

Annexes for stakeholder comment, Ireland 2021. (Normative section)

**PLEASE SUBMIT ALL COMMENTS IN TABLE 2 OF THE
STAKEHOLDER RESPONSE FORM.**

SUMMARY

Annex in template	Title	Application for Standard Developers
Annex A	Minimum list of <i>applicable laws*</i> , regulations and nationally ratified international treaties, conventions and agreements (Principle 1)	Standard Developers shall complete a list of all <i>applicable laws*</i> , obligatory codes of practice and legal and <i>customary rights*</i> at the national and, where applicable, sub-national level as outlined in Annex A. This list shall be included in the National Standard or the Interim National Standard.
Annex B	Training requirements for <i>workers*</i> (Principle 2)	Standard Developers shall ensure that training requirements are included in National Standards and Interim National Standards, proportionate to <i>scale, intensity and risk*</i> and consistent with existing national and sub-national training requirements. Standard Developers may also incorporate the relevant elements of this Annex into the <i>indicators*</i> of the National Standards or the Interim National Standards.
Annex D	List of <i>rare and threatened species*</i> in the country or region (Principle 6)	Standard Developers shall list the sources where the updated list of <i>rare and threatened species*</i> in the country or region can be consulted by the general public.
Annex E	Elements of the <i>management plan*</i> (Principle 7)	Standard Developers shall ensure that the relevant elements of this Annex are included in the requirements for the content of <i>management plan*</i> s, subject to <i>scale, intensity and risk*</i> and consistent with national and regional management planning frameworks.
Annex G	Monitoring requirements (Principle 8)	Standard Developers shall ensure that the relevant elements of this Annex are included in the requirements for the content of monitoring plans, consistent with existing national and sub-national monitoring approaches and subject to <i>scale intensity and risk*</i> .
Annex J	<i>High Conservation Values*</i> framework (Principle 9)	Standard Developers shall use the “Guidance for Standard Development Groups: Developing National High Conservation Value Frameworks” (FSC-GUI-60-009 V1-0 EN) and the “Template for National High Conservation Value Frameworks” (FSC-GUI-60-009a V1-0 EN) as the basis for the national <i>High conservation Values*</i> framework.

Annex A Minimum list of *applicable laws, regulations and nationally *ratified** international treaties, conventions and agreements (*Principle* 1*)**

Please record any applicable legislation in Table 2 of the Stakeholder Response Form, listing the relevant number in the table below that is relates to.

1. Legal* rights to harvest	
1.1 Land <i>tenure*</i> and management rights	Legislation covering land <i>tenure*</i> rights, including <i>customary rights*</i> as well as management rights, that includes the use of <i>legal*</i> methods to obtain <i>tenure*</i> rights and management rights. It also covers <i>legal*</i> business registration and tax registration, including relevant legally required licenses.
1.2 Concession licenses	Legislation regulating procedures for issuing <i>forest*</i> concession licenses, including the use of <i>legal*</i> methods to obtain concession licenses. Bribery, corruption and nepotism are particularly well-known issues that are connected with concession licenses.
1.3 Management and harvesting planning	Any national or sub-national <i>legal*</i> requirements for Management Planning, including conducting <i>forest*</i> inventories, having a <i>forest* management plan*</i> and related planning and monitoring, impact assessments, consultation with other entities, as well as approval of these by <i>legally competent*</i> authorities.
1.4 Harvesting permits	National or sub-national laws and regulations regulating procedures for issuing harvesting permits, licenses or other <i>legal*</i> documents required for specific harvesting operations. This includes the use of <i>legal*</i> methods to obtain the permits. Corruption is a well-known issue that is connected with the issuing of harvesting permits.
2. Taxes and fees	
2.1 Payment of royalties and harvesting fees	Legislation covering payment of all legally required <i>forest*</i> harvesting specific fees such as royalties, stumpage fees and other volume-based fees. This includes payments of the fees based on the correct classification of quantities, qualities and species. Incorrect classification of <i>forest*</i> products is a well-known issue that is often combined with bribery of officials in charge of controlling the classification.
2.2 Value added taxes and other sales taxes	Legislation covering different types of sales taxes which apply to the material being sold, including the sale of material as growing <i>forest*</i> (standing stock sales).
2.3 Income and profit taxes	Legislation covering income and profit taxes related to profit derived from the sale of <i>forest*</i> products and harvesting activities. This category is also related to income from the sale of timber and does not include other taxes generally applicable for companies and is not related to salary payments.
3. Timber harvesting activities	
3.1 Timber harvesting regulations	Any <i>legal*</i> requirements for harvesting techniques and technology including selective cutting, shelter wood regenerations, clear felling, transport of timber from the felling site, seasonal limitations, etc. Typically, this includes regulations on the size of felling areas, minimum age and/or diameter for felling activities, and elements that shall be preserved during felling, etc. Establishment of skidding or hauling trails, road construction, drainage systems and bridges, etc., shall also be considered as well as the planning and monitoring of harvesting activities. Any legally binding codes for harvesting practices shall be considered.
3.2 Protected sites and species	International, national, and sub national treaties, laws, and regulations related to protected areas, allowable <i>forest*</i> uses and activities, and/or rare, threatened, or endangered species, including their <i>habitats*</i> and potential <i>habitats*</i> .
3.3 Environmental requirements	National and sub national laws and regulations related to the identification and/or <i>protection*</i> of <i>environmental values*</i> including but not limited to those relating to or affected by harvesting, acceptable levels for soil damage, establishment of buffer zones (e.g., along <i>water courses*</i> , open areas and breeding sites), maintenance of retention trees on the felling site, seasonal limitations of harvesting time, environmental requirements for <i>forest*</i> machineries, use of <i>pesticides*</i> and other chemicals, biodiversity <i>conservation*</i> , air quality, <i>protection*</i> and <i>restoration*</i> of water quality, operation of recreational equipment, development of non-forestry <i>infrastructure*</i> , mineral exploration and extraction, etc.

3.4 Health and safety	Legally required personal <i>protection</i> * equipment for persons involved in harvesting activities, implementation of safe felling and transport practices, establishment of <i>protection</i> * zones around harvesting sites, safety requirements for machinery used, and legally required safety requirements in relation to chemical usage. The health and safety requirements that shall be considered relevant to operations in the <i>forest</i> * (not office work, or other activities less related to actual <i>forest</i> * operations).
3.5 <i>Legal</i> * employment	<i>Legal</i> * requirements for employment of personnel involved in harvesting activities including requirements for contracts and working permits, requirements for obligatory insurance, requirements for competence certificates and other training requirements, and payment of social and income taxes withheld by the employer. Also covered are the observance of minimum working age and minimum age for personnel involved in <i>hazardous work</i> *, legislation against forced and compulsory labor, and <i>discrimination</i> * and freedom of association.
4. Third parties' rights	
4.1 <i>Customary rights</i> *	Legislation covering <i>customary rights</i> * relevant to <i>forest</i> * harvesting activities, including requirements covering the sharing of benefits and indigenous rights.
4.2 <i>Free Prior and Informed Consent</i> *	Legislation covering "free prior and informed consent" in connection with the transfer of <i>forest</i> * management rights and <i>customary rights</i> * to <i>The Organization</i> * in charge of the harvesting operation.
4.3 <i>Indigenous Peoples</i> '* rights	Legislation that regulates the rights of <i>Indigenous Peoples</i> * as far as it is related to forestry activities. Possible aspects to consider are land <i>tenure</i> *, and rights to use certain <i>forest</i> * related resources and practice traditional activities, which may involve <i>forest</i> * lands.
5. Trade and transport	
NOTE: This section covers requirements for <i>forest</i> * management operations as well as processing and trade.	
5.1 Classification of species, quantities, qualities	Legislation regulating how harvested material is classified in terms of species, volumes and qualities in connection with trade and transport. Incorrect classification of harvested material is a well-known method to reduce or avoid payment of legally prescribed taxes and fees.
5.2 Trade and transport	All required trading and transport permits shall exist as well as legally required transport documents which accompany the transport of wood from <i>forest</i> * operations.
5.3 Offshore trading and transfer pricing	Legislation regulating offshore trading. Offshore trading with related companies placed in tax havens, combined with artificial transfer prices is a well-known way to avoid payment of legally prescribed taxes and fees to the country of harvest and is considered to be an important source of funds that can be used for payment of bribery to the <i>forest</i> * operations and personnel involved in the harvesting operation. Many countries have established legislation covering transfer pricing and offshore trading. It should be noted that only transfer pricing and offshore trading, as far as it is legally prohibited in the country, can be included here.
5.4 Custom regulations	Custom legislation covering areas such as export/import licenses and product classification (codes, quantities, qualities and species).
5.5 CITES	CITES permits (the Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as the Washington Convention).
6. Due diligence / due care	
6.1 Due diligence / due care procedures	Legislation requiring due diligence/due care procedures, including, e.g., due diligence/due care systems, declaration obligations, and/or the keeping of trade related documents, etc.
7. Ecosystem Services	
	Legislation covering <i>ecosystem services</i> * rights, including <i>customary rights</i> * as well as management rights that include the use of <i>legal</i> * methods to make claims and obtain benefits and management rights related to <i>ecosystem services</i> *. National and subnational laws and regulations related to the identification, <i>protection</i> * and payment for <i>ecosystem services</i> *. Also includes <i>legal</i> * business registration and tax registration, including relevant <i>legal</i> * required licenses for the exploitation, payment, and claims related to <i>ecosystem services</i> * (including tourism).

Annex B Training requirements for workers* (*Principle* 2*)

Please add any supplementary training requirements in the Stakeholder response Form

Workers* shall be able to:

- 1) Implement *forest** activities to comply with applicable *legal** requirements (*Criterion* 1.5*);
- 2) Understand the content, meaning and applicability of the eight *ILO Core Labour Conventions** (*Criterion* 2.1*);
- 3) Recognize and report on instances of sexual harassment and gender *discrimination** (*Criterion* 2.2*);
- 4) Safely handle and dispose of hazardous substances to ensure that use does not pose health *risks** (*Criterion* 2.3*);
- 5) Carry out their responsibilities for particularly dangerous jobs or jobs entailing a special responsibility (*Criterion* 2.5*);
- 6) Identify where *Indigenous Peoples** have *legal** and *customary rights** related to management activities (*Criterion* 3.2*);
- 7) Identify and implement applicable elements of UNDRIP and *ILO Convention* 169* (*Criterion* 3.4*);
- 8) Identify sites of special cultural, ecological, economic, religious or spiritual significance to *Indigenous Peoples** and implement the necessary measures to protect them before the start of *forest** management activities to avoid negative impacts (*Criterion* 3.5* and *Criterion* 4.7*);
- 9) Identify where *local communities** have *legal** and *customary rights** related to management activities (*Criterion* 4.2*);
- 10) Carry out social, economic and *environmental impact assessments** and develop appropriate mitigation measures (*Criterion* 4.5*);
- 11) Implement activities related to the maintenance and/or enhancement of *ecosystem services**, when FSC Ecosystem Services Claims are used (*Criterion* 5.1*);
- 12) Handle, apply and store *pesticides** (*Criterion* 10.7*); and
- 13) Implement procedures for cleaning up spills of *waste materials** (*Criterion* 10.12*).

Annex D List of rare and threatened species* in Ireland (*Principle 6*)

Please record the rare and threatened species in Ireland in Table 2 of the Stakeholder Response Form.

Please add any supplementary training requirements in the Stakeholder response Form

Annex E Elements of the *management plan** (*Principle** 7)

- 1) The results of assessments, including:
 - a) Natural resources and *environmental values**, as identified in *Principle** 6 and *Principle** 9;
 - b) Social, economic and cultural resources and condition, as identified in *Principle** 6, *Principle** 2 to *Principle** 5 and *Principle** 9;
 - c) Intact Forest Landscapes* and core areas*, as identified in *Principle** 9;
 - d) *Indigenous cultural landscapes**, as identified with *affected rights holders** in *Principle** 3 & *Principle** 9;
 - e) Major social and environmental risks in the area, as identified in *Principle* 6, *Principle** 2 to *Principle** 5 and *Principle** 9; and
 - f) The maintenance and/or enhancement of *ecosystem services** for which promotional claims are made as identified in *Criterion** 5.1.

- 2) Programs and activities regarding:
 - a) *Workers**' rights, occupational health and safety, *gender equality**, as identified in *Principle** 2;
 - b) *Indigenous Peoples**, community relations, local economic and social development, as identified in *Principle** 3, *Principle** 4 and *Principle** 5;
 - c) *Stakeholder engagement** and the resolution of disputes* and grievances, as identified in *Principle** 1, *Principle** 2 and *Principle** 7;
 - d) Planned management activities and timelines, *silvicultural** systems used, typical harvesting methods and equipment, as identified in *Principle** 10;
 - e) The rationale for harvesting rates of timber and other natural resources, as identified in *Principle** 5.

- 3) Measures to *conserve** and/or *restore**:
 - a) Rare and *threatened species** and *habitats**;
 - b) *Water bodies** and *riparian zones**;
 - c) *Landscape** *connectivity**, including wildlife corridors;
 - d) *Ecosystem services** when FSC ecosystem services claims are used as identified in *Criterion** 5.1;
 - e) *Representative Sample Areas**, as identified in *Principle** 6; and
 - f) *High Conservation Values**, as identified in *Principle** 9.

- 4) Measures to assess, prevent, and mitigate negative impacts of management activities on:
 - a) *Environmental values**, as identified in *Principle** 6 and *Principle** 9;
 - b) *Ecosystem services** when FSC ecosystem services claims are used as identified in *Criterion** 5.1;
 - c) Social Values and *Indigenous cultural landscapes**, as identified in *Principle** 2 to *Principle** 5 and *Principle** 9; and
 - d) *Intact Forest Landscapes** and *core areas**, as identified in *Principle** 9.

- 5) A description of the monitoring program, as identified in *Principle* 8*, including:
- a) Growth and yield, as identified in *Principle* 5*;
 - b) *Ecosystem services** when FSC ecosystem services claims are used as identified in *Criterion* 5.1*;
 - c) *Environmental values**, as identified in *Principle* 6*;
 - d) Operational impacts, as identified in *Principle* 10*;
 - e) *High Conservation Values**, as identified in *Principle* 9*;
 - f) Monitoring systems based on stakeholder *engagement** planned or in place, as identified in *Principle* 2 to Principle* 5* and *Principle* 7*;
 - g) Maps describing the natural resources and land use zoning on the *Management Unit**;
 - h) Description of the methodology to assess and monitor any development and land use options allowed in *Intact Forest Landscapes** and *core areas** including their effectiveness in implementing the *precautionary approach**;
 - i) Description of the methodology to assess and monitor any development and land use options allowed in *Indigenous cultural landscapes** including their effectiveness in implementing the *precautionary approach**; and
 - j) Global Forest Watch map, or more accurate national or regional map, describing the natural resources and land use zoning on the *Management Unit**, including the *Intact Forest Landscapes* core areas**.

Please add any supplementary training requirements in the Stakeholder response Form

Annex G Monitoring requirements (*Principle* 8*)

- 1) Monitoring in 8.2.1 is sufficient to identify and describe the environmental impacts of management activities, including where applicable:
 - a) The results of regeneration activities (*Criterion* 10.1*);
 - b) The use of ecologically well adapted species for regeneration (*Criterion* 10.2*);
 - c) Invasiveness or other adverse impacts associated with any *alien species** within and outside the *Management Unit** (*Criterion* 10.3*);
 - d) The use of *genetically modified organisms** to confirm that they are not being used (*Criterion* 10.4*);
 - e) The results of *silvicultural** activities (*Criterion* 10.5*);
 - f) Adverse impacts to *environmental values** from *fertilizers** (*Criterion* 10.6*);
 - g) Adverse impacts from the use of *pesticides** (*Criterion* 10.7*);
 - h) Adverse impacts from the use of *biological control agents** (*Criterion* 10.8*);
 - i) The impacts from *natural hazards** (*Criterion* 10.9*);
 - j) The impacts of infrastructural development, transport activities and *silviculture** to *rare and threatened species**, *habitats**, *ecosystems**, *landscape values**, water and soils (*Criterion* 10.10*);
 - k) The impacts of harvesting and extraction of timber on *non-timber forest products**, *environmental values**, merchantable wood waste and other products and services (*Criterion* 10.11*); and
 - l) Environmentally appropriate disposal of *waste materials** (*Criterion* 10.12*).

- 2) Monitoring in 8.2.1 is sufficient to identify and describe social impacts of management activities, including where applicable:
 - a) Evidence of illegal or unauthorized activities (*Criterion* 1.4*);
 - b) Compliance with *applicable laws**, *local laws**, *ratified** international conventions and *obligatory codes of practice** (*Criterion* 1.5*);
 - c) Resolution of *disputes** and grievances (*Criterion* 1.6*, *Criterion* 2.6*, *Criterion* 4.6*);
 - d) Programs and activities regarding *workers** rights (*Criterion* 2.1*);
 - e) *Gender equality**, sexual harassment and gender *discrimination** (*Criterion* 2.2*);
 - f) Programs and activities regarding occupational health and safety (*Criterion* 2.3*);
 - g) Payment of wages (*Criterion* 2.4*);
 - h) *Workers** training (*Criterion* 2.5*);
 - i) Where *pesticides** are used, the health of *workers** exposed to *pesticides** (*Criterion* 2.5* and *Criterion* 10.7*);
 - j) The identification of *Indigenous Peoples** and *local communities** and their *legal** and *customary rights** (*Criterion* 3.1* and *Criterion* 4.1*);
 - k) Full implementation of the terms in *binding agreements** (*Criterion* 3.2* and *Criterion* 4.2*);
 - l) *Indigenous Peoples** and community relations (*Criterion* 3.2*, *Criterion* 3.3* and *Criterion* 4.2*);

- m) *Protection** of sites of special cultural, ecological, economic, religious or spiritual significance to *Indigenous Peoples** and *local communities** (*Criterion** 3.5 and *Criterion** 4.7);
 - n) The persistence of *Indigenous cultural landscapes** and associated values of significance to *Indigenous Peoples** (*Criterion** 3.1, *Criterion** 3.5);
 - o) The use of *traditional knowledge** and *intellectual property** (*Criterion** 3.6 and *Criterion** 4.8);
 - p) Local economic and social development (*Criterion** 4.2, *Criterion** 4.3, *Criterion** 4.4, *Criterion** 4.5);
 - q) The production of diversified benefits and/or products (*Criterion** 5.1);
 - r) The maintenance and/or enhancement of *ecosystem services** (*Criterion** 5.1);
 - s) Activities to maintain or enhance *ecosystem services** (*Criterion** 5.1);
 - t) Actual compared to projected annual harvests of timber and *non-timber forest products** (*Criterion** 5.2);
 - u) The use of local processing, local services and local value added manufacturing (*Criterion** 5.4);
 - v) *Long term* economic viability** (*Criterion** 5.5); and
 - w) *High Conservation Values** 5 and 6 identified in *Criterion** 9.1.
- 3) Monitoring procedures in 8.2.2 are sufficient to identify and describe changes in environmental conditions including where applicable:
- a) The maintenance and/or enhancement of *ecosystem services** (*Criterion** 5.2) (when *The Organization** uses FSC ecosystem services claims);
 - b) *Environmental values** and *ecosystem functions** including carbon sequestration and storage (*Criterion** 6.1); including the effectiveness of actions identified and implemented to prevent, mitigate and repair negative impacts to *environmental values** (*Criterion** 6.3);
 - c) *Rare and threatened species**, and the effectiveness of actions implemented to protect them and their *habitats** (*Criterion** 6.4);
 - d) *Representative Sample Areas** and the effectiveness of actions implemented to *conserve** and/or *restore** them (*Criterion** 6.5);
 - e) Naturally occurring *native species** and *biological diversity** and the effectiveness of actions implemented to *conserve** and/or *restore** them (*Criterion** 6.6);
 - f) *Water courses**, *water bodies**, water quantity and water quality and the effectiveness of actions implemented to *conserve** and/or *restore** them (*Criterion** 6.7);
 - g) *Landscape values** and the effectiveness of actions implemented to maintain and/or *restore** them (*Criterion** 6.8);
 - h) Conversion of *natural forest** to *plantations** or conversion to non-forest* (*Criterion** 6.9);
 - i) The status of *plantations** established after 1994 (*Criterion** 6.10); and
 - j) *High Conservation Values** 1 to 4 identified in *Criterion** 9.1 and the effectiveness of actions implemented to maintain and/or enhance them.