



# **PROCEDURE FOR CONFLICT RESOLUTION**

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## **1.0 PURPOSE**

To provide practical guidance to forest managers and stakeholders to identify and resolve conflicts arising from forest operations activities.

## **2.0 SCOPE**

This procedure applies to all principal, criteria and indicators stipulated in MTCS (MC&I SFM).

## **3.0 RESPONSIBILITY AND AUTHORITY**

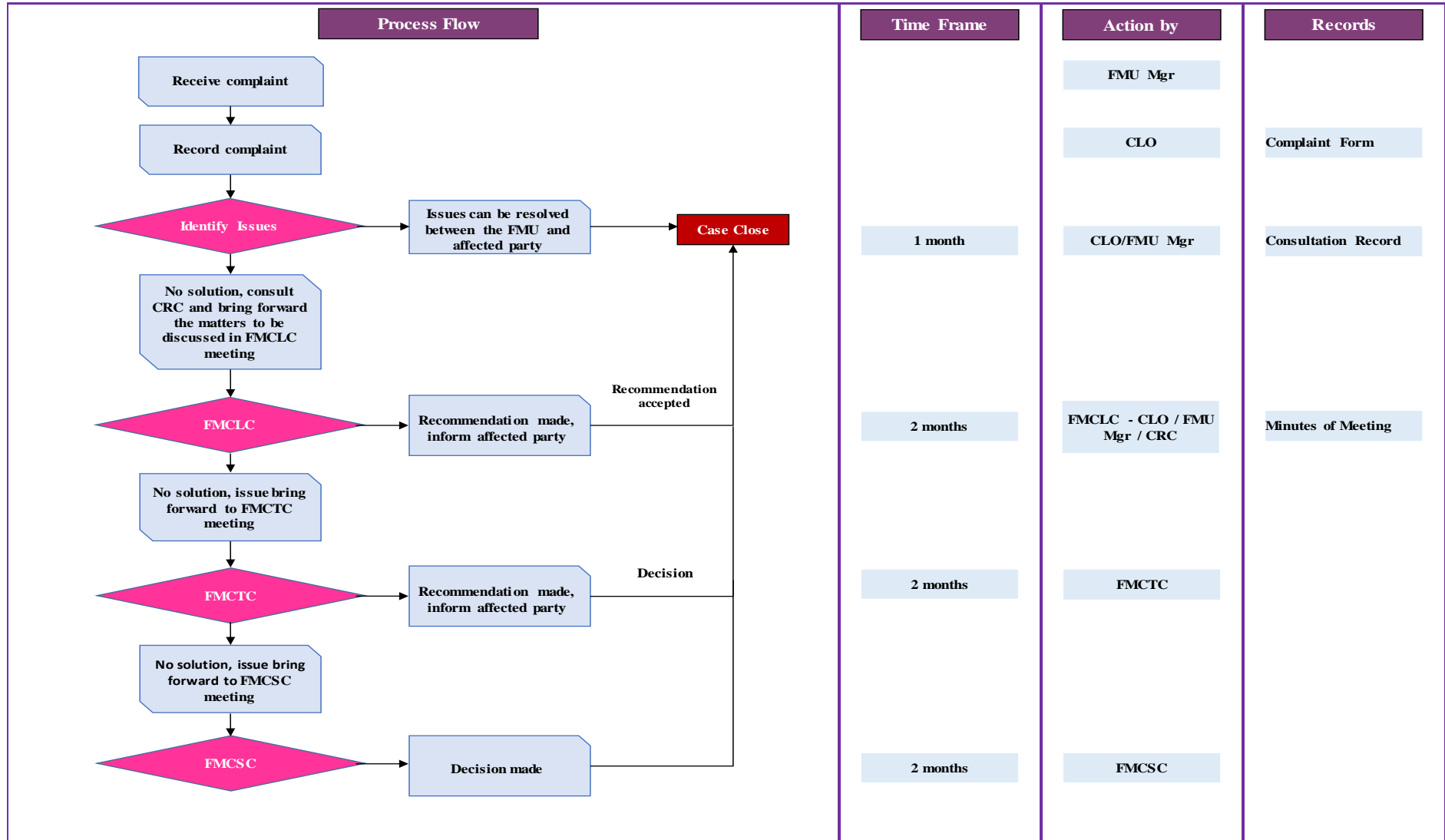
The Chief Operating Officer (COO) has overall responsibility and authority for this procedure.

## **4.0 DEFINITIONS/ABBREVIATIONS**

COO	Chief Operating Officer
FMU Mgr	FMU Manager
CLO	Community Liaison Officer
CRC	Community Representative Committee
FMCLC	Forest Management Certification Liaison Committee
FMCTC	Forest Management Certification Technical Committee
FMSC	Forest Management Certification Steering Committee
FMU	Forest Management Unit
MTCS	Malaysian Timber Certification Scheme
MC&I SFM	Is the national forest management certification standard under the MTCS.

## 5.0 FLOW CHART SUMMARY

**Conflict Resolution Flow Chart**



## 6.0 STEPS OF CONFLICT RESOLUTION

Description	Time Frame
<p><b>Step 1</b> When a dispute is brought up to the attention of FMU Manager either from a report or from a complainant, the FMU Manager forward or inform CLO:</p> <ul style="list-style-type: none"> <li>i. If the FMU Manager received any unauthorized report, he is to forward the report to CLO.</li> <li>ii. If the complainant involved local community, the FMU Manager to advise the complainant to CLO so that his complaint could be recorded in the Complaint Form (appendix 1)</li> </ul>	
<p><b>Step 2</b> The issue raised by complainant or report to be recorded by CLO in the Complaint Form (see appendix 1). He/she and FMU Manager shall find, record and assess fact involving:</p> <ul style="list-style-type: none"> <li>i. All parties concerned</li> <li>ii. Witness and evidences produced by parties concerned</li> </ul>	
<p><b>Step 3</b> CLO / FMU Manager to identify and assess the issues – whether within jurisdiction of the FMU or to be assigned to the right party.</p> <ul style="list-style-type: none"> <li>1. If the issue is within the jurisdiction of FMU, based on the information gathered, the Camp Manager / CLO to try to solve the issues informally with the affected parties through consultation, negotiation of fair and equitable compensation related with traditional knowledge and practices together with CRC and to come to an agreement.</li> <li>2. All the information on the consultation to be recorded accordingly.</li> <li>3. If the FMU fail to reach any solution, the issues would be brought forward to FMCLC meeting.</li> </ul>	1 month
<p><b>Step 4</b> FMU CLO to initiate consultation meeting through FMCLC prior to the meeting, the following information to be made available:</p> <ul style="list-style-type: none"> <li>i. Clarification from individuals and/or elders with background knowledge of the issue</li> <li>ii. Consulting knowledgeable individuals (who may and may not be the same individuals as in (i), if necessary</li> <li>iii. Developing a summary of findings.</li> </ul> <ul style="list-style-type: none"> <li>1. Based on all the information obtained from the consultation, FMCLC recommend actions or solutions to address the issue.</li> <li>2. If decisions cannot be made or the issues cannot be solved under FMCLC, the matter would be brought up to higher committee, FMCTC. The Committee Chairman is Director of Forest.</li> </ul>	2 months

<b>Step 5</b>	If the matters settle at FMCTC level, the decision is to be conveyed to FMU / FMCLC.  i. In the event the matter cannot be settled, then the issues would be handled by FMCSA.	2 months
<b>Step 6</b>	FMCSA to make decision, recommendation and suitable solutions.	2 months
Case close		

### **6.1 Community Representatives Committee (CRC)**

A **CRC** is a committee that local communities from within and adjacent to the FMU that are directly or indirectly affected by the FMU's forest operation may set up should they wish to do so.

The chairman and members of the committee are determined by the communities themselves.

### **6.2 Forest Management Certification Liaison Committee (FMCLC)**

**FMCLC** is a consultative framework involving multi-stakeholder representatives from local communities residing within or surrounding the FMU that are directly or indirectly affected by the forest operation, FMU representatives, FDS as well as other relevant government agencies as and when required. The Committee Chairman is the Regional Forest Officer.

### **6.3 Forest Management Certification Technical Committee (FMCTC)**

**FMCTC** was set up to address issues related to technical issues on the ground with regards to the implementation of SFM and FMC. One of the main task of this committee is to evaluate Forest Management Plan and provide a recommendation for approval. The committee members are expert in various field from relevant agencies related to forestry sector (FDS, SFC, NREB, STIDC). The Chairman for this committee is the Director of Forests.

### **6.4 Forest Management Certification Steering Committee (FMCSA)**

**FMCSA** was set up to address issues related to policy, laws or regulation and management issues at the Ministry level. Chaired by Permanent Secretary of Ministry for Urban Development and Natural Resources. Members of the committee are representatives from various agencies under the jurisdiction of the Ministry (Forest Department Sarawak (FDS), Sarawak forestry Corporation (SFC), Sarawak Timber Development Corporation (STIDC), Natural Resources and Environment Board (NREB), Land and Survey (L&S) and Sarawak Biodiversity Centre (SBC).

## **7.0 REFERENCE DOCUMENTS**

1. MC&I SFM 1/2020.
2. Complaint Form.



## Complaint Form

*Borang Aduan*

<b>Name of Complainant / Nama Pengadu</b>	
<b>Contact No. / No. Telefon</b>	
<b>Village / Kampung</b>	
<b>Complaint Information / Maklumat Aduan</b> (If the space provided is insufficient, a separate attachment may be enclosed/ Jika ruang yang disediakan tidak mencukupi, lapiran yang berasingan boleh disertakan).	
<p>.....</p> <p>Signature of Complainant Tandatangan Pengadu</p>	
<b>To be filled by CLO / Untuk kegunaan CLO</b>	
<b>Date received / Tarikh diterima</b>	
<b>Recorded by / Direkod oleh</b>	
<b>Name of CLO / Nama CLO</b>	
<b>CLO contact no. / No. telefon CLO</b>	
<b>Signature / Tandatangan</b>	
<b>Particulars of Action Taken / Maklumat Tindakan yang Diambil</b>	
<b>Name &amp; Signature Nama &amp; Tandatangan</b>	
<b>Designation / Jawatan</b>	
<b>Date of action taken Tarikh tindakan diambil</b>	
<b>Office contact no. / No. telefon pejabat</b>	
<b>Acknowledgement / comment from complainant (Diterima / komen oleh pengadu)</b>	
<b>Signature / Tandatangan</b>	
<b>Date / Tarikh</b>	

**cc.**  
Head of Department / Operating Unit / FMCU

**Notes**  
CLO = Community Liaison Officer