

**FEEDBACK FORM**

(Please return by 16 July 2019)

**PUBLIC CONSULTATION ON MALAYSIAN CRITERIA AND INDICATORS FOR  
FOREST MANAGEMENT CERTIFICATION – ENQUIRY DRAFT**

**17 MAY 2019 – 16 JULY 2019**

**Malaysian Timber Certification Council**

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**1. General Comments**

- a. MNS would suggest to further clarify the federal, state laws and policies/guidelines into sub-categories targeting different major aspects, ie. Forestry; Environmental issues; rights of local communities/aborigines; employment; others etc. It is also important to mention the related laws, policies and/or any documents implemented resulted from international environmental treaties that Malaysia is one of the signatory parties.
- b. MNS would recommend to include a brief explanation on what are the differences of stated Federal laws, State laws, policies/guidelines in the different verifiers in the context of the document.
- c. MNS would advice to further improve 'Definition of Key Terms Used in MC&I for Forest Management Certification' section.
- d. MNS would like to urge to include public consultation to EIA report and important stakeholders are properly consulted in the process.
- e. MNS would suggest to hire independent auditors with required experiences and certification for internal audit targetting different criteria as listed in the document.

**2. Specific Comments**

<b>Principle / Criterion / Indicator / Verifier</b>	<b>Proposal for amendment / deletion / addition</b>	<b>Reasons for proposed amendment / deletion / addition</b>
<b>Principle 1 : Compliance With Laws</b>		
Criterion 1.1	Addition: policies.	The existing countries's legislative nature is being covered inadequately.
Criterion 1.1: Indicator 1.1.1:	Amendment: 'actions plans for	Inconsistency.

Verifier: Sabah: Policies/guidelines	wildlife' shall be further improved by listing all the relevant wildlife actions plans.	
Criterion 1.1: Indicator 1.1.2: Verifier	Addition: any documentations indicating the past experiences, certifications, trainings etc. that Forest Manager participated shall be added.	A better presentation of vast experiences of Forest Managers that could assist in management and monitoring etc. processes.
Criterion 1.1: Indicator 1.1.3: Verifier	Amendments: the records shall be made public.	Transparency and accessibility to information.
Criterion 1.2: Indicator 1.2.2: Verifier	Amendments: the use of such prescribed fees etc. should be mentioned clearly.	Transparency and accessibility to information.
Criterion 1.4: Indicator 1.4.1: Verifier	Addition: records of past law cases, case studies, disputes etc. shall be taken into account.	More useful relevant information.
<b>Principle 2 : Tenure And Use Rights And Responsibilities</b>		
Criterion 2.1: Indicator 2.1.2: Verifier	Addition: Records of past law cases, case studies, disputes etc. shall be taken into account.	More useful relevant information.
Criterion 2.2	Amendments: Free, prior and informed consent (FPIC) guidelines targetting MC & I shall be prepared and/or well documented. The FPIC document shall comply to the obligations stated in the Convention on Biological Diversity (CBD).	It is to comply to obligations of CBD whereby Malaysia is one of the signatory parties.
Criterion 2.3: Indicator 2.3.1: Verifier	Amendments: Such records shall be made public.	Transparency and accessibility to information.
<b>Principle 3 : Indigenous Peoples' Rights</b>		
Criterion 3.1: Indicator 3.1.2, 3.1.3: Verifier	Amendments: Such records shall be made public.	Transparency and accessibility to information.
Criterion 3.2: Indicator 3.3.1, 3.3.2: Verifier	Amendments: Such documents, records, decision etc. shall be made public.	Transparency and accessibility to information.
Criterion 3.4: Indicator 3.4.1, 3.4.2	Amendments: The obligations listed in CBD targetting FPIC and the fair and equitable	It is to comply to obligations of CBD whereby Malaysia is one of the signatory parties, especially

	sharing of benefits arising from the use of genetic resources etc., including traditional knowledge shall be taken into account. The newly enforced Access to Biological Resources and Benefit Sharing Act 2017 (Act 795) shall be included likewise.	obligations targetting indigenous people.
<b>Principle 4 : Community Relations And Workers' Rights</b>		
Criterion 4.2: Indicator 4.2.2, 4.2.4, 4.2.5: Verifier	Amendments: Such statement, minutes, records, guidelines etc. shall be shared.	Transparency and accessibility to information.
Criterion 4.4: Indicator 4.4.1: Verifier	Amendments: EIA report shall be included as a supplementary document.	More useful relevant information and there is some inconsistency.
Criterion 4.5: Indicator 4.5.2: Verifier	Amendments: Such records shall be documented.	Transparency and accessibility to information.
<b>Principle 5 : Benefits From The Forest</b>		
Criterion 5.1: Indicator 5.1.2: Verifier (NP only)	Addition: Central Forest Spine (CFS) Master Plan and HoB (Heart of Borneo) Initiative tackling ecological integrity of forest shall be included.	Important national initiative tackling forest connectivity, including biodiversity and livelihood of local communities, need to be considered.
Criterion 5.3: Indicator 5.3.2: Verifier	Amendments: Such records shall be documented and shared, including Reduced Impact Logging (RIL) related guidelines. RIL guidelines shall be reviewed and/or prepared, whichever deemed appropriate.	Transparency and accessibility to information.
Criterion 5.6: Indicator 5.6.2: Verifier	Amendments: Such records shall be made public.	Transparency and accessibility to information.
<b>Principle 6: Environmental Impact</b>		
Criterion 6.1: Indicator 6.1.2: Verifier	Addition: International Trade in Endangered Species Act 2008 shall be included, including CFS Master Plan, HOB Initiative, IUCN Red List of Threatened Species and all the wildlife action plans targetting specific	The existing listed documents, action plans etc. relating to wildlife conservation are inadequately covered.

	species (ie. National Tiger Conservation Action Plan, National Elephant Conservation Action Plan etc.).	
Criterion 6.2: Indicator 6.2.1: Verifier	Addition: International Trade in Endangered Species Act 2008 shall be included.	The existing laws etc. relating to wildlife conservation are inadequately covered.
Criterion 6.2: Indicator 6.2.2: Verifier (NF only)	Amendments: Existing Management Plan and Business Plan implemented for Protected Areas (PAs) shall be taken into consideration.	The existing Management plan and Business Plan for protected areas in the country are inadequately covered.
Criterion 6.2: Indicator 6.2.3: Verifier	Amendments: Such records shall be documented and made public.	Transparency and accessibility to information.
Criterion 6.3: Indicator 6.3.2, 6.3.3: Verifier	Amendments: CFS Master Plan and HoB Initiative for ecological integrity shall be included.	Important national initiative tackling forest connectivity, including biodiversity and livelihood of local communities shall be included.
Criterion 6.4: Indicator 6.4.2, 6.4.3: Verifier (FP only)	Amendments: CFS Master Plan, HoB Initiative for ecological integrity, including the existing Management Plan and Business Plan implemented for PAs shall be taken into consideration.	Important national initiative tackling forest connectivity, including biodiversity and livelihood of local communities shall be included. The existing Management Plan and Business Plan of PAs in the country are not adequately covered.
Criterion 6.10 (NF and FP only): Indicator 6.10.1	Addition: Conversation is not allowed in any environmental sensitive areas (ESA). Plus, CFS Master Plan shall be considered in the process of lands selection.	Important to protect and conserve the existing biodiversity hotspots areas.
<b>Principle 7 : Management Plan</b>		
Criterion 7.1	Addition: The strategies on 'how' to implement and 'future plan' are required.	Some important items are missing in the general framework of a Management Plan.
Criterion 7.2, 7.4	Amendments: Public consultation involving important stakeholders on the	Transparency and accessibility to information.

	drafted Management Plan shall be conducted.	
<b>Principle 8: Monitoring And Assessment</b>		
Criterion 8.2	Addition: Rehabilitation or recovery of impacted areas related section shall be added and elaborated.	Such measure will be crucial in sustainable forest management.
<b>Principle 9: Maintenance Of High Conservation Value Areas</b>		
Criterion 9.4: Indicator 9.4.1	Amendments: Replace HCVF areas to HCV area.	Inconsistency use of terms.

Thank you.

Yours sincerely,



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( LEE EE LING )

Date: 5 JULY 2019

POLICY OFFICER

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