

PEFC LV 05:2020

**Standard-setting – Requirements for development and revision of
PEFC Latvia documentation**



PEFC Latvijas Padome
Adrese: Republikas laukums 2,
Rīga, LV-1010
E-pasts: info@pefc.lv

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The original version of the document is in Latvian. The translation of the document into English can be obtained in the office of PEFC Latvia. When there is doubt in regard to language interpretation, the English version is the reference.

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Introduction

PEFC (Programme for the Endorsement of Forest Certification schemes), hereafter referred to as PEFC International, is a worldwide organization promoting sustainable forest management through forest certification and labelling of forest-based products. A product with a PEFC claim and/or label provides assurance that raw materials used in the manufacture of that product originated in a sustainably managed forest.

The PEFC International endorses national forest certification systems for sustainable forest management. Forest conditions and their environmental, social, economic and historical aspects vary among different regions and countries. Therefore, national Standardizing bodies develops national standards which are customized and made suitable for that country and its local situations.

Sustainable forest management is a holistic approach that takes into account ecological, social and economic criteria. Participation by national and local stakeholders who are affected by forest management is essential during development of a forest certification system and the determination of a definition of sustainable forest management. The standards development process (refer to Fig. 1) used by PEFC and its National Governing Bodies is open, transparent and based on consensus among a broad range of stakeholders.

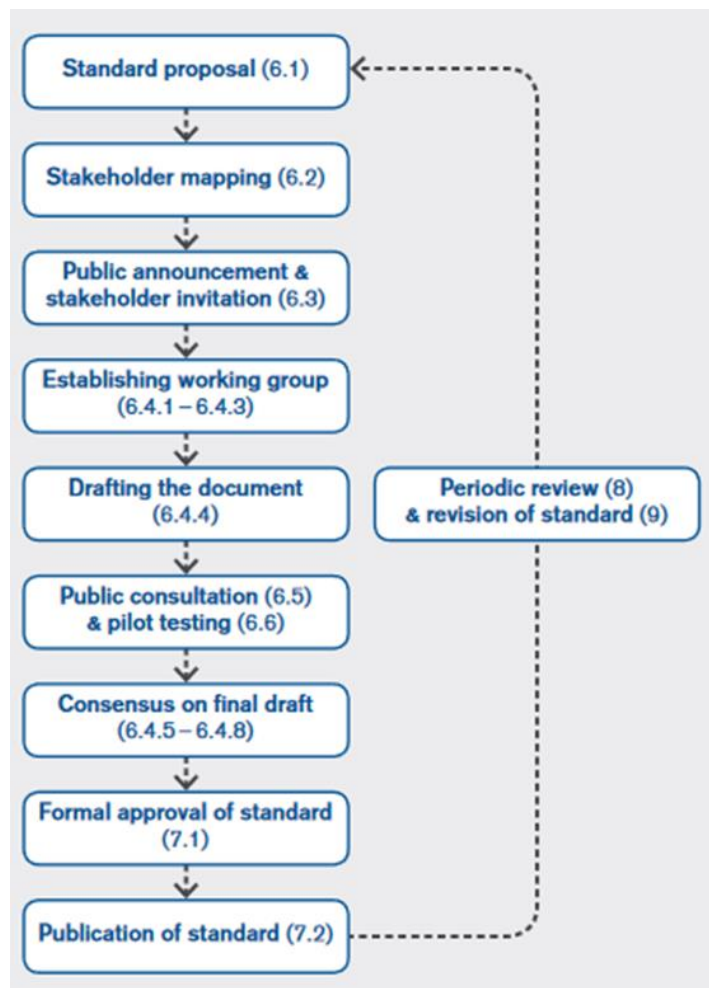


Figure 1: Overview of the standard setting process and the regulations associated with this standard.

The PEFC International approves national forest certification systems that meet the requirements of the PEFC International. The compliance of these systems is regularly assessed by third parties.

Since 1999, the Association "PEFC Latvijas Padome" has been the representative of the PEFC International in Latvia, which develops and maintains the documentation of the PEFC Latvia scheme that meets PEFC International requirements.

This document cancels and replaces the standard PEFC LV 05:2016.

1. Scope

This document describes the requirements to be followed by PEFC Latvia when developing, periodically reviewing and revising the documentation of national forest management certification system.

2. Normative references

This document has been developed and approved by the association "PEFC Latvijas Padome" based on:

- 1) PEFC ST 1001:2017 Standard Setting – Requirements;
- 2) ISO/IEC Guide 59, Code of good practice for standardization.
- 3) ISO/IEC Guide 2, Standardization and related activities - General vocabulary.
- 4) PEFC GD 1007, Endorsement and Mutual Recognition of Certification Systems and their Revision.

3. Terms and Definitions

The following terms and definitions are used in this document:

3.1 Consensus

General agreement characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.

Note: Consensus need not imply unanimity (ISO/IEC Guide 2).

3.2 Editorial Changes

Changes to a system that do not alter the technical content.

Note: This can include clarifications, guidance and grammatical changes.

3.3 Enquiry draft

A proposed document that is available for public consultation.

3.4 Final draft

A proposed document that is available for formal approval.

3.5 Regulatory document

A document that provides rules, guidelines or characteristics for activities or their results.

Note 1: The term “normative document” is a generic term that covers such documents as standards, technical specifications, codes of practice and regulations.

Note 2: “A document” is to be understood as any medium with information recorded on or in it.

3.6 Publicly available

Generally accessible to the interested public in any form and without the need for a request.

Note 1: When information is available by request only, this is indicated explicitly in the document as available on request.

Note 2: Special consideration might be needed for disadvantaged stakeholders to ensure their access.

3.7 Revision

Introduction of all necessary changes to the substance and presentation of a normative document.

Note: The results of the revision are presented by issuing a new edition of the normative document (ISO/IEC Guide 2).

3.8 Review

Activity of checking a normative document to determine whether it is to be reaffirmed, changed or withdrawn. (ISO/IEC Guide 2)

3.9 Stakeholder

A person, group, community or organization with an interest in the subject of the standard.

3.10 Affected Stakeholder

A stakeholder who might experience a direct change in living and/or working conditions caused by implementation of the standard, or a stakeholder who is a user of the standard and therefore is subject to the requirements of the standard.

Note 1: Affected stakeholders includes forest owners, certificate holders, local communities, employers, etc. However, if a party (e.g. NGOs, scientific community, and civil society) having an interest in the subject matter of the standard then it is not equal to being affected.

Note 2: A stakeholder that uses the standard and is likely to become a certified entity, e.g. a forest owners who could become users of a standard.

3.11 Disadvantaged stakeholder

A stakeholder who might be financially or otherwise disadvantaged by participating in the standard-setting process.

3.12 Key Stakeholder

A stakeholder whose participation is critical to the outcome of the standard-setting process.

3.13 Standard

A document, established by consensus and approved by a recognized body (according to the clause 3.14 of this document) that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results.

Note: Standards are based on the consolidated results of science, technology and experience.

3.14 Standartising body

Body that has recognized activities in standardization (ISO Guide 2).

Note: PEFC Latvia develops and maintains standards and related documents of the national forest certification system.

3.15 Working draft

Proposed document that is available generally for feedback or voting within a working group.

4. Standard-setting principles

The standard-setting process is governed by the key principles of:

- Stakeholder engagement – an opportunity for meaningful participation in the process that is open to all stakeholders through participation in working groups or public consultations.
- Balanced representation – no single stakeholder group should dominate or be dominated in the process. While each party is free to decide on its participation, PEFC Latvia makes an effort to ensure that all relevant stakeholder groups are represented and considers an appropriate gender balance.
- Consensus – standards are approved by consensus. Any sustained opposition to specific issues is resolved by means of dialogue whenever possible. If it is not possible to reach an agreement, the issue shall be resolved by a commission consisting of 3 people (see clause 5.3.1 of this document).
- Improvement – periodic review of a standard seeks continual improvement and to ensure the standard continues to meet interests of stakeholders.
- Transparency – relevant documents are publicly available so interested parties can follow developments during and after the process.

5. Responsibility of PEFC Latvia

5.1 Standard-setting procedures

5.1.1 PEFC Latvia has developed written standard-setting procedure describing:

- a) PEFC Latvia legal status and organizational structure, including the requirements for the working group (refer to clause 6.4) and for the approval of the standard (refer to clause 7.1);
- b) requirements for keeping documented information;
- c) requirements for balanced representation of stakeholders;
- d) standard-setting process;
- e) the mechanism for reaching consensus, and
- f) review and revision of standard/normative documents.

5.1.2. PEFC Latvia makes its standard-setting procedure publicly available and regularly reviews it. During the review process proposals and comments received from stakeholders are taken into account.

5.2 Document management

5.2.1 PEFC Latvia keeps documented information related to standard-setting and review process, including:

- a) standard-setting procedure;
- b) stakeholder identification mapping;
- c) list of contacted and/or invited stakeholders;
- d) a list of stakeholders involved in standard-setting activities including participants in each working group meeting;
- e) summary of feedback received and a synopsis of how feedback was addressed;
- f) all drafts and final draft of the standard;
- g) outcomes from working group considerations;
- h) evidence of consensus on the final draft of the standard;
- i) evidence relating to the review process; and
- j) PEFC Latvia final decision on standard approval.

5.2.2 PEFC Latvia will keep documented information about the relevant standard until the next review or revision of the standard. In other cases, documented information must be kept for at least five years after publication of the standard.

5.2.3 Documented information referred to in clause 5.2.1 of this document shall be available to interested parties upon request.

5.3 Handling of complaints and appeals

5.3.1 PEFC Latvia has developed a procedure (PEFC LV 07:2023) for dealing with any significant complaints and appeals submitted in connection with the standard-setting process. This procedure shall be available to interested parties upon request.

After receiving a complaint or appeal, PEFC Latvia:

- a) acknowledge receipt of the complaint or appeal to the complainant;
- b) gather and verify all necessary information to validate the complaint or appeal in order to evaluate the subject matter of the complaint or appeal impartially and objectively; and make a decision;
- c) complaints are handled by PEFC Latvia;
- d) appeals, as well as cases where consensus cannot be reached, are assessed by a commission consisting of 3 people. Both parties involved in the dispute nominate one representative each, who will participate in the commission, while the head of the commission is appointed by PEFC Latvia. The head of the commission is a person who is not directly involved in practical forestry, is not involved in the standard revision process, but has sufficient knowledge of forestry sector. This commission makes a final decision, which is not subject to appeal. Each member of the commission has one vote. The decision is taken by majority vote. Each party to the dispute shall bear their own costs;
- e) formally notify the complainant of the decision taken and describe the progress of the complaint or appeal.

5.3.2 PEFC Latvia, whose contact details can be found on the website www.pefc.lv, answers questions about the standard-setting process, as well as about the process of submitting

complaints and appeals.

6. Standard-setting process

6.1 Standard proposal

6.1.1 For the creation of a new standard, the PEFC Latvia develops a proposal including:

- a) the scope of the standard;
- b) justification of the need for the standard;
- c) a clear description of the intended outcomes;
- d) a risk assessment of potential negative impacts arising from implementing the standard, such as:
 - factors that could affect the achievement of the outcomes negatively;
 - unintended consequences of implementation;
 - actions to address the identified risks, and
- e) a description of the stages of standard development and their expected timetable.

6.1.2 For the revision of a standard the proposal shall cover at least (a) and (e) of clause 6.1.1.

6.2 Stakeholder identification

6.2.1 The PEFC Latvia identifies stakeholders as well as identifies which stakeholder groups would be important to involve in the setting of a particular standard and why. For each stakeholder group the PEFC Latvia identifies the likely key issues, key stakeholders, and which means of communication would be best to reach them.

6.2.2 Identification of stakeholder groups is based on nine major stakeholder groups as defined by Agenda 21 of the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro in 1992. At least the following groups shall be included in the stakeholder mapping:

- forest owners;
- business and industry;
- indigenous people*;
- non-governmental organizations;
- scientific and technological community;
- workers and trade unions.

If no stakeholder volunteers to represent one of these 6 groups, PEFC Latvia can invite an expert in the relevant field to represent this group.

Other groups may be involved if their participation in the standard-setting activities is important.

* - According to the definition of the United Nations, there are no indigenous peoples in Latvia.

Note. The full list of nine major stakeholder groups defined by Agenda 21 of the United Nations Conference on Environment and Development consists of:

(i) business and industry, (ii) children and youth, (iii) forest owners, (iv) indigenous peoples, (v) local authorities, (vi) non-government organizations, (vii) scientific and technological community, (viii) women, and (ix) workers and trade unions.

6.2.3 PEFC Latvia identifies disadvantaged stakeholders and key stakeholders and address any constraints to their participation in standard-setting activities.

Note: A stakeholder can be both a disadvantaged and a key stakeholder at the same time.

6.3 Public announcement of the process

6.3.1 PEFC Latvia publicly announces the start of the standard-setting process and sends an invitation to stakeholders to participate in the process. The announcement shall be made in a timely manner through suitable media, as appropriate, to give stakeholders an opportunity for meaningful contributions in the standard-setting process. The announcement and invitation includes:

- a) a description of the standard-setting stages and timetable;
- b) access to the proposal for the standard (refer to clause 6.1),
- c) information about opportunities for stakeholders to participate in the process;
- d) request to stakeholders to nominate their representatives or themselves to the working group (refer to clause 6.4). The request to disadvantaged stakeholders and key stakeholders is made in a manner that is easy to understand;
- e) invitation and clear instruction on how to submit feedback on the scope and standard-setting process, and
- f) access to the standard-setting procedure.

Note 1: In a timely manner means (at the latest) four weeks before the first standard-setting activity is scheduled to occur.

Note 2: Through suitable media means information is provided at least on the PEFC Latvia website www.pefc.lv and by email and/or letter to identified stakeholders. Other media includes press releases, news articles, features in trade-press, information sent to branch organizations, social media, digital media, etc.

6.3.2 PEFC Latvia reviews the standard-setting process based on feedback received in response to the public announcement.

6.4 Working group requirements

6.4.1 PEFC Latvia establishes a permanent or temporary working group or adjust the composition of an already existing working group based on nominations received. Acceptance and refusal of nominations shall be justified in relation to the requirements for balanced representation of the working group, considerations of an appropriate gender balance, relevance of the organization, an individual's competence, an individual's relevant experience and resources available for standard-setting. The organization that has delegated its representative to the standard development working group is responsible for covering the costs of its representative's work.

Note: After evaluation, the received nominations can be included in the working group or offered to participate as technical experts (technical experts do not have the right to vote in the working group meetings, but have the opportunity to participate in the standard-setting process by providing their proposals to the working group).

6.4.2 The working group shall:

- a) have balanced representation by stakeholder groups, where no single concerned stakeholder group can dominate, nor be dominated in the process relevant and where decisions are made in accordance with the scope of the standard, and
- b) include stakeholders with expertise relevant to the scope of the standard, those that affected by the standard, and those that can influence implementation of the standard. The affected stakeholders shall be represented in an appropriate proportion among participants.

6.4.3 In order to achieve balanced representation, the PEFC Latvia tries to provide to have all identified stakeholder groups (refer to clause 6.2) represented.

PEFC Latvia sets targets for the participation of key stakeholders and proactively seek their participation by using outreach such as personal emails, phone calls, meeting invitations and other methods of communication.

Note: When a stakeholder group is not represented and key stakeholders cannot be encouraged to participate, the PEFC Latvia may consider alternative options.

6.4.4 Meetings of the working group shall be organized in an open and transparent manner where:

- a) working drafts shall be available to all members of the working group,
- b) all members of the working group shall be given meaningful opportunities to contribute to the development or revision of the standard and to provide feedback on working drafts, and
- c) feedback given by any member of the working group shall be considered in an open and transparent way where the outcome of these considerations is recorded in the minutes of the meeting or in other document.

6.4.5 The decision of the working group to recommend the final draft standard for formal approval shall be taken on the basis of consensus. In order to determine whether there is any sustained opposition, the working group can utilize the following methods:

- a) face-to face meeting where there is a verbal yes/no vote, a show of hands for a yes/no vote; a statement on consensus from the Chair when there are no dissenting votes (opinions); organize closed formal voting, etc.,
- b) telephone or video conference meeting(s) where there is a verbal yes/no vote;
- c) e-mail request to the working group for agreement or objection of a proposal where the members provide a formal (written) response (vote), or
- d) combinations of these methods may be used.

6.4.6 Where a vote is used in decision-making, consensus shall be achieved.

6.4.7 If the working group is unable to reach agreement on a substantial issue for a sustained period, the issue shall be resolved by the following methods:

- a) finding a compromise through discussion and negotiation on the disputed issue within the working group, or
- b) finding a compromise through direct negotiation between the stakeholders making the objection and other stakeholders with different views on the disputed issue,
- c) additional round(s) of public consultation (if necessary) where further stakeholder input can

help to achieve consensus on unresolved issues. The PEFC Latvia determines the scope and duration of any additional public consultation.

6.4.8 When a substantial issue cannot be resolved and sustained opposition persists, the PEFC Latvia initiates dispute resolution in accordance with its procedures for impartial and objective action (ref. to clause 5.3.1).

6.5 Public consultation

6.5.1 The PEFC Latvia organizes public consultation on the enquiry draft and ensures that:

a) the start and the end dates of public consultation are announced in a timely manner through suitable media;

Note: In a timely manner means at the latest the day before the start of public consultation.

b) a direct invitation to comment on the enquiry draft is sent to each stakeholder identified by stakeholder identification mapping (refer to clause 6.2) aiming for a balanced participation of stakeholder groups,

c) invitations are sent to disadvantaged and key stakeholders by methods that ensure they receive the information in a way that they can understand,

d) the enquiry draft is made publicly available,

e) public consultation is for at least 60 days,

f) all feedback is considered by the working group in an objective manner, and

g) a synopsis of feedback is compiled for each significant issue, including the outcome of considering the issue. The synopsis is made publicly available (e.g. on a website) and is sent to each stakeholder that provided feedback.

Note: For clarity the PEFC Latvia preparing synopsis may combine responses on significant issues on which different stakeholders provided similar feedback. However, best practice would be to publish each comment of original feedback and the response, to allow each stakeholder to identify its own feedback.

6.5.2 For new standards the PEFC Latvia organizes a second round of public consultation lasting at least 30 days

6.6 Pilot testing

The PEFC Latvia organizes pilot testing of a new standard to assess the clarity, auditability and feasibility of the requirements. The working group shall consider the outcome of pilot testing.

Note: Pilot testing is not required for revision of an existing standard when experience from its usage can substitute for pilot testing.

7. Approval and publication

7.1 Formal approval of standard

The PEFC Latvia approves the standard/normative documents formally based on the consensus among the working group. The certification bodies cannot be involved in the standard setting process

as governing or decision making body.

7.2 Publication and availability of standard

7.2.1 The formally approved standard/normative documents shall be published and made publicly available at no cost within 14 days of approval, or as otherwise defined by the PEFC Latvia.

7.2.2 Standard shall include:

- a) name and contact information of PEFC Latvia, which acts as the Standardizing body;
- b) the original standard language;
- c) a note that when there is inconsistency between versions, the English version of the standard as endorsed by the PEFC International is the reference.
- d) the approval date and the date of next periodic review.

Note: The date of next periodic review may be within a shorter period than five years based on, for example, stakeholder expectations or other foreseen developments.

7.2.3 Printed copies shall be made available upon request at a price that covers no more than administrative costs, if any.

7.2.4 The PEFC Latvia makes the development report (refer to PEFC GD 1007) publicly available.

8. Periodic review of standard

8.1 General requirements

The standard/normative documents shall be reviewed at intervals that do not exceed a five-year period.

The review shall be based on consideration of feedback received during the standard implementation and a gap analysis. If necessary, a stakeholder consultation shall be organized to obtain further feedback.

8.2 Feedback mechanism

8.2.1 The PEFC Latvia establishes and maintains a permanent mechanism for collecting and recording feedback on a standard. This mechanism shall be accessible on the website of the PEFC Latvia with clear directions for providing feedback.

Note: Feedback can be sent in various formats: comments, requests for clarification and/or interpretation, complaints, etc.

8.2.2 PEFC Latvia records and considers all feedback received through all channels, including meetings, training courses, etc.

8.3 Gap analysis

8.3.1 At the start of a review, the PEFC Latvia assesses the potential gaps in the standard

taking into account:

- the relevant PEFC International standards,
- national laws and regulations,
- and other relevant standards.

8.3.2 The PEFC Latvia considers the latest scientific knowledge, research and relevant emerging issues.

8.4 Stakeholder consultation

8.4.1 Where the feedback and the gap analysis do not identify a need to revise the standard, the PEFC Latvia organizes stakeholder consultation to determine whether stakeholders see a need for revising the standard. In the stakeholder consultation the PEFC Latvia uses the gap analysis carried out earlier.

8.4.2 At the start of a review, the PEFC Latvia updates the stakeholder identification mapping (refer to clause 6.2).

8.4.3 PEFC Latvia organizes the following for the review of the standard:

- a) a public consultation period of at least 30 days (following the requirements of clause 6.5.1) and/or,
- b) stakeholder meetings.

8.4.4 The PEFC Latvia announces the review of standard in a timely manner (refer to clause 6.3).

8.5 Decision-making

8.5.1 Based on the feedback received during the period of a standard implementation, the outcome of the gap analysis and the consultations, the PEFC Latvia decides whether to reaffirm the standard or whether a revision of the standard is necessary.

8.5.2 The decision is taken by the members meeting of the PEFC Latvia.

8.5.3 Where the decision is to reaffirm a standard, the PEFC Latvia provides a justification for the decision and make the justification publicly available.

8.5.4 Where the decision is to revise the standard, the PEFC Latvia specifies the type of revision (normal or editorial revision).

9. Standard Revision

9.1 Normal revision

Procedures for revision of standard/normative documents shall conform to those stated in paragraph 6.

A normal revision can occur as a result of the periodic review, or between periodic reviews, but does not include editorial revisions and time-critical revisions.

9.2 Editorial revision

Editorial revisions can be made without triggering the normal revision process. The PEFC Latvia approves the editorial changes formally and publish an amendment or a new edition of the standard.

9.3 Time-critical revision

9.3.1 A time-critical revision is a revision between two periodic reviews using a fast-track process.

9.3.2 A time-critical revision can be conducted only in the following situations:

- a) change in national laws and regulations affecting compliance with PEFC International requirements
- b) instruction by PEFC International to comply with specific or new requirements within a timescale that is too short for a normal revision.

9.3.3 The time-critical revision shall follow these steps:

- a) the PEFC Latvia drafts the revised standard,
 - b) the PEFC Latvia may consult stakeholders, but it is not mandatory,
 - c) the revised standard is approved formally by the members meeting of the PEFC Latvia,
 - d) the PEFC Latvia explains the justification for the urgent changes and make the justification publicly available.
- 9.4 Application and transition of revised standards

9.4.1 A revision shall define the application date and transition period of the revised standard/ normative document.

9.4.2 An application date shall not be more than one year after the publication of the standard. This allows time for endorsement of the revised standard/normative documents, introduction of changes, information dissemination and training.

9.4.3 The transition period shall not exceed one year. The PEFC Latvia may determine a longer period when justified by exceptional circumstances.

