

PEFC LV 09:2025

**Clarification for Certification Bodies operating Certification against PEFC
endorsed Latvian National PEFC Forest Management Standard**

PEFC FMS:2022



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The original version of the document is in Latvian. When there is doubt in regard to language interpretation, the English version is the reference.

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Background information

The Latvian National PEFC Forest Management Standard (further – the national standard) has been developed using an open, transparent, consultative and consensus-based process and including a broad range of stakeholders. The national standard has been developed considering national laws and regulations and the Sustainable Forest Management Standard PEFC ST 1003.

In Latvia, Fundamental rights are guaranteed by the Constitution of the Republic of Latvia and national laws and regulations and their obligation under the European Convention on Human Rights.

Audit team

In addition to the clarification content below Certification Bodies are reminded of their responsibilities under PEFC SFM accreditation, especially under ISO 17021-1:2025, and paragraph 9.2.2 and subsections below lay out the competence requirements for an audit team.

Excerpt from ISO 17021-1:2025(E)

9.2.2 Audit team selection and assignments

9.2.2.1 General

9.2.2.1.1 The certification body shall have a process for selecting and appointing the audit team, including the audit team leader and technical experts as necessary, taking into account the competence needed to achieve the objectives of the audit and requirements for impartiality. If there is only one auditor, the auditor shall have the competence to perform the duties of an audit team leader applicable for that audit. The audit team shall have the totality of the competences identified by the certification body as set out in 9.1.2.3 for the audit.

9.2.2.1.2 In deciding the size and composition of the audit team, consideration shall be given to the following:

- a) audit objectives, scope, criteria and estimated audit time;
- b) whether the audit is a combined, joint or integrated;
- c) the overall competence of the audit team needed to achieve the objectives of the audit (see Table A.1);
- d) certification requirements (including any applicable statutory, regulatory or contractual requirements);
- e) language and culture.

Clarification of clauses 6.4.7 and 6.4.8

Latvian National PEFC Forest Management Standard PEFC FMS:2022	Clarification for Certification Bodies operating Certification against PEFC endorsed Latvian National PEFC Forest Management Standard PEFC FMS:2022
6.4.7 Forest manager does not infringe employees' rights to establish and join trade unions and other	The certification bodies shall assess whether the certificate holders do not infringe employees' rights to establish and join trade unions and other organizations of their choice.

organisations of their choice.	The certificate holders shall comply with the national laws and regulations and international binding legislation, including with the fundamental ILO conventions (clauses 6.3.2, 6.3.6 and 6.3.7). Rights to unite in trade unions are granted by the Labour Law and Trade Union Law. Also, employees have the right to unite in other organisations and to join them freely, without any direct or indirect discrimination to defend their social, economic and occupational rights and interests. According to the Constitution of the Republic of Latvia (clause 102) “everyone has the right to form and join associations, political parties and other public organisations”. An association can be prohibited only in circumstances provided for by law in order to protect the rights of other people, the democratic structure of the State, and public safety, welfare and morals. On the basis of the conditions set forth in this Article, restrictions may also be imposed on the expression of religious beliefs (clause 116). According to the national legislation, all organizations, e.g. trade unions, corporations, governments, non-governmental organizations, political organizations, international organizations, religious organizations, charities, not-for-profit corporations, partnerships, cooperatives and educational institutions, etc. shall be registered in the Enterprise Register. Everyone has the right to access the entries in the Register and the documents submitted to the Register authority. The State Labour Inspectorate is responsible for supervision and enforcement of Labour law. The operations of the State Labour Inspectorate are regulated by the State Labour Inspectorate Law. The certification bodies shall gather evidence to prove that employee’s rights have been infringed. Evidence should clearly demonstrate that employees have suffered adverse employment consequences, e.g. salaries were reduced, somebody with authority threatened, evidence that someone is preventing the establishment of a trade union. To detect such a violation, it should arise not only from the national standard, but also from the national laws and regulations.
6.4.8 Forest manager supports social dialogue, the involvement of employees in decision-making, and does not prevent them from conclusion of a collective agreement in order to agree on the terms and conditions adapted to the company together with the trade union or employees.	The certification bodies shall assess that forest manager: - support social dialogue with social partners (i.e. employers’ and workers’ organizations) on issues of common interest relating to social-economic aspects (means of verification, e.g. minutes of meetings, evidence of negotiations, consultations and exchange of information); - involve employees in decision making; - does not prevent them from conclusion of a collective agreement together with the trade union or authorized representatives of employees. For your information, the term ‘social dialogue’ is not defined in either the national standard or national legislation, however International Labor

	Organization (ILO) provides clarification that “<i>social dialogue includes all types of negotiation, consultation and exchange of information between or among representatives of governments, employers and workers on issues of common interest relating to economic and social policy</i>”. Effective social dialogue is also respecting the fundamental principles and rights at work, particularly freedom of association and the effective recognition of the right to collective bargaining. In Latvia, the Law on Trade Unions sets down general provisions for the establishment and activities of trade unions as well as the principles to be followed by the trade unions in co-operation with employers, including general provisions for conclusion of a collective agreement. The Law on Employers’ Organizations and their Associations lays down general provisions for the establishment and activities of Employers’ Organizations. The certification bodies shall check compliance against the national laws and regulations as well as evaluate the evidence provided by the certificate holders and stakeholders.
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Sources:

<https://pefc.lv/tehniskie-dokumenti/>

<https://www.pefc.org/standards-implementation/standards-and-guides>

Law on Trade Unions: https://www.vvc.gov.lv/lv/latvijas-republikas-tiesibu-akti-anglu-valoda/law-trade-unions?utm_source=https%3A%2F%2Flikumi.lv%2F

Associations and Foundations Law <https://likumi.lv/ta/en/en/id/81050-associations-and-foundations-law>

Labour Law: <https://likumi.lv/ta/en/en/id/26019-labour-law>

Social dialogue and tripartism | International Labour Organization

Employers' Organisations and their Associations Law: <https://likumi.lv/ta/en/en/id/24467-employers-organisations-and-their-associations-law>

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If you have any further questions, then please contact PEFC Latvia via email or phone:

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