

**STANDARD SETTING PROCEDURES OF
SUSTAINABLE FOREST MANAGEMENT AND CHAIN OF CUSTODY
AGAINST THE VIETNAM FOREST CERTIFICATION SCHEME**



VFCS ST 1002:2019

Vietnam Forest Certification Office

Room 309, A9 Building, No. 2, Ngoc Ha Street
Ba Dinh District, Ha Noi, Viet Nam

Phone: +84 38438792; Fax: +84 38438793

Email: vanphongvfco@gmail.com

Web: www.vfcs.vnforest.gov.vn

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I. Introduction

Implementing the Decision No. 83/QĐ-BNN-TCLN dated January 12th, 2016 of the Ministry of Agriculture and Rural Development on approving the "Implementation of sustainable forest management and forest certification in the period of 2016 - 2020", the decision No. 190 / QĐ-BNN-TCLN dated November 1, 2019 of the Minister of Agriculture and Rural Development on Assigning the task of sustainable forest management and forest certification belonging to the duty of the Ministry of Agriculture and Development Rural Development stipulated in the Decision No. 1288 / QĐ-TTg dated October 1, 2018 of the Prime Minister on approving the project of sustainable forest management and forest certification, with objectives as follows;

(1) To manage and use sustainable forest resources, conserve biodiversity, protect ecological environment and values of environmental forest services; promoting the activities of forest certification in Vietnam to meet the requirements of the domestic and international markets for legal timber sources,

(2) To create plantation timber resources in forest areas that carry out sustainable forest management, supply at least 80% of the demand for export wooden products, and

(3) To improve the values of plantation timber, contribute to hunger eradication and poverty reduction for forest workers and enhance the values of the forestry sector.

Therefore, the Vietnam Administration of Forestry has developed the Vietnam Forest Certification Scheme (VFCS). One of the key components of VFCS is the national standards of sustainable forest management, group sustainable forest management and the chain of custody management. The Vietnam Forest Certification Office (VFCO) is the focal point and coordinates with related parties to develop these standards.

With the development of global forest certification systems, Vietnam Forest Certification System aims to be endorsed by the Programme for the Endorsement of Forest Certification (PEFC). Therefore, Vietnam Forest Certification Standards are developed in accordance with Vietnamese Law and the PEFC Standard Setting (PEFC ST 1001: 2010). According the process, the standard systems are built in the principles of open and transparency with the participation of related stakeholders. The standard setting procedures have been widely announced to receive comments by related individuals and organisations and improve the process of the Vietnam Forest Certification System.

II. Normative references

- Pursuant to the Decision No. 1288/QD-TTg dated October 1, 2018 of the Prime Minister approving the Project on sustainable forest management and forest certification and approving the establishment and operation of the Vietnam Forest Certification Scheme;
- Pursuant to the Decision No. 83/QD-BNN-TCLN dated January 12, 2016 of the Minister of Agriculture and Rural Development approving the Project on sustainable forest management and forest certification in the period of 2016- 2020;
- Pursuant to the Decision No. 3454/QD-BNN-TCLN dated August 22, 2017 of the Minister of Ministry of Agriculture and Rural Development on the Establishment of a Standard Development Group to develop the standards of sustainable forest management and the chain of custody forest- based products;
- Pursuant to the Decision No. 190/QD-BNN-TCLN dated November 1, 2019 of the Minister of Agriculture and Rural Development on assigning the task of sustainable forest management and forest certification;
- Pursuant to the Decision No. 191/QD-BNN-TCLN dated November 1, 2019 of the Minister of Agriculture and Rural Development on the establishment of the Vietnam Forest Certification Office;
- Pursuant to the Decision No. 71/QD-TCLN-VP dated March 22, 2019 of the General Director of Vietnam Administration of Forestry on the functions, tasks, powers and organizational structure of the Vietnam Forest Certification Office;
- Based on the document title PEFC ST 1001:2010, Standard-setting – Requirements

III. Objective and Scope

3.1. Objectives

To identify the steps of developing and releasing national standards.

3.2. Scope

This procedure is to apply for developing and releasing sustainable standards of forest management, group forest management and the chain of custody against the Vietnam Forest Certification Scheme.

3.3. Standard Setting Body

- The Vietnam Forest Certification Office is the focal point to develop standards for the Vietnam Forest Certification Scheme.

- The agencies involved in developing the standards are professional organisations on forestry at different levels (local and state), representatives of non-governmental organizations operating in the fields of environment, economy, society and related associations, businesses, forest owners, and other relevant organizations participating in the process of standards development and contributing their recommendations and comments.

IV. Standard setting process

4.1 Gathering relevant records and documents including

- National documents related to the process of standard development.
- International documents consisting of the process of development standard for Asian countries (China, Indonesia, Korea, Malaysia, Thailand), and all documents of PEFC.

4.2. Standard Development Group

Standard Development Group (SDG) is responsible for setting the draft of standard system and activities of standard setting.

- a) To inform or invite stakeholders to participate in the process of standard development,

- b) The establishment of Standard Development Group.

The Ministry of Agriculture and Rural Development establishes a Standard Development Group through public consultations with all stakeholders; discusses and selects members of the Standard Development Group based on nominations or self-nominations of all stakeholders involved.

Standard Development Group of the sustainable forest management standards

are 13-15 members, and at least 9 members for the Chain of Custody Standard. The Standard Development Group shall cover the geographical scope of the standard and have a balanced representation and decision-making by related stakeholders in the fields of environment, society and economic sectors. Participation of key and disadvantaged stakeholders shall be ensured.

Members of the Standard Development Group who are:

- expertise and/or experience relevant to the subject matter of the standard;
- those that are directly materially affected by the standard;
- those that can influence the implementation of the standard.

c) Responsibilities of Standard Development Group

Standard Development Group has following responsibilities

- Developing the draft standards;
- Organizing public consultations with stakeholders (through meetings and workshops) to get their comments and suggestions to improve on the standard draft;
- Implementing the pilot testing in the field;
- Consulting widely through workshops and publishing on the website to maintain consensus;
- Finalizing the draft after pilot testing;
- Submitting to VFCS the final draft for formal adoption based on consensus.

d) Working principles

The Standard Development Group will work disclosurely and transparently, ensuring that:

- All members will have the opportunity to contribute to the development or revision of the standard and to provide comments on the draft;
- The drafts shall provide to all members of the Standard Development Group;
- The experience and expertise of each member shall be encouraged;
- Opinions and views of any member of the Standard Development Group will be considered disclosurely and transparently;
- Proposed solutions and amendments will be noted;
- The decisions of the Standard Development Group shall be based on a common consensus.

4.3. Principles for Standard setting

4.3.1. Independence

Standard setting activities shall be independently organized and not affected by any related interests.

4.3.2. Multi-stakeholder participation

Involvement of stakeholders affected by the standards during the development of the Standard; the comments, recommendations and views of stakeholders shall be objectively evaluated and acknowledged.

4.3.3. Open and Transperency

The standard setting process will be remained disclosurely and transparently, information of all phases will be publicly available. Information and documents relating to the development of the standards will be provided to any interested organizations and individuals when reasonable requests are made.

4.3.4. Fairness and consensus

The standard setting process will maintain a fair, impartial environment, and the decisions in each phase will be made based on consensus with checked evidences.

4.4. Standard Setting Process

Standard Setting Process will include the following steps:

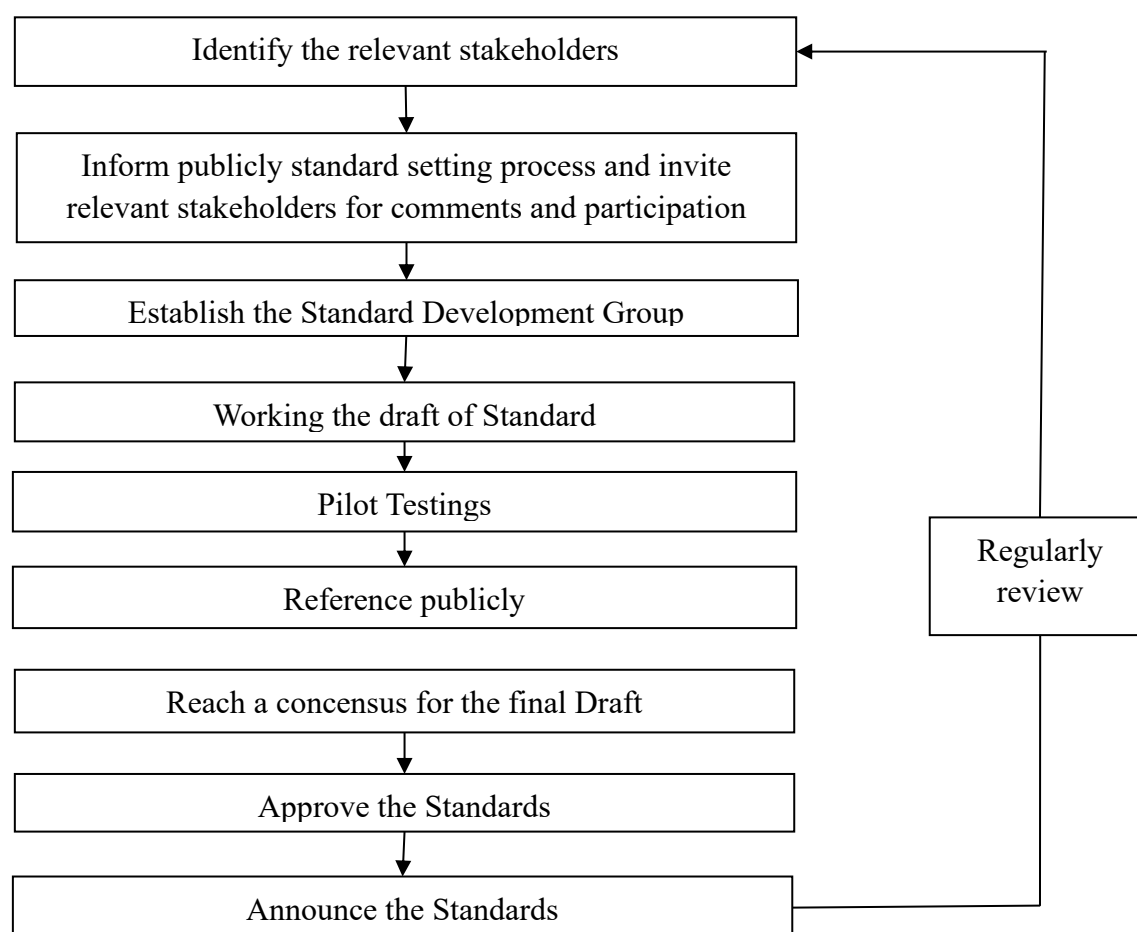


Figure 1: Standard-setting Process

4.4.1. Setting up

The Vietnam Administration of Forestry makes a public announcement on starting the standard-setting process, including a letter of invitation for participation in a timely manner on its website and other media as appropriate to afford stakeholders an opportunity for meaningful contributions.

Announcement and invitation shall include:

- Information about the objectives, scope and the steps of the standard-setting process and its timetable;
- A letter of an invitation sent to stakeholders to nominate their representative(s) to the working group/committee. The invitation to disadvantaged and key stakeholders shall be made in a manner that ensures that the information reaches intended recipients and in a format that is understandable;

- A letter of an invitation to give comments and recommendations on the standard-setting process and main information for stakeholders involved in the standard development process;

- Information about opportunities for stakeholders to participate in the process;
- Reference to publicly available standard-setting process

The Vietnam Administration of Forestry authorized by the Ministry of Agriculture and Rural Development will review the standard-setting process, establish the Standard Development Group or adjust the members of Standard Development Group based on comments received from the relevant stakeholders after publicly announcement. The acceptance and refusal of nominations shall be justifiable in relation to the requirements for balanced representation of the Standard Development Group and resources available for the standard-setting.

The list of members of Standard Development Group and their contact information shall be public.

4.4.2. Standards drafting

Standard Development Group will be responsible for the standard-setting process and the drafts of Standards shall include at least three following versions:

- The first draft: a draft shall be available to all members of the Standard Development Group;
- The required draft: a draft for public consultation after a pilot testing;
- The final draft: a final draft for official approval.

4.4.3. Pilot testing

Pilot testing, testing locations and plans will be determined based on specific conditions and aspects mentioned in the standard. After the pilot testing, the correction is made based on the results of the pilot testing.

4.4.4. Public consultation

A public consultation will be made to complete the Standards. During the consultation, a draft of standard shall be public announcement and ensure the participation of the key and disadvantaged stakeholders.

The starting and ending time of the public consultation is announced in a timely manner in the website of the Vietnam Administration of Forestry, and email sent to relevant stakeholders.

The public consultation is for at least 60 days. All comments and recommendations received are considered by the Standard Development Group in an

objective manner. After public consultation, a synopsis of received comments compiled from material issues, including the results of their consideration, is publicly available on the website of the Vietnam Administration of Forestry, and emails sent to relevant stakeholders.

4.4.5. Official Approvals

Standard Development Group will propose to the Vietnam Administration of Forestry and Ministry of Agriculture and Rural Development to formally approve the final draft based on their consensus. VFCO will officially approve the standard based on verifying the Standard Development Group's consensus.

4.5. The balanced representation mechanism of stakeholders

The standard- setting process is a relevant-party participation and ensure the balanced representation of stakeholders.

In order to identify affected stakeholders, environmental, social and economic impacts of the standard will be analyzed based on its impact objectives and scope. Group of stakeholders, especially key and disadvantaged stakeholders, will be identified by considering the level of influence to identify the way of participation, including:

- Invite the relevant parties, especially key and disadvantaged stakeholders to participate in Standard Development Group;
- Create equal opportunities for other stakeholders, such as government agencies, research and education organizations, forest management units, forest planters and owners, forest product companies/enterprises, associations trade, environmental and social non-governmental organizations, unions, and other related organizations participating in the standard development process and contributing their comments and recommendations.

Periodically review participating stakeholders to control their level of change and concerns to adjust and maintain the balanced representation of stakeholders.

Any stakeholder will not prevail in the standard-setting process. Participation and opinions of stakeholders will be evaluated and recorded in a transparent manner. All decisions will be made on a consensus basis.

4.6. Mechanism for reaching consensus

To archive the consensus, the Standard Development Group may use one of the following ways to determine whether there is an objection:

- Vote by words or raise their hands in meetings; the meeting chairman's statement on the issue of consensus without a word or raising a hand to protest;

formal voting process;

- Meeting over the phone and voting by words;
- Send via email, in which all members of the Standard Development Group fully agree;
- Combination of the above methods.

In case of an objection to any important part, the issue will be resolved by the following mechanisms:

- First of all, discussion and negotiation on the disputed issue among members of the Standard Development Group in order to find a compromise;
- Secondly, directly negotiate with the stakeholder(s) submitting the objection and stakeholders with different views on the disputed issue in order to find a compromise;
- Finally, carry out the Dispute Resolution Mechanism.

4.7. Documentation

VFCO will maintain for and manage all documents and records related to the standard-setting process.

All documents and records will be stored and maintained for at least 5 years.

VFCO has the ownership and manage all documents and records available to any organization and individual who requests to be viewed after having the permission of VFCO.

4.8. Open and transparency

During the standard-setting process, all important information will be public announcement on the website of the Vietnam Administration of Forestry and email sent to the relevant stakeholders, including steps:

- Starting standard-setting: the standard-setting process, including the information of objectives, scopes, steps and plans, principles and other documents will be available to public.
- Drafting the Standards: The working process of Standard Development Group, including time, location, participants, topics and results of every single meeting will be public.
- Pilot testing: report of pilot testing and the modified standard draft will be public.
- Public consultation: Before the consultation in public, the information in

relation to the starting and ending time of the public consultation, consultation methods, the participation of relevant stakeholders and the draft of standard for consultation will be public. After the consultation in public, the report of consultation including the participation process of stakeholder, summary of comments, and explanation of feedbacks will be public.

- Final approvals: Information on the Standard Development Group submitting the final draft to VFCS based on their consensus, including time, locations, participants, content of the Standard Development Group's discussion, methods and results to reach consensus, as well as the final draft will be available to public. The information that VFCS will officially approve the final draft, including the time, place, and attendees, and the results of discussions by VFCS will be publicly announced.

- The complaints and disputes, explanations, feedbacks receiving during the development of standards shall be available to public.

4.9. Standard review and revision

The standards will regularly revise and update the new scientific knowledge and practical experience. The standards will be revised at least every 5 years.

4.10. Dispute solution mechanism

VFCS will establish procedures to resolve any basic complaints and disputes related to standard development activities that are accessible to stakeholders. Contact points for complaints and disputes will be assigned. Contact information of contact points will be available to public.

1) All interested parties may submit a complaint regarding any aspect of the standard and related evidences in writing to the VFCS.

2) After receiving the complaints, the person in charge shall notify the complainants about the acceptance of the application and state if the complaint is accepted within 5 working days.

3) Standard Development Group is responsible for handling all complaints and disputes related to the standard-setting process. During the processing, the Standard Development Group will collect and verify all necessary information to confirm with the complainant in a timely manner and handle it publicly, transparently, impartially and objective. The final decision to resolve the complaint shall be made based on consensus. Process of handling and approach as well as how to resolve complaints shall be notified to the complainants in a timely manner.

4) The dispute solution mechanism of VFCS can be transferred to the complainant if there are objections to any decision in the process of developing the

standard.