



Report on formal comments on the 1st draft National Forest Stewardship Standards (NFSS) for Malaysia

Summary of issues raised

The public consultation period for the 1st draft NFSS for Malaysia commenced on 17 March 2017 and ended on 17 May 2017. However, some comments were accepted a few days past the deadline. During the 60-day public consultation period, 3 one-day stakeholder engagement sessions were organized in April 2017 covering the 3 regions of Malaysia: Petaling Jaya (Peninsular Malaysia), Kota Kinabalu (Sabah) and Kuching (Sarawak). In total, 73 stakeholders from forestry departments, companies, timber industry associations, social and environment NGOs, Indigenous Peoples' organizations, workers' unions, certification bodies, universities and consultants attended the 3 physical sessions. Comments made by participants during the physical sessions were recorded as formal comments and included in this report along with all formal comments provided by stakeholders via email and post during the public consultation period.

A total of 310 individual comments were recorded (see Annex for details) where the majority 267 comments (or 86%) were specific to the Principles and Criteria. Eleven comments (4%) were received on the annexes, 14 (5%) were general comments, 10 (3%) on the glossary, 7 (2%) on the preamble and 1 (0.3%) on the FSC Policy for Association.

In general, stakeholders provided suggestions including both specific changes to the standards and general improvements, sought clarification on general and standards-specific issues as well as provided their opinions. The following is a summary of issues (listed by principle or section of the standards) raised by stakeholders:

General

- Collective opinion on 'the sixes' criteria, C6.9 and C6.10, from Peninsular Malaysia, Sabah and Sarawak stakeholders
- Simplification of the standards by combining similar indicators
- Improvement of all verifiers in terms of strength, clarity and specificity
- Ratification of international conventions by Malaysia
- Applicability of the standards for smallholders
- Accuracy of legal terminology used in the standards
- Performance of certification bodies in verifying compliance to the standards
- Understanding and awareness of the standards by Indigenous Peoples and local communities

Principle 1 (Compliance with laws)

- Issue of non-gazette lands and excised areas from the Management Unit
- Marking of boundaries on maps vs physical demarcation on the ground
- Interpretation of customary rights in Malaysia
- Additional safeguards (interviews and field verification)
- Anti-corruption measures



Principle 2 (Workers' rights and employment conditions)

- Request to re-add job opportunities 'under the same conditions'
- Additional safeguards (interviews)

Principle 3 (Indigenous Peoples' rights) and Principle 4 (Community relations)

- Definitions of Indigenous Peoples and local communities
- National laws versus FSC requirements in terms of rights
- Importance of oral history for Indigenous Peoples and local communities
- Use of 'contested' versus 'disputed'
- Quantifying value in economic, social and environmental terms
- Potential discovery of sites previously unknown to Indigenous Peoples or local communities

Principle 5 (Benefits from the forest)

- Clarification on diversified benefits/products (indicator text)
- Calculations of sustainable timber harvesting levels

Principle 6 (Environmental values and impacts)

- Government sanctioned Environmental Impact Assessment (EIA) versus generic environmental impact assessments
- Additional safeguards (verifiers)
- Overlap and redundancy in indicators on hunting, fishing, trapping and collecting activities
- Enforcement/protection measures versus access by Indigenous Peoples or local communities
- Definitions of watercourses and water bodies as well as inclusion of hydrological issues
- Inclusion of Environmental Monitoring Report (EMR) as a verifier for Sarawak (and equivalent document for Peninsular Malaysia and Sabah)

Principle 7 (Management planning)

- Translations of public documents/summaries for Indigenous Peoples and local communities

Principle 9 (High Conservation Values)

- Definitions of 'experts' (as interview verifiers)
- Additional references for HCV-related matters
- Allocation of resources for HCV implementation
- Inclusion of HCV management and monitoring plan (as documentation verifiers)
- Consolidation of HCV-related documents and terminology
- Clarification on 'monitoring prescriptions' (as documentation verifiers)

Principle 10 (Implementation of management activities)

- Applicability for plantations versus natural forests
- Clarification on 'Post Harvesting Plan' versus 'Comprehensive Harvesting Plan'
- Clarification on 'written justification' versus 'scientific evidence'
- Dropping criterion (and related elements) on allowing the use of alien species
- Responsibility for Genetically Modified Organisms (GMO)
- Inclusion of Integrated Pest Management plan (as documentation verifiers)



- Additional safeguards for the use of chemical pesticide (verifiers) and biological control agents (indicators)

Glossary

- Additional definitions
- Clarification on existing definitions

Annexes

- Revisions to Annex A (List of applicable laws, regulations and nationally-ratified international treaties, conventions and agreements)
- Addition of peatland and high carbon stock to Annex C (Additional Requirements for Ecosystem Services)
- Checking of Annex K (Guidelines for Standard Operating Procedures) to ensure guidance is provided for all documentation verifiers requiring SOPs

In addition, and during the 3 engagement sessions in Sabah, Sarawak and Peninsular Malaysia, attention was given to the issue of the 'Sixes,' or Criteria 6.9 and 6.10, regarding FSC's 1994 cut-off rule and the challenges faced by management units in Malaysia to comply and hence be eligible for FSC certification. In all 3 sessions, stakeholders discussed the issue and came to a decision to accept Criteria 6.9 and 6.10 as is in the draft Malaysian NFSS with the following conditions (see comment 195 in the Annex):

- 1) Voice concern to FSC that many Malaysian forestry operations will not be able to comply with FSC's 1994 rule,
- 2) Voice support for FSC's Motion 12 Working Group, and
- 3) Form Malaysian working group to monitor, provide feedback and proactively engage with the Motion 12 Working Group.

Comment 200 (see Annex) further provides an explanation of the situation in Sabah in relation to compliance with Criteria 6.9 and 6.10 from the perspective of the forest owners or Sabah Forestry Department.

Analysis of the range of stakeholder groups who have submitted comments

312 individuals or groups were attributed to the 310 comments received. These individuals or groups consisted of those representing environment, social and economic interests as well as governmental bodies and academia.

Representing environmental interests were WWF-Malaysia, Malaysian Nature Society (MNS), Global Environment Center (GEC), Sabah Environment Protection Association (SEPA) and Sabah Environment Trust (SET). Representing social interests were Borneo Resources Institute of Malaysia (BRIMAS), Sarawak Dayak Iban Association (SADIA), Society for Rights of Indigenous People of Sarawak (SCRIPS) and Grassroots Consulting. Representing economic interests were Zedtee Plywood Sdn Bhd, *Kumpulan Pengurusan Kayu Kayan Terengganu Sdn Bhd* (KPKKT), East West Lumber, Bornion Timber, Sabah Softwoods, MIENS, Proforest, Global Way Services, Asian Forestry Company and International Forest Management Consultants, Malaysian Wood Industries Association (MWIA) as well as certification bodies



SCS Global Services and NEPCon. Government interests were represented by the Forestry Department Peninsular Malaysia, Sabah Forestry Department and Sarawak Forestry Department.

Individuals and groups representing economic interests can be attributed for the majority 160 comments (or 52% of the comments received) while environment groups contributed 80 comments (26%) and social groups, 32 comments (10%). Thirty-four comments from individuals or groups representing government agencies attributed for 11% of the total comments received while the number of comments made by groups covering all interests totaled twenty-two, or 7% of comments received.

General response to the comments and indication of how the comments have been taken into account in the subsequent public draft standard

All comments received during public consultation were considered by the Standards Development Group (SDG). Responses typically ranged from acceptance with changes to the draft NFSS based on comments made to noted but with no changes to the standards. Several follow-up actions were also discussed and agreed by the SDG because of the consideration of comments received. See Annex (notes column) for the SDG's detailed responses to the comments received and the resulting changes to the draft NFSS. In the subsequent revision of the draft NFSS in response to comments received, changes have been made at indicator and verifier level as well as the preamble, glossary and annexes.



ANNEX: Copy of all formal comments received during the public consultation period

No	Comment	Person(s)	Reference	Response
1	Suggest various changes and additions to the Annex (refer to detailed comments submitted)	Adrian Choo (WWF Malaysia)	Annex A	Annex A text changed based on comments
2	The list of trainings specified for workers will be difficult to comply with. Suggest that it is more appropriate for forest managers to be equipped with such knowledge while selected workers operating in specific areas are trained on the relevant fields	Son Kheong Yap (SCS Global Services)	Annex B	Annex B descriptive text changed based on comment
3	Suggest adding 'peatlands and other high carbon stock ecosystems' after 'Forests' in B>1)>i	Faizal Parish (GEC)	Annex C	Annex C text changed based on comment
4	Suggest adding 'and peatland areas' after 'restore carbon storage in the forest' and 'rewetting (through blocking of any drainage canals in peatland areas)' after 'forest protection' in B>1)>ii	Faizal Parish (GEC)	Annex C	Annex C text changed based on comment
5	Suggest adding 'wetlands' between 'temporary water bodies' and 'watercourses' in D>1)>i	Faizal Parish (GEC)	Annex C	Noted but no change based on comment as 'wetlands' are already defined in 'water bodies'
6	Suggest adding 'wetlands' between 'water bodies' and 'and riparian zones' in 3.>ii.	Faizal Parish (GEC)	Annex E	Noted but no change based on comment as 'wetlands' are already defined in 'water bodies'
7	Suggest adding 'wetlands' between 'water bodies' and 'water quantity' in 3.>f.	Faizal Parish (GEC)	Annex G	Noted but no change based on comment as 'wetlands' are already defined in 'water bodies'
8	Information sources for HCV1 listed in Annex J appears to be different from Annex I. The Forest Ordinance, available in Sabah and Sarawak, as well as the National Forestry Act, specifies protected forest areas. Class 1 and Totally Protected Areas and Protected Forests are stated in these laws. Clarification if it is relevant to comply with international conventions on protected areas	Son Kheong Yap (SCS Global Services)	Annex J	Annex I, which is an HCV framework, does not list any information sources. Noted but no change based on comment
9	Suggest that 'Ramsar' is not an acronym (but the name of the city in Iran in which the Convention was ratified)	Malory Weston (NEPCon)	Annex J	'(RAMSAR)' deleted from the text based on comment



10	Support for the proposed development of Standard Operating Procedures to describe and facilitate consistent implementation of a requirement. In terms of Annex K's table with descriptions of proposed SOPs, there appears to be some missing (i.e. compared to the SOPs described in the text)	Malory Weston (NEPCon)	Annex K	All SOP verifiers are currently described in Annex K but specific reference to indicators added in Annex K for clarity based on comment
11	Suggest it would also be beneficial, in relation to point 1, to formally assign responsibility for each SOP (updating etc.) to a particular employee/supervisor	Malory Weston (NEPCon)	Annex K, 'Best practices for managing SOPs'	Text added to Annex K based on comment
12	Clarification on what if the Organization is not a company but a group of tree owners who need to get certified but does not possess the M&A	Son Kheong Yap (SCS Global Services)	1.1.1	Different term i.e. 'legal instrument' added to verifier. WWF Malaysia to suggest any further changes
13	Clarification on 'unresolved'	S K Pang (MWIA)	1.1.1	No change as 'unresolved' is clear
14	Support the text addition to the IGI by the SDG as it provides greater clarity to the requirement	Malory Weston (NEPCon)	1.1.1	No response required
15	Suggest adding a new verifier to address the second part of the indicator	Sarawak stakeholders	1.1.1, verifiers	New verifier added
16	Suggest adding a reference regarding stakeholder consultation as an additional means of confirmation, i.e. consultation shall confirm that: (a) registration of Organization has been granted following legally prescribed processes; and (b) legal status of the operation or rights for conducting the established activities are not subject to court orders or other legally established decisions to cease operations	Malory Weston (NEPCon)	1.1.1, verifier	Noted but no change
17	Suggest replacing 'for' with 'under' and deleting 'under' in the verifier	Malory Weston (NEPCon)	1.1.1, verifier	Verifier changed based on comment
18	Check if it is necessary to include 'operating hours' in verifier	S K Pang (MWIA)	1.1.2, 1 st verifier	'Operating hours' deleted in verifier
19	Check terminology for appropriateness and applicability in the regions e.g. ordinance vs enactment	Mohd Rahim (Forestry Department)	1.1.2, 2 nd verifier	Verifier changed based on general definitions but additional advice on legal terminology used in the standards may be required
20	Suggest adding 'General: Issuance of legal rights and registration shall be subject to	Malory Weston (NEPCon)	1.1.2, verifiers	Noted but no change



	public disclosure prior to commencement of any activities within forest management units' before the verifiers			
21	Clarification on whether smallholders can be expected to fulfill the verifier 'Land Titles or Land Lease Agreement for the Management Unit.' Also suggest checking with government agencies/Nicholas Mujah	Adrian Choo (WWF Malaysia)	1.2.1, 2 nd verifiers	Noted but no change. This standard currently does not differentiate companies and smallholders
22	For Peninsular Malaysia, Federal legislative requirements should be followed by state requirements e.g. 'harvesting permit/license' (federal) followed by 'harvesting sub-license' (Peninsular Malaysia states)	Mohd Rahim (Forestry Department)	1.2.1, 3 rd verifier	Verifier changed based on comment
23	Suggest relooking at indicator to address non-gazetted lands	Henry Chan (WWF Malaysia)	1.2.2	Noted but no change
24	Clarification on areas that are excised from the certification scope for other land use purposes. Suggest that these areas are identified so that monitoring can be done on compliance to the guidance for excision	Adrian Choo (WWF Malaysia)	1.2.3	Comment revisited under Principle 9 (monitoring)
25	Suggest adding 'clear marking of Management Unit boundaries on the ground' as a new verifier	Faizal Parish (GEC)	1.2.3, verifiers	Noted but no change as indicator only requires boundaries to be clearly marked and shown on maps
26	Suggest adding a new verifier 'Consultation with local stakeholders including neighbors and local communities confirms that boundaries are correct and not contested'	Malory Weston (NEPCon)	1.2.3, verifiers	Noted but no change
27	Clarification on 'customary rights' and verification of compliance by CBs. Suggest adding an additional sentence to address Malaysian context of 'customary rights.' If law is incomplete, agreement by all parties is required.	Christian Schriver (NEPCon), Richard Wong (MIENS)	1.3.1	Noted but no change
28	Suggest a new verifier such as 'Inspections of harvesting site shall confirm that harvesting takes place within property limits (including felling, transport and log landings)' is relevant and useful	Malory Weston (NEPCon)	1.3.1, verifiers	Noted but no changes as operations are covered in other principles
29	Suggest checking grammar and spelling throughout standards e.g. Indigenous Peoples should be capitalized throughout	Henry Chan (WWF Malaysia)	1.4.1 (and General)	Grammatical changes made throughout standards based on example given in comment. Standards shall



				be reviewed by a copywriter (for language and consistency) after forest testing and before national consultation
30	Suggest that the note 'the implementation of these measures does not limit the rights of local communities and indigenous peoples consistent with P3 and P4' creates issues in interpretation, for example in cases where the management plan prohibits unauthorized harvesting of forest resources for forest protection, and communities demands rights to harvest/hunt. Which one would be the priority?	Adrian Choo (WWF Malaysia)	1.4.1, note	Noted but no change. The note provides clarity that any protection measures implemented cannot limit the rights of local communities and IPs. See also comment below on the same note
31	Support the addition of the note, which provides further safeguards to local communities and Indigenous Peoples	Malory Weston (NEPCon)	1.4.1, note	No response required
32	Suggest that the verifier seems to be ambiguous as written; presumably the meaning is not that there is a high risk of SOP implementation – but that field verification occurs to confirm that the SOP has been implemented?	Malory Weston (NEPCon)	1.4.1, 3 rd verifier	Verifier changed based on comment
33	Suggest adding a new verifier 'Interviews with local communities and Indigenous Peoples confirm that the Organisation has identified unauthorized activities and implemented protective measures for the FMU'	Malory Weston (NEPCon)	1.4.1, verifiers	Noted but no change as interviews are included in other principles
34	Suggest replacing existing interview verifier with 'reports on surveillance and enforcement works' as reports are sufficient to verify this indicator	Sabah Forestry Department	1.4.1, 4 th verifier	Noted but no change as interviews with workers on the ground provides a more accurate assessment
35	Suggest adding 'relevant' before 'engagement' in the verifier	Malory Weston (NEPCon)	1.4.2, verifier	Verifier changed based on comment
36	Suggest replacing the verifier with 'records,' which is evidence of actions taken by Surveillance and Enforcement Units	Adrian Choo (WWF Malaysia)	1.4.3, 1 st verifier	Existing verifier replaced with 'records of actions taken by Surveillance and Enforcement Units' based on comment
	Suggest replacing existing interview verifier with 'reports on surveillance and enforcement works'	Sabah Forestry Department	1.4.3, 2 nd verifier	Noted but no change as interviews with workers on the ground provides a more accurate assessment



37	Many relevant international conventions have not been ratified by Malaysia	Henry Chan (WWF Malaysia)	1.5.1	Noted but no change
38	Clarification on whether a list of international conventions have been prepared? With regards to gaps identified in fundamental ILO conventions, national legislation that is consistent with the two conventions not ratified should be identified as well. Ratified conventions should have corresponding national legislation	Kyle Meister (SCS Global Services)	1.5.1 (and 2.1.1)	Annex A contains a list of international conventions and relevant national legislation
39	Suggest adding 'and/or marking' to verifier	Sabah Forestry Department	1.5.1, 2 nd verifier	Noted and changed based on comment
40	Interviews with transporters not necessary as it is more important to speak to the District Officer (DO) who issues permits, for example	S K Pang (MWIA)	1.5.1, 3 rd verifier	'Contractors' removed from the verifier based on comment
41	Suggest the purpose of the interview verifier to 'confirm that the Organisation complies with applicable national laws...etc.'	Malory Weston (NEPCon)	1.5.1, 3 rd verifier	Verifier changed based on comment
42	Suggest adding 'for Peninsular Malaysia' to 2 nd verifier. 'Permit' should also be changed to 'license' for Peninsular Malaysia	Mohd Rahim (Forestry Department)	1.5.2, 2 nd verifier	'Or licenses (for Peninsular Malaysia)' added to verifier based on comment
43	Support the reference to a SOP in the indicator as a way of providing additional rigor but do not see the SOP described in the list of SOPs in Annex K	Malory Weston (NEPCon)	1.6.1 (and Annex K)	SOP is described in Annex K but specific reference added to indicators based on comment
44	Suggest considering and if applicable, reference Sarawak Forest Corporation's guidelines on conflict resolution in sustainable forest management. Organizations can adopt the guidelines into their SOP for conflict resolution	Henry Chan (WWF Malaysia)	1.6.1 (and 4.6.1)	Noted but no change. Additional note that dispute resolution systems must first include a resolution process with affected stakeholders to address the problem.
45	Suggest that this would be difficult for SLIMFs to meet. Should be 'not applicable' for SLIMFs	Kyle Meister (SCS Global Services)	1.6.1 (and 4.6.1)	Noted but no changes suggested. Clarification from FSC required on whether adjustments of the standard (applicability for SLIMFs) are made at NFSS level or by the CBs
46	Suggest adding a new verifier, 'interview with affected stakeholders,' similar to 4.6.1	Si Siew Lim (Grassroots)	1.6.1, verifiers	New verifier added



47	Suggest removing 'that can be settled out of court' from the indicator because of irrelevance	Borhan Mohd (Global Way Services)	1.6.2	Noted but no change
48	Suggest the purpose of the interview verifier 'to confirm that the Organisation has responded to relevant disputes in a timely manner; with such disputes resolved or in the dispute resolution process.'	Malory Weston (NEPCon)	1.6.2, 2 nd verifier	Verifier changed based on comment
49	Suggest replacing existing interview verifier with 'records of consultation with affected stakeholders and community liaison officer'	Sabah Forestry Department	1.6.2, 2 nd verifier	Noted but no change as interviews are necessary to verify the indicator
50	Suggest replacing verifier with verifiers from similar indicator, 4.6.3	Si Siew Lim (Grassroots)	1.6.3 (and 4.6.3)	Verifiers for 1.6.3 replaced with verifiers from 4.6.3
51	Suggest rewording the indicator for clarity that operations only cease in affected areas and to what extent	Henry Chan (WWF Malaysia)	1.6.4	Noted but no change. Additional note that when dispute in certain areas occur, the scale is determined and operations only cease in that area
52	Any operation can only cease upon orders issued by the relevant governing/regulatory authority	Borhan Mohd (Global Way Services)	1.6.4	Noted but no change as operations can be ceased by the Organization
53	Second sentence in the criterion is meaningless. Corruption is corruption regardless of the scale and intensity of operations and why should anti-corruption measures be proportionate to the scale and intensity of the operation?	Borhan Mohd (Global Way Services)	1.7	Noted but no change
54	Suggest that there does not seem to be an indicator relating to what shall occur in the absence of anti-corruption legislation	Malory Weston (NEPCon)	1.7, indicators	Noted but no change as anti-corruption legislation exists in Malaysia
55	Suggest adding 'complying with the requirements' after 'policy' in the verifier	Malory Weston (NEPCon)	1.7.1, 1 st verifier	Suggest change based on comment
56	Suggest that outside of a group certificate, the indicator could be difficult for SLIMF to meet	Kyle Meister (SCS Global Services)	1.7.1	Noted but no change
57	Suggest adding new verifiers 'evidence of training and briefing session on anti-corruption initiatives' and 'SOP on measures to stem corruption'	Borhan Mohd (Global Way Services)	1.7.1, verifiers	Noted but no change as additional verifiers are beyond the requirements of the indicator
58	Suggest replacing 'implemented' with 'adopted' to ensure 1.7.1 is implemented. Is commitment to policy sufficient?	Adrian Choo (WWF Malaysia)	1.7.1	Noted but no change as implementation provides more safeguard than adoption



59	Suggest replacing 'related' with 'relevant' and 'legislation' with 'legislative requirements' in the indicator	Malory Weston (NEPCon)	1.7.2	Indicator changed based on comment
60	Suggest adding 'coercion' to indicator	Christian Schriver (NEPCon)	1.7.4	'Coercion' added (as an example of corrupt practice) to the definition of 'corruption' in the glossary
61	Suggest replacing existing verifier with 3 new verifiers 'evidence of internal investigation having been carried out,' 'evidence of disciplinary action taken' and 'other measures'	Borhan Mohd (Global Way Services)	1.7.4, verifiers	First 2 verifiers added based on comment but existing verifier retained
62	Suggest adding 'and related Policies and Standards' to the verifier as required by the indicator	Si Siew Lim (Grassroots)	1.8.1, 1 st verifier	Verifier changed based on comment
63	Clarification on 'management plan' in the verifier i.e. ambiguous as written; is this a separate verifier?	Malory Weston (NEPCon)	1.8.1, verifier	Verifier changed based on comment
64	Suggest that reconciliation is required as some elements of the ILO Core Conventions were not ratified by Malaysia	Ing Yung Wong (Zedtee)	2.1, 3.4	Noted but no change
65	Replace 'country concerned' with 'Malaysia' or 'Malaysian laws/regulations'	Mooi See Tor (Proforest), Sundari Ramakrishna (WWF Malaysia), Borhan Mohd (Global Way Services)	2.1.2	Indicator changed based on comment
66	Suggest that since Malaysia has not ratified ILO 87 (unless there is national legislation that is consistent with the intent of ILO 87), it may be difficult to meet this requirement, especially in cases when national legislation DOES NOT allow for freedom of association	Kyle Meister (SCS Global Services)	2.1.2	Noted but no change
67	Suggest to re-add 'under similar conditions'	Mooi See Tor (Proforest)	2.2.2	Phrase re-added to indicator based on comment
68	Suggest that the phrase 'under the same conditions' (which has been deleted from the IGI) does actually provide additional requirements and rigor. As written, the statement is an obvious one: that job opportunities are open to women and men. However, our interpretation of the original	Malory Weston (NEPCon)	2.2.2	See comment above



	FSC IGI wording is that women and men may compete for the same jobs 'on a level playing field'			
69	Suggest the purpose of interviews is 'to confirm that women and men have access to the same job opportunities under the same conditions; with women being encouraged to participate in all levels of employment'	Malory Weston (NEPCon)	2.2.2, verifier	Verifier changed based on comment
70	Suggest adding 'corroborating...' after the verifier	Malory Weston (NEPCon)	2.2.3, 1 st verifier	Verifier changed based on comment
71	Support the change made by the SDG to the IGI as the legal requirement in Malaysia goes beyond FSC requirements	Malory Weston (NEPCon)	2.2.6	No response required
72	Suggest specifying duration for paternity leave. State governments provide 7 days of paternity leave.	S K Pang (MWIA), Mooi See Tor (Proforest), Mohd Rahim (Forestry Department)	2.2.7	Indicator changed based on comment
73	Suggest adding a new verifier 'Interviews with workers (women and men) confirm that there is no discrimination based on gender in the context of meetings, management committees and decision-making forums...'	Malory Weston (NEPCon)	2.2.8, verifiers	New verifier added based on comment
74	Suggest for the SOP mentioned in the verifier to be described in Annex K	Malory Weston (NEPCon)	2.2.9, 1 st verifier (and Annex K)	SOP already described in Annex K but specific reference to indicators added in Annex K based on comment
75	Suggest that key areas of risk of non-compliance to the ILO Code be identified at the national level to assist the Organizations. Otherwise, the ILO code is simply too long to be a practical tool to use in the field	Kyle Meister (SCS Global Services)	2.3.1	Noted but no change. Suggest for FSC Malaysia to identify these key areas of risk of non-compliance
76	Suggest merging 2.3.2 and 2.3.3 for simplification	Si Siew Lim (Grassroots)	2.3.2, 2.3.3	Indicators merged
77	Suggest adding 'interviews with employees/workers'	Mooi See Tor (Proforest), S K Pang (MWIA)	2.3.3, 3 rd verifier	Verifier changed based on comment
78	Clarification on information source for figures for national forestry industry accident averages	Christian Schriver (NEPCon)	2.3.5, 2 nd verifier	Suggest checking with Department of Safety and



				Health (DOSH or JKPP) to obtain figures
79	Suggest checking records of accidents from DOSH/JKKP	Wan Mohd Suhaimi (KPKKT)	2.3.6, 1 st verifier	New verifier added based on comment
80	Suggest that if there is national or regional legislation related to minimum wage, the indicator should be adapted to it	Kyle Meister (SCS Global Services)	2.4.1	Noted but no change as indicator/verifier already references national legislation on minimum wages (Annex A)
81	Clarification on whether minimum wages are stipulated in forest industry standards	S K Pang (MWIA)	2.4.2	Minimum wages are not stipulated in forest industry standards
82	Suggest adding 'if any' to the end of the verifier as currently, there is no such data or agreements in Sabah except for the minimum wage decided by the government	Sabah Forestry Department	2.4.2, 2 nd verifier	Noted and changed based on comment
83	Hyperlink for 'workers' incorrect	Peninsular Malaysia stakeholders	2.4.3	All hyperlinks checked in standards
84	ILO Convention 131 will enter into force in Malaysia on 7 June 2017 so suggest that any national legislation that corresponds to this be identified and addressed in the indicators of this criterion	Kyle Meister (SCS Global Services)	2.4.3	Indicator 2.4.3 dropped as it is not applicable in Malaysia
85	Suggest adding 'workers' payment records' as a new verifier. Suggest adopting definitions from the government workers' handbook	Erasmus Koay (MIENS)	2.4.4	Verifier added but definitions suggested in comment not added
86	Clarification on whether this is a reasonable expectation of SLIMFs	Kyle Meister (SCS Global Services)	2.6.1	Noted but no change
87	Clarification on the definition of Indigenous Peoples and whether the people of Sabah should be considered Indigenous Peoples or local communities	Son Kheong Yap (SCS Global Services)	3.1.1	Noted but no change
88	Suggest that any national laws or regulations used to identify and/or recognize the rights of Indigenous Peoples should be identified and used to adapt the indicators of P3 to national circumstances	Kyle Meister (SCS Global Services)	3.1.1, 3.1.2, 3.5.1	Noted but no change as FSC requirements are higher
89	Clarification on 'process of identifying customary rights' and 'determining if rights have acquired the force of a law'	Christopher Garside (Asian Forestry Company)	3.1.2	Noted but no change as verifiers are appropriate for the current standards. For further interpretation,



				suggest for FSC Malaysia to provide more clarity
90	Suggest adding 'legal lands' to verifier	Musa Salleh (Sabah Forestry Department)	3.1.2, 2 nd verifier	Discussed but no change. Sabah stakeholders discussed recognition of customary rights in Sabah and agreed that the verifier should remain as is
91	Suggest replacing 'contested' with 'disputed' in the indicator and verifier for consistency	Henry Chan (WWF Malaysia)	3.1.2, 5 th and 6 th points (and 4.1.2)	Indicator changed based on comment
92	Suggest removing 'oral history' from verifier or replacing with 'and objective evidence'	Musa Salleh (Sabah Forestry Department), Sarawak Forestry Department	3.1.2, 5 th verifier	Discussed but no change. Sabah and Sarawak stakeholders discussed previous court cases where oral history supported claims by Indigenous Peoples and agreed that the verifier should remain as is
93	Suggest replacing 'NGO' with 'Civil Society Organization (CSO)' in the verifier	Henry Chan (WWF Malaysia)	3.1.2, 7 th verifier	Verifier changed based on comment
94	Clarification on which are 'relevant sections' of the management plan being referred to	S K Pang (MWIA)	3.2.1, 3 rd verifier, 4.2.1, 3 rd verifier	Additional verifier text added for clarity based on comment
95	Clarification on verifiers. Suggest combining 1 st and 2 nd verifier (?)	Musa Salleh (Sabah Forestry Department), Christopher Garside (Asian Forestry Company)	3.2.1, verifiers	Noted but no change as both verifiers are distinct documents
96	Suggest rewording verifier. 'Demonstrate' is implied as a qualifier for competency. For example, in this case, do interviewed workers must demonstrate competency or is it to obtain information from them?	Erasmus Koay (MIENS)	3.2.2, verifier	Noted and verifier changed based on comment
97	Suggest removing 'workers' from the verifier and clarification on the definition of 'workers' in the glossary	Henry Chan (WWF Malaysia)	3.2.2, verifier, and glossary	Discussed but no change. Sarawak stakeholders discussed the importance of interviewing workers (including management staff) because workers are



				directly involved in on-the-ground activities, definition of 'workers' in the glossary and agreed that the verifier should remain as is
98	Suggest replacing 'granted by Indigenous Peoples' with 'is respected by The Organization' in the indicator as there is concern that the original wording implies that any management activities to be implemented in any Management Unit requires the consent of Indigenous Peoples	Sabah Forestry Department	3.2.4, 4.2.4	Noted but no change as FPIC of Indigenous Peoples are clearly required to fulfill the indicator and to clarify, consent is only required for management activities that affect the identified rights
99	Clarification on 'identified rights' in the indicator and suggest for 'identified rights' to be defined in the glossary	Musa Salleh (Sabah Forestry Department), Christopher Garside (Asian Forestry Company)	3.2.4, glossary	Noted but no change as 3.2.2 is about the identification of these rights
100	Clarification on whether it is the obligation of the Organization to ensure that Indigenous Peoples know their own rights or does that fall under a government agency or the Indigenous Peoples themselves	Kyle Meister (SCS Global Services)	3.2.4, 4.2.4	It is the obligation of The Organization
101	Clarification on quantifying 'value, in economic, social and environmental terms'	S K Pang (MWIA)	3.2.4, 2 nd point	Noted but no change and suggest for FSC Malaysia to facilitate information gathering
102	Suggest referencing Principle 9 (HCVs) as a guide for determining 'value, in economic, social and environmental terms' in the indicator	Henry Chan (WWF Malaysia)	3.2.4, 2 nd point	Noted but no change and suggest for FSC Malaysia to facilitate information gathering. See comment above
103	Suggest replacing 'granted' with 'consulted' in the indicator	Sabah Forestry Department	3.3.1	Noted but no change as 'consulted' carries a different meaning to 'granted'
104	Suggest replacing 'non-written reports' with 'oral records' in the verifier	Henry Chan (WWF Malaysia)	3.3.3, 3 rd verifier	Verifier changed based on comment
105	Suggest deleting 'non-written' in the verifier	Sabah Forestry Department	3.3.3, 3 rd verifier	Noted but no change. See comment above on the same verifier



106	Clarification on applicability of ILO Convention 169 in Criterion 3.4 if Malaysia has not ratified the convention	Musa Salleh (Sabah Forestry Department)	3.4.1, 3.4.2, 3.4.3	Discussed but no change. Stakeholders agreed that although ILO Convention 169 has not been ratified by Malaysia, Malaysia has ratified other conventions with provisions covering ILO Convention 169 making it applicable in Malaysia
107	Malaysia has not ratified ILO Convention 169. Clarification on if there is any national legislation that is consistent with it. This would be a difficult indicator for SLIMFs. Suggest that this indicator be applicable to large Management Units only	Kyle Meister (SCS Global Services)	3.4.1	Noted but no change
108	Suggest clarifying 'outsourced parties' in 2 nd verifier	S K Pang (MWIA)	3.4.2, 2 nd verifier, 3.5.3, 1 st verifier	Additional text added to clarify 'outsourced parties'
109	Suggest replacing 'value' in indicator with a more appropriate word	S K Pang (MWIA)	3.5.2	Noted but no change
110	Suggest adding a new verifier to address methods used for site identification e.g. new technologies like drones, etc.	Henry Chan (WWF Malaysia)	3.5.2	Noted but no change as adding a new verifier would be too prescriptive in terms of identifying new methods used for site identification
111	Suggest adding a new indicator and/or verifier to address the potential discovery of new sites of importance by the Organization, previously unknown by IPs and local communities i.e. steps to be taken and how to inform IPs	Mark Bujang (BRIMAS)	3.5.2	Noted but no change as the concern is sufficiently covered in the indicator/verifiers
112	Suggest replacing 'wherever' with 'whenever' in the indicator text for consistency with 4.7.3	Si Siew Lim (Grassroots)	3.5.3	Noted but no change
113	Suggest adding 'field observation' as a new verifier	Mooi See Tor (Proforest)	3.5.3, verifiers	Noted but new verifier not added based on comment because of difficulties to observe stop work orders in the field. However, a new verifier (records of stop work orders issued by management) and additional text has been added to clarify interview



				verifiers based on previous comments on similar issues
114	Suggest adding 'standard operating procedure for communication dispute' as a new verifier	Sabah Forestry Department	3.5.3, verifiers	Noted but no change as existing verifiers are sufficient
115	Suggest adding 'and/or benefit sharing' to verifier and throughout the standards where compensation or agreements with Indigenous Peoples are mentioned	Lanash Thanda (SEPA), Sarawak stakeholders	3.6.2, 2 nd verifier (and 4.8.2, 2 nd verifier, and general)	Verifier changed based on comment
116	Suggest replacing 'oral history' with 'and objective evidences'	Sabah Forestry Department	4.1.2, 5 th verifier	Noted but no change. See earlier comment on the same issue
117	Clarification on 'contested' in the indicator	Sabah Forestry Department	4.1.2, 5 th and 6 th points (and 3.1.2)	'Contested' replaced with 'disputed' based on earlier comment on 3.1.2
118	Support for the modification made to the indicator by the SDG as it leads to greater protection of local communities' rights	Malory Weston (NEPCon)	4.2.2	No response required
119	Clarification on verifier	Si Siew Lim (Grassroots)	4.5.1, 2 nd verifier	Verifier changed
120	Clarification on appropriateness for SLIMFs. This would be difficult for a single SLIMF and should be 'not applicable.' SLIMFs should also be able to meet this indicator with 4.6.2, 4.6.3 and 4.6.4	Kyle Meister (SCS Global Services)	4.6.1	Noted but no change
121	Suggest adding 'as a Standard Operating Procedure,' similar to 1.6.1	Si Siew Lim (Grassroots)	4.6.1	Indicator changed based on comment
122	Not all disputes can be resolved within the ambit of the Management Unit where land claims are outside the power of private Management Units, which are only given a lease to operate	Son Kheong Yap (SCS Global Services)	4.6.3	Noted but no change because the indicator does not expect the Organization to resolve all disputes
123	Suggest removing 'interview' verifier as this indicator is about record-keeping	Si Siew Lim (Grassroots)	4.6.3, 5 th verifier (and 1.6.3, verifiers)	Verifier removed
124	Suggest changing 'areas' to 'affected areas' in the indicator	Christopher Garside (Asian Forestry Company)	4.6.4	Indicator changed based on comment
125	Suggest using 'stop-work order' to clarify indicator	Rahimatsah Amat (Sabah	4.6.4 (and 1.6.4)	New verifier 'stop work orders issued by



		Environment Trust)		management in disputed areas' added based on comment
126	Suggest defining 'substantial'	Son Kheong Yap (SCS Global Services)	4.6.4 (and glossary)	Noted but no change because 'substantial magnitude' and 'substantial duration' are already defined in glossary
127	Clarification on identifying 'affected local communities' in the verifier	Sabah Forestry Department	4.6.4, verifier (and 4.5.1, 3 rd verifier)	Noted but no change because 'affected local communities' are identified in 4.1.1
128	Clarification on whether there are any existing laws that relate to this indicator	Kyle Meister (SCS Global Services)	4.7.1	Noted
129	Clarification on 'local economy' in the indicator	Alex Hastie (Sabah Forestry Department)	5.1.1	Noted
130	Suggest deleting the interview verifier as documentation is sufficient	Si Siew Lim (Grassroots)	5.1.1, 3 rd verifier	Verifier deleted
131	Suggest changing the indicator to 'The range <u>and quantity</u> of resources and ecosystem services that could strengthen and diversify the local economy are identified through comprehensive forest resource assessments that adequately cover the areas to be managed.' The relevance of the resource must be systematically assessed. If the quantity of a species or product is very low, it will not have the potential to strengthen the local economy.	Bernd Han-Schilling (International Forest Management Consultants)	5.1.1	Noted but no change as under Malaysian policy, assessment of forest resources is beyond the purview of the forest manager
132	For the 1 st and 2 nd verifiers, suggest replacing 'Survey' with the more holistic term 'Assessment,' i.e. Resource Assessment Report, or even more specific, 'Forest Resource Assessment Report with relevant data and information derived from surveys with full area coverage'	Bernd Han-Schilling (International Forest Management Consultants)	5.1.1, 1 st and 2 nd verifiers	Noted but no changes (same as above). Suggested verifier added to 5.1.2 instead
133	Suggest changing the verifier to 'Data on quantity, <u>quality and use</u> of timber and non-timber products...'	Bernd Han-Schilling (International Forest	5.1.2, 3 rd verifier	Verifier changed based on comment



		Management Consultants)		
134	Clarification on the intended meaning of 'application' in the verifier; does this refer to the types of products produced and/or made available for others to produce?	Malory Weston (NEPCon)	5.1.2, 3 rd verifier	Verifier changed for clarification and based on comment
135	Clarification on whether the use of Annex C is normative in the indicator? Suggest adding either 'shall' or 'should' (understanding additional requirements described in Annex C are optional)	Malory Weston (NEPCon)	5.1.3	'Shall' added to the indicator based on comment
136	Suggest adding new verifiers 'management plan' and 'annual work plan'	Sabah Forestry Department	5.1.3, verifiers	Noted but no change as indicator is a conditional indicator and Annex C already details additional requirements
137	Support for the additional detail in the indicator relating to minimum thresholds for analyses of timber harvesting rates. Will the text of the note be included in the standard?	Malory Weston (NEPCon)	5.2.1	Note re-added to indicator
138	Suggest changing the indicator to 'Timber harvesting levels are based on <u>reliable information and analysis of best available information on current forest stocking conditions, development of forest growth and yield, ingrowth and mortality rates, and maintenance of ecosystem functions</u> '	Bernd Han-Schilling (International Forest Management Consultants)	5.2.1	Noted but no changes as information is contained in the note
139	Suggest deleting the verifier as it is not helpful for determining sustained yield levels	Bernd Han-Schilling (International Forest Management Consultants)	5.2.1, 4 th verifier	Noted and changes to verifier made based on comment
140	Suggest amending the verifier to 'Existence of a statistically representative system of Permanent Sample Plots (PSP) with adequate coverage of the area to be managed.' Experience with current practices has shown that there is little understanding and knowledge of the objectives and methods of PSP selection and establishment. PSPs are frequently too low in numbers and do not adequately cover the variability of stocking conditions (expressed by coefficient of variation CV%) in the FMU.	Bernd Han-Schilling (International Forest Management Consultants)	5.2.1, 11 th verifier	Noted and changes made to verifier based on comment



	They also do not cover the whole productive area of the FMU and are often placed in convenient locations (easy access). This malpractice results in faulty estimates of sustained timber yield levels and Annual Allowable Cut (AAC), which most probably is biased and hence, does not support the forest sustainability objective			
141	Suggest removing 'Permanent Sample Plots (PSP)' from verifiers as PSP is not designed for inventory but mainly experiments. PSP is also not relevant for tree plantations.	Christopher Garside (Asian Forestry Company)	5.2.1, 11 th verifier	Noted and changes made to verifier based on comment
142	Suggest adding new verifiers 'Documentation of PSP data analysis and results for adjusting timber harvesting levels as necessary' and 'Use of established Forest Growth Models for growth and yield prediction.' If the sequence of verifiers is based on priority then the two verifiers above should be at the top of the verifier list	Bernd Han-Schilling (International Forest Management Consultants)	5.2.1, verifiers	Noted and changes made to verifiers based on comment
143	Suggest changing indicator to 'Based on the analysis <u>of current and target growing stock, as well as growth performance</u> an Annual Allowable Cut (AAC) is determined that does not exceed harvest levels which can be permanently sustained.' Use the term 'Annual Allowable Cut' as a widely-known expression in forest management. The second part of the above sentence already implies the assurance that 'harvest rates do not exceed growth' so this does not have to be reiterated. In most cases of severely logged-over forests, these need to be rehabilitated from low current stocking levels to a specific 'target growing stock' that aims to recover natural forest structures and optimizes growth increment. This means that the AAC will be set at levels below the actual forest increment to allow a gradual recovery of forest conditions to a pre-defined stocking level over a specific period	Bernd Han-Schilling (International Forest Management Consultants)	5.2.2	Noted but no change
144	Suggest deleting interview verifiers as it is irrelevant	Si Siew Lim (Grassroots)	5.2.2, 5.2.3, verifiers	Verifiers deleted



145	<p>Suggest deleting 4th and 6th verifiers as these are not helpful in sustained yield calculation. They typically cover only a fraction of the resources to be managed.</p> <p>Suggest changing 5th verifier to 'Prescribed Annual Allowable Cut.'</p> <p>Suggest removing 7th verifier as the comparison of figures under the 5th and 9th verifiers will determine adherence to the AAC.</p> <p>Suggest adding new verifiers 'Use of results from Permanent Sample Plot analysis for growth projection' and 'Assessment and use of harvesting damage for growth projections.' PSP data are often collected but not utilized for growth projections. Piles of data with nobody knowing how to utilize them for meaningful analysis and growth simulation.</p> <p>Knowledge on damage pattern and intensity is essential for reliable projections of future forest growth, as damages to the residual forest stands severely affect forest growth and future harvestable timber volume</p>	Bernd Han-Schilling (International Forest Management Consultants)	5.2.4, verifiers	Noted and changes made based on comment
146	Clarification on 'assessment report' in the verifier and differences with EIAs	Christopher Garside (Asian Forestry Company)	5.3.1, 1 st verifier	Noted but no change as reports are different
147	Suggest checking the wording of the indicator	Sabah stakeholders	5.4.2	Noted and indicator text changed
148	Suggest replacing 'and' with 'and/or' in the verifier	Sabah Forestry Department	5.5.1	Verifier changed based on comment
149	Suggest merging indicators 5.5.1 and 5.5.2 due to similarity and emphasis should be on the Organization's funding commitment to implement the business plan	Christopher Garside (Asian Forestry Company)	5.5.1, 5.5.2	5.5.1 and 5.5.2 merged (by adding 'and expenditures are made' and all verifiers from 5.5.2 to 5.5.1) based on comment
150	Clarification on 'assessment report' in the verifier, whether it is referring to the government-sanctioned Environmental Impact Assessment (EIA) or a report prepared by the Organization	Mooi See Tor (Proforest), Richard Wong and Erasmus Koay (MIENS), Christian	6.1.1, 1 st verifier	Verifier refers to a report prepared by the Organization and not necessarily an EIA, which is specified by FSC in C6.2



		Schrivier (NEPCon), Balu Perumal (MNS)		
151	Suggest checking if verifiers are sufficient	Mooi See Tor (Proforest), Richard Wong and Erasmus Koay (MIENS), Christian Schriver (NEPCon), Balu Perumal (MNS)	6.1.1, verifiers	Noted and no change
152	Suggest adding 2 new verifiers: 1) Environmental Impact Assessment (EIA) report, as required by Natural Resource and Environment Board (NREB) for re-entry logging area (prescribed activity) – Sarawak 2) Management plan	Adrian Choo (WWF Malaysia)	6.1.1, verifiers	Noted and no change
153	Suggest adding ‘assessment report’ as a new verifier	Julia Lo (GEC)	6.1.2, verifiers	New verifier added based on comment
154	Suggest adding 2 new verifiers: 1) Environmental Monitoring Plan (EMP), as required by NREB – Sarawak 2) EIA report	Adrian Choo (WWF Malaysia)	6.1.2, verifiers	Noted and no change suggested
155	Suggest that the verifier ‘methodology employed to conduct the assessment’ is redundant as assessment report should contain the details. If necessary, suggest being part of 1 st verifier	Adrian Choo (WWF Malaysia)	6.2.1, 6.2.2, 2 nd verifiers	Verifiers merged based on comment
156	Clarification on whether ‘environmental impact assessment’ in the indicator and verifier ‘assessment report’ refers to the EIA required by law. If yes, suggest for the verifier to be ‘EIA report’	Julia Lo (GEC)	6.2.1, 6.2.2 (including 1 st verifiers)	Verifier changed to ‘EIA report’ based on comment
157	Suggest merging indicators 6.2.1 and 6.2.2 for simplification. In addition, both sets of verifiers are identical	Si Siew Lim (Grassroots)	6.2.1, 6.2.2	Indicators merged
158	Verifier specifically refers to government-sanctioned EIA. Clarification on ‘environmental impact assessment’ required	Peninsular Malaysia stakeholders	6.3.1, 1 st verifier	Noted but no change
159	Suggest including ‘Environmental Impact Assessment (EIA) or Environmental Management Plan (EMP) Report – Sarawak’	Adrian Choo (WWF Malaysia)	6.3.1, 1 st verifier	Verifiers included based on comment
160	Clarification on differences between indicators 6.3.1 and 6.3.2 since indicator	Julia Lo (GEC)	6.3.2	6.3.1 refers to the implementation of a plan



	6.3.1 appears to cover both planning and implementation			while 6.3.2 focuses on results/impacts
161	Suggest changing 'management plan' to 'environmental management plan'	Julia Lo (GEC)	6.3.2, 1 st verifier	Noted but no change as indicator refers to management activities/prescriptions, which are found in the management plan, not EMP
162	Suggest revising 1 st verifier to 'documentation of negative impacts and associated measures adopted as well as verification that impact has been mitigated or repaired'	Julia Lo and Faizal Parish (GEC)	6.3.3, 1 st verifier	Text added to verifiers based on comment
163	Suggest replacing 'CITES species' with 'CITES-listed species'	Peninsular Malaysia stakeholders	6.4.1	Indicator changed based on comment
164	Suggest combining 6.4.1, 6.4.2 and 6.4.3 into a single indicator	Adrian Choo (WWF Malaysia)	6.4.1, 6.4.2, 6.4.3	Noted but no change because combining 3 indicators would create a single very long and complex indicator and associated verifiers
165	Suggest revisiting verifiers. For example, maps can be listed under a single verifier	Peninsular Malaysia stakeholders	6.4.2, verifiers	Verifier changed based on comment
166	Suggest elaborating 'relevant stakeholders' and clarification on how interviews can verify adequacy of measures	S K Pang (MWIA)	6.4.4, 2 nd verifier	Noted but no change
167	Suggest adding a new verifier 'Standard Operating Procedures (see Annex K) for hunting, fishing, trapping'	Julia Lo (GEC)	6.4.4, verifiers	New verifier added based on comment
168	Native ecosystems may be replaced by the original vegetation type	Son Kheong Yap (SCS Global Services)	6.5.1	Noted but no change
169	Suggest adding a new verifier 'documentation showing size of Representative Sample Areas and/or restoration areas'	Julia Lo (GEC)	6.5.4, verifiers	Suggest adding a new verifier based on comment
170	This will be difficult for SLIMFs to meet and provide little to no conservation benefit, especially in the case of Management Units of less than 10,000 ha. Requiring 10% to be set aside on each Management Unit may incentivize deforestation on another Management Unit	Kyle Meister (SCS Global Services)	6.5.5	Noted but no change



171	Clarification on whether the indicator applies to natural forests since the indicator states 'for tree plantations'	Adrian Choo (WWF Malaysia)	6.5.5	Indicator does not apply to natural forests
172	Suggest adding new verifiers 'annual work plan' and 'monitoring report'	Sabah Forestry Department	6.6.1	Noted but no change as existing verifiers are sufficient
173	Suggest reinstating dropped IGI 6.6.2 'Where past management has eliminated plant communities or habitat features, management activities aimed at re-establishing such habitats are implemented' because activities aimed at re-establishing such habitats should be implemented for crucial wildlife habitat. This would be an opportunity to restore critical habitats and help connectivity	Adrian Choo (WWF Malaysia)	6.6.2 (IGI)	Noted but no change as restoration has been addressed in other sections
174	Suggest adding new verifiers 'annual work plan' and 'compliance/monitoring report'	Sabah Forestry Department	6.6.2, verifiers	Noted but no change as existing verifiers are sufficient
175	Clarification on hunting, fishing, trapping and collecting activities by Indigenous Peoples. Suggest defining controlled hunting in SOP	Richard Lee (East West Lumber)	6.6.3	Noted but no change
176	Suggest that this indicator is very redundant considering 6.4.4	Kyle Meister (SCS Global Services)	6.6.3	Noted but no change
177	Suggest replacing verifier with 'Records and evidence of enforcement measures in the Management Unit'	Adrian Choo (WWF Malaysia)	6.6.3, 2 nd verifier	Noted but no change because records of enforcement measures and field verification are already included
178	Very redundant considering 6.4.4 and 6.6.3. Suggest dropping the other two indicators and putting all requirements here	Kyle Meister (SCS Global Services)	6.6.4	6.4.4 retained but 6.6.3 and 6.6.4 merged based on comment
179	Both indicator and IGI are the same. Clarification on adaption made by the SDG	Adrian Choo (WWF Malaysia)	6.6.4	There is no difference hence no actual adaption made by the SDG. Excel version of draft standards corrected
180	Suggest adding 'wetlands' between 'water bodies' and 'riparian zones' in the criterion text (and corresponding indicator text) because wetland ecosystems such as peatlands and freshwater swamp forests are an integral part of the water resource system and their protection is fundamental	Faizal Parish (GEC)	6.7 (and all indicators)	Noted but no change. Comment revisited in Principle 5



	to maintaining water quality and natural hydrological regimes			
181	Suggest including seasonal watercourses (dry or wet season)	Christian Schriver (NEPCon)	6.7.1	Noted but no change as seasonal watercourses are already described under the definition of 'water bodies'
182	Clarification on whether the verifiers are found in the management plan	Adrian Choo (WWF Malaysia)	6.7.1, 1 st and 2 nd verifiers	The verifiers may not be found in the management plan
183	Suggest removing 'water quantity' from verifier	Mohd Rahim (Forestry Department)	6.7.1, 4 th verifier	Noted but no change as stakeholders agreed that water quantity and quality are distinct elements required by the verifier
184	Suggest adding new verifiers 'RIL guidelines,' 'EIA report' and 'Environmental Compliance Report'	Sabah Forestry Department	6.7.1, verifiers	Noted but no change as existing verifiers are sufficient. RIL guidelines are also already implied in the 2 nd verifier and EIA requirements are covered under other criteria and indicators
185	Suggest revising Criterion 6.7 indicators for clarity and simplification	Peninsular Malaysia stakeholders	6.7.1, 6.7.2, 6.7.3, 6.7.4	6.7.1 merged with 6.7.2 with changes to the indicator and associated verifiers. 6.7.3 and 6.7.4 remains separate as merging will create confusion
186	Clarification on 'measures are improved'	Julia Lo (GEC)	6.7.2	Noted and verifier changed based on comment
187	Suggest adding 2 new verifiers: 1) Topographical map showing affected area 2) Description of watercourses, waterbodies, wetlands and riparian zones as specified in map	Julia Lo and Faizal Parish (GEC)	6.7.2, verifiers	Noted but no change
188	Suggest adding new verifier 'revisions of mitigation measures under the Agreement of Environmental Conditions'	Sabah Forestry Department	6.7.2, verifiers	Noted but no change as existing verifiers are sufficient and AEC may not be relevant for environment damage by third parties
189	Suggest changing indicator to 'Where there is degradation to watercourses, water bodies, <u>wetlands, riparian zones and</u> water quantity <i>or</i> water quality caused by the	Faizal Parish (GEC)	6.7.4	Noted but no change as 'wetlands' are included under 'water bodies' (see comment above on



	activities of third parties, measures are implemented that prevent or mitigate this degradation'			definition of 'wetlands') and 'riparian zones' are now included in the suggested newly merged indicator
190	Suggest adding new verifier 'Agreement of Environmental Conditions (AEC)'	Sabah Forestry Department	6.7.4, verifiers	Noted but no change as existing verifiers are sufficient
191	Suggest adding 'and hydrology' after 'regeneration cycles' in the criterion text because maintaining hydrology is also key for the landscape i.e. not diverting or draining water or changing flow levels and timing	Faizal Parish (GEC)	6.8, 6.8.1, 6.8.2	Noted but no change as hydrology is already covered in C6.7
192	Suggest merging 6.8.1 and 6.8.2 for simplification	Si Siew Lim (Grassroots)	6.8.1, 6.8.2	Indicators merged
193	Suggest adding new verifiers 'annual work plan' and 'compliance report'	Sabah Forestry Department	6.8.2, verifiers	Noted but suggest no change as existing verifiers are sufficient
194	Suggest bracketing 'on sites directly converted from natural forest' in the criterion text for clarity	Faizal Parish (GEC)	6.9	Noted but no change as criterion text changes are not allowed
195	Decision to accept Criteria 6.9 and 6.10 but also: 1) Voice concern that many Malaysian forestry operations will not be able to comply with FSC's 1994 rule 2) Voice support for Motion 12 Working Group 3) Form Malaysian working group to monitor, provide feedback and proactively engage with the Motion 12 Working Group	Peninsular Malaysia, Sabah and Sarawak stakeholders	6.9, 6.10	Follow-up actions proposed based on stakeholders' decision
196	Clarification on: 1) It is directed to the glossary of terms on 'Very Limited portion.' Will the 5% be in perpetuity? 2) Are excised areas (or areas removed from the scope of certification during recertification) considered to be within the 5% limit? The guidance to excision is not very clear on this	Adrian Choo (WWF Malaysia)	6.9.1, 6.9.2	Noted
197	Suggest adding 'Environmental Monitoring Report (EMR) (for Sarawak)' because the Organization needs to submit the Environmental Monitoring Report (EMR), post EIA/EMP to the NREB	Adrian Choo (WWF Malaysia)	6.9.1, 6.9.2, verifiers	Noted but no change because the document is not applicable here



198	In the case of HCV for rubberwood plantations, clarification on existing plantations (converted long ago) not needing to consider a very limited portion of the Management Unit given the national interest for economic resources back then	Erasmus Koay (MIENS)	6.9.2	The 'very limited portion' rule still applies to long-established rubberwood plantations regardless of past national interests
199	Clarification on whether the indicator implies that even after November 1994, the Management Unit can still convert a small amount of forested area into plantation. This is important in Sabah (and mosaic plantings) where small areas have been planted with plantation species owing to the degraded nature of the forest (while other conditions were followed)	Son Kheong Yap (SCS Global Services)	6.10.1	If conditions in 6.10.2 are followed, conversions can still take place within the certified area
200	<p>Suggest adding a new verifier 'records of forest areas allocated for forest plantation development before 1994' to 6.10.1 and 6.10.2.</p> <p>Sabah Forestry Department has objective evidence that about 500,000 hectares of the state's natural forest areas were already identified and allocated for industrial tree plantation (ITP) establishment before 1994. The forest areas are classified as degraded due to forest fires occurrences and conventional logging practices of the past. Forest plantation development in the areas are carried out in stages, and approximately 180,000 hectares are planted. Due to limited capacity of the companies/licensees in terms of capital, skills and manpower at the beginning of forest plantation development from 1970s to 1990s, size of the areas planted was considerably low, that is only about 9,000 hectares annually. This is the main stumbling block for developing the whole identified and allocated areas for forest plantation before 1994. As of 2016, about 70,873 hectares of the developed forest plantations in Sabah are certified i.e., 45,337 hectares under the FSC and 25,537 hectares under the MTCS-PEFC.</p>	Sabah Forestry Department	6.10.1, 6.10.2, verifiers	Noted and changed based on comment



	<p>Generally, based on the trend of forest plantation development in Sabah, the maximum areas can be developed for forest plantation is only approximately 20,000 hectares per year. Taking into consideration about 380,000 hectares of the areas have yet to be developed for forest plantation, it will take another 19 years for planting to be completed.</p> <p>It is impractical and unrealistic to develop all the identified and allocated ITP areas within short period just to meet the requirement of cut-off date 1994. Besides that, from the environmental aspect, the ITP establishment for the whole allocated areas within the short period can be harmful and will cause more detrimental environmental impacts.</p> <p>As for the threshold 5%, it is not economically viable to limit the ITP development for only 5% within the identified and allocated ITP areas</p>			
201	Suggest merging 7.2.1 and 7.2.2 for simplification	Si Siew Lim (Grassroots)	7.2.1, 7.2.2	Indicators merged
202	Suggest adding a summary of the requirements of Annex E to the indicator to avoid any misunderstandings	Son Kheong Yap (SCS Global Services)	7.2.2	Noted but no change
203	Suggest all indicators of P1-P6 and P8-P10 that contain any requirements for content in the management plan should be addressed in this indicator. Suggest any redundant indicators be dropped	Kyle Meister (SCS Global Services)	7.2.2	Noted. All indicators and associated verifiers checked for redundancies and changes made
204	Suggest adding a new verifier 'interview forest manager' to verify implementation of the management plan (as required in 7.2.2)	Si Siew Lim (Grassroots)	7.2.2	New verifier added
205	Clarification on 'verifiable targets' in the verifier	Sarawak stakeholders	7.3.1, verifier	Verifier changed for clarity
206	Clarification on whether the Organization determines 'confidential information' in the indicator	Mark Bujang (BRIMAS)	7.5.1	Suggest that The Organization does determine 'confidential information'
207	Suggest adding 'and in a language appropriate to the communities in the area' to the verifier	Sarawak stakeholders	7.5.1, 1 st verifier	Verifiers changed based on comment



			(and 8.4.1, verifier)	
208	Suggest using dispute resolution principles to guide engagement processes	Henry Chan (WWF Malaysia)	7.6.3 (and other relevant indicators involving engagement with IPs and local communities)	Noted but no change
209	Suggest rewording the indicator and verifiers to include monitoring of progress or evaluation of management plan implementation	Sarawak stakeholders	8.1.1 (and verifiers)	Noted but no change based on comment because monitoring is already covered in the indicator and verifiers
210	Suggest relooking at 'verifiable targets' in the verifier to include monitoring documents like EIAs	Sarawak stakeholders	8.1.1, 2 nd verifier	Noted but no change based on comment because the indicator is about monitoring the implementation of the management plan. Environmental impacts are covered in C8.2
211	Suggest adding new verifier 'Documentation on collaboration with external parties to carry out monitoring'	Adrian Choo (WWF Malaysia)	8.1.1, verifiers	New verifier added based on comment
212	Suggest for any indicators in P1-P7 and P9-P10 that ask for monitoring to be incorporated here and any redundant indicators dropped	Kyle Meister (SCS Global Services)	8.2.1	Noted. All indicators checked for redundancies but no changes made
213	Suggest adding new verifier 'Environmental Monitoring Report (EMR) (for Sarawak)' as Organizations are required to submit EMRs, post EIA/EMP to the NREB	Adrian Choo (WWF Malaysia)	8.2.1, verifiers	Verifier changed based on comment
214	Clarification on implementation of the indicator when social conditions are absent in the management unit	Henry Chan (WWF Malaysia)	8.2.2	Noted but no change
215	Clarification on a time frame for the Organization to take action (based on monitoring results)	Nicholas Mujah (SADIA)	8.3.1	'Periodic' added to the 2 nd verifier for clarity. Additional note that this links to adaptive management and will be part of The Organization's



				management plan and monitoring reports
216	Suggest including ‘confidential and <u>sensitive information...</u> ’ in the indicator because sensitive information includes location of salt licks, nesting grounds, etc. Putting such information in the public domain may expose the Management Unit to illegal hunters/poachers	Adrian Choo (WWF Malaysia)	8.4.1	Noted and ‘sensitive information’ added to the definition of ‘confidential information’ in the glossary
217	Suggest adding a new verifier ‘records of all products sold’ to the indicator	Sarawak stakeholders	8.5.1, verifiers	New verifier added based on comment
218	Commercially, all timbers traded use commercial names	Son Kheong Yap (SCS Global Services)	8.5.2, 1 st point	Noted but no change because scientific names are/will be required
219	Requirements for an EXPERT HCV assessment report would be difficult to justify and impossible to be complied with at this stage of the development of the standard and toolkit	Ing Yung Wong (Zedtee)	Principle 9	Noted but no change as HCV assessments are currently being done based on existing interim FSC standards and the current HCV national toolkit
220	Present interim standard allows small, limited intensity Management Units to incorporate HCV elements into the management plan without having to do an HCV study, which is beyond small Management Units	Son Kheong Yap (SCS Global Services)	9.1.1	Noted but no change. Suggest asking FSC about the possibility of making an exception in this indicator and allowing SLIMFs to carry out their own HCV assessments inhouse
221	Suggest merging 9.1.1 and 9.1.2 for simplification	Si Siew Lim (Grassroots)	9.1.1, 9.1.2	Indicators merged with further changes
222	Suggest adding a reference to ‘The Common Guidance for HCV Identification’ by HCVRN	Adrian Choo (WWF Malaysia)	9.1.1, 9.1.2, 9.2.1, 9.3.1, 9.4.1	Reference to the HCVRN document (and other guidance documents) in Annex J (Information sources for the identification of HCVs in Malaysia) added. References to Annexes H, I and J (all HCV-related) at the end of Principle 9 also added
223	Suggest deleting ‘when available’ from the note in the indicator	Sarawak stakeholders	9.1.1 (and other relevant indicators)	‘When available’ deleted from 9.1.1 and other relevant indicators based on comment
224	Support for the SDG’s adaptation of several indicators in P9 such that reference is made	Malory Weston (NEPCon)	9.1.1 (and other	No response required



	to the requirement to use the National HCV Toolkit when it has been completed and updated		relevant P9 indicators)	
225	Suggest adding 'incorporating the requirements described above...' to the verifier	Malory Weston (NEPCon)	9.1.1, verifier	Verifier changed based on comment
226	Suggest adding 'culturally appropriate' before 'engagement' and 'and evidence that such results have been taken into account' at the end of the verifier	Malory Weston (NEPCon)	9.1.2, 2 nd verifier	Verifier changed based on comment
227	Suggest merging 9.2.2 and 9.2.3 for simplification	Si Siew Lim (Grassroots)	9.2.2, 9.2.3	Indicators merged
228	Suggest adding 'Resources need to be allocated by the Organization to ensure the effective implementation of the management strategies and action plans for HCV areas' to the indicator, before the note	Faizal Parish (GEC)	9.2.2	New indicator added to Criterion 9.1 based on comment
229	Suggest adding new verifier 'HCV Management and Monitoring Plan,' which is separate from the Management Plan	Adrian Choo (WWF Malaysia)	9.2.2, verifiers	New verifier merged with existing verifier in 9.2.2, 9.2.3 and 9.2.4
230	Suggest removing verifiers	Sabah and Sarawak stakeholders	9.2.3, 3 rd and 4 th verifier	Noted but no major change as both verifiers are required to verify that stakeholders and experts have been satisfactorily engaged. However, some verifiers were minimally changed for clarity
231	Suggest adding a new verifier on the recorded action taken and outcome (of ceasing management activities) i.e. documentation of stop work orders (for Sabah)	Henry Chan (WWF Malaysia)	9.3.3, verifiers	New verifier added based on comment
232	Suggest adding new verifiers: 1) Relevant record showing the activities that harm HCVs had ceased 2) Restoration plan	Julia Lo (GEC)	9.3.3, verifiers (see comment above)	New verifiers added based on comment
233	Suggest merging 9.4.1 and 9.4.2 for simplification	Si Siew Lim (Grassroots)	9.4.1, 9.4.2	Indicators merged
234	Suggest adding 'management plan with inputs' as a new verifier and checking if HCV Monitoring Plan is included in the management plan for Peninsular Malaysia, Sabah and Sarawak. If yes, the new verifier	Sabah and Sarawak stakeholders	9.4.1, verifiers	Noted but no change. See comments below (on 9.4.3) on the same issue



	should be 'HCV Monitoring Plan within the management plan'			
235	Clarification on the differences between High Conservation Values (HCVs) and High Conservation Value Areas (HCVAs) in the indicator	Henry Chan (WWF Malaysia)	9.4.1 (and glossary)	Noted
236	Suggest checking the relevance of interviews as verifiers and stating the purpose of interviews clearly	Jason Hon (WWF Malaysia)	9.4.1, 2 nd and 3 rd verifiers (and other verifiers involving interviews)	Relevance of all interview verifiers checked and purpose of interviews stated based on comment. See comments below on strengthening verifiers
237	Clarification if 'monitoring prescriptions' refer to Malaysian legislative requirements	Sabah and Sarawak stakeholders	9.4.1, 9.4.3, verifiers	Noted and term removed. Additionally, Sabah and Sarawak stakeholders agreed that all instructions and toolkits should be added to the management plan
238	Suggest adding a new verifier 'report detailing actions taken by the forest manager (record of actions)'	Jason Hon (WWF Malaysia)	9.4.1, verifiers	New verifier 'monitoring records and results' added based on comment
239	Suggest including the Environmental Monitoring Report (EMR), prepared for submission to NREB on a quarterly or half yearly basis, as a monitoring program verifier for Sarawak	Adrian Choo (WWF Malaysia)	9.4.1, 9.4.2, 9.4.3, verifiers	Verifiers changed based on comment
240	Suggest defining and providing guidance on determining 'experts' in the indicator	Sabah stakeholders	9.4.2 (and other indicators with 'experts')	'Experts' changed to 'resource persons' throughout standards where relevant
241	Clarification on what if by law, only certain stakeholders may be involved depending on the HCV. Certain countries require permits or government involvement for monitoring fauna	Kyle Meister (SCS Global Services)	9.4.2	Noted but no changes
242	Suggest adding 'HCV Monitoring Plan within the management plan' as a new verifier	Elyrice Alim (WWF Malaysia)	9.4.3, verifiers	Noted but no changes
243	Suggest using the term 'independent assessment report' as it is not necessary to have a separate HCV Monitoring Plan	Rahimatsah Amat (Sabah Environment Trust)	9.4.3, verifiers (see	Noted but no changes



			comment above)	
244	Suggest only adding 'management plan' as a new verifier as HCV assessments are already incorporated into the management plan	Anna Wong (MNS/UMS), Timothy Pan (Bornion Timber)	9.4.3, verifiers (see comment above)	Noted but no changes
245	Clarification on 'artificial regeneration' in the criterion	Musa Salleh (Sabah Forestry Department)	10.1	Noted
246	Suggest considering differentiation of applicability of the standards for plantations and natural forests	Musa Salleh (Sabah Forestry Department)	10.1.1	Noted but no change as the indicator applies to both plantations and natural forests. Indicator 10.1.2 also differentiates applications for plantations, natural forests and degraded natural forests
247	Clarification on what if this is a plantation and it is decided that a different plantation species is more suited to the site after final harvest	Kyle Meister (SCS Global Services)	10.1.1	Noted but no change. To check with FSC for clarification
248	Suggest clarifying and merging indicators 10.1.1 and 10.1.2	Christopher Garside (Asian Forestry Company)	10.1.1, 10.1.2	Indicators merged
249	Suggest checking if the term 'post harvesting plan' in the verifier is used in Sarawak and Peninsular Malaysia	Musa Salleh (Sabah Forestry Department)	10.1.1, 1 st verifier	Yes, the term is used
250	Suggest adding 'pre-harvesting plan,' 'post harvesting assessment' and 'silviculture plan' in the verifier and ensuring that it is accurately reflected in the management plan or annual work plan	Sabah stakeholders	10.1.1, 1 st verifier	New verifiers added based on comment
251	Suggest replacing 'post harvesting plan' with 'comprehensive harvesting plan'	Ram Nathan (Sabah Softwoods)	10.1.1, 10.1.2, 1 st verifiers	Noted and verifiers changed based on comment
252	Suggest that exceptions to C10.1 allowed under C10.2 and C10.3 must be incorporated into the indicator	Kyle Meister (SCS Global Services)	10.1.2	Noted but no change
253	Suggest deleting 'unless there is clear and convincing justification for using others' in the criterion text (and corresponding indicators and verifiers) because only native species should be allowed for regeneration	Julia Lo (GEC)	10.2 (and corresponding indicators)	Noted but no change because indicator applies to both plantations and natural forests



	of natural forests as the objective is to return to more natural conditions		and verifiers)	
254	Clarification on differences between 'written justification' (10.2.1, 3 rd verifier) and 'scientific evidence' (10.2.2, 3 rd verifier). Suggest that scientific evidence is written justification, which is simpler to understand	Christopher Garside (Asian Forestry Company)	10.2.1, 3 rd verifier, 10.2.2, 3 rd verifier	'Written justification' used based on comment
255	Suggest adding a new verifier 'comprehensive harvesting plan (CHP)' and 'annual work plan (AWP) (for Sabah)'	Ram Nathan (Sabah Softwoods)	10.2.1, verifiers	Noted and verifiers changed based on comment
256	Suggest adding new verifiers 'field verification of species used for regeneration'	Malory Weston (NEPCon)	10.2.1, 10.2.2, verifiers	New verifier added based on comment
257	Suggest merging 10.2.1 and 10.2.2 for simplification	Si Siew Lim	10.2.1, 10.2.2	Indicators merged
258	Suggest dropping criterion	Julia Lo (GEC)	10.3 (and all corresponding indicators and verifiers)	Noted but no change because criterion applies to both natural forests and plantations
259	Suggest dropping indicators after doing field tests	Sabah stakeholders	10.3.2, 10.3.3	Noted but no change until forest testing is completed
260	Since the indicator does not specify a party, then any releases from outside that invades the Management Unit would lead to issues for the Organization	Kyle Meister (SCS Global Services)	10.4.1	'By the organization' added to the indicator
261	Suggest removing verifier as it is not auditable	Si Siew Lim (Grassroots)	10.4.1, 3 rd verifier	Verifier removed
262	Suggest including Environmental Monitoring Report (EMR) (for Sarawak) in the verifiers as some verifiers are already addressed in the EMR prepared for the NREB	Adrian Choo (WWF Malaysia)	10.5.1, 10.6.1, 10.6.4, 10.6.5, 10.7.2, 10.8.1, 10.8.4, verifiers	Relevant verifiers changed for all indicators (except 10.7.2 but including 10.7.6) based on comment
263	Suggest deleting verifier as it is unclear and other documentation verifiers suffice	Si Siew Lim (Grassroots)	10.6.2, 1 st verifier	Verifier deleted
264	Clarification on whether verifier includes Permanent Sample Plots	Malory Weston (NEPCon)	10.6.2, 1 st verifier	Noted but no change. See comment above
265	Suggest that this should only be applicable when chemical pesticides are used and/or C10.8 applies	Kyle Meister (SCS Global Services)	10.7.1	Noted but no change as the standards promote the use of IPM



266	Suggest adding a new verifier 'Integrated Pest Management Plan' (Organisation should develop an appropriate IPMP and implement it)	Malory Weston (NEPCon)	10.7.1, verifiers	Suggest adding new verifier based on comment
267	Suggest that current FSC pesticide derogations be checked, i.e. used in the verification process	Malory Weston (NEPCon)	10.7.2, verifiers	Suggest changes to verifier based on comment
268	Suggest merging 10.7.4 and 10.7.5 for simplification	Si Siew Lim (Grassroots)	10.7.4, 10.7.5	Noted but no change
269	Suggest adding new verifier 'chemical pesticide use records'	Malory Weston (NEPCon)	10.7.5, verifiers	New verifier added based on comment
270	Suggest cross-referencing OH&S/accident records	Malory Weston (NEPCon)	10.7.6, verifiers	New verifier added based on comment
271	Suggest adding 'strictly' before 'controlled' in the indicator	Malory Weston (NEPCon)	10.8.1	Noted but no change as strictness is already implied
272	Suggest that the verifier is not an actual verifier; rather, conformance with it is a verifier	Malory Weston (NEPCon)	10.8.2, 2 nd verifier	Verifier changed based on comment
273	Suggest adding reference to Disaster Risk Reduction document, Sendai Protocol (sections on fire and flooding), as additional guidance for fulfilling the indicator	Rahimatsah Amat (Sabah Environment Trust)	10.9.1	Noted but reference not added as the document suggested in the comment is a global framework, which seems to provide little guidance at Management Unit level
274	Suggest merging 10.9.1 and 10.9.2 for simplification	Si Siew Lim (Grassroots)	10.9.1, 10.9.2	Indicators merged
275	Suggest adding a new verifier 'field inspections confirm that management activities mitigate these impacts'	Malory Weston (NEPCon)	10.9.2, verifiers	New verifier added based on comment
276	Suggest moving verifier 'RIL practices' to field verification verifier for clarity	Si Siew Lim (Grassroots)	10.11.1, 2 nd verifier	Verifier removed
277	Suggest making the verifier part of field verification	Si Siew Lim (Grassroots)	10.11.2, 1 st verifier, 10.11.4, 1 st verifier	Verifier changed
278	Surely there is national guidance on this? Clarification on whether there are any laws about disposal of certain waste materials in Malaysia. Certain types of waste materials may be difficult to dispose of in Malaysia depending on available technology and transportation	Kyle Meister (SCS Global Services)	10.12.1	Noted but no change as national laws related to waste disposal are included in Annex A



279	Check that proper legal terminology is used throughout standards	Erasmus Koay (MIENS)	General	Suggest for legal expert to check through standards at a later stage
280	Raised concern about Certification Bodies' impartiality and competency to interpret and carry out assessments based on what is required by the standards	Nicholas Mujah (SADIA)	General	At the standards development level, the national standards aim to be sufficiently prescriptive to minimize subjectivity and the need for interpretation by CBs
281	Raised concern about how Organizations ensure communities fully understand the requirements of the standards	Nicholas Mujah (SADIA)	General	Sarawak stakeholders agreed the standards need to be translated to local languages and the Organization needs to ensure that the standards are communicated to IPs and local communities appropriately. Suggest translating the standards (or sections relevant to IPs and local communities) to various local languages once finalized
282	Suggest further work to strengthen existing verifiers	Peninsular Malaysia stakeholders	General	Generally, all verifiers have been changed based on the comment, namely: 1. All verifiers re-arranged and placed under headings 'Documents,' 'Interviews,' and 'Checks' with further definition of 'verifiers' in the glossary 2. Relevance of all 'interviews' verifiers checked and purpose stated 3. Purpose of 'checks' verifiers, including field verification, stated
283	Suggest further work to clarify existing verifiers	Bernd Han-Schilling (International Forest Management Consultants)	General	See comment above on strengthening verifiers



284	Suggest for indicators and verifiers to be more specific to lend more guidance to the local FSC itself to independently make judgement calls	Erasmus Koay (MIENS)	General	See comment above on strengthening verifiers
285	Suggest applying triangulation method i.e. documents sighting, field observations and interviews, when developing verifiers	Mooi See Tor (Proforest)	General	See comment above on strengthening verifiers
286	Perhaps it is not intended that the verifiers are 'spelled out' in detail. However, we suggest that to do so makes the standard more useful and more rigorous, and should lead to more consistent outcomes among auditors and Conformance Assessment Bodies auditing to the standard	Malory Weston (NEPCon)	General	See comment above on strengthening verifiers
287	Suggest making cross references to annexes easier/clearer	Son Kheong Yap (SCS Global Services)	General	Names of the annexes spelled out in full when referenced in the text of the standards
288	Suggest spelling out the names of the annexes in full when annexes are referenced in the text of the standards	Henry Chan (WWF Malaysia)	General	Names of the annexes spelled out in full when referenced in the text of the standards. See comment above
289	Suggest highlighting the Malaysia-specific indicators (dropped or additions) in the next stakeholder engagement session. This would help in determining the actual adaptations based on the Malaysian landscape. Changes made should also be highlighted in the 2nd draft. The excel sheet, which indicated the changes made to the IGIs, were not given to participants in the Peninsular session	Adrian Choo (WWF Malaysia)	General	FSC requires that draft standards for public consultation be available in both MS Word and Excel formats where the Excel version highlights changes made by the SDG to the IGIs. Both versions of the draft standards are publicly available on the FSC Malaysia website
290	1) FSC/SDG should not be subservient to governments who do not reflect the current legal understanding of land rights, 2) Current FPIC and consultation / consent in the FSC standard are not forcing anyone (FMUs) to act illegally. That is a myth, which can be refuted by calling in legal expertise from the Bar Council to clarify. In fact, the elements of FPIC and consent are in line with the current legal thinking and has been	Andrew Ng (Grassroots)	General	Noted but no change



	<p>interpreted as similar to the expectations of the FSC standard in court judgements,</p> <p>3) Per Principle 3 & 4; the reference point for what is legally 'OK' should be a combination of recent case law, the interpretation of them, and then what is written in the State and Federal laws,</p> <p>4) SDG must not conflate repressive, antiquated land ownership (titles) as the same thing as land rights. Again, someone from the Bar Council can be consulted to provide definitive differences between both,</p> <p>5) The FSC standard should clearly ask CBs to verify that rights are respected. This has nothing to do with whether someone has a title or not</p>			
291	<p>National FSC Standards have been pending for many years. The process took too long, enabling MTCC to establish themselves as the certification market leaders during the past 10 years. FSC will have to catch up quickly! We hope that the FSC certification momentum in Malaysia has not been lost in the meantime</p>	<p>Bernd Han-Schilling (International Forest Management Consultants)</p>	<p>General</p>	<p>No response required</p>
292	<p>NEPCon commends FSC Malaysia for a clearly written, comprehensive first draft of the Malaysian National Forest Stewardship Standard. It appears that a great deal of effort and care has gone into preparing the draft Standard; with most of the IGIs apparently adopted (as opposed to adapted or dropped); however, whatever action has been taken by the Standards Development Group, it has been clearly articulated and justified in the accompanying FSC-TPT-60-008 document</p>	<p>Malory Weston (NEPCon)</p>	<p>General</p>	<p>No response required</p>
293	<p>Suggest defining 'legal competent authorities' as regulatory agencies that are bound by their gazette powers</p>	<p>Son Kheong Yap (SCS Global Services)</p>	<p>Glossary</p>	<p>Text added to definition of 'legally competent' based on comment</p>
294	<p>Suggest further defining 'culturally appropriate' in the glossary</p>	<p>Son Kheong Yap (SCS Global Services)</p>	<p>Glossary</p>	<p>Noted but no change</p>
295	<p>Suggest improving definitions in the Glossary, especially terms with legal implications</p>	<p>Borhan Mohd (Global Way Services)</p>	<p>Glossary</p>	<p>Suggest for legal expert to check through standards at a later stage</p>



296	Clarification on the definition of 'Indigenous Peoples' in the glossary	Henry Joseph (SCRIPS), Henry Chan (WWF Malaysia)	Glossary	Noted but no change. Sarawak stakeholders discussed FSC and the Sarawak government's definition of IPs and agreed that FSC's is broader in scope, more inclusive and therefore more appropriate to be used for the standards
297	Suggest including 'coercion' in the definition of 'corruption'	Mooi See Tor (Proforest)	Glossary	Definition of 'corruption' added to the glossary and includes 'coercion'
298	Suggest including 'coercion,' 'bribery' and other corruption-related terms in the definition of 'corruption'	Adrian Choo (WWF Malaysia)	Glossary	See comment above
299	Clarification on definition of 'local communities' in the glossary	Sabah stakeholders	Glossary	Noted but no change
300	Suggest defining 'annual work plan (AWP)' in the glossary because the AWP is the most valid and current document	Christopher Garside (Asian Forestry Company)	Glossary	Noted but no change
301	Indigenous People, local community and traditional people are terms used for presumably the same people in different parts of the standard. Principle 4 is essentially a repeat of Principle 3 where IPs are replaced with local communities	Ing Yung Wong (Zedtee)	Glossary	Noted but no change. Additionally, definitions of IPs and local communities in the glossary are sufficiently clear on the distinction
302	'High grading' is manifestly 'selective logging' but considered as not sustainable (as currently defined in the glossary)	Ing Yung Wong (Zedtee)	Glossary	Noted but no change
303	Clarification on 'unacceptable activities' in the Preamble	Borhan Mohd (Global Way Services)	Preamble, Item 6.1: Scale, Intensity and Risk	Noted but no change. Next steps for addressing SIR requirements in the standards will be discussed at a later stage
304	Clarification on 'unacceptable negative impacts in the national context' in the Preamble. Many impacts tend to be localized and may not have a 'national impact'	Borhan Mohd (Global Way Services)	Preamble, Item 6.1: Scale, Intensity and Risk	Noted but no change. Next steps for addressing SIR requirements in the standards will be discussed at a later stage
305	Clarification on 'SIR stands for scale +intensity + context = risk' in the Preamble. Perhaps it is too simplified and suggest putting it in a better context	Borhan Mohd (Global Way Services)	Preamble, Item 6.1: Scale, Intensity	Noted but no change. Next steps for addressing SIR requirements in the standards will be discussed at a later stage



			and Risk, 3 rd point	
306	Suggest removing 'SIR is not directly related to category of landowner, tenure type, size of organization' in the Preamble. Statement is irrelevant	Borhan Mohd (Global Way Services)	Preamble, Item 6.1: Scale, Intensity and Risk, 4 th point	Noted but no change. Next steps for addressing SIR requirements in the standards will be discussed at a later stage
307	Suggest replacing 'seriousness' with 'severity' in the Preamble	Borhan Mohd (Global Way Services)	Preamble, Item 6.1: Scale, Intensity and Risk, 5 th point	Noted and text changed based on comment
308	Suggest replacing 'majority of' with 'all' (forest operations in Malaysia) in the Preamble	Borhan Mohd (Global Way Services)	Preamble, Item 6.1: Scale, Intensity and Risk, last para	Noted and text changed based on comment
309	Clarification on 'all sizes and types' in the Preamble	Borhan Mohd (Global Way Services)	Preamble, Item 6: Note on the interpretati on of indicators, first para	Noted but no change
310	All Sarawak Management Units are associated with peat development (for oil palm particularly) and significant land conversion. It would be futile to consider the FSC standard unless there is exemption from this policy. Suggest to have a pragmatic approach to this problem involving some form of carbon accounting to enable participants to strive towards achieving carbon neutrality through REDD+, FLR, etc.	Ing Yung Wong (Zedtee)	Policy for Association	Noted