

Policy

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Implementation Arrangements

MYANMAR FOREST CERTIFICATION COMMITTEE



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Myanmar Forest Certification Committee (MFCC)
Forest Compound, Bayinnaung Road, West Gyogone,
Insein Township (11011), Yangon
Myanmar

Tel: (+951) 3644430

Fax: (+951) 3644431

Email: info@myanmarforestcertification.orgWebsite: www.mfcc.org.mm

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1 Policy Background

1.1 Introduction

Myanmar Forest Certification Committee (MFCC) is a non-profit, non-political and impartial organization, promoting sustainable forest management through certification schemes for forestry sector entities and forest based products.

MFCC's mission is to deliver Sustainable Forest Management and timber legality certification in Myanmar. MFCC also supports and coordinates standard setting processes and promotes access to international markets for timber supply chain.

Certification standard development is supported and coordinated by MFCC as the standardisation body and the Myanmar National Governing Body (NGB). The following schemes operate in Myanmar:

- The Myanmar Forest Certification Scheme (MFCS);
- The Myanmar Timber Legality Assurance System (MTLAS);

A set of forest management standards (consisting of Sustainable Forest Management Standard; Group Forest Management Standard and a Chain of Custody Standard) has been developed and issued by the Myanmar Forest Certification Committee.

For the Chain of Custody Standard, MFCC has adopted in full the PEFC ST 2002:2020: Chain of Custody of Forest and Tree Based Products – Requirements.

For the Group Forest Management Standard, MFCC adapted the Programme for the Endorsement of Forest Certification (PEFC) International Standard, PEFC ST 1002:2018 Group Forest Management Certification – Requirements.

MFCC grew out of the Timber Certification Committee of Myanmar (TCCM). TCCM was established in 1998 to support Sustainable Forest Management, Myanmar Timber Legality Assurance System, and improve access for Myanmar timber on the international market. The TCCM was changed to MFCC through a Ministerial Formation Order with the approval of the President's Office in 2013 – 'Notification No. (24/2013)'. In 2018, MFCC was reformed through a Ministerial Formation Order (Notification No. (140/2018)).

MFCC was officially reformed through a Ministerial Formation Order in 2018 (Notification No.(140/2018) to include wider participation of representatives from MONREC, In-Line Ministries, the Private Sector, NGOs (Environmental Conservation) and CSOs. After a three-year term, MFCC was reformed again through a Ministerial Formation Order (Notification No. (22/2021) in February 2021. It also included representatives from the relevant multi-stakeholder groups.

This document covers the implementation arrangements of the various Myanmar certification schemes. MFCC has the following overall responsibilities:

- developing, governing and administering MFCS (FM Standard, Group Forest Standard), PEFC CoC and MTLAS;
- notifying Certification Bodies and assessing compliance to and MFCS¹ and MTLAS²
- issuance of trademark usage permission;
- supporting and coordinating the standard setting processes for MFCS and MTLAS;

¹ This is an interim 'notification' (and not accreditation) role before the Myanmar Department of Research and Innovation has established an IAF recognised Accreditation Body that will subsequently have the capabilities to accredit Certification Bodies. More information can be found below.

² This is an interim 'notification' (and not accreditation) role before the Myanmar Department of Research and Innovation has established an IAF recognised Accreditation Body that will subsequently have the capabilities to accredit Certification Bodies. More information can be found below.

- supporting, coordinating and managing, in Myanmar, CoC Standard updates issued by PEFC and related transitions;
- communicating and engaging with NGOs/INGOs in connection with Myanmar certification schemes;
- processing complaints, appeals and disputes if any related to its role as the NGB of MFCS.

1.2 Scope

This document sets out the key components, requirements, and implementation arrangement with regards MFCC as Myanmar's National Governing Body with particular reference to MFCS and MTLAS.

1.3 Normative References

MFCC Standards (MFCS/MTLAS)

PEFC ST 2002:2020	Chain of Custody of Forest and Trees Based Products – Requirements.
MFCC P 2	Guiding Principles
MFCC P 3	Standard Setting
MFCC P 4	Stakeholder Engagement and Public Documents
MFCC SOP 2	Complaints, Appeals and Disputes
MTLAS P 1	MFCC Trademark Usage ³
MTLAS P 2	Certification Body Requirements
MTLAS SOP 1	Notification of Certification Bodies
MFCS P 1	Accreditation and Certification Body Requirements
MFCS P 2	Issuance of PEFC Trademark Usage Licenses by MFCC
MFCS P 3	Trademark Usage Requirements
MFCS SOP 1	Notification of Certification Bodies
MFCC SOP 3	Document Control and Record Management

1.4 Definitions

IAF	The International Accreditation Forum is the world association of Conformity Assessment Accreditation bodies in the fields of management systems, products, services, personnel and other programmes of conformity assessment. IAF's primary function is to develop a single worldwide programme of conformity assessment. IAF members accredit certification or registration bodies that issue certificates attesting that an organization's management, products or personnel comply with a specified standard (called conformity assessment).
ISO/IEC 17065	ISO/IEC 17065: 2012: Conformity Assessment - Requirements for Bodies Certifying Product, Processes and Services
ISO/IEC 19011	ISO 19011:2011, Guidelines for auditing management systems
Lead Auditor	"Lead Auditor" as a position title is used throughout this policy. However, MFCC recognises that a Certification Body may choose different job titles. A Lead Auditor will take the lead in the audit planning and execution and in many cases manage, train and lead supporting audit staff.
MFCC	Myanmar Forest Certification Committee
MFCC Employees	In this policy an MFCC employee can refer to full and part time employees, consultants and sub-contractors and volunteers.

³ This policy applies to MTLAS only. A subsequent unique policy specifically related to logo usage within the MFCS will be produced.

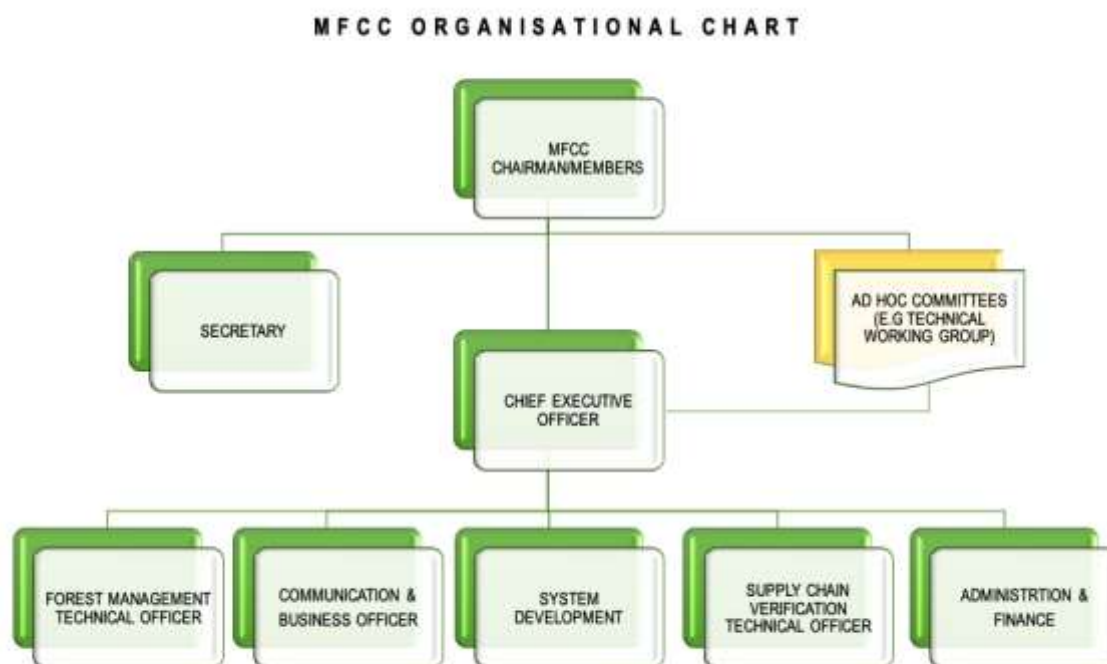
<i>MFCS</i>	Myanmar Forest Certification Scheme. MFCS is contained in a range of documents including MFCC policies, Standard Operating Procedures, other supporting system documentation, and the MFCS Forest Certification Standard, Group Forest Management Standard.
<i>MOECAF</i>	Ministry of Environmental Conservation and Forestry.
<i>MONREC</i>	Ministry of Natural Resources and Environmental Conservation.
<i>MTLAS</i>	Myanmar Timber Legality Assurance System. MTLAS is contained in a range of documents including MFCC policies, Standard Operating Procedures, other supporting system documentation, and the MTLAS Timber Legality Standard.
<i>NGB</i>	National Governing Body.
<i>Trainee/Assistant Auditor</i>	Trainee/Assistant Auditor is used in this policy. However, a Certification Body may choose different job titles. This position is a Certification Body employee involved in supporting the auditing process under the Lead Auditor.

2. Policy Standard

2.1 Organisational Structure

The overall organisational chart of the MFCC is illustrated in Figure 1 below. The chairman and MFCC members decide the overall policy and direction in carrying out MFCC's activities in broad terms and with particular regards to various Standards.

Figure 1: Organisational Chart of MFCC



MFCC acts as the Myanmar NGB, promoting legal timber, sustainable forest management and internationally recognised Chain of Custody systems. MFCC is assisted by the management team (MFCC Secretariat) headed by the Chief Executive Officer (CEO). The management team implements day-to-day activities of MFCC on behalf of the MFCC Members.

Ad Hoc Committees are created for specific one-off roles such as dispute resolution and screening and evaluating Certification Body applicants.

2.2 *System Documents*

In addition to the key Certification Standards: MTLAS, MFCS (Forest Management, Group Certification,) and PEFC CoC there are a range of related management system documents.

The full list of system documents are in the annex to this policy. MFCC also ensures that key policy and procedural documents and the MFCC Standards are publicly available - <http://www.myanmarforestcertification.org/standards/>

2.3 *Certification Procedure*

2.3.1 Notification and Monitoring

In relation to MTLAS, figure 2 below illustrates the temporary role of MFCC to notify (not accredit) Certification Bodies verifying timber against MTLAS.

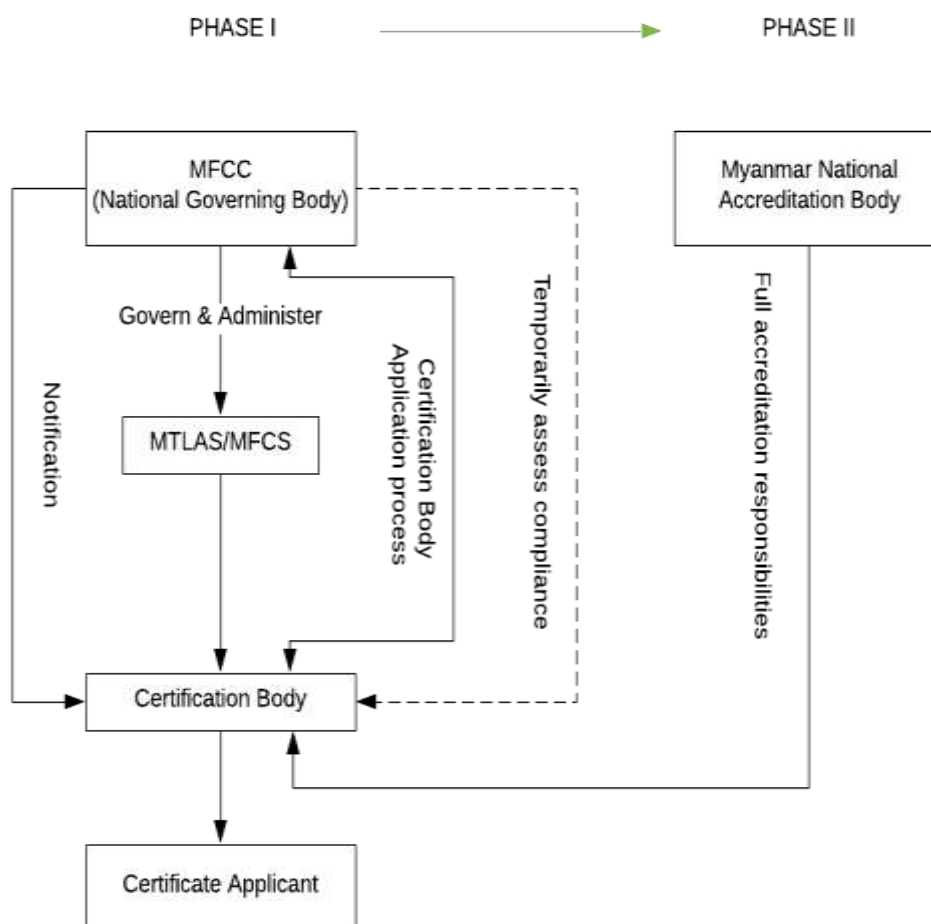
The Myanmar Government has created a Department of Research and Innovation that has accreditation capabilities, and international accreditation cooperation agreements, and can also develop a process for the accreditation of the various systems that fall under the remit of MFCC (i.e. MTLAS and MFCS).

Again in the context of MTLAS given the process of finalising Myanmar's National Accreditation Body is not yet complete, MFCC is operating a two phased approach:

1. An interim MTLAS Phase I, whereby MFCC will both notify Certification Bodies and assess their performance against MTLAS;
2. MTLAS Phase II whereby Certification Bodies will be accredited by the Myanmar National Accreditation Body (and/or an external IAF recognised body).

During this interim period before Certification Bodies are accredited, MFCC will monitor the notified Certification Bodies. When certification bodies will accredit by accreditation body, the DRI will directly monitor to the accredited CBs.

Figure 2: Institutional Arrangements



This interim procedure is not applicable to MFCS (nor PEFC CoC) where Certification Bodies must be fully accredited in accordance to MFCS P 1 Accreditation and Certification Body Requirements:

The CB for forest management certification shall fulfil requirements defined in:

- ISO/IEC 17021-1, Conformity assessment – Requirements for Sustainable Forest Management;
- Other requirements for CBs defined by Myanmar National Accreditation Body

The CB for chain of custody certification shall fulfil requirements defined in:

- ISO/IEC 17065:2012: Conformity Assessment – Requirements for Bodies Certifying Product, Processes and Services
- PEFC ST 2003:2020, Requirements for Certification Bodies operating Certification against the PEFC International Chain of Custody Standard; and
- Other requirements for CBs defined by Myanmar National Accreditation Body

2.3.2 Accreditation Bodies

In the context of MFCS, MFCC will ensure that accreditation bodies are compliant to PEFC accreditation requirements – accredited to ISO 17011:2004 and be a member of the International Accreditation Forum (IAF)⁴.

2.3.3 Certification Bodies

Certification against MTLAS, MFCS and PEFC CoC will be carried out by impartial, competent and independent third party Certification Bodies.

In the case of MFCS and MTLAS Certification Bodies cannot be involved in consultancy or in the standard setting process as governing or decision making bodies, are independent of the entity in the certification process.

The CB is responsible for the following:

1. receiving and processing applications for certification; ^[SEP]
2. carrying out independent audits and making the certification decision; ^[SEP]
3. issuing, suspending and withdrawing certificates and notifying MFCC thereof; this includes changes concerning the validity and scope of certification; ^[SEP]
4. ensuring compliance to MFCC requirements (and also the PEFC CoC Standard requirements);
5. establishing internal procedures to deal with appeals, complaints and disputes;
6. collecting the annual PEFC/MFCC notification fee for every forest management and chain of custody certificate issued and paying to MFCC the amount due when invoiced by MFCC. The amount of the fee is specified in MTLAS SOP 1 NCB and MFCS SOP 1 NCB document entitled Procedure for Notification of Certification Bodies Operating legal timber certification, Forest Management Systems or Chain of Custody.

Full details on certification bodies' requirements can be found in:

- MTLAS P 2: Certification Body Requirements
- MFCS P 1: Accreditation and Certification Body Requirements

2.3.4 Auditors

Certification Bodies are responsible for ensuring auditors have suitable academic qualifications and adequate technical know-how on the applicable certification processes.

For timber legality certification, the auditors shall fulfil the requirements as defined in ISO/IEC 17065: 2012: Conformity Assessment - Requirements for Bodies Certifying Product, Processes and Services. Audit team members must complete MFCC's audit training material. Minimum requirements of auditors outlined in MTLAS P2 Certification Body Requirement policy.

For forest management certification, the auditors shall fulfil the requirements as defined in Part 2 of ISO/IEC 17021.

For chain of custody, the auditors shall fulfil the general criteria for quality and environmental management systems auditors as defined in ISO 19011 (Guidelines for auditing management systems).

The auditors shall also have to fulfil the additional qualification requirements for auditors carrying out legality, forest management or chain of custody audits as defined by Myanmar Accreditation Division.

⁴ In the current situation in Myanmar, DRI has a Memorandum of Understanding with the IAF recognised Singapore Accreditation Council (SAC). This agreement will allow for joint accreditation arrangements and mechanisms by SAC and DRI.

2.3.5 Certification

Certification Bodies are required to establish internal procedures for auditing and certification against MFCS/ PEFC Chain of Custody standard and MTLAS, and also make publicly accessible, or provide upon request, information describing the auditing and certification processes for granting, recertifying, suspending or withdrawing certification. This will be done prior to full notification of Certification Body status.

2.4 *Standard Setting Process*

MFCC P 3 Standard Setting describes MFCC's policy on the standard setting process to develop or review the certification standards. The standard setting process shall be independent from the certification or accreditation processes, and shall be conducted through a multi-stakeholder process.

2.5 *Certification Standards*

The standard used for the certification of natural forests and/or forest plantation is Myanmar Criteria and Indicators for Forest Management Certification or its subsequent versions.

The MFCC allows for group forest management certification, under which a number of owners or managers of natural forests or forest plantations, and the entity representing them in certification, can become certified under one certificate. The requirements for group forest management shall be as specified in the document MFCS Std 2 GFM entitled Group Forest Management Certification.

For forest-based products, the chain of custody standard used is the PEFC International Standard, PEFC ST 2002:2020, Chain of Custody of Forest and Tree Based Products – Requirements or its replacement.

Chain of custody certification can be implemented as individual or multi-site certification. Multisite certification approach also covers the certification of groups of small independent enterprises.

The standard used for the legality certification is Myanmar Timber Legality Assurance System (MTLAS) or its subsequent versions.

2.6 *Notification of Certification Bodies*

Under MTLAS, certification bodies will be notified in accordance to MTLAS SOP 1 Notification of Certification Bodies.

After MFCS is endorsed by PEFC, MFCC will notify certification bodies acting in MFCS. The process of notification of certification bodies to act against the Myanmar Forest Certification Scheme is presented in the document title MFCS SOP 1 Notification of Certification Bodies.

2.7 *Trademark Usage*

MFCC's policy on trademark usage with regards MTLAS is described in MTLAS P 1 MFCC Trademark Usage.

A second policy that deals with trademark and trademark usage of MFCS certified products "Issuance of PEFC Trademark Usage Licenses by MFCC", is being developed in parallel with current steps for PEFC Endorsement of MFCS. Once finalised this policy will govern the use of PEFC Trademarks and its related claims by holders of certificates issued by accredited CBs that are PEFC notified by MFCC.

2.8 *Complaints, Appeals and Disputes*

In the case where an appeal, complaint or dispute is made regarding aspects of Certification Bodies and the certification process, MFCC will never act as an arbitrator or get involved in any disputes whatsoever. Nor will

MFCC respond to any complaints or appeals with regards certification decisions. All Certification Bodies will have their own policies and operating procedures for dealing with appeals, complaints and disputes.

Complaints and appeals submitted to MFCC shall be limited to concerns, or issues, regarding MFCC activities and their compliance with MFCC requirements in its role as a NGB. The procedures for complaints, appeals and disputes are outlined in MTLAS SOP 2 Complaints, Appeals and Disputes.

2.9 Implementation of Changes to MTLAS and MFCS

Periodic changes to specific aspects of the MTLAS and MFCS may be necessary in line with the need for continuous improvement. When such changes are made to the MTLAS or MFCS, a transition period, not exceeding 12 months, will be allowed for all new certification and re-certification. The Certification Body will also identify the transition period to the client, and conduct an audit to assess compliance at the first audit following compliance deadline.

With regards the PEFC CoC Standard, MFCC will implement transitional periods and preparations as specified by PEFC.

3 Document History

Date of Amendment:	Version	Approval date:	Requested by:	Nature of Change	Approved by:
2020.02.01	v02.00	2020.07.10	MFCC Project Management Team	<ol style="list-style-type: none"> Page 2, Change Date, issue date and effective date into issue date, version date and effective date. Change MFCC website address from www.mfcc.com.mm to www.mfcc.org.mm. Section (1.1); Added “First paragraph (MFCC is non-profit, non-political.....), Second paragraph (MFCC’s mission is to deliver.....)”. The previous version, first paragraph (MFCC is the national governing body....) deleted and sentence “certification standard development is supported....” added. Fourth paragraph (For the Chain of Custody Requirements...) added. Change the previous version, Third paragraph (MFCC comprises...) as (MFCC was officially reformed.....and CSO). Fourth paragraph, first sentence, word (both MTLAS and MFCS) changed the various Myanmar certification scheme. Fourth paragraph, first bullet point added the word (and PEFC CoC) Add a point (supporting, coordinating and managing). Fifth bullet point, deleted word (MTLAS and MFCS) and added Myanmar certification scheme. Section (2.1), first paragraph, third sentence deleted “MFCS and MTLAS” and added “various standards”. Change Organisational chart. Third paragraph, added the sentence (MFCC acts as the Myanmar governing body.....). Section (2.2, System documents) added. 	MFCC

				<p>6. Section (2.2, Certification Bodies) changed section (2.3, Certification Procedure).</p> <p>7. Change Section (2.2.1) into (2.3.1) and first paragraph, first sentence added "In relation to MTLAS". Second paragraph added "Again in the context of MTLAS" Added Penultimate paragraph (During this interim period....) and fourth paragraph (the interim procedure...).</p> <p>8. (2.2.2, Certification Body Responsibilities) changed (2.3.3, Certification Bodies). First paragraph, first sentence added PEFC CoC, second sentence; added "In the case of MTLAS and MFCS" and third sentence, deleted "or in forest management". Second paragraph, first bullet point deleted "MTLAS and MFCS", third bullet point deleted "MTLAS and MFCS", fourth bullet point added "(and also the PEFC CoC Standard requirements);" and sixth bullet point. Third, fourth and fifth paragraphs deleted.</p> <p>Added paragraph (Full details on certification bodies' requirements can be found in:.....).</p> <p>9. Added Section (2.3.2, Accreditation Bodies).</p> <p>10. Change section (2.2.3, auditor) into (Section 2.3.4, Auditors) and deleted MTLAS and / or MFCS and added "the applicable".</p> <p>11. Section 2.2.4 change into 2.3.5 Certification and deleted second paragraph.</p> <p>12. Change Section (2.3) into section (2.4) Standard setting process.</p> <p>13. Change section (2.5) into Section (2.6, Notification of Certification Bodies) and all the information of this section.</p> <p>14. Change section (2.6) into section (2.7, Trademark Usage).</p> <p>15. Section (2.7) changed into Section (2.8, Complaints, appeals and disputes) and at first paragraph; fourth sentence deleted "auditing against MTLAS and MFCS".</p> <p>16. 2.8 changed into section (2.9, Implementation of Changes to MTLAS and MFCS) and added second paragraph (With regards the PEFC CoC Standard.....)</p>	
2021.06.27	v03.00	2023.01.11	MFCC Project	1. Section (1.1: Introduction),	MFCC

			Management Team	<p>Added the whole paragraph as fourth paragraph; “A set of forest management standards..... Forest Certification Committee”.</p> <p>Fifth paragraph, Changed PEFC ST 2002:2020: Chain of Custody of Forest and Tree Based Products – Requirements instead of PEFC ST 2002:2013: Chain of Custody of Forest Based Products – Requirements.</p> <p>Added a paragraph “For the Group Forest Management Standard..... Group Forest Management Certification – Requirements.”</p> <p>At the previous version,</p> <p>Fifth paragraph, third sentence, added the phrase “with the approval of the President’s Office”.</p> <p>Penultimate paragraph, added two sentences “After a three-year term, MFCC was reformed..... in February 2021” and “It also included representatives..... stakeholder groups”.</p> <p>Last paragraph, first bullet, added a phrase “(FM Standard, Group Forest Standard)”.</p> <ol style="list-style-type: none"> 2. At Section (1.4 Definition), MFCS Definition, Added a phrase “Group Forest Management Standard”. 3. At Section (2.2: System Documents), First paragraph, Added a phrase “(Forest Management, Group Certification,) and word “PEFC”. 4. Figure 2: second paragraph was separated into “The CB for forest management certification shall.....” Added “other requirements for CBs.....” “The CB for chain of custody certification shall” Added “PEFC ST 2003:2020.....” Other requirements for CBs.....” 5. At Section (2.3.3 : Certification Bodies), Penultimate paragraph, number (6), Amend as “Systems” instead of “System”. 6. At the previous version, Changed section (2.5: Notification of Certification Bodies) to section (2.6: Notification of Certification Bodies), section (2.6) to section (2.7), section (2.7) to (2.8) and section (2.8) to section (2.9). 	
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				<p>7. Section (2.3.4 : Auditors) , Added paragraphs (For timber legality certification..... For forest management certification..... For chain of custody certification..... The auditors shall also have.....)</p> <p>8. Added the whole section (2.5: Certification Standards).</p> <p>9. At the previous version, section (2.6: Trademark Usage), second paragraph, First sentence, Amend the name as “Issuance of PEFC Trademark Usage Licenses by” MFCC” instead of “Issuance of PEFC Logo Usage Licences by MFCC”. Last sentence, Deleted “trademarks in the context of MFCS” and added “PEFC Trademarks and its related claims are PEFC notified by MFCC”.</p>	