if applicable <u>Sabah</u> <ul style="list-style-type: none"> • RIL Operation Guide Book: Code of Practice for Forest Harvesting in Sabah, Malaysia, 2009 • Comprehensive Harvesting Plan • FD Circular 10/2000: Revised Licence Fees and Other Miscellaneous/Administrative Forest Charges <u>Sarawak</u> <ul style="list-style-type: none"> • Guidelines/Procedures on Reduced and Low Impact Harvesting Systems, 1999
	5.3.3 Regular training shall be conducted for the staff on techniques of reduced-impact logging.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Records of training

Criterion	Indicator	Verifier
5.4 Forest management shall strive to strengthen and diversify the local economy, avoiding dependence on a single forest product.	5.4.1 Forest management strategy that encourages the production of a mix of commercial forest products, including the utilisation of non-timber forest products and services, particularly by local community enterprises, provided that such use does not compromise the ecological health of the forest.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Diversification strategy • Non-timber forest products licences or permits issued to local community enterprises, if any • Quantity of timber and non-timber forest products harvested within the FMU during the last five years, if any
5.5 Forest management operations shall recognise, maintain, and, where appropriate, enhance the value of forest services and resources such as watersheds and fisheries.	5.5.1 Implementation of guidelines and/or procedures to identify and demarcate sensitive areas for the protection of soil and water, watercourses and wetlands.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Guidelines for Reduced Impact Logging in Peninsular Malaysia, 2003 • Forest Management Plan • Forest Harvesting Plan <u>Sabah</u> <ul style="list-style-type: none"> • Guidelines on forest management planning • Comprehensive Harvesting Plan • RIL Operation Guide Book: Code of Practice for Forest Harvesting in Sabah, Malaysia, 2009 • Environmental Impact Assessment (EIA) Guidelines for Logging and Forest Clearance Activities, 2002 <u>Sarawak</u> <ul style="list-style-type: none"> • Guidelines/Procedures on Reduced and Low Impact Harvesting Systems, 1999 • Forest Management Plan
	5.5.2 Implementation of management guidelines, where appropriate, to maintain and/or enhance the value of forest services and resources.	<u>Peninsular Malaysia</u> <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 is implemented • <i>Manual Perhutanan, 2003</i> (Forestry Manual, 2003) <u>Sabah</u> <ul style="list-style-type: none"> • Forest Management Plan • Comprehensive Harvesting Plan • Annual Work Plan • Water Resources Enactment, 1998 – Part VI (Catchment Planning and Protection) <u>Sarawak</u> <ul style="list-style-type: none"> • Forest Management Plan • Guidelines/Procedures on Reduced and Low Impact Harvesting Systems, 1999

Criterion	Indicator	Verifier
5.6 The rate of harvest of forest products shall not exceed levels which can be permanently sustained.	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.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Evidence of enumeration, yield calculation and harvesting planning in the Forest Management Plan • Annual Coupe is calculated based on 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 • Records and analysis of permanent sample plot data
	5.6.2 Records of quantity of timber and important non-timber forest products harvested shall be maintained, taking cognisance of their sustainability in the long term.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Records of timber and non-timber forest products and quantity harvested under licence in the FMU, if any

Principle 6: Environmental Impact

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.

Criterion	Indicator	Verifier
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. Environmental impacts shall be assessed prior to commencement of site-disturbing operations.	6.1.1 Environmental impact assessments 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 FMU.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none">• Environmental impact assessment conducted in accordance with the Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order, 1987 – Item 6 of Schedule, if required• Macro environmental impact assessment at the FMU level shall be conducted in accordance with the Environmental Impact Assessment Guidelines for Forestry issued under the Environmental Quality Act, 1974 <u>Sabah</u> <ul style="list-style-type: none">• Environment Protection Enactment, 2002 – Sections 12, 20 and 37• Environment Protection (Prescribed Activities) (Environmental Impact Assessment) Order, 2005• Environmental Impact Assessment (EIA) Guidelines for Logging and Forest Clearance Activities, 2002• Environment Impact Assessment (EIA) reports <u>Sarawak</u> <ul style="list-style-type: none">• Forest Management Plan incorporating assessment of environmental impacts• Natural Resources and Environment Ordinance (Cap. 84) – Section 11A• Natural Resources and Environment (Prescribed Activities) Order, 1994 – Item 2 of First Schedule

Criterion	Indicator	Verifier
	<p>6.1.2 Environmental impact assessments 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 FMU, 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 conducted in accordance with the Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order, 1987 – Item 6 of Schedule, if required • Macro environmental impact assessment at the FMU level shall be conducted in accordance with the Environmental Impact Assessment Guidelines for Forestry issued under the Environmental Quality Act, 1974 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Environment Protection Enactment, 2002 – Sections 12, 20 and 37 • Environment Protection (Prescribed Activities) (Environmental Impact Assessment) Order, 2005 • Environment Impact Assessment (EIA) reports <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan incorporating assessment of environmental impacts • Natural Resources and Environment Ordinance (Cap. 84) – Section 11A • Natural Resources and Environment (Prescribed Activities) Order, 1994 – Item 2 of First Schedule • Wild Life Protection Ordinance, 1998 (Cap. 26)
	<p>6.1.3 Forest management plans shall incorporate measures to mitigate the environmental impacts identified in the assessments.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan with mitigation measures for all impacts identified in the environmental impact assessment

Criterion	Indicator	Verifier
<p>6.2 Safeguards shall exist which protect rare, threatened and endangered species and their habitats. Conservation zones and protection areas shall be established, appropriate to the uniqueness of the affected resources and the scale and intensity of forest management. 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, salt licks, nesting and feeding areas in the FMU.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Forest Management Plan • <i>Manual Perhutanan, 2003</i> (Forestry Manual, 2003) • Director General of Forestry's Circulars • Minimum cutting limit for <i>Neobalanocarpus heimii</i> (chengal) be equal to or greater than 60 cm dbh • Wildlife Conservation Act, 2010 • Up-to-date list of endangered, rare and threatened species of flora and fauna [as contained in the relevant laws, Malaysian Red List (flora) and IUCN Red List (fauna)], including features of special biological interest such as seed trees, salt licks, nesting and feeding areas in the FMU • Records on protection of endangered, rare and threatened forest flora and fauna species, if present • National Tiger Conservation Action Plan, 2008-2020 • <i>Pelan Pengurusan Gajah Semenanjung Malaysia, 2006</i> (Peninsular Malaysia Elephant Management Plan, 2006) <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 • Environmental Impact Assessment (EIA) Guidelines for Logging and Forest Clearance Activities, 2002 • Forest Enactment, 1968 • Long Term Timber Licence Agreement • Up-to-date list of endangered, rare and threatened species of flora and fauna [as contained in the relevant laws, Malaysian Red List (flora) and IUCN Red List (fauna)], including features of special biological interest such as seed trees, salt licks, nesting and feeding areas • Records on protection of endangered, rare and threatened forest flora and fauna species, if present • Rhino Species Action Plan, 2011 <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) • Forest Rules, 1962 (Second Schedule) • A Master Plan for Wildlife in Sarawak, 1996 • Up-to-date list of endangered, rare and threatened species of flora and fauna [as contained in the relevant laws, Malaysian Red List (flora) and IUCN Red List (fauna)], including features of special biological interest such as seed trees, salt licks, nesting and feeding areas • Records on protection of endangered, rare and threatened forest flora and fauna species, if present

Criterion	Indicator	Verifier
	<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 Management Plan • <i>Manual Perhutanan, 2003</i> (Forestry Manual, 2003) • 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 permanent reserved forests • <i>Panduan Penubuhan dan Penyelenggaraan Kawasan-kawasan Simpanan Hutan Dara, 1987</i> (Guidelines for the Establishment and Maintenance of Virgin Jungle Reserves, 1987) • Virgin Jungle Reserves • State parks, where relevant • Wildlife sanctuaries and game reserves, where relevant • Seed Production Areas • Wildlife Conservation Act, 2010 <ul style="list-style-type: none"> ○ List of protected species (First Schedule) ○ List of totally protected species (Second Schedule) • List of fruit trees prohibited for felling <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Biodiversity Enactment, 2000 • Environmental Impact Assessment (EIA) Guidelines for Logging and Forest Clearance Activities, 2002 • Comprehensive Harvesting Plan • Wildlife Conservation Enactment, 1997 – Sections 4-29 and 54-63 <ul style="list-style-type: none"> ○ List of protected species (Schedule 2) ○ List of totally protected species (Schedule 1) <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • A Master Plan for Wildlife in Sarawak, 1996 • Forest Management Plan • Wild Life Protection Ordinance, 1998 (Cap. 26) <ul style="list-style-type: none"> ○ List of protected species (First and Second Schedule) ○ List of totally protected species (First and Second Schedule)
	<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 / Sarawak</u></p> <ul style="list-style-type: none"> • Records of meetings or collaboration • Collaborative projects, if any

Criterion	Indicator	Verifier
	<p>6.2.4 Hunting, fishing and collecting activities shall be controlled and inappropriate activities prevented in the FMU.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Records of licence for collecting forest products • Measures such as periodical patrolling of forest areas, signage, closure of access to forest area, and administrative controls to prevent inappropriate hunting, fishing, trapping, collection and extreme recreational activities • National Tiger Conservation Action Plan, 2008-2020 • Wildlife Conservation Act, 2010 • Aboriginal Peoples Act, 1954 <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Wildlife Conservation Enactment, 1997 – Sections 25-39, 40-53, 54-63 and 64-87 • Native customs and traditions, such as <i>Tagal</i> and <i>Sogit</i> systems for resource management • Biodiversity Enactment, 2000 – Sections 16b, 16c and 26 • Forest Enactment, 1968 • Environment Protection Enactment, 2002 • Records and/or reports of hunting, fishing and collecting forest products • Measures such as periodical patrolling of forest areas, signage, closure of access to forest area, and administrative controls to prevent inappropriate hunting, fishing, trapping, collection and extreme recreational activities <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Records and/or reports of hunting, fishing and collecting forest products • Appointment of Honorary Wildlife Rangers • Circular No. DF 6/99 – Conservator of Wildlife in Forest Timber Licensed Areas • Forest Management Plan • Wild Life Protection Ordinance, 1998 (Cap. 26) • Measures such as periodical patrolling of forest areas, signage, closure of access to forest area, and administrative controls to prevent inappropriate hunting, fishing, trapping, collection and extreme recreational activities
	<p>6.2.5 Forest workers shall be aware of endangered, rare and threatened species of forest flora and fauna found in the FMU. Such awareness shall be promoted among local communities.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Records of awareness activities such as briefings, posters and publications

Criterion	Indicator	Verifier
<p>6.3 Ecological functions and values shall be maintained intact, enhanced, or restored, including:-</p> <p>a) Forest regeneration and succession.</p> <p>b) Genetic, species and ecosystem diversity.</p> <p>c) Natural cycles that affect the productivity of the forest ecosystem.</p>	<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 FMU.</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 Pemuliharaan Hutan Selepas Tebangan</i> (Field Manual of Selective Management System (SMS), Chapter 10 – Assessment Procedures for Post-felling Rehabilitation Activities) • <i>Panduan Aktiviti Tanaman Mengaya (Pekeliling KPPSM Bil. 2/96) [Bab 9, Manual Kerja Luar Sistem Pengurusan Memilih (Selective Management System), JPSM, 1997]</i>(Guidelines on Enrichment Planting Activities) • Results of the pre-felling and post-felling inventories • Records of silvicultural treatments • Analysis of change of forest stand/species composition in relation to the pre-felling inventories <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Pre-harvest inventory • Closing inspection report • Records of silvicultural treatments • Permanent sample plot records • Diagnostic survey in the preparation of Annual Work Plan to determine areas for enrichment or silvicultural treatment, if applicable • Technical Standards for Silvicultural Treatments – Schedule I of the Sustainable Forest Management License Agreement (SFMLA) • Technical Standards for Enrichment Planting – Schedule J of the SFMLA • Results of the pre-felling and post-felling inventories • Analysis of change of forest stand/species composition in relation to the pre-felling inventories <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Instruction for the Inspection of Logging Areas, 1982 • Records of silvicultural treatments • Analysis of change of forest stand/species composition in relation to the pre-felling inventories

Criterion	Indicator	Verifier
	6.3.2 Availability and implementation of guidelines for the conservation of genetic, species and ecosystem diversity in the FMU.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Forest Management Plan • National Policy on Biological Diversity, 1998 • Wildlife sanctuaries and game reserves, National Parks and State Parks where relevant • <i>Panduan Penubuhan dan Penyelenggaraan Kawasan-kawasan Simpanan Hutan Dara, 1987</i> (Guidelines for the Establishment and Maintenance of Virgin Jungle Reserves, 1987) • <i>Manual Perhutanan, 2003</i> (Forestry Manual, 2003) • Minimum cutting limit for <i>Neobalanocarpus heimii</i> (chengal) be equal or greater than 60 cm dbh • Seed Production Areas <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Comprehensive Harvesting Plan • Wildlife Conservation Enactment, 1997 – Sections 9-24, 25-39, 40-53 and 54-63 • Biodiversity Enactment, 2000 – Section 9 <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) • National Policy on Biological Diversity, 1998 • DF Circular No. 6/99 – Conservator of Wildlife in Forest Timber Licensed Areas
	6.3.3 Harvesting is designed taking into consideration the need for the conservation of biological corridors and buffer zones for features of special biological interest for wildlife.	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Forest Harvesting 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 • Detailed Harvesting Plan

Criterion	Indicator	Verifier
6.4 Representative samples of existing ecosystems within the landscape shall be protected in their natural state and recorded on maps, appropriate to the uniqueness of the affected resources and the scale and intensity of operations.	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.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Forest Management Plan • Records and maps of such areas
	6.4.2 Implementation of appropriate protection and management activities for these areas.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Records of implementation
6.5 Guidelines shall be prepared and implemented to:- control erosion; minimise forest damage during harvesting, road construction, and all other mechanical disturbances; and protect water resources.	6.5.1 Availability and implementation of harvesting procedures to protect the soil from compaction by harvesting machinery and erosion during harvesting operations.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Guidelines for Reduced Impact Logging in Peninsular Malaysia, 2003 • <i>Garis Panduan Jalan Hutan, 2010</i> (Guidelines for Forest Roads, 2010) • Forest Harvesting Plan <u>Sabah</u> <ul style="list-style-type: none"> • Comprehensive Harvesting Plan • RIL Operation Guide Book: Code of Practice for Forest Harvesting in Sabah, Malaysia, 2009 • EIA report and Compliance report <u>Sarawak</u> <ul style="list-style-type: none"> • Guidelines/Procedures on Reduced and Low Impact Harvesting Systems, 1999 • Environmental management report • Detailed Harvesting Plan
	6.5.2 Implementation of reduced/low impact logging to minimise damage to the environment.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Guidelines for Reduced Impact Logging in Peninsular Malaysia, 2003 <u>Sabah</u> <ul style="list-style-type: none"> • RIL Operation Guide Book: Code of Practice for Forest Harvesting in Sabah, Malaysia, 2009 • Technical Specifications for Reduced Impact Logging in Schedule F of SFMLA • Comprehensive Harvesting Plan <u>Sarawak</u> <ul style="list-style-type: none"> • Guidelines/Procedures on Reduced and Low Impact Harvesting Systems, 1999

Criterion	Indicator	Verifier
	6.5.3 Availability and implementation of guidelines for forest road lay-out and construction, including log landings and drainage requirements.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> Guidelines for Reduced Impact Logging in Peninsular Malaysia, 2003 <i>Garis Panduan Jalan Hutan, 2010</i> (Guidelines for Forest Roads, 2010) <u>Sabah</u> <ul style="list-style-type: none"> RIL Operation Guide Book: Code of Practice for Forest Harvesting in Sabah, Malaysia, 2009 Comprehensive Harvesting Plan Technical Specifications for Reduced Impact Logging in Schedule F of SFMLA Forest Road Construction Manual <u>Sarawak</u> <ul style="list-style-type: none"> Guidelines for Forest Road Layout and Construction, 1999
	6.5.4 Availability and implementation of guidelines for conservation of buffer strips along streams and rivers.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> Guidelines for Reduced Impact Logging in Peninsular Malaysia, 2003 <i>Garis Panduan Jalan Hutan, 2010</i> (Guidelines for Forest Roads, 2010) Forest Harvesting Plan <u>Sabah</u> <ul style="list-style-type: none"> RIL Operation Guide Book: Code of Practice for Forest Harvesting in Sabah, Malaysia, 2009 Comprehensive Harvesting Plan <u>Sarawak</u> <ul style="list-style-type: none"> Procedures for Identifying and Demarcating Sensitive Areas for the Protection of Soil and Water, 1999 Guidelines for Forest Road Layout and Construction, 1999
6.6 Forest manager shall adopt, where possible, 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 minimise health and environmental risks.	6.6.1 Availability of management policy on environmentally friendly non-chemical methods of pest management.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> Management policy on the use of environmentally friendly non-chemical methods of pest management and avoiding the use of chemical pesticides, where applicable Outcome of interview with forest managers and workers
	6.6.2 Availability and implementation of guidelines and/or procedures on the use of chemicals in the forest approved by relevant regulatory authorities.	<u>Peninsular Malaysia / Sarawak</u> <ul style="list-style-type: none"> Occupational Safety and Health (Use and Standard of Exposure of Chemicals Hazardous to Health) Regulations, 2000 – Part II, Regulations 5, 15 and 16 <u>Sabah</u> <ul style="list-style-type: none"> Sustainable Forest Management Licence Agreement Occupational Safety and Health (Use and Standard of Exposure of Chemicals Hazardous to Health) Regulations, 2000 – Part II, Regulations 5, 15 and 16
	6.6.3 Forest workers shall be aware of the procedures on the use of approved chemicals in the forest.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> Standard Operating Procedure for chemical usage Training records Outcome of interview with forest managers and workers

Criterion	Indicator	Verifier
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 Oil, fuel, tyres, containers, liquid and solid non-organic wastes, shall be disposed of in an environmentally appropriate and legal manner	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Standard operating procedures on waste disposal and re-cycling of liquid and solid non-organic wastes • Records of disposal of containers, liquid and solid non-organic wastes, including fuel and oil
6.8 Use of biological control agents shall be documented, minimised, 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 federal, state and local laws, and internationally accepted protocols, if such agents are used.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Documentation and monitoring records of use of biological control agents, if applied
6.9 Forest managers shall document, control and monitor the use of exotic species to avoid adverse ecological impacts.	6.9.1 Document, control and monitor on the use of exotic species to avoid adverse ecological impacts. Preference shall be given to native species in enrichment planting.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • List of exotic species used, if any • Records of monitoring and control of exotic species, if applicable • Approval by relevant authorities for procurement of exotic species • Records of enrichment planting

Criterion	Indicator	Verifier
<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, economic and social benefits across the forest management unit.</p>	<p>6.10.1 The forest manager shall ensure that conversion from natural forest to forest plantations or non-forest use:</p> <p>a) Shall not include any High Conservation Value Forest areas; and</p> <p>b) Covers a very limited portion* of the FMU and shall enable clear, substantial, additional, secure, long term conservation, economic and social benefits across the FMU</p> <p>*“A limited portion” is defined as:</p> <ul style="list-style-type: none"> • not more than 2.5% of the total area of the FMU in the first 3 years; • not more than 1.5% for the subsequent 2 years; and • not more than 1% for the next subsequent 2 years. <p>This definition may be modified in the next review process of this standard.</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 – Section 3A • Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order 1987 – Item 6 of Schedule • Record of forest conversion, including maps/aerial photographs/satellite imageries <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Social, environmental and economic cost benefit analysis • Sustainable Forest Management Licence Agreement • Environment Impact Assessment (EIA) reports • Environment Protection Enactment, 2002 – Sections 12, 20 and 37 • Environment Protection (Prescribed Activities) (Environmental Impact Assessment) Order, 2005 • Record of forest conversion, including maps/aerial photographs/satellite imageries <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Social, environmental and economic cost benefit analysis • Environmental Impact Assessment, where required by the Natural Resource and Environment Ordinance (Cap. 84) – Section 11A • Natural Resources and Environment (Prescribed Activities) Order, 1994 – Item 2 of First Schedule • Record of forest conversion, including maps/aerial photographs/satellite imageries
	<p>6.10.2 The forest manager shall have evidence of necessary approval for the conversion, in line with applicable laws and policies.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Evidence of approval

Principle 7: Management Plan

A management plan – appropriate to the tenure, scale and intensity of the operations – shall be prepared, approved, implemented and kept up-to-date. The long term objectives of management, and the means of achieving them, shall be clearly stated.

Criterion	Indicator	Verifiers
7.1 The management plan and supporting documents shall provide:- a) Management objectives. b) Description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands. c) Description of silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories. d) Rationale for rate of annual harvest and species selection. e) Provisions for monitoring of forest growth and dynamics. f) Environmental safeguards based on environmental assessments. g) Plans for the identification and protection of rare, threatened and endangered species. h) Maps describing the forest resource base including protected areas, planned management activities and land ownership. i) Description and justification of harvesting techniques and equipment to be used.	7.1.1 Availability and implementation of Forest Management Plan.	<u>Peninsular Malaysia / Sabah / Sarawak</u> • Forest Management Plan

Criterion	Indicator	Verifiers
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.	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 shall be appropriate to the scale and intensity of forest management operations, so as to respond to changing environmental, social and economic circumstances.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Periodic review as prescribed in the Forest Management Plan • Record of revision of the Forest Management Plan
	7.2.2 Forest managers shall be aware of new scientific and technical information pertinent to the management of the area to be certified.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Records of new scientific and technical information pertinent to the management of the area to be certified
7.3 Forest workers shall receive adequate training and supervision to ensure proper implementation of the management plan.	7.3.1 Availability of facilities and programmes for training of forest workers for proper implementation of the forest management plan.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Training facilities and programmes of the Forestry Department Peninsular Malaysia <u>Sabah</u> <ul style="list-style-type: none"> • Training facilities and programmes of the <i>Institut Perhutanan Sabah</i> (Sabah Forestry Institute) • List of other training facilities and programmes <u>Sarawak</u> <ul style="list-style-type: none"> • Training facilities and programmes of the Sarawak Forestry Corporation, Sarawak Timber Association and other agencies
	7.3.2 Forest workers shall be trained as to their respective roles in the implementation of the forest management plan.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Staff training records and certificates
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 shall 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.

Criterion	Indicator	Verifier
<p>8.1 The frequency and intensity of monitoring shall 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 shall be consistent and replicable over time to allow comparison of results and assessment of change.</p>	<p>8.1.1 Forest managers shall comply with the regulatory monitoring procedures in accordance with relevant federal and state guidelines of the Forestry Departments and other relevant agencies.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Director General’s Directive on the use of monitoring forms A – D [A: <i>Infrastruktur</i> (Infrastructure), B: <i>Pengusahaan Hutan</i> (Forest Harvesting), C: <i>Alam Sekitar</i> (Environment), D: <i>Pengeluaran</i> (Output)] • <i>Maklumat Kajian Impak Sosial Dalam Sektor Pembalakan</i> (Information on Social Impact Evaluation in the Logging Sector) <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Sustainable Forest Management Guidelines – Part IV (October 2003) <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Procedures for the Inspection of Harvesting Areas, 1999 • Instructions for the Inspection of Logging Areas, 1982
	<p>8.1.2 Forest managers shall 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.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Procedures to monitor social, ecological, environmental and economic impacts • Monitoring reports based on the Director General’s Directive on the use of monitoring forms A – D [A: <i>Infrastruktur</i> (Infrastructure), B: <i>Pengusahaan Hutan</i> (Forest Harvesting), C: <i>Alam Sekitar</i> (Environment), D: <i>Pengeluaran</i> (Output)] • <i>Maklumat Kajian Impak Sosial Dalam Sektor Pembalakan</i> (Information on Social Impact Evaluation in the Logging Sector) <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Auditing and monitoring report • EIA Compliance Report • Records of corrective actions • Sustainable Forest Management Guidelines – Part IV (October 2003) • Procedures to monitor social, ecological, environmental and economic impacts <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Procedures to monitor social, ecological, environmental and economic impacts • Inspection and monitoring reports

Criterion	Indicator	Verifier
<p>8.2 Forest management shall include the research and data collection needed to monitor, at a minimum, the following indicators:-</p> <p>a) Yield of all forest products harvested.</p> <p>b) Growth rates, regeneration and condition of the forest.</p> <p>c) Composition and observed changes in the flora and fauna.</p> <p>d) Environmental and social impacts of harvesting and other operations.</p> <p>e) Costs, productivity and efficiency of forest management.</p>	<p>8.2.1 Forest managers shall 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"> • Forest Management Plan • Forest Harvesting Plan • 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 • Wildlife/ biodiversity inventory analysis/ research • Soil and water quality (physical environment) analysis/ research • Reports on social, environmental and economic impacts evaluation <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Annual Working Plan • Compartment Record Book • Permanent sample plots • EIA Compliance Report • Social communication record • Reports on social, environmental and economic impacts evaluation <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Forest Management Plan • Permanent sample plots data • Inspection and monitoring reports (pre-felling and post harvesting activities) • Reports on social, environmental and economic impacts evaluation • Environmental monitoring report • Wildlife/Biodiversity report

Criterion	Indicator	Verifier
8.3 Documentation shall be provided by the forest manager to enable monitoring and certifying organisations to trace each forest product from its origin, a process known as the “chain of custody”.	8.3.1 Forest managers shall provide relevant documents for identifying all forest products leaving the area to be certified so that their origin could be easily determined.	<u>Peninsular Malaysia</u> <ul style="list-style-type: none"> • Removal Passes <u>Sabah</u> <ul style="list-style-type: none"> • Comprehensive Harvesting Plan • Daily Felling and Extraction Form • Log Summary Record • Removal Pass • Timber Disposal Permit • Export Declaration Form • Log Tracking System • Check Scale Form <u>Sarawak</u> <ul style="list-style-type: none"> • Record of Removal Pass (Royalty/Transit) • Record of Daily Production Return (up to individual tree) • Record of Permit to Enter Coupe (PEC) • Record of log specification for shutout log/forest produce • Record of export declaration form • Export Clearance Certificate/Endorsement Clearance Certificate
8.4 The results of monitoring shall be incorporated into the implementation and revision of the management plan.	8.4.1 Forest managers shall incorporate the results and findings of the monitoring activities into the implementation and revision of the forest management plan.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <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, shall be made available to the public.	<u>Peninsular Malaysia / Sabah / Sarawak</u> <ul style="list-style-type: none"> • Public summary of results of monitoring indicators

Principle 9: Maintenance of High Conservation Value Forests

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.

Criterion	Indicator	Verifier
<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 shall determine the presence of HCVF attributes in the FMU in accordance with relevant federal, state and local laws, appropriate to scale and intensity of forest management operations in the FMU, and in consultation with relevant stakeholders.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • Report on assessment, identification and demarcation on maps of HCVFs • Record of consultations with relevant stakeholders <p><u>Sabah</u></p> <ul style="list-style-type: none"> • Biodiversity Enactment, 2000 • Report on assessment, identification and demarcation on maps of proposed HCVFs • Any other reporting such as scientific expedition • Records of consultation with relevant stakeholders • All <i>adat</i> recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts • Established native customary rights • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • Report on assessment, identification and demarcation on maps of proposed HCVFs • Records of consultation with relevant stakeholders • Sarawak Cultural Heritage Ordinance, 1993– Section 20-24 • All <i>adat</i> codified under the Native Customs (Declaration) Ordinance, 1996, and any other <i>adat</i> recognised and enforceable by the Native Courts under the Native Courts Ordinance, 1992, and the Native Courts Rules, 1993 • Decisions of the Civil Courts pertaining to legal or customary tenure or use rights • Wild Life Protection Ordinance, 1998
<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 shall consult with relevant stakeholders on the options to maintain or enhance the identified HCVFs.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • List of relevant stakeholders consulted • Evidence of consultation/Records of the comments of the stakeholders
	<p>9.2.2 Forest managers shall demonstrate that the forest management operations consider and protect areas of high conservation value in the FMU.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Incorporation of HCVFs into the Forest Management Plan

Criterion	Indicator	Verifier
<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>9.3.1 Measures to demarcate, maintain and/or enhance the HCVF attributes are documented in the forest management plan and effectively implemented.</p>	<p><u>Peninsular Malaysia</u></p> <ul style="list-style-type: none"> • HCVF areas demarcated on maps in the Forest Management Plan • Management prescriptions to maintain and/or enhance HCVF attributes • Management records <p><u>Sabah</u></p> <ul style="list-style-type: none"> • HCVF areas demarcated on maps in the Forest Management Plan • EIA Compliance Report <p><u>Sarawak</u></p> <ul style="list-style-type: none"> • HCVF areas demarcated on maps in the Forest Management Plan
	<p>9.3.2 These measures shall be included in the forest management plan summary made available to the public.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</u></p> <ul style="list-style-type: none"> • Public summary of the Forest Management Plan with the HCVF measures included
<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 shall 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 FMU.</p>	<p><u>Peninsular Malaysia / Sabah / Sarawak</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>9.4.2 Forest managers shall 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 / Sabah / Sarawak</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

Standards Review Committee

Region	Stakeholder Group	Member	Alternate Member
Sabah	Social (Indigenous Peoples)	Dr. Benedict Tapin Kadazandusun Cultural Association	Native Chief Saniban Bin Amphila United Sabah Dusun Association
	Social (Workers' Union)	Jevry Bin Anggah Sabah Timber Industry Employees Union	Apolinar Z. Tolentino Jr. Building and Wood Workers' International Asia- Pacific
	Environmental	Omar Abdul Kadir Malaysian Nature Society (Sabah Branch)	Gary Yap Sabah Environmental Protection Association
	Economic	Raymund Tan Get Seng Timber Association of Sabah	Stephen Chaw Sabah Timber Industries Association
	Relevant Government Agencies	Pilis Malim Sabah Forestry Department	Linda Edward Giyung Sabah Forestry Department
Sarawak	Social (Indigenous Peoples)	Assoc. Prof. Dr. Ramy Bulan Rurum Kelabit Sarawak	Elbson Marajan Pengeran Sarawak Dayak National Union
	Social (Workers' Union)	Mohamad Ali Yacob Sarawak Forestry Department Employees Union	Mohamad Jefrie Abdullah Timber Industry Employees Union Sarawak
	Environmental	Dr. Melvin Gumal Wildlife Conservation Society (Malaysia Program)	Rebecca D' Cruz Malaysian Nature Society (Kuching Branch)
	Economic	Dato Henry Lau Sarawak Timber Association	Henry Kong Sarawak Timber Association
	Relevant Government Agencies	Hamden Mohamad / Ahmad Ashrin Mohd Bohari Sarawak Forest Department	Zolkipli Mohamad Aton Sarawak Forestry Corporation
Peninsular Malaysia	Social (Indigenous Peoples)	Dato' Suki Mee Persatuan Kebudayaan dan Kesenian Orang Asli Perak (Perak Orang Asli Cultural and Arts Association)	-
	Social (Workers' Union)	Mohd Khalid Atan Timber Employees Union Peninsular Malaysia	Datuk Haji Jamaluddin Mohd. Isa Malay Forest Officers Union, West Malaysia
	Environmental	Kanitha Krisnapillay / Yeap Chin Aik Malaysian Nature Society	Jayashree Kanniah WWF-Malaysia
	Economic	Siti Syaliza Mustapha Malaysian Timber Council	Goh Chee Yew Bakti Malaysia Sdn. Bhd
	Relevant Government Agencies	Lim Kee Leng Forestry Department Peninsular Malaysia	Dr. Ismail Harun Forest Research Institute Malaysia

Panel of Experts

Name	Organisation
Dato' Shaharuddin Mohd Ismail	Institute for Environment and Development, Universiti Kebangsaan Malaysia
Dr. Sanath Kumaran	Independent consultant
Balan Nair	Independent consultant
Assoc. Prof. Dr. Roszehan Mohd Idrus	School of International Tropical Forestry, Universiti Malaysia Sabah
Prof. Datuk Dr. Abdul Rashid Abdullah	Institute of East Asian Studies, Universiti Malaysia Sarawak

DEFINITION OF KEY TERMS USED IN THE MC&I(NATURAL FOREST)

Adat: *Adat* means accepted norms and customs that govern the lives of indigenous communities, which include their way of life, basic values, systems of belief, codes of conduct, manners, conventions, agricultural and cultural practices according to which indigenous societies are ordered.

Biological control agents: Living organisms used to eliminate or regulate the population of other living organisms.

Biological corridor: Area of habitat connecting wildlife populations separated by human activities (such as roads, development or logging). This allows an exchange of individuals between populations, which may help prevent the negative effects of inbreeding and reduced genetic diversity (via genetic drift) that often occur within isolated populations. Corridors may also help facilitate the re-establishment of populations that have been reduced or eliminated due to random events (such as fires or disease). This may potentially moderate some of the worst effects of habitat fragmentation.

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.

Chain of custody: The channel through which products are distributed from their origin in the forest to their end-use.

Chemicals: The range of fertilisers, insecticides, fungicides, and hormones which are used in forest management.

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

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.

Ecosystem: A community of all plants and animals and their physical environment, functioning together as an interdependent unit.

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.

Endangered species: Any species which is in danger of extinction throughout all or a significant portion of its range.

Exotic species: An introduced species not native or endemic to the area in question.

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.

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.

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.

Forest plantation: Forest stand in which trees have been established by planting or/and deliberate seeding or coppicing (where the coppicing is previously planted trees) with either native species or non-native species that meet all the following criteria, namely, one or two or few species, even-aged, and regular spacing.

Forest worker: An individual who is an employee of the FMU manager, a licensee, contractor or processor, or is an independent owner/operator performing one or more phases involved in the harvesting of timber from a licence, or delivery of timber to a processor.

Free, prior and informed consent: A decision-making process that does not involve coercion/undue influence/manipulation (free), is made before activities are undertaken (prior), is founded upon a clear understanding (informed), and involves granting or withholding consent (saying 'yes' or 'no') to an activity, programme or policy (consent).

Genetically modified organisms: Biological organisms which have been induced by various means to consist of genetic structural changes.

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).

Indicator: A qualitative, quantitative or descriptive attribute that, when periodically measured or monitored, indicates the direction of change.

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.

In the context of this standard, indigenous peoples in Malaysia refer to Aborigines in Peninsular Malaysia, and Natives in Sabah and Sarawak.

Aborigines:

Aborigines in Peninsular Malaysia are indigenous peoples as defined in the Federal Constitution Article 160(2), and the Aboriginal Peoples Act, 1954, Section 3.

Natives:

Natives in Sabah are indigenous peoples as defined in the Federal Constitution Article 161(A), Clause 6 and the Interpretation (Definition of Native) Ordinance, 1952.

Natives in Sarawak are indigenous peoples as defined in the Federal Constitution Article 161(A), Clauses 6 and 7 and the Schedule to the Interpretation Ordinance, 2005 (Cap. 61).

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.

Local communities: Permanent or stable human communities who rely on the forest resources and ecosystems, are having their own rules, cultural norms and expectations, are living in or adjacent to the FMU, and are affected by forest management operations conducted within the FMU.

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.

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.

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.

Natural forest: Forest areas where many of the principal characteristics and key elements of native ecosystems such as complexity, structure and diversity are present.

Non-forest land use: Land not primarily intended for growing or supporting a forest, including forest plantation.

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.

Permanent reserved forest: Any land constituted or deemed to have been constituted a permanent reserved forest under the National Forestry Act, 1984.

Plantation: Forest areas lacking most of the principal characteristics and key elements of native ecosystems which result from the human activities of either planting, sowing or intensive silvicultural treatments.

Precautionary approach: The essence of the precautionary approach is given in Principle 15 of the Rio Declaration, which states; *“Where there are threats of serious or irreversible damage, lack of scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.”*

Principle: An essential rule or element of forest stewardship.

Regulated forest: Forest area harvested in the production forest of the permanent reserved forests and has the forest structure, based on forest inventory, to sustain timber production.

Sogit system: ‘*Sogit*’ is a Kadazandusun system of redress, restitution or retribution which is inherent within the justice system of the *Adat* (Customary Laws). The ‘*sogit*’ is a socio-spiritual form of atonement or compensation of various kinds and descriptions and measures depending on which aspect of the *Adat* has been transgressed or violated against.

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.

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

Tagal system: The *Tagal* system comprises specific arrays of communally shared and accepted observances, rules and protocols in the management, conservation and sharing of benefits from traditional resources such as river, land and forest resources including *Sogia’an* (cooperatively and communally owned properties). The *Tagal* system is enforceable at two levels of the Kadazandusun justice system:

- i. Native Courts Justice system
- ii. Momolianistic Divine meted Justice system

Among the most noticeable *Tagal* system practiced by the Kadazandusuns today is the *Tagal Bawang* (River Resources *Tagal* system), a unique communal practice of river resource management, conservation and benefits sharing.

Tenure: Socially defined agreements held by individuals or groups, recognised 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).

Threatened species: Any species which is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.

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.

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).