

# Sustainable African Forest Assurance Scheme



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## Eswatini Forest Management Standard



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## 1. Foreword

The Sustainable African Forestry Assurance Scheme (SAFAS) is a regional scheme for Southern Africa. This standard forms part of the regional scheme for Eswatini and sets out the criteria for forest certification. A good forestry standard, audited by a competent auditor, should reveal weaknesses and strengths of the operation while reflecting a global vision of sustainable forestry to communicate these values to global stakeholders. The Eswatini working group has based the standard on the South African standard and together with many years of certification experience in Eswatini has come up with a standard that is concise, clearly articulated and yet comprehensive.

PEFC Eswatini in association with SAFAS developed the standard with the objective of achieving endorsement by the Programme for Endorsement of Forest Certification (PEFC) because there is clear alignment of values and objectives between the organisations. A National Standard that meets the needs of all scales of plantation forestry in a small country that is internationally recognised is a source of great pride for the Nation of Eswatini.

SAFAS was set up to act at the National Governing Body (NGB) for PEFC in South Africa, but the vision for expanding to incorporate other countries in the region was always present. Therefore, as part of the first periodic revision, SAFAS has expanded to become a regional certification system for Southern Africa. Eswatini is the first country to join the regional scheme. The SAFAS Regional Scheme provides the policy framework and administrative support towards the development of National Forest Management standards according to the PEFC requirements for standard development and in accordance with the PEFC Benchmark standard, PEFC ST 1003:2018.

## 2. Introduction

The Kingdom of Eswatini is a landlocked country in Southern Africa, covering an area of 17,364 km<sup>2</sup> and situated between South Africa and Mozambique. The country primarily relies on the export of agricultural products, including sugar, beef, citrus, forestry products, and textiles (Ministry of Tourism and Environmental Affairs, 2016). Agriculture serves as the main economic sector, with maize being both a staple crop and a significant product for commercial and subsistence purposes. The national landscape is characterized by hilly terrain, featuring a mosaic of agricultural areas, high mountain grasslands for pasture, and forest plantations for wood production. There are also indigenous forests and wetlands, including rivers, ponds, marshes, dams, and peatlands. Eswatini has four distinct physiographic regions: the Highveld, Middleveld, Lowveld, and Lubombo Plateau, representing different reliefs from West to East (Ministry of Tourism and Environmental Affairs, 2016). As of 2017, the estimated population was around 1,093,238, with 76.2% living in rural areas (Ministry of Tourism and Environmental Affairs, 2021). The climate ranges from tropical to temperate, with a summer rainy season from October to April and a dry winter season from May to August. Rainfall varies significantly across the regions; the Northern Highveld receives the most moisture, with an average annual rainfall of 1,500 mm during the rainy season. However, rainfall levels have significantly decreased from 2000 to 2010, according to Eswatini's Third National Communication. Mean annual temperatures range from 17°C in the Highveld to 22°C in the Lowveld, where the highest temperatures are recorded near the border with Mozambique. Commercial agricultural land is primarily found on Title Deed Land, which accounts for 31% of land use in the country, while 69% is Swazi Nation Land. This land management system ensures that the population, including the poorest citizens, has access to land for housing and crop cultivation. Grazing typically occurs on Swazi Nation Land, and it is estimated that only 20% of the country is arable land, increasing the pressure on this natural resource due to population growth. The forestry sector mainly consists of pine and eucalyptus plantations, as well as wattle forests that provide timber, saw logs, pulp, and biofuel. In 2020, plantations, wattle forests, and woodlots made up 11% of the total country area (CfRN LUA Assessment, October 2023). The establishment of these plantations occurred before the year 2000. It is important to note that between 2000 and 2020, no natural forests were converted into plantations.

This standard was based on the SAFAS 4: 2024 Forest Management Standard for South Africa and incorporates the requirements of the latest version of the PEFC benchmark standard as approved by the General Assembly on the 13th of November 2024. This has resulted in definitions being aligned with global definitions and making them precise for local application.

## 3. History

The United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro (1992), together with conventions on biodiversity, climate change and desertification, called on governments to pursue, in cooperation with special interest groups and international organisations, the formulation of scientifically sound criteria and guidelines for the management, conservation and sustainable development of all types of forests.

Eswatini acknowledged these international calls for sustainable forest management in its National Forestry Policy (2002) and the National Forestry Programme and Action Plan. Being a small country Eswatini welcomed the development of a regional scheme and has eagerly embraced to support of SAFAS and the PEFC to develop a National Standard.

In 2024 a Technical Working Group was established to manage the process of using the South African National Forest Management Standard to develop an auditable standard for the Kingdom of Eswatini to submit to the PEFC for endorsement and to ensure the procedure followed adhered to the PEFC standard development requirements.

## 4. Endorsement by PEFC

The Programme for Endorsement of Forest Certification (PEFC) is the world's largest forest certification system and has had the most success in the certification of small-scale forestry operations. For this reason, SAFAS chose PEFC for endorsement.

The PEFC was founded in 1999 by national forest organizations from eleven countries in response to the specific requirements for small and family forest owners. It is designed as an international umbrella organization providing independent assessment, endorsement and recognition of nationally developed forest certification systems.

PEFC has developed a mechanism to enable the independent development of national standards tailored to the political, economic, social, environmental and cultural realities of the respective countries while at the same time ensuring compliance with internationally-accepted requirements and global recognition.

## 5. References

The standard incorporates the requirements from the latest version of PEFC ST 1003

The Regional SAFAS Scheme comprises the following documents for Eswatini:

- 3.1 SAFAS 2:2024 Standard Setting Procedure
- 3.2 SAFAS 3:2024 Standard Development Report
- 3.3 SAFAS 4:2024 Forest Management Standard
- 3.4 SAFAS 5:2024 Group Certification Procedures
- 3.5 SAFAS 6:2024 Certification and Accreditation Procedures
- 3.6 SAFAS 7:2024 Notification of Certification Bodies
- 3.7 SAFAS 8:2024 Issuance of PEFC Logo use licenses by SAFAS
- 3.8 SAFAS 9:2024 Dispute resolution procedures
- 3.9 PEFC ST 2002:2020 Chain of Custody Standard
- 3.10 PEFC ST 2003:2020 CB Requirements for Chain of Custody
- 3.11 PEFC ST 2001:2020 Trademark Rules

## 6. The Eswatini Forestry Context

The Eswatini forest management standard is focussed on plantation forestry of all commercially grown species present in Eswatini. It is applicable to all scales and ownership categories of plantation forestry (Cooperate Organizations, Individual Farms, Community Forests and family forests). Indigenous forests are not covered in this version of the standard. Indigenous forests are strictly protected by the Flora Protection Act No.5 of 2001 and very little timber harvesting takes place. Furthermore, the approach was to make the Eswatini Standard very specific for the plantation context and small scale timber growers including family forests and accommodating indigenous forests would compromise this goal.

Commercial Forestry in Eswatini is based on plantations of fast growing exotic *Pinus*, *Eucalyptus* and *Acacia* species. Timber plantations were mainly established in marginal lands on the Eswatini landscape in accordance with the requirements outlined in the National Forest Policy of 2002. There are about 189 377 hectares (10.91%) of exotic timber consisting of (plantations: 125 575ha, wattle: 40 581ha and woodlots: 23 221ha) in Eswatini. Indigenous forests cover about 611 640 hectares consisting of the (drier acacia savannah: 401 297ha, moisture acacia savannah: 97 619ha, montane and highland: 48 471ha and riparian forest: 64 253ha) and are

legally protected from any exploitation by the Flora Protection Act No. 5 of 2001, although limited harvesting takes place under strict licensing conditions under the Act.

The following documents provide further context: National Forest Policy 2002, Flora Protection Act No. 5 of 2001, Eswatini FRL Report (2024), and the National Forest Programme and Action Plan (2002).

## 7. Ownership and scale

As of 2024, 66.3% of the plantation forests are privately owned with 21.4% owned by the medium scale timber growers and the remaining 12.3% owned by small scale timber growers and family forests as woodlots. The plantations owned by large scale cooperates are mostly on Title Deed Land whilst the small scale timber growers and family forests are on Swazi Nation Land allocated by Traditional authorities.

## 8. Scope

Certified organizations and contractors that work within certified forests must be assessed against all relevant indicators. In some cases, verifiers are differentiated based on scale, ownership/management type or land tenure system. Verifiers state the preferred method of demonstrating compliance with an indicator, but are not mandatory, meaning that if there is an alternative method of demonstrating compliance, this can be used at the discretion of the auditor.

For verifiers which are specific to a certain category of ownership and scale, this is indicated against the verifier and if no differentiation is made, then it is assumed that the verifier applies to all operations.

Guidance is provided in cases where additional information is deemed to be necessary or useful to understand and implement the requirement and is not mandatory.

The following are categories against which verification may be differentiated:

**Corporates:** Large plantation forests with multi-level management structures and corporate ownership. Most corporate plantation forests are greater than 10 000 ha.

**Owner manager:** These plantation forests have an owner that is also the manager. These are typically below 10 000 ha in extent. We usually refer to these holdings as timber farms, but they may also be mixed farming operations.

**Family Forestry:** These are owner manager operations where all the work is done by family members. These are typically small-scale forestry operations on traditional authority land. Family forestry operations will usually be certified as part of a Group Scheme. If Family Forestry is not specified for a verifier, then Owner Manager verification applies.

**Traditional Authority:** These are communal areas, where land rights are accorded to people by the traditional authorities and where specific legislation is in place to protect informal land rights.

**Group Schemes:** Where requirements can be met at group level, this is indicated under the verifiers.

The standard does not specifically make size differentiations, but Owner-Managers range between a few hectares and 10 000ha. The organization may be involved in mixed farming or exclusively plantation forestry. The concept behind having Owner Manager as a specific category is that the owner is able to make the management decisions which are directly implemented and because the degree of “skin in the game” is greater for owners. Such factors allow for greater confidence in narrative evidence directly from the forest owner. The Owner Manager may own more than one farm and typically lives and works on one of the timber farms.

## 9. Indigenous people in Eswatini

There are no indigenous people as defined in UNDRIP recognised in Eswatini. The KhoiSan are recognised as the Indigenous People of Southern Africa. Groups of hunter gatherer San, and pastoralist Khoekhoe were decimated through state sanctioned killing, introduced diseases and starvation throughout Southern Africa after European settlement in 1652 and onwards. Survivors and their descendants were forced to renounce their culture and assimilate into other ethnic groups by colonial regimes. Today there are no recognised or self-identifying KhoiSan people in Eswatini.

## 10. Glossary of terms

### **Affected stakeholder**

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

Note 1: Affected stakeholders include neighbouring communities, indigenous people, workers, etc. However, having an interest in the subject matter of the standard (e.g. NGOs, scientific community, civil society) is not equal to being affected.

Note 2: A stakeholder who might be a user of the standard is likely to become a certified entity, e.g. a forest manager in the case of a forest management standard, or a wood processing enterprise in the case of a chain of custody standard.

### **Alien species**

A species, subspecies or lower taxon, introduced outside its natural past or present distribution; includes any part, gametes, seeds, eggs, or propagules of such species that might survive and subsequently reproduce. (Convention on Biological Diversity (CBD), Invasive Alien Species Programme. Glossary of Terms as provided on CBD website)

### **Best available information**

Data, facts, documents, expert opinions, and results of field surveys or consultations with stakeholders that are most credible, accurate, complete, and/or pertinent and that can be obtained through reasonable\* effort and cost, subject to the scale\* and intensity\* of the management activities and the Precautionary Approach\*.

### **Biological control**

A method of controlling pests such as insects, mites, weeds and plant diseases using other organisms. It relies on predation, parasitism, herbivory, or other natural mechanisms, but typically also involves an active human management role.

### **Biodiversity**

The variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species and of ecosystems.

{Convention on Biological Diversity 1992, Article 2}



### **Connectivity**

A measure of how connected or spatially continuous a corridor, network, or matrix is. The fewer gaps, the higher the connectivity. Related to the structural connectivity concept; functional or behavioural connectivity refers to how connected an area is for a process, such as an animal moving through different types of landscape elements. Aquatic connectivity deals with the accessibility and transport of materials and organisms, through groundwater and surface water, between different patches of aquatic ecosystems of all kinds. {Based on R.T.T. Forman.1995. Land Mosaics. The Ecology of Landscapes and Regions. Cambridge University Press}

### **Conservation zones**

Defined areas that are designated and managed primarily to safeguard species, habitats, ecosystems, natural features or other site-specific values because of their natural environmental or cultural values.

### **Community**

A group of people who, regardless of the diversity of their backgrounds, that have been able to accept and transcend their differences, enabling them to communicate effectively and openly and to work together toward goals identified as being for their common good. This includes people regardless of their origins and indigenous people.

### **Customary rights**

Rights which result from a long series of habitual or customary actions, constantly repeated, which have, by such repetition and by uninterrupted acquiescence, acquired the force of a law within a geographical or sociological unit

### **Deforestation**

The conversion of forest to any other land-use, whether human-induced or not;

Note: The conversion of plantation forests\*, naturally regenerated stands of introduced species\* or bush encroachment\* in Eswatini does not constitute deforestation.

\*Refer to the definition of “Forest” for definitions of these types of forest.

### **Dispute**

An expression of dissatisfaction by any person or organization presented as a complaint to The Organization\*, relating to its management activities.

**Ecological integrity**

Ecological integrity: A measure of how intact or complete an ecosystem is.

**Ecosystem**

A dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit. {Convention on Biological Diversity 1992, Article 2}

**Ecosystem services**

The benefits people obtain from ecosystems. These include:

- a. provisioning services such as food, forest products and water;
- b. regulating services such as regulation of floods, drought, land degradation, air quality, climate and disease;
- c. supporting services such as soil formation and nutrient cycling;
- d. and cultural services and cultural values such as recreational, spiritual, religious and other nonmaterial benefits.

**Engaging or engagement**

The process by which the organization communicates, consults and/or provides for the participation of interested and/or affected stakeholders ensuring that their concerns, desires, expectations, needs, rights and opportunities are considered in the establishment, implementation and updating of the management plan.

**Environmental impact assessment**

Systematic process used to identify potential environmental and social impacts of proposed projects, to evaluate alternative approaches, and to design and incorporate appropriate prevention, mitigation, management and monitoring measures

**Environmental values**

The following set of elements of the biophysical and human environment:

- a. ecosystem functions (including carbon sequestration and storage)
- b. biological diversity
- c. water resources
- d. soils
- e. atmosphere
- f. landscape values (including cultural and spiritual values).

The actual worth attributed to these elements depends on human and societal perceptions.

**Family forestry**

Smallholder forestry where there is no formal employment. The great majority of work is done by family members. (SDG)

**Familiar/familiarise**

To identify and become acquainted.

**Forest**

Land that supports trees in sufficient quantity to manage according to the principles of sustainable forest management. This commonly, but not exclusively, encompasses land with trees higher than 5 meters and a canopy cover of more than 5%, or trees able to reach those thresholds *in situ*.

The definitions of 5 forest types delineate ecological, management and policy distinctions:

NFA = National Forest Act (1998)

### **Natural Forests**

A group of indigenous trees— (a) whose crowns are largely contiguous: or (b) which have been declared by the Minister to be a natural forest under section 7(2): (xxviii) [NFA]

From an ecological perspective: A natural forest is a generally multi-layered vegetation unit dominated by trees (largely evergreen or semi-deciduous), whose combined strata have overlapping crowns covering 75% or more of the area. In such forests, grasses in the herbaceous layer are generally rare. (Mucina and Rutherford. 2006)

*Natural forests enjoy a very high level of protection under the National Forest Act. Commercial harvesting is rare and only takes place under very strictly controlled circumstances.*

### **Woodland**

A group of indigenous trees which are not a natural forest, but whose crowns cover more than five per cent of the area bounded by the trees forming the perimeter of the group. [NFA]

*Woodlands are protected under the NFA and not typically used for commercial forestry activities. Harvesting of bush encroachment is widespread for the production of charcoal and other fuel wood.*

### **Plantation forest**

Forests established through planting, seeding, self-seeding or coppicing mainly for production of wood or non-wood goods. These may be of introduced or native species. [NFA]

### **Bush encroachment**

Encroachment of non-forest ecosystems by indigenous trees as a direct or indirect result of human activities. [Department of Environmental Affairs – Policy Brief (2019)]

*This is a transitional state brought about by the spread of woody species into non-forest ecosystems. There is a legal requirement for controlling the spread towards restoration of the original ecosystem.*

### **Naturally regenerating stands of introduced trees**

Stands of trees that are dominated by alien plants that have spread into non-forest ecosystems as a direct or indirect result of human activities. [Adapted from FAO definition]

*This is a transitional state brought about by the spread of woody alien invasive plants into non-forest ecosystems. There is a legal requirement for controlling the spread towards restoration of the original or underlying ecosystem.*

### **Fundamental ILO conventions**

Eight conventions (ILO 29, 87, 98, 100, 105, 111, 138 and 182) identified by the ILO's Governing Body as "fundamental" in terms of principles and rights at work: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation.

### **Genetically modified trees**

Trees in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination, taking into account applicable legislation providing a specific definition of genetically modified organisms.

Note 1: The following techniques are considered as genetic modification resulting in genetically modified trees (EU Directive 2001/18/EC):

- recombinant nucleic acid techniques involving the formation of new combinations of genetic material by the insertion of nucleic acid molecules produced by whatever means outside an organism, into any virus, bacterial plasmid or other vector system and their incorporation into a host organism in which they do not naturally occur, but in which they are capable of continued propagation;
- techniques involving the direct introduction into an organism of heritable material prepared outside the organism including micro- injection, macro-injection, and micro-encapsulation;
- cell fusion (including protoplast fusion) or hybridisation techniques where live cells with new combinations of heritable genetic material are formed through the fusion of two or more cells by means of methods that do not occur naturally.

Note 2: The following techniques are not considered as genetic modification resulting in genetically modified trees (EU Directive 2001/18/EC):

- in vitro fertilisation;
- natural processes such as: conjugation, transduction, transformation;
- polyploidy induction.

### **Genotype**

The genetic constitution of an organism

### **Habitat**

The place or type of site where an organism or population occurs.

### **Interested stakeholder**

Any person, group of persons, or entity that has shown an interest, or is known to have an interest, in the activities of a management unit. The following are examples of interested stakeholders.

- Conservation organizations, for example environmental NGOs
- Labour (rights) organizations, for example labour unions
- Human rights organizations, for example social NGOs
- Local development projects
- Local governments

- National government departments functioning in the region

### **Invasive species**

Species that are rapidly expanding outside of their native range. Invasive species can alter ecological relationships among native species and can affect ecosystem function and human health.

{Based on World Conservation Union (IUCN). Glossary definitions as provided on IUCN website}

### **Landscape**

A functionally homogenous unit defined by geographical mosaic composed of interacting ecosystems resulting from the influence of geological, topographical, soil, climatic, biotic and human interactions in a given area.

{Based on World Conservation Union (IUCN). Glossary definitions as provided on IUCN website}

### **Local communities**

Communities of any size that are in or adjacent to the management unit, and also those that are close enough to have a significant impact on the economy or the environmental values of the management unit or to have their economies, rights or environments significantly affected by the management activities or the biophysical aspects of the management unit.

### **Management plan**

The collection of documents, reports, records and maps that describe, justify and regulate the activities carried out by any manager, staff or organization within or in relation to the management unit, including statements of objectives and policies

### **Management unit**

A spatial area or areas submitted for certification with clearly defined boundaries managed to a set of explicit long term management objectives which are expressed in a management plan. This area or areas include(s):

- All facilities and area(s) within or adjacent to this spatial area or areas under legal title or management control of, or operated by or on behalf of The Organization, for the purpose of contributing to the management objectives; and
- All facilities and area(s) outside, and not adjacent to this spatial area or areas and operated by or on behalf of The Organization, solely for the purpose of contributing to the management objectives.

### **Monitoring**

Monitoring is a formal process to detect change and the checking of an operation against targets or standards.

Monitoring is an element of adaptive management that is dispersed throughout the management activities and in the SAFAS Standard it is not viewed as a separate programme.

**Native species**

Species, subspecies, or lower taxon, occurring within its natural range (past or present) and dispersal potential (that is, within the range it occupies naturally or could occupy without direct or indirect introduction or care by humans).

**Non-timber forest products (NTFP)**

**All products other than timber derived from the management unit.**

Occupational accident

An occurrence arising out of, or in the course of, work which results in fatal or non-fatal injury.

**Pesticide**

Any substance or preparation prepared or used in protecting plants or wood or other plant products from pests; in controlling pests; or in rendering such pests harmless. This definition includes insecticides, rodenticides, acaricides, molluscicides, larvaecides, fungicides and herbicides.

**Priority species**

A select group of species that are especially important for their ecosystem and for people. They are usually nationally, or globally threatened, possibly endemic and require conservation effort.

**Rare species**

Species that are uncommon or scarce, but not classified as threatened. These species are located in geographically restricted areas or specific habitats, or are scantily scattered on a large scale. They are approximately equivalent to the IUCN (2001) category of Near Threatened (NT), including species that are close to qualifying for, or are likely to qualify for, a threatened category in the near future. They are also approximately equivalent to imperilled species. {Based on IUCN. (2001). IUCN Red List Categories and Criteria: Version 3.1. IUCN Species Survival Commission. IUCN. Gland, Switzerland and Cambridge, UK}

**Resilience**

The ability of a system to maintain key functions and processes in the face of stresses or pressures by either resisting or adapting to change. Resilience can be applied to both ecological systems and social systems

**Riparian Habitat**

Riparian habitat includes the physical structure and associated vegetation of the areas associated with a watercourse which are commonly characterised by alluvial soils, and which are inundated or flooded to an extent and with a frequency sufficient to support vegetation of species with a composition and physical structure distinct from those of adjacent land areas. [National Water Act, (Act 36 of 1998)] Also referred to as riparian zone.

**Tenure**

Socially defined agreements held by individuals or groups, recognized by legal statutes or customary practice, regarding the 'bundle of rights and duties' of ownership, holding, access and/or usage of a particular land unit or the associated resources there within (such as individual trees, plant species, water, minerals, etc.) {World Conservation Union (IUCN). Glossary definitions as provided on IUCN website}

**The Organization**

The person or entity holding or applying for certification and therefore responsible for demonstrating compliance with the requirements.

### **Threatened species**

Species that meet the IUCN (2001) criteria for Vulnerable (VU), Endangered (EN) or Critically Endangered (CR), and are facing a high, very high or extremely high risk of extinction in the wild.

{Based on IUCN. (2001). IUCN Red List Categories and Criteria: Version 3.1. IUCN Species Survival Commission. IUCN. Gland, Switzerland and Cambridge, UK.}

### **Traditional housing**

Housing that has been built by the workers themselves according to their own requirements and not supplied by the employer.

### **Use rights**

Rights for the use of resources of the management unit that can be defined by local custom, mutual agreements, or prescribed by other entities holding access rights.

### **Vegetation unitVegetation unit:**

A complex of plant communities ecologically and historically (both in spatial and temporal terms) occupying habitat complexes at the landscape Scale

### **Workers**

All employed persons including public employees as well as 'self- employed' persons. This includes part-time and seasonal employees, of all ranks and categories, including labourers, administrators, supervisors, executives, contractor employees as well as self-employed contractors and sub-contractors. {ILO Convention C155 Occupational Safety and Health Convention, 1981}

## 11. Criteria and Indicators for sustainable forest management

### Structure of the Eswatini PEFC Standard

The requirements of the Standard are arranged into 7 Principles. These are as follows:

1. Planning, Legal Compliance and Chain of Custody
2. Engagement with Stakeholders and the Protection of Cultural Heritage
3. Protection of Worker's and Human rights
4. Protection of Soil, Carbon and Water
5. Conservation of Biodiversity and Ecological Integrity
6. Forest Health and Protection
7. Economic Sustainability

Under each principle are a number of Criteria, plus the indicators which are used to measure compliance with the criteria. Under the indicators are the verifiers which guide the auditor to the information sources that provide evidence of compliance. Where additional guidance would aid managers and auditors it is provided under the verifiers. Where there is legislation that covers this requirement, it is included in verifiers or guidance, depending on where it is most relevant. The full set of laws, regulations, nationally ratified international treaties, conventions and agreements related to plantation forestry are included in Appendix 1.

**V=Verifiers      G=Guidance**

### **PRINCIPLE 1: PLANNING, LEGAL COMPLIANCE AND CHAIN OF CUSTODY**

#### **1.1 Legal compliance**

##### **1.1.1 Plantation forests are established in accordance with;**

- 1) **Applicable laws\* and regulations and administrative requirements,**
- 2) **Legal\* and customary rights\***

V      There are no specific laws regulating the development of plantations.

##### **1.1.2 The boundaries of all management units are mapped**

V      Maps must be available indicating the management unit boundaries.



**1.1.3 There shall be no substantiated outstanding claims of legal non-compliance related to plantation management raised by regulatory authorities.**

V Interviews Stakeholder feedback

G The certificate holder must declare any current legal processes involving laws relevant to forest management. The purpose of this indicator is to identify these legal processes to ensure that the organization is complying with the legal stipulations of the process. The laws relevant to specific requirements will be listed under that requirement. A list of all possible applicable legislation is included in Annex. A.

**1.1.4 Prior to any listed site disturbing activities\*, environmental impact assessments as required by legislation shall be undertaken for any developments on the management unit and records of decision complied with.**

V For new forestry projects a project brief is submitted to the Environment Authority and which includes an initial environmental evaluation in compliance to the Eswatini Environmental Management Act 2002. In circumstances when a full environmental impact assessment and a comprehensive mitigation plan are required, these are approved by the Environment Authority in accordance with the Environmental, Assessment Regulations, 2022.

G Project brief, initial environmental evaluation report, EIA Report, Environmental compliance certificate, Compliance report, site specific assessment procedure, a record of potential impacts to the environment

**1.2 Management planning and monitoring**

**1.2.1 The management planning system \* addresses the operational requirements of the management unit and is consistent with the organizations policies and broader management objectives.**

The key elements of a management plan are as follows:

- a. management objectives with verifiable targets where these are possible;
- b. description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands;
- c. description of silvicultural, harvesting and/or other management system;
- d. rationale for rate of annual harvest and species selection;
- e. provisions for monitoring of forest growth and dynamics;
- f. environmental safeguards based on environmental assessments;
- g. plans for the identification and protection of rare, threatened and endangered species;
- h. maps describing the forest resource base including protected areas, planned management activities and land ownership;
- i. description and justification of harvesting techniques and equipment to be used.
- j. requirements of national legislation.
- k. integrated water resource management.

V Management planning system

V **Corporates:** Documented plans showing all required aspects

V **Owner Manager:** Depending on the scale and intensity of the operation elements of the management plan may be verbally expressed in interviews with the responsible people.

V **Group Schemes:** Some of the elements could be done at group level. The group management system must define the elements of the management plan that require documentation.

V For the management of Naturally Regenerating stands of Introduced trees there must be a management plan that is in accordance with the Department of Environmental Affairs Guidelines for Monitoring, Control and Eradication Plans (2015).

G Additional activities that require management planning are described under the relevant indicators.

**1.2.2 The management plan\* is reviewed annually and where necessary updated to incorporate;**

- 1) Monitoring results; including results of certification audits.
- 2) Inputs from stakeholder engagement.
- 3) New scientific or technical information
- 4) Changing environmental, social or economic circumstances.

V Current and previous versions of the management plan include monitoring the aspects covered in 2.2.4, 4.1.2, 4.1.4, 5.2.3, 5.3.4, 5.3.5, 5.3.6, 5.3.7, 6.4, 7.2.3, 7.2.5.

**1.2.3 A summary of the management plan\* in a format comprehensible to stakeholders, including maps and excluding confidential information\* is made available on request at no cost to the public.**

V Group Schemes: The public summary can be done at group level.

G The manager can indicate in a letter to stakeholders as part of the stakeholder communication process that a summary of the management plan has been prepared and will be available on request.

**1.2.4 Forest management shall be based on the results of scientific research and contribute to research activities and data collection needed for sustainable forest management or support relevant research activities carried out by other organisations, as appropriate.**

V Evidence of examples where research has been used.

G Industry based research and best practice

**1.2.5 There is a written, publicly available policy, endorsed by an individual with the authority to set such organisational policies, which includes a long-term commitment to forest management practices consistent with Eswatini FM Policies and Standards.**

V **Group Schemes:** Such a policy can form part of a group certificate's documentation.

**1.2.6 The responsibilities for sustainable forest management are clearly defined and assigned.**

V **Corporates:** Refer to organograms and job descriptions

V **Owner managers:** Interviews

**1.2.7 The organisation shall consider risks and opportunities concerning compliance with the requirements for sustainable forest management.**

V The organization should be able to demonstrate that it has systems to respond to the potential changes such as:

1. Changes to laws and policies.
  2. Socio-political trends in the country
  3. Changing workplace conditions.
  4. Climate change.
  5. Market trends.
- V **Corporates:** Documented business risk assessment, with policies and procedures to mitigate these. (Usually forms part of annual integrated reporting)
- V **Owner Managers:** Interview for awareness of risks and opportunities
- V **Group Schemes:** Requirements can be met at group level
- G \*The Eswatini Forest Management Standard includes a range of legal, governance, social, environmental and economic requirements, all of which must be met to demonstrate sustainable forest management.

### 1.3 Chain of Custody

#### 1.3.1 A system is implemented to track and trace all products that are marketed as PEFC certified.

- V Tracking and tracing system.

#### 1.3.2 Information about all products sold is compiled and documented, including:

- 1) Scientific species or hybrid/variety name;
  - 2) Product name or description;
  - 3) Volume (or quantity) of product;
  - 4) Information to trace the material to compartment of origin or in case of owner managers to the level of Forest Management Unit.
  - 5) Logging or delivery date or period.
  - 6) If basic processing activities take place in the forest, the date and volume produced
  - 7) Whether or not the material was sold as certified.
- V Documented records of products sold.
- G For EUDR compliance geolocation is required. Geolocation is defined as the geographical location of a plot of land described by means of latitude and longitude coordinates corresponding to at least one latitude and one longitude point and using at least six decimal digits; for plots of land of more than four hectares used for the production of forest and tree based products, this shall be provided using polygons with sufficient latitude and longitude points to describe the perimeter of each plot of land.

## **PRINCIPLE 2: STAKEHOLDER ENGAGEMENT AND PROTECTION OF CULTURAL HERITAGE**

### **2.1 Tenure, access and use rights**

#### **2.1.1 Legal tenure to manage and use resources within the scope of the certificate is demonstrated.**

- V Title deeds or lease agreements or concessions
- V Tribal Authority areas individual/family owned plantation forests planted on individual /family fields or household plots, informal rights to use this land can be presumed unless there is evidence of:
  1. Ownership disputes or overlapping claims to the land in question
  2. Expansion of plantation forests into communal grazing land or other land to which other people have informal rights without a rights holders resolution in terms of IPILRA.
  3. Illegal purchase of the land in question

#### **2.1.2 Access and use by legitimate rights holders including indigenous people\* are understood and respected.**

- V The following rights are documented and/or mapped with supporting evidence:
  - 1) Legal\* rights of tenure\* and access of those living within the management unit, and obligations associated with these rights.
  - 2) Servitudes and other legal\* access rights of non-residents
  - 3) Legal and Customary\* rights\* of tenure and access where the management unit is on Tribal Authority land;
  - 4) Land disputes lodged with the management unit and the status of these.
- G The following legislation is relevant:
 

Private Forests Act, Farm Dwellers Act, Deeds Act, Swazi Administration Act, Constitution Act of 2005, Elections and Boundaries Act, Public Streams Regulation

### **2.2 Measures to engage with stakeholders, settle grievances and resolve disputes.**

#### **2.2.1 There is evidence of ongoing stakeholder engagement on matters related to forest management. The methods and frequency of engagement is appropriate to the scale and nature of the operation.**

- V Current list of stakeholders
 

It should be determined:

  - if the forest managers and staff know their neighbours and other stakeholders.
  - if the stakeholders know the forest manager or representative of the organization.
  - in managers understand the influence each stakeholder or neighbour has on their plantation management and vice versa.
- V **Corporates:** Documented records of ongoing engagement.
- V **Owner Manager:** Documented evidence of local stakeholders being contacted at the start of the 5-year certification period. Thereafter it is unnecessary for all interactions to be recorded. Evidence of ongoing communication could be gathered by phoning stakeholders and interviewing the manager and worker.

V **Group Schemes:** The group scheme manager can be responsible for engagement with national or regional level stakeholders.

G The following are examples of stakeholders that should be included: local municipality, neighbours, contractors, user groups, neighbouring community representatives, labour unions, environmental interest groups, local clinics and local schools, clients and suppliers.

### 2.2.2 Grievances and disputes are resolved using locally accepted mechanisms and/or institutions.

V There is a mutually accepted process for the following situations:

- a) disputes over access and use rights,
- b) tenure or rights of occupation and
- c) requests for engaging in activities not permitted on the management unit. **Corporates:** Documented procedures for handling disputes and grievances.

**Owner Manager:** May describe the procedures verbally but in cases where there is a legal dispute then records must be kept.

For Owner Manager forestry within SNL areas see guidance note below.

G For disputes between members of a community on SNL, the local tribal authority is responsible for resolving grievances and disputes. It is not necessary to audit this institution unless there is reason to believe that there are disputes that substantially influence sustainable forest management.

### 2.2.3 There is a mutual understanding of the resource requirements and other needs within the community and these are met where possible.

V Interview with managers. Interviews with members of the community.

**Family Forestry operations** and on SNL this understanding is implicit in the way in which the community functions

G A key ingredient of a harmonious community is a mutual understanding and respect for the various resource needs that exist in the landscape. There may be a need for employment, water, grazing, wood on the part of the local people while the plantation forests need to prevent fire, forest related hazards and maintain infrastructure. A number of these interests may overlap, for example, protection of water resources and grazing. It is through a mutual understanding of these factors that the foundation for harmony can be built. The objective of the interview is to determine if there is an understanding of what resources the community needs and how forestry operations may affect these.

Recommendation: Organizations are encouraged to involve members of the community in joint projects.

### 2.2.4 Indicators of community disharmony are noted, analysed and solutions are sought.

- V Evidence that signs of disharmony related to forest management are detected and responded to
- V **Corporates:** Documented evidence
- V Owner Manager: Interviews

G The following are possible indicators of disharmony that could be considered:  
arson  
demonstrations or protests against the organization.

disputes and grievances that have being registered.  
 direct feedback during stakeholder engagement.  
 -change in attitudes

Where these indicators of community disharmony are frequent they should be monitored and trends and responses analysed.

## **2.3 The organization contributes to socio-economic development in the area where they operate.**

### **2.3.1 The organization's employment policies are responsive to the local socio-economic context.**

V **Corporates:** Policies of the organisation take account of the local socio-economic and context in which they operate.

Managers demonstrate awareness of the socio-economic context in South Africa.

G Aspects of the socio-economic context to consider include:

- Levels of local poverty
- Availability of willing labour
- Unemployment rates
- Levels of education
- Other pressing social needs

Aspects of the employment policies that are relevant in this case include:

- Use of manual labour
- Use of machines
- Use of contractors
- This must be evaluated in relation to programmes to alleviate the key economic risk factors.

### **2.3.2 Demonstrable efforts are made to employ local workers and source local service providers.**

V **Owner manager:** Can explain the rationale behind employment and sourcing approach.

V Recruitment policies of the organization. Reasons for sourcing from further afield.

G This is potentially a high risk factor that is generally well managed in the forestry industry because managers are aware of the benefits of employing local people and the risks of bringing in people from further afield when there is high local unemployment.

The definition of the term 'local' in this context depends on a number of factors which the manager should be aware of. The principle is that if there are capable people in close proximity to the management unit they should get first option for employment.

### **2.3.3 Opportunities for local social and economic development are identified through engagement with local communities and other relevant organizations and feasible opportunities implemented.**

V Evidence of engagement with the community and an understanding of the community's needs.

V **Corporates:** Documented evidence of engagement.

V **Owner Manager:** Interviews

V **Family Forestry:** Community engagement is implicit in the way in which the community generally functions.

- G Where cost, quality and capacity of non-local and local options are at least equivalent, local goods, services, processing and value-added facilities are used.
- Reasonable\* attempts are made to establish and encourage capacity where local goods, services, processing and value-added facilities are not available.
- 2.4 Cultural, ecological, recreational, historical, aesthetic and spiritual sites and services are maintained.**
- 2.4.1 Sites of cultural, ecological, recreational, historical, aesthetic and spiritual significance are identified and protected. Access is granted to interested and affected parties that have proven rights associated with the sites.**
- V Visits to sites to verify methods for protecting them from forestry impacts.
- V **Corporates:** Location of significant sites are indicated on a map and management prescriptions documented.
- G The following sites of special significance are commonly found within plantation forests: 1. Grave sites. 2. Sacred and historical sites, e.g. 3. Areas of significant scenic value 4. Rock Art 5. Buildings protected under ENTC. 6. Historical routes.

### **PRINCIPLE 3: PROTECTION OF WORKERS AND HUMAN RIGHTS**

#### **3.1 Compliance with National Labour legislation**

##### **3.1.1 Forest owners and managers take responsibility for ensuring compliance with labour legislation.**

- V For workers in formal employment: The organization monitors compliance with safety legislation for all operations including those undertaken by contractors.
- V Measures are implemented to address and rectify non-compliance
- V Compliance with the following key provisions of the legislation:
1. No children below the age of 15 are employed on the management unit
  2. Workers over the age of 15 and under the age of 18 years are employed only in positions that are not hazardous, inappropriate for their age nor detrimental to their schooling.
  3. Forestry worker who is under the age of 18 years (and over the age of 15 years) do not:
    - Work more than a 35-hour week
    - Work after 18:00 and before 06:00 the following day
    - Work with agro-chemicals
    - Perform hazardous work
- V Family Forestry\*: There may be children assisting parents in the school holidays or on weekends but this does not constitute formal employment.
- V Workers that are family members are not considered as being in formal employment.  
(In the case where a contractor is formally appointed, the regulation is applicable)
- V There is no evidence of any practices indicative of forced or compulsory labour, including, but not limited to, the following:
- Physical and sexual violence (ILO Convention 190)
  - Bonded labour

- Withholding of wages /including payment of employment fees and or payment of deposit to commence employment
- Restriction of mobility/movement
- Retention of passport and identity documents
- Threats of denunciation to the authorities.

G If children between the ages of 13 – 15 years of forest owners and managers are permitted to perform light work by their parents or guardians, such employment should not interfere with schooling nor, be harmful to their health or development. Notably, where children are subject to compulsory education laws, they shall work only outside of school hours during normal day-time working hours.

**3.1.2 The organization shall ensure compliance with the legislation that promotes equal opportunity in the workplace. Not applicable to Family Forestry**

V **Corporates:** Documented policies. Interviews with employees.

V **Owner Manager:** Interview with both manager and employees.

G The purpose of the indicator is to achieve equity in the workplace by;

- a. promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination; and
- b. implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups, to ensure their equitable representation in all occupational categories and levels in the workforce.

Occupational categories include race, gender, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language, and birth.

**3.1.3 Workers are able to negotiate their conditions of employment through collective bargaining with formal and informal worker's organizations. In the absence of such worker's organisations, workers are adequately informed of and consulted on matters that directly affect their working conditions**

V Interviews with workers Interviews with unions

V Collective bargaining agreements

**3.1.4 Wages comply with national legislation. Not applicable to Family Forestry**

V Pay slips.

V Employment records

**3.1.5 A dispute\* resolution process that is acceptable to all parties, is in place. Not applicable to Family Forestry**

V There is a common understanding between managers and workers regarding what to do in case of a grievance or dispute.

V Interview workers to ensure that they are aware of what to do in the event of a grievance or dispute.



V Documented dispute resolution process.

V **Group schemes:** The documented process can form part of the group scheme's documentation.

**3.1.6 Workers\* grievances are responded to and are either resolved or are in the dispute\* resolution process.**

(Not applicable to Family Forestry)

V Records of worker's\* grievances related to worker's loss or damage of property, occupational diseases\* or injuries, including:

- 1) Steps taken to resolve grievances;
- 2) Outcomes of all dispute\* resolution processes including fair compensation\*; and
- 3) Unresolved disputes\*, the reasons they are not resolved, and how they will be resolved.

**3.1.7 Fair compensation\* is provided to Workers\* for work-related loss or damage of property and occupational disease\* or injuries in compliance with national legislation**  
**Not applicable to Family Forestry**

V

G

**3.2 Forest owners and managers take responsibility for ensuring compliance of all employees with legislated health and safety requirements and best practice**

**3.2.1 Hazards to the health and safety of workers from forestry activities have been identified.**

V Documented hazard identification and risk assessment.

V **Group Schemes:** Risk assessment can be done as part of the group management system.

V **Family Forestry:** Managers are aware of health and safety hazards and take action to protect themselves.

**3.2.2 There are procedures for working safely.**

V Documented safe operating procedures are available for all hazardous operations.

V **Group Certification Schemes:** Such procedures can form part of the schemes documentation.

V **Family Forestry:** Growers are able to describe safety precautions taken for hazardous activities.

G Such procedures should include inter alia tool use, Personal Protective Equipment, communication and warning systems. Organizations must identify through their risk assessments which operations are hazardous.

**3.2.3 Workers are aware of hazards in the workplace and are trained on safe work procedures in compliance with the national legislation.**

(Not applicable to Family Forestry)

V Displayed copy of company Health and Safety Policy

At least one person per 50 employees must have a valid first aid certificate.

Legally required training.

A health and safety representative must be appointed where there are more than twenty employees and thereafter one representative must be appointed for every 50 employees. Appointments must be kept on file.

Where there are two or more representatives a committee must be established.

Health and safety representatives are required to conduct inspections of their workplaces prior to every Health & Safety meeting, using a checklist.

Employees must be trained on safety procedures, along with contractors.

Safety talks should be conducted when necessary, records to be kept on file.

Workers have personal protective equipment appropriate to their assigned tasks.

### **3.2.4 Safe work procedures are carried out in the work place.**

V Observations of workers.

V Documented safe work procedures and systems which include at least:

- adequate supervision to ensure that work is conducted safely.
- a trained first aider on site at all hazardous operations. (e.g. harvesting, spraying)
- first aid kits and firefighting equipment must be available and accessible. These must be available on site, during the implementation of any hazardous operation.
- a system to restock first aid boxes
- protective clothing is worn and in a condition so as to protect the labourer against injuries as intended.
- safety requirements for each hazardous task.
- observations of the work place to determine the implementation to procedures.

V **Group Schemes:** All such procedures can form part group management system.

### **3.2.5 Workers have personal protective equipment appropriate to their assigned tasks.**

V Where the risk assessment required in 3.2.1 has identified the need, PPE is used by workers on the relevant tasks.

V Evidence that PPE has been issued to workers.

V Evidence of PPE being correctly used.

### **3.2.6 Past incidents are recorded, trends examined and operational practices adjusted to avoid recurrence.**

(Not applicable to Family Forestry)

V Documented evidence of accident/injury investigations.

V Reportable injury related incidents\* are recorded and investigated

V Records are maintained of reportable injuries\* so as to relate this to the effectiveness of personal protective clothing and training.

V **Corporates:** Recorded safety statistics and there is evidence for changes in practice in response to statistics.

V **Owner managers:** Describe the measures taken to improve safety performance.

G \*Reportable injuries refers to lost time injuries

### **3.2.7 The quality and condition of worker accommodation and associated services complies with the minimum requirements specified in Appendix 2**

- V Inspection of worker's accommodation
- V Examination of housing improvement plans if required.
- G See Appendix C for list of requirements.

### **3.3 Contribution to skills development in the work force**

#### **3.3.1 All workers have had relevant job specific training and where required or appropriate hold the necessary skills certificates.**

(Not applicable to Family Forestry)

- V Training records match training requirements.
- V As a minimum all legally required machine or vehicle licenses, first aiders and chainsaw operators must have skills certificates.
- V Evidence of payment into Skills Development Fund.
- G Organizations are required by law to pay into the skills development fund, this is unavoidable for registered tax payers as it forms part of the tax return.  
Legislation: Skills Development Levies Act, 1999 (Act No. 9 of 1999)

#### **3.3.2 Workers are supervised to ensure they implement their tasks safely and effectively.**

- V Observe work areas and interview supervisors and workers.

## **PRINCIPLE 4: PROTECTION OF SOIL, CARBON AND WATER**

### **4.1 Maintenance of the productivity and carbon storage potential of soils and minimisation of impacts on water resources.**

#### **4.1.1 Soil erosion is minimised through the use of forest management systems which are appropriate to the slope, soil sensitivity and weather.**

- V Determine systems in use in forestry operations
- V Field inspections of forestry operations.
- V **Corporates:** Documented operational guidelines.
- V **Group Schemes:** Operations guidelines can form part of the group management scheme.
- G The organization can refer to Best Operating Practice (BOPs) or industry guidelines. E.g. Forestry Engineering South Africa (FESA) Harvesting Code of Practice.  
For mechanical harvesting the organizations must have operational guidelines.  
Land degradation neutrality document.

#### **4.1.2 Soil is protected through implementing responsible residue management practices.**

- V Inspection of post-harvest sites to verify compliance.

- V **Corporates:** Documented policies and procedures and systems to categorize site sensitivity.
- V **Group Schemes:** Should include policies and procedures in group management system.
- G Plantation residues should be retained on site wherever possible. The choice of residue management practice should be guided by slope, soil sensitivity and fire risk. If residues are burnt, then it must be a cool burn. Burned areas are monitored and measures taken to prevent soil erosion or rehabilitate eroding areas. See 4.1.4.

#### **4.1.3 Development, maintenance and use of infrastructure, as well as transport activities, are managed to protect environmental values\* and withstand the impacts of flooding.**

- V Inspection of road network, including road works and newly constructed roads.
- V Guidelines for the construction and maintenance of infrastructure which include:
  - Minimising the road density, without compromising harvest and transport systems.
  - Low impact construction and maintenance techniques including the use of equipment and methods that minimise environmental impacts and the risk of sedimentation.
  - The construction and upgrade of crossings to ensure stream flow and the passage of aquatic organisms as well as preventing prevent bank scouring and impoundments.
  - The setback distances specified for wetlands, water bodies and watercourses in 4.2.1 apply to roads and other infrastructural developments.
- G For legal requirements refer to Guidance in 4.2.3.

#### **4.1.4 Eroded areas are rehabilitated and interventions monitored and adapted to ensure effectiveness.**

- V Field inspections. Evidence of monitoring to see if measures taken are effective. Monitoring techniques could include dated photographs.
- V Owner Manager: No documented monitoring required if it is clear that erosion is under control and manager carries out regular farm inspections.

### **4.2 Prevention of negative impacts to water resources**

#### **4.2.1 Wetlands and riparian areas are managed in accordance with legislation**

- V Field inspections of wetlands \* and riparian areas\*.
- V **Corporates:** Maps showing wetlands. Documents or maps showing the wetlands and riparian areas and how wetland systems are prioritised\* for clearing and management.
- V **Owner Managers** can describe the reasons for prioritisation. Prioritisation at this scale would for be focused on local criteria and conditions.
- V **Group Schemes:** Rationale for prioritization can be outlined in the group management system.
- G Wetlands Policy 2020, Public Streams Regulations 1951, EAR 2022



#### **4.2.2 Wetlands\*, riparian habitats\* and their buffers are managed for maintenance or enhancement of ecosystem health and connectivity.**

- V Field inspections of wetlands\* and riparian habitats\*. Evidence of restoration activities and effectiveness thereof.
- V **Corporates:** Examination of management plans and progress against plans.
- G Restoration efforts include blocking of artificial or unwanted drains in wetlands, stabilizing head-cut and river bank erosion and the restoration of wetland, riparian zone and buffer vegetation. The impact of dams and river crossings on connectivity must be considered.

#### **4.2.3 Safeguards to protect wetlands and riparian habitats\* from the impacts of forestry activities are implemented.**

- V Forestry activities that impact on freshwater ecosystems have been included under the relevant criteria in this standard: These are, use of fertilizers (6.2.8), use of chemicals (6.2.3), uncontrolled fires (6.3), soil erosion and sedimentation related to the road network (4.1.3), hydrocarbon spillage (6.2.3), harvesting and extraction (4.1.1), management of plantation residues (4.1.2), waste disposal (6.2.2), soil erosion and sedimentation as a result of cultivation and the use of machinery. (4.1.1).
- G Water Act 2003, EMA 2002, Water Pollution Control regulations 2010, Litter Regulation 2011

### **4.3 Maintenance of carbon sequestration and storage potential**

#### **4.3.1 Annual harvest does not exceed the annual increment, or where this is exceeded it is justified and a plan of how any over-cutting is to be compensated for in future, is prepared. \***

**\* This requirement does not apply to mixed farming operations, AIP management operations and operations smaller than 500ha, where such operations can demonstrate that forestry may only form part of their productive activities or sustainability of supply can be demonstrated at landscape level.**

- V **Corporates:** Documented annual and long-term felling plan.
- V **Owner Manager:** Interviews

#### **4.3.2 The growing stock (standing volume) of the management unit is maintained or increased over consecutive rotations, or where this is not achieved justification can be provided.**

- V **Corporates:** Comparing records of past tonnages.
- V **Owner Manager:** Interviews
- G More flexibility should be applied to owner managers because detailed records may not always be kept for each compartment. These organizations can report on productivity of the whole farm. For AIP management operations sustainability of supply must be demonstrated at the landscape level. This can be done by demonstrating that there is sufficient potential resource to sustain the dependent value chains for a period of a minimum of 20 years.

### 4.3.3 Steps are taken to improve soil carbon stocks

V Met through compliance with 4.1.1, 4.1.2, 4.2.2, 4.2.3

## **PRINCIPLE 5: CONSERVATION OF BIODIVERSITY AND ECOLOGICAL INTEGRITY**

### **5.1 Prevention of adverse off-site impacts arising from forestry operations**

#### **5.1.1 Operations are planned and managed to prevent adverse off-site environmental and social impacts, including impacts to neighbouring communities and other stakeholders.**

- V The organization has assessed the risks of its management activities on the environment, communities and stakeholders.
- V The organization's planning and management includes measures to prevent adverse off- site environmental impacts.
- V **Group Schemes:** These risks can be assessed at group level and incorporated into the group management system.
- G For forestry projects a project brief is submitted to the Environment Authority and which includes an initial environmental evaluation in compliance to the Eswatini Environmental Management Act 2002. In circumstances when a full environmental impact assessment and a comprehensive mitigation plan are required, these are approved by the Environment Authority in accordance with the Environment Assessment Regulations, 2022.

Biosafety Act 2012, Flora Protection Act 2001, Game (Amendment) Act 1991, Grass Fires Act, Wild birds Act\*, Wetlands Policy 2020, Air Pollution Control Regulations 2010, Water Act 2003, Water Pollution Control Regulations 2010, Fisheries and Aquaculture Act 2022\*, National Strategy on the control and management of Alien and Invasive Species 2020, Public streams regulations 1951, WHO Rural Health Guidelines

### **5.2 Prevention or mitigation of forestry impacts**

#### **5.2.1 The organization has determined if the species they intend to grow or are growing are known to be invasive, and if so have appraised the landscape for signs that these may be a source of invasion.**

- V A visual assessment by the manager has been undertaken to determine if the plantation forests are a source of invasion in the landscape.
- V **Corporates:** The results of the assessment are documented.
- V **Owner managers:** Interview and field verification.
- G The Eswatini forestry industry uses a number of species that are known to be invasive, however plantation establishment and control of their spread is regulated through the Environment Assessment Regulations, Environment Management Act 2002:. Landowners are by law required to control the spread of alien plants on their properties.

The appraisal of the landscape could include the following:

There is evidence that on neighboring lands there are trees that clearly originated from the management unit. It might be clearer in water courses, disturbed land or on lands down-wind from the management unit. In some landscapes it may be impossible to determine if the management unit is the source of the invasion. For example, in heavily afforested or historically invaded landscapes it may be difficult to apportion responsibility on a particular landowner. In such cases the auditor must evaluate the situation on a case by case basis.

The appraisal of the landscape could include the following:

- There is evidence that on neighbouring lands there are trees that clearly originated from the management unit. It might be clearer in water courses, disturbed land or on lands down-wind from the management unit. In some landscapes it may be impossible to determine if the management unit is the source of the invasion. For example, in heavily afforested or historically invaded landscapes it may be difficult to apportion responsibility on a particular landowner. In such cases the auditor must evaluate the situation on a case by case basis.

The following points must be considered:

- In some areas trees were introduced over a hundred years ago and it is impossible to apportion responsibility to current land owners. For example, *Acacia mearnsii* has been used in Southern Africa since the 1850s and the seed can remain viable for up to 50 years (Cronk, 1995)
- Some species, particularly *A. mearnsii*, are being used by communities in the landscape for sustaining livelihoods. In many cases the value of the timber and bark may keep the tree from spreading.

## **5.2.2 Where 5.2.1 is relevant then the organization is taking steps towards reducing the invasiveness of their plantation forests.**

V **Corporates:** Documented evidence of steps taken and infield evidence.

V **Owner Manager:** Interviews and field evidence

G Progression towards reducing invasiveness could involve various measures depending on the organizations circumstances. For Corporates this could involve; changing species, biological control, investing in the development of sterile clones, silvicultural practices, e.g. harvesting before flowering, alien, invasive plant control plans or creating buffers of natural vegetation around water courses and wetlands as required under 5.2.1.

For Owner-managers who usually don't have the resources to invest in research, the focus could be on alien and invasive species control, silvicultural practices and creating buffers of natural vegetation around water courses and wetlands as required under 5.2.1.

It must be noted that the benefits of research done into biological control, development of sterile clones and new silvicultural approach eventually gets passed on to the smaller scale operations through information sharing and sharing of genetic material.

## **5.2.3 Where the management unit is a source of invasion then the organization is part of a cooperative and strategic approach with other land users and organizations to eradicate invasive plantation species from the landscape beyond the management unit.**

V **Corporates:** documented evidence of a strategic cooperative approach.

V **Owner manager:** interviews



V For AIP management operations there is an effort to extend the benefits of the operations to neighbouring properties.

G This strategy should include *inter alia*:

- A dedicated budget for alien plant eradication.
- Investment in biological control
- Strategic use of resources
- Use of spatial prioritization
- Community involvement
- Opportunities for beneficiation
- Monitoring the effectiveness of the programme

#### **5.2.4 Genetically modified organisms (GMOs)\* are not used commercially.**

V GMOs are not used commercially.

#### **5.2.5 Where fertilizers are used, they shall be applied according to accepted industry protocols with due consideration for the environment.**

V **Corporates:** Records of application that conform to procedures.

V **Owner managers:** Have credible guidelines for fertiliser use.

V **Group Schemes:** Such guidelines form part of the group management system.

#### **5.2.6 Damage to conservation zones should be avoided during harvesting. When damage occurs it must be repaired.**

V Field inspections of current and previous years harvesting sites.

V **Corporates:** Examine harvesting plans for identification of conservation zones and measures taken to prevent damage.

V **Owner manager:** Interview – description of steps taken to avoid damage to conservation zones.

### **5.3 Protection of natural habitats and biodiversity**

#### **5.3.1 Best Available Information\* is used to identify native ecosystems\*.**

V **Corporates:** The vegetation of native ecosystems occurring on the management unit are mapped according to the national vegetation types

V **Group Schemes:** The group management system provides guidelines regarding broad vegetation types\*\*.

G ENTC Guidelines – ENTC Act

#### **5.3.2 At least 10% of the certified area is comprised of representative sample areas\* of native ecosystems\* which are prioritized according to conservation value and protected.**

V The representative ecosystems are mapped and designated as conservation zones.

V **Corporates:** Use of systematic conservation planning and condition of the vegetation are key information sources for prioritizing the conservation value of the conservation zones.

V **Group Schemes:** This requirement can be met at group scheme level.

G ENTC

**5.3.3 The presence or likely presence of listed threatened or protected, species and their habitats occurring within and adjacent to the management unit is assessed using the best available information\*.**

- V **Corporates:** The vegetation unit\*, its conservation status and listed threatened or protected species\* likely to occur, are known and recorded. If priority species\* have been found, their presence is recorded.
- V **Owner Manager:** Interviews to explain how best available information\* is used to identify presence or likely presence of priority species.
- V **Group Schemes:** The group management system can include guidance on identifying presence or likely presence of priority species.

G

**5.3.4 Priority species\* are being managed and monitored according to best available information\*.**

- V Examine sources of best available information.
- V Evidence that the best available information is being used for management of priority species and their habitats.
- V **Corporates:** Documented evidence of collaboration with species protection programmes with respect to monitoring and management of priority species\*.
- V **Group Schemes:** This requirement can be met at group level and as such be part of the group management system.

G Priority species are defined as: A select group of species that are especially important for their ecosystem and for people. They are usually nationally, or globally threatened, possibly endemic and require conservation effort.  
Flora Protection Act 2001, Red data List Swaziland, Birds Atlas Swaziland, Threatened Vertebrates of Swaziland, ENTC Biodiversity page, Game (Amendment) Act 1991, Wild mushroom Control Order 1973, Private Forests Act 1951

**5.3.5 A fire management plan for natural ecosystems guided by the best available information is implemented.**

- V There is a fire management plan, specific with respect to the burning of wetlands\*\*, grasslands, fynbos and the protection of natural forests.
  - V **Corporates:** Documented fire management plan for conservation zones with accompanying maps. Field verification of implementation.
  - V Biodiversity monitoring takes place in Conservation zones designated as high priority in 5.3.2. E.g. Grassland forb diversity monitoring.
  - V **Owner Manager:** Rationale for burning regimes can verbally have explained and demonstrated infield.
- G Expert advice in cases where infield management indicates that it is necessary or where the manager clearly does not have the knowledge or information required.

**\*\*Fires on plantation estates have had a significant negative impact on certain sensitive ecosystems. For example, swamp forest and peat lands in parts of the country. It is critical that these impacts are identified and specifically addressed where they occur.**

### 5.3.6 A programme to control and manage invasive species is implemented

- V **Corporates:** Documented Alien and Invasive Species control plan containing the elements described in the guidance.
- V Field inspections to evaluate the effectiveness of the control plans.
- V **Owner Manager:** A field inspection by the manager to assess severity of any infestation.
- V Where less than 50% of open areas are in maintenance phase\* a documented plan must be in place and followed for 5 years.

- G Control and eradication of listed invasive species is required: National Strategy on the control and management of Invasive and alien species.

The documented plan should contain the following at individual farm level:

1. An assessment of levels of infestation.
2. Targets with time frames. The ultimate aim should be to get all conservation zones to a maintenance level of infestation. \*Maintenance phase is a level of infestation which will require 1 person per day per hectare to clear all alien invasive species.
3. A rationale for prioritization which includes ecological considerations
4. The progress of the weed control programme is monitored and can be demonstrated.

Owner Manager must be able to demonstrate the following;

1. Follow-up operations are prioritized.
2. Progress is being made over time.

### 5.3.7 Grazing by livestock and wildlife populations shall be managed to prevent degradation of the natural habitat

- V Inspection of grazing areas for signs of overgrazing, such as low basal cover, soil erosion and proliferation of indicator (increaser) species such as *Aristida junciformis*.
- V Inspection of wetlands and watercourses for signs of excessive trampling by livestock which could cause erosion.
- V Where grazing is under the control of the manager:
  - The manager has a documented grazing plan that ensures carrying capacity is not exceeded and wetlands and watercourses are protected.
  - Monitoring of grazing areas for indicators of overgrazing is undertaken where carrying capacity is exceeded.
- V **Corporates:** There is a documented grazing plan. Results of monitoring are documented. Biodiversity monitoring takes place in Conservation zones designated as high priority in 5.3.2. E.g. Grassland forbe diversity monitoring.
- V **Owner Manager:** The manager can describe the grazing system and monitoring that takes place to ensure overgrazing does not occur.  
In cases where neighbouring communities' animals are straying onto the management unit or the cattle belong to workers:

- V Evidence that the manager is engaging with livestock owners to find solutions if there are signs of overgrazing including:
- interviews with livestock owners
  - examine managers monitoring systems
  - examine systems of controlling grazing
  - forestry operations on communal land would not include grazing as part of the management unit.

- G This applies to management units with natural habitats that are subject to high grazing pressure.

FSA Environmental Guidelines (10.4.4) contain the key points on grazing and burning.

In cases where neighbouring communities' animals are straying onto the management unit or the cattle belong to workers, the issue must be dealt with sensitively. Apart from having financial value, cattle play an important cultural role in African tradition. Efforts to reduce grazing pressure within the management unit can result in disputes and reactions such as arson are common. In such cases, there must be evidence of efforts to resolve these.

The following issues should be considered:

1. Carrying capacities of grazed areas in relation to number of cattle.
2. Organization's relationship with livestock owners.
3. System of control (permits, tags, herds under control of a herdsman, evidence of security guards etc.)
4. Monitoring of impacts of livestock on streams or wetlands or other ecologically sensitive areas.
5. The manager is talking to the livestock owners about it.

Additional resources: Grazing and Burning Guidelines. (SANBI, 2014)

### **5.3.8 Measures are taken to manage and control hunting, fishing, trapping and collecting.**

- V Hunting, fishing, trapping or collecting that takes place on the management unit is compliant with the national legislation.

- G In Eswatini all such activities are regulated through the conservation agencies. Certain species are protected and permits are required to hunt them.

The legislation covering this is the Game Act, Fisheries and Aquaculture

### **5.3.9 Plantation forests established on land converted from natural forests after 1972 will not be eligible for certification. Conversion of plantation forests to other types of land use, shall not occur unless in justified circumstances where the conversion:**

- a) is in compliance with national and regional policy and legislation relevant for land use and forest management.
- b) does not have negative impacts on threatened (including vulnerable, rare or endangered) ecosystems, culturally and socially significant areas, important habitats of threatened species or other protected areas; and
- c) makes a contribution to long-term conservation, economic, and social benefits.
- d) where the conversion does not constitute deforestation. **Note: The conversion of plantation forests or naturally regenerated plantation forests of introduced species in Eswatini does not constitute deforestation.**

## **PRINCIPLE 6: FOREST HEALTH AND PROTECTION**

### **6.1 Protection from illegal activities**

#### **6.1.1 Measures are implemented to provide protection from timber theft, illegal hunting, fishing, trapping, collecting, settlement and other unauthorized activities.**

- V The FMU is inspected regularly for illegal activities.
- V Access control is in place where needed.
- V Where the management unit is on leased land there is agreement between parties on how to control unauthorized or illegal activities.

### **6.2 Responsible use of chemicals and biocontrol agents**

#### **6.2.1 Storage of hazardous materials and chemicals (including all fuels, pesticides, herbicides and fertilisers) is in accordance with legislation and best practice.**

- V Inspect chemical stores or field sites for:
  - Emergency procedure
  - PPE requirements
  - Soap and water and/or eyewash
  - Measures for prevention, containment or mitigation of spillages
  - Evidence of training of workers.
  - The Material Safety Data Sheet for all chemicals.
  - Refer to MSDS for specific requirements for each chemical pesticide.
- V Fuel stores are managed according to legal requirements
- G Legal requirements for fuel storage facilities include the following:
  - Tanks shall not be installed close to excavations, lakes, streams, canals, dams or the seaside. Tanks located on sites in urban areas require bunding.
  - Tanks installed in rural areas, if deemed to be a sensitive area, will also require bunding.
  - If installation close to a watercourse is unavoidable, adequate bunding and sealing of the surface within the bund shall be provided.
  - Tanks should be located at least 3 m from buildings, boundaries, drains and any combustible materials.
  - Tanks should be installed on a level site, away from overhead cables. Tanks shall be located in secure areas.

#### **6.2.2 Waste disposal sites on the management unit comply with national legislation and local by-laws and are managed according to industry best practice guidelines.**

- V Hazardous waste is only disposed of at sites registered for the disposal of hazardous waste.
- V Inspection of waste disposal facilities.
- V Used chemical containers are safely disposed of.
- G Eswatini Environment Management Act 2000, Waste Regulations

### 6.2.3 Measures shall be taken to prevent chemical and hydrocarbon pollution and to remediate areas in the event of a spill.

- V Documented procedures are in place to avoid fuel and oil pollution and remediate significant\*\* spillages.
- V Inspections of fuel stores and workshops.
- V Evidence of remediation practices for pollution incidents.
- V Inspection of sites where vehicles, fuels and oils are being used.
- V **Group Schemes:** Procedures form part of the group management system.

G Procedures should include special consideration for high risk activities such as: Mobile tankers transporting hydrocarbons infield and increased risks where operations are highly mechanized.

\*\*An oil spillage is considered significant if:

- It occurs in the vicinity of a water body.
- It has a volume in excess of 20 litres.
- It occurs in the vicinity of a habitat for known rare or threatened species.

### 6.2.4 Integrated pest management, including silvicultural systems, lead to more efficient use of chemicals.

- V Documented integrated pest management (IPM) programmes and evidence of implementation.
- V **Group Schemes:** May have a group IPM strategy in the group management system.

### 6.2.5 The following groups of pesticides are prohibited\*:

- a) WHO Type 1A and 1B pesticides and other highly toxic pesticides,
- b) Chlorinated hydrocarbons whose derivatives remain biologically active and accumulate in the food chain beyond their intended use.
- c) Pesticides banned by international agreement

**Note:** "pesticides banned by international agreements" are defined in the Stockholm Convention on Persistent Organic Pollutants 2001, as amended.

- V Chemical stores
- V Records of type of chemicals used.

### 6.2.6 The use of pesticides shall follow the instructions given by the pesticide producer and be implemented with proper equipment and training.

- V Inspect field sites where chemicals are being applied.
- G Biosafety Act No 7 of 2012

### 6.2.7 The use of biological control agents is in accordance with legislation and with internationally accepted scientific protocols\*

- V The release of biological control agents is managed by authorized organizations.
- G Biosafety Act No 7 of 2012

### 6.3 Protection of forests from negative impacts of fire

#### 6.3.1 Records of past uncontrolled fires are kept and trends examined.

- V **Corporates:** Documented record of past fires which includes; number of fires, extent of damage, examination of causes and analysis of trends.
- V **Owner Manager:** Interview to demonstrate an understanding of the causes Evidence of how the management has been modified as a result of analysis of past fires.

#### 6.3.2 There is a fire management plan, in accordance with the scale and nature of the operations, that is implemented.

- V **Corporates:** Documented fire risk plan.
  - V **Owner managers:** Interview manager
  - V **Group Schemes:** Frame work for fire risk plan can be part of the scheme's documentation.
- G A fire management plan should include:
1. FIRE PROTECTION PLANNING
    - Schedules of activities necessary for fire preparedness, a pre-season check list.
  2. FIREBELTS AND CONTROLLED BURNING
    - Details of internal and external breaks, clearly shown on maps. Legal requirements and Insurance warranties.
  3. FIRE MANAGEMENT
    - Standby duty arrangements.
    - Special precautions for orange/red FDI.
    - Action plans and call-out procedures and aircraft operations - KNFPA operations plan (if a member).
    - Resource lists, including neighbour contact numbers and equipment.
  4. FIRE REPORTS
    - Statistical reports of fire incidence and post mortems (This is done through FPA)
  5. STANDARDS
    - Radios, Lookouts, Water supplies, Fire equipment, Fire tenders, Training and Fire belts.
  6. ASPECTS WHICH CONTRIBUTE TO DECREASED FIRE RISK
    - Forestry management contributes to conditions which reduces the risk of uncontrolled fires and limits the extent of their damage. The following are examples of aspects influence fire risk: Community relations, road maintenance, management of conservation zones, alien plant control, residue management and road density.

### 6.3.3 Those responsible for implementing the fire management strategy are capable.

- V **Corporates:** Examine records of formal fire protection training or demonstrate a high level of experience
- V **Owner Manager:** Formal training for manager or must be able to demonstrate high levels of experience. In-house training for general staff.
- V Interviews with staff
- G There should be an experienced and competent manager and well trained staff.

### 6.3.4 Measures shall be taken to limit environmental damage after the occurrence of uncontrolled fires.

- V Evidence that there are actions taken to rehabilitate areas that have been damaged after uncontrolled fires.
- V **Corporates:** Documented procedures that cover rehabilitation after damage from uncontrolled fires. Evidence of implementation and monitoring.
- G Damage from wildfires present a high risk to all the conservation values associated with the management unit. Rehabilitation plans should cover the major risks for the management unit. A focus for rehabilitation would be on arresting soil erosion and the resulting sedimentation of freshwater ecosystems. Burning regimes for grasslands and fynbos could be interrupted and would need to be adjusted. Hot uncontrolled or unseasonal fires could result in damage to indigenous forest patches and other sensitive ecosystems.

## 6.4 Monitoring, identification and control of pests and diseases and damage-causing animals

### 6.4.1 Managers inspect plantation forests for evidence of ill-health and damage and take appropriate action. The frequency of inspections shall be determined by the specific pests and environmental factors.

- V **Corporates:** Documented procedure for detecting, reporting and managing pests and diseases. Maps or records of occurrence of pests and diseases.
- V **Owner management:** Interviews
- G This should form part of the Integrated Pest Management Strategy covered in 6.2.4.

### 6.4.2 New outbreaks and spread of specified pests and disease are reported to the relevant authority or organization.

- V Significant pest incidents are monitored with a frequency that is linked to the specific pest and environmental factors and reported to the Tree Protection Co-operative Programme (TPCP.)
- V **Group Scheme:** This reporting can be done by the group scheme manager.



**6.4.3 Where damage-causing animals (e.g. baboons, bush pigs, antelope & rodents) pose a significant threat to the productivity of the plantation, they are controlled according to recommended protocols and in line with legislation.**

- V Assessment of damage has taken place and shown that productivity is significantly affected.
- V **Corporates:** Clear policy and procedure and evidence of implementation. Records to show losses suffered are sufficient justification for chosen control measures.
- V **Owner Manager:** Interviews with managers to determine if there is a systematic approach to controlling damage-causing animals.
  
- G Non-chemical controls are used where available. Non-lethal control options have been attempted first. Where not effective, other means approved by conservation authorities are implemented.  
SA Environmental Guidelines for Commercial Forestry Plantation forests in South Africa Chapter 5.1 Damage-causing Animals

**PRINCIPLE 7: ECONOMIC SUSTAINABILITY**

**7.1 Sustainable use of non-timber forest products**

**7.1.1 For commercial use of non-timber forest products from natural areas under the organisation's\* control, a sustainable harvest level is calculated and adhered to. Sustainable harvest levels are based on Best Available Information\*.**

- V Calculations of sustainable harvest levels of non-timber forest products. Evidence that these are being adhered to.
- V Sources of best available information. Compliance with legal requirements.
  
- G This indicator refers to Non Timber Forest Products (NTFPs) that are harvested from natural ecosystems, for example medicinal plants, reeds and flowers. Harvesting of species from natural ecosystems will require permission from the provincial conservation agencies. These permits will come with requirements for sustainable management of the species.

**7.1.2 Management shall aim to maintain or increase the range of resources and ecosystem services on the management unit and the benefits to local communities.**

- V The manager is able to describe:
  1. The range of plantation products and how this could benefit local communities.
  2. The range of ecosystem services and how these could benefit local communities.
- V **Corporates:** Documented evidence of the above.
- V **Owner Manager:** Interviews involving inter alia the following: Does the management unit have?
  - opportunities for recreation
  - important catchments for water supply
  - wetlands for water quality maintenance and flood attenuation
  - natural ecosystems for biodiversity conservation and the other associated services?
  - any other resources or ecosystem services of relevance to the management unit in question and/or the neighbouring communities

**7.1.3 The organization diversifies the range of products and services produced on the management unit where this is beneficial to the sustainability of the operation and the community. [See 2.2.3]**

- V The range of products and services that are available are being used where there are opportunities.
- V Evidence of how opportunities are made known to the community. This could include passing information via word of mouth, notices to neighbours, agendas of liaison meetings with stakeholders, publicity campaigns.
- G The diversification of the operations may not always yield financial returns that seem to justify the effort, however consideration should be given to role that opening access to the diversity of forest products will bring to promoting community harmony. This could play a vital role promoting cooperation and reducing risks such as arson.

**7.2 Forestry operations are economically sustainable**

**7.2.1 Harvested timber areas are re-established within a year of felling unless the area is being rehabilitated to natural vegetation for ecological reasons.**

- V Field observations
- V Harvesting and planting records
- G The goal should be to re-establish as soon as possible. Delays in reestablishment must be justified. In the case of losses due to natural disasters, replanting is undertaken as soon as possible.

**7.2.2 There is a clear justification for the choice of species and genotypes chosen for the plantation, which takes into account the objectives of the plantation, and the climate, geology and soils at the planting sites.**

- V Evidence that the key factors governing species choice have been considered. If there is reason to believe the incorrect species have been chosen, then further requirements for evidence such as soil maps, climate data and market information should be requested.
- G Species choice is governed by site, fire risk, market and risk of disease Consideration for climate change and its impacts on site, such as increasing risk of drought and disease.

**7.2.3 Aspects important to plantation productivity are monitored.**

- V **Corporates:** Documented monitoring results.
- V **Owner Manager:** Interview on how aspects listed in the guidance below are monitored. If infield compliance indicators are poor, then documented evidence can be requested.
- G Monitoring should include the following where relevant to operations:
  1. Actual yields against predicted yield.
  2. Silvicultural specifications important to optimize stocking. [silvicultural quality, weeding, growth, plant quality and seed source, chemical use]
  3. External aspects critical to production. [disease, fire, weather, theft, damage from animals]
  4. Harvesting practices

**7.2.4 Where there is evidence of a loss of productivity over successive rotations that can be attributed to reduction in site quality, action is taken to restore site quality.**

- V Growth data that indicates loss of production Evaluation of actions taken.
- G Actions could include aspects such as limiting loss of soil organic matter/soil erosion and eliminating high intensity fires when burning residues.

**7.2.5 The drivers of the costs of production must be understood and relevant aspects monitored including; labour efficiency, productivity of machinery.**

- V Corporates: Examine management plan budgets
- V Owner Manager: Interview managers
- G It is only necessary explore these aspects in depth if there is reason to believe that the manager is not controlling costs and this is a risk to profitability.

Appendix 1: Applicable laws, regulations, nationally ratified international treaties, conventions and agreements [Check for subsequent amendments to legislation]

<b>1. Legal* rights to harvest</b>	
<b>1.1 Land tenure* and management rights</b>	<p><b>Applicable laws and regulations</b></p> <p><u>The Constitution of the Kingdom of Eswatini, 2005</u> <u>The Land Control Act, 1972,</u></p> <p><u>Agricultural Land Act 70 of 1970</u></p> <p><u>The Acquisition of Property Act, 10 of 1961</u></p> <p><u>Deeds Registry Act, 32 of 1995</u></p> <p><u>The Forest Preservation Act, The Private Forests Act 1951</u></p> <p><u>The Control of Tree Planting Act, 7 of 1972,</u></p> <p><u>The Companies Act, 2009, sections 43, 48, 52 and 53. The Swazi Administration Order 6/1998</u></p> <p><u>The National Forest Policy, 2002</u> <u>Farm Dwellers Control Act, 1982</u></p> <p><b>Legally required documents or records</b> <b>Title Deed Land (TDL):</b></p> <p><u>Title Deeds, Lease Agreement</u></p> <p><u>Land Control Act (ss 8, 10 and 12) requires the transfer/ownership of land to foreigners or private companies with foreign shareholding to be approved in writing by the Land Control Board.</u></p> <p><u>Agreement between farm dwellers and the farm owner which outlines the <i>conditions*</i> of the farm dweller's tenancy.</u></p> <p><b>Swazi Nation Land (SNL)</b></p> <p><u>Section 211(1) Constitution of the Kingdom of Eswatini 2005 states that SNL is land held in trust by the King for the Swazi nation. All SNL land belongs to the community and the chiefs have the right to allocate land in their respective <i>areas*</i> to all community members.</u></p> <p><u>Lease Agreements or letter of permission from the Minister of Agriculture or the landowner for SNL land leased by private sector.</u></p> <p><b>Established mechanisms and/or institutions to identify, prevent and resolve <i>disputes*</i> over issues of statutory or customary law. Guidance notes:</b> 1. The matter is taken to the Kings Advisor</p>

	<p>who is appointed by the King to handle any <u>disputes*</u> between the company and local <u>communities*</u>. 2. If still not settled, the Kings Advisor meets with the Chief to resolve the matter. If there is a dispute around <u>boundaries/ tenure rights</u> that cannot be resolved by the local Chief, the matter can be taken further to the Surveyor General Office to <u>make a final ruling.</u></p>
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<u>1.2 Concession licenses</u>	There is currently no provision for concession licenses in law.
<u>1.3 Management and harvesting planning</u>	There is currently no legislation covering these aspects.
<u>1.4 Harvesting permits</u>	<p><b><u>Applicable laws and regulations</u></b></p> <p>The Forest Preservation Act, section 3.</p> <p>The Private Forests Act 1951, sections 3 (a).</p> <p><b><u>Legally required documents or records</u></b></p> <p>Permission from the Minister of Agriculture or District Officer or other person designated by the Minister for harvesting government timber or Swazi Nation timber.</p> <p>Authority from the landowner for harvesting of timber on private (title- deed) land.</p>

<b>2. Taxes and fees</b>	
<u>2.1 Payment of royalties and harvesting fees</u>	There is no legislation in place in Eswatini covering the payment of royalties and harvesting fees.
<u>2.2 Value added taxes and other sales taxes</u>	<p><b><u>Applicable laws and regulations</u></b></p> <p>Value Added Tax Act, 2011, sections 7, 10 (1), 18, 31 and 32 Tax Laws Amendment Act, No 27 of 1997</p> <p><b><u>Legally required documents or records</u></b></p> <p>VAT Registration certificate. VAT returns</p>
<u>2.3 Income and profit taxes</u>	<p><b><u>Applicable laws and regulations</u></b></p> <p>The Income Tax Order 12 of 1975 (as amended in 2000)</p> <p><b><u>Legally required documents or records</u></b> IT14 – Farmers tax return - for farming income, rent receivable and other income.</p> <p>IT13 – Companies tax return – persons employed, payments made, income received.</p> <p>Income Tax Clearance Certificates</p>
<b>3. Timber harvesting activities</b>	
<u>3.1 Timber harvesting regulations</u>	No legislation exists covering timber harvesting
<u>3.2 Protected sites and species*</u>	<p>SAFAS Cou</p> <p><b><u>Applicable laws and regulations</u></b> <u>Flora Protection Action, 2000</u> <u>Forest Policy 2002</u></p> <p><u>Plant Control Act, 1981</u></p> <p><b><u>The National Trust Commission Act, 1972 (Amended K.O-I-C 22/1973)</u></b></p> <p><b><u>Legally required documents or records</u></b></p> <p><u>Permit to harvest Protected Flora (Schedule D)</u></p>

3.3 Environmental requirements	<p><b><u>Applicable laws and regulations</u></b></p> <p><u>Environmental Management Act, 2002</u></p> <p><u>Environmental Audit, Assessment and Review Regulations, 2000</u> <u>Natural Resources Act, 1951</u></p> <p><u>Natural Resources (Public Stream Banks) Regulations, section 3. (contained within the Natural Resources Act)</u></p> <p><u>Game 1953; (Amendment) Act,1991</u> <u>Grass Fire Act, 1955</u></p> <p><u>Plant Control Act, 1981</u></p> <p><u>Biosafety Act, 2012</u></p> <p><u>Seeds and Plant Varieties Act, 2000</u> <u>Protection of Fresh Water Fish Act, 1937</u> <u>Waste Regulations, 1999</u></p> <p><u>Water Act, 2002</u></p> <p><u>Water Pollution Control Regulations, 1999, Wild Birds Protection Act, 1914</u></p> <p><u>National Forest Policy 2002</u></p> <p><b><u>Legally required documents or records</u></b></p> <ul style="list-style-type: none"> <li>▪ <u>Environmental Compliance Certificate</u></li> <li>▪ <u>Project Compliance Reports</u></li> <li>▪ <u>Grass burning permit</u></li> <li>▪ <u>Nursery Registration</u></li> <li>▪ <u>Plant Importation Permit</u></li> <li>▪ <u>Phytosanitary Certificates (for import or export of plant material)</u></li> <li>▪ <u>Waste Management License</u></li> <li>▪ <u>Water Use Permit</u></li> <li>▪ <u>Effluent Control Permit</u></li> </ul>
3.4 Health and safety	<p><b><u>Applicable laws and regulations</u></b> <u>Occupational Safety and Health Act, 2001, Employment Act 1980, No. 5/1980</u></p> <p><b><u>Legally required documents or records</u></b></p> <ul style="list-style-type: none"> <li>▪ <u>Accident Register</u></li> </ul>

3.5 <u>Legal* employment</u>	<p>SAFAS Cou</p> <p><b><u>Applicable laws and regulations</u></b> The Employment Act, 1980. Workers Compensation Act, 1983.</p> <p>The Wages Act, 1964. Wages (Amendment) Act 1981 (No. 10). Industrial Relations Act, 2000</p> <p>The Eswatini Nation Provident Fund Order, 1974 Registration of Contributing Employers Regulations, 1975</p> <p>Eswatini National Provident Fund Statutory Contributions Regulations, 1998</p> <p>Eswatini National Provident Fund (Benefit) Regulations The Eswatini National Provident Fund (General) Regulations, 1986</p> <p>Regulation of Wages (Forestry &amp; Forest Industry) Order</p> <p><b><u>Legally required documents or records</u></b></p> <ul style="list-style-type: none"> <li>: <u>Written Particulars of Employment</u></li> <li>: <u>Wages Register</u></li> <li>: <u>Record of Employment</u></li> </ul>
<b>4. Third parties' rights</b>	
4.1 <u>Customary rights*</u>	<p>Swazi Nation Land. There are no laws covering customary rights on SNL. There is no lease agreements on SNL, only His Majesty King Mswati III can approve a valid lease agreement to an organization in SNL.</p> <p>Where an organization wishes to lease SNL, this is at the discretion of the community and any rights they wish to retain would be written into and protected by the lease agreement.</p> <p>SNL means any area of land held by the Ngwenyama (King) in trust for the Swati nation. A Chief is a person appointed by the King to act on behalf of the king to promote the welfare of the community in his chieftdom which also involve admission of persons to the chieftdom and allocation of land through Khonta system (See of Swazi Area Act, 1910, and the Swazi Administration Order, 1998).</p> <p>Title Deed Land. The Farm Dwellers Control Act of 1982 outlines the <u>conditions*</u> of the farm dweller's tenancy, the limitations on eviction of</p>



	<p>farm dwellers and provides for a district tribunal to resolve <i>disputes*</i> between farm dwellers and farm owners.</p>
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<p><u>4.2 Free Prior and Informed Consent*</u></p>	<p>SAFAS Cou</p> <p>See above - leasing SNL land requires free, prior and informed consent of the customary rights holders. Leases –For example, for change in land use by the leaseholder</p> <p>The Farm Dwellers Control Act of 1982 outlines the <i>conditions*</i> of the farm dweller's tenancy, the limitations on eviction of farm dwellers and provides for a district tribunal to resolve <i>disputes*</i> between farm dwellers and farm owners.</p> <p>Farm Dwellers Control Act – provisions for FPIC where rights are affected?</p> <p><i>There are no laws covering Free Prior Informed Consent in Eswatini. (According to NRA - check this against the above).</i></p>
<p><u>4.3 Indigenous Peoples' rights</u></p>	<p>There are no indigenous people as defined in UNDRIP recognized in Eswatini.</p>
<p><b>5. Trade and transport</b></p>	
<p><u>5.1 Classification of species*, quantities, qualities</u></p>	<p>The National Forest Policy 2002 includes recommendations for requirements covering this indicator but has not been enshrined in law.</p>
<p><u>5.2 Trade and transport</u></p>	<p>Private Forest Act, section 3(a)(i)</p> <p><b>Legally required documents or records</b></p> <p>TDL only: Permission to harvest and transport timber from the owner of the timber.</p> <p>There are no requirements relating to the transportation of timber from SNL.</p>

5.3 Offshore trading and transfer pricing	<p>There are no formal transfer pricing regulations in Eswatini.</p> <p>However anti-avoidance legislation empowers the commissioner of taxes to adjust the liability of the taxpayer where the commissioner is of the opinion that a transaction, operation or scheme has been entered or carried out with the aim of avoiding, reducing or postponing tax liability.</p>
5.4 Custom regulations	<p><b>Applicable laws and regulations</b> Customs and Excise Act, 1971 Trading Licenses Order No. 20 of 1975</p> <p>Trading Licenses Amendment Act No. 9 of 2011</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>: Proof of declaration of goods for import or export</li> <li>: Proof of payment of import and export duties.</li> </ul>
5.5 CITES	<p>While CITES is considered in law, currently it does not affect the timber industry in Eswatini. There are no CITES listed flora or fauna harvested from timber plantations in Eswatini.</p>
<b>6. Due diligence / due care</b>	
6.1 Due diligence / due care procedures	<p>There are no legal requirements relating to due diligence and due care procedures in force in Eswatini.</p>

## Appendix 2: Housing standards

Housing constructed for workers by landowners that are temporarily housed on the farm and do not have security of tenure. These following standards apply to newly constructed housing. i.e housing that is constructed after the organisation is certified.

1. Safe and structurally sound.
2. Clean and well maintained.
3. Situated so as to avoid flooding or other natural hazards.
4. Waterproof, windproof and weatherproof.
5. Sufficient ventilation and insulation.
6. No more than 6 people sharing a room.
7. Lockers to be provided for keeping personal belongings in shared rooms.
9. Kitchen areas separated from sleeping areas.
10. Food store for hygienic storage of food.
11. Sufficient clean water available within close proximity. Water must be regularly tested for portability.
12. Sanitary facilities (washrooms, showers, toilets or latrines) separated from sleeping and dining areas and from kitchen facilities and storage areas for food, complying to hygienic requirements.
13. A minimum of 1 toilet, 1 wash basin and 1 tub or shower for every six persons. If there are more than six people, then there should be separate facilities for men and women.
14. Facilities for washing and drying clothes, with adequate water supply and drainage.
15. Stores for any flammable, chemical or explosive substances at a safe distance from living quarters.
16. Means of control of rodent and harmful insects.
17. Appropriate fire safety equipment and systems.
18. Appropriate refuse and sewage disposal.

The following requirements are for existing housing for workers housed temporarily\*\* on the farm. Housing that does not meet the following requirements are subject to a housing improvement plan.

1. Must be safe, structurally sound and have a waterproof roof.
2. Must have sufficient ventilation
3. Have a secure area/place for personal belongings and food in shared rooms.
4. Have an area for food preparation.
5. Have sufficient clean water available within close proximity, water must be tested for potability.
6. Have washing facilities with adequate water supply and drainage.
7. Sanitation facilities (toilets/latrines) enclosed and situated away from sleeping and cooking facilities.
8. Facilities for washing and drying clothes.
9. Procedure must be in place for controlling any pest outbreaks.
10. Have a means for disposing of waste (bins or an enclosed rubbish pit situated away from the housing).
11. Appropriate fire safety equipment.

The following applies to self-built housing/labour tenant housing: (This section applies to those with long-term tenure rights)

1. Facilities are provided for rubbish disposal.
2. Provision of potable water within 200m of dwellings.
3. Water supply must be adequate for drinking and washing purposes. As a rough guideline this is about 50 litres per person per day.
4. The use of rivers for washing of utensils and clothing is strongly discouraged.
5. Adequate ventilation in houses where cooking takes place on open fires.
6. Toilet facilities must be sited appropriately and must be enclosed.

Latrines must:

1. be situated more than 50m from any surface water bodies.
2. be situated more than 50m from any boreholes.
3. be situated on soils with suitable drainage.
4. must not have any storm water drainage flowing into it.
5. pit latrines must be 3m or more deep (where possible), with a sturdy enclosed structure.
6. If necessary be treated with chemicals to reduce offensive odours and control flies.