

Terms of Reference for the Forest Stewardship Council (FSC) Australia Indigenous Working Group (IWG)

08.12.20

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1 About the IWG

Protecting the rights of and creating opportunities for Indigenous communities is a key commitment in FSC Australia’s (FSCA) approach to responsible forest management. To ensure the spirit of this commitment is upheld and authentically implemented, FSCA convened an Indigenous Working Group (IWG) in 2014 to balance the need for representation as well as expert experience and knowledge on issues related to First Nations peoples.

The first major achievement of the IWG was to support the successful development of the Australia National Forest Stewardship Standard. Specifically, to feed into matters concerning Principle 3 (Indigenous People’s Rights) of the standard, and to support and carry out consultation with Indigenous communities across Australia about FSC and the Standard.

Following the completion of the standard, the IWG’s focus has shifted and now centres around existing community aspirations that align with FSC’s values. These are:

- Increase Indigenous engagement in the management of Australia’s forests as well as the forest and wood products sector.
- Forest management that delivers economic, social, cultural and environmental benefits to local First Nations Peoples’ communities.
- Utilisation and transfer of traditional ecological and cultural knowledge from the old to the young.

Going forward, the IWG will establish itself as an active and sustainable initiative that can realise these aspirations through key projects.

The members of the IWG are:

David Collard	Nyoongar, WA
Phil Duncan	Gomeroi Nation, NSW
Heidi Mippy	
Joe Morrison	Dagoman, NT
Rachael Cavanagh	Minyungbal Yugambah, Gumbaynggirr Country, NSW
Ricky Archer	Djungan, North Qld
Gibson Farmer	Mikkapiti, Melville Island, NT

2 Values

The IWG is underpinned by four core values:

CULTURAL – We celebrate our culture and believe that for Indigenous and non-Indigenous Australians to come together for a better future, it is important for all Australians to learn about Indigenous culture, as well as becoming more aware of our own.

INNOVATION – We believe learning, enquiry and discovery improve lives. Working together WITH Aboriginal communities to assist people and community to become productive communities in the forestry arena.

INTEGRITY – We conduct ourselves ethically, equitably, and for mutual benefit, inspiring openness, courage and trust.

EMPOWERMENT – We work with and for the Aboriginal stakeholder groups to make their communities a source of strength and creativity. Enhancing the capacity of FSC, in conjunction with the Aboriginal community to make informed choices and transforming these into desired actions, outcomes and success.

These key values form the foundation for long-term sustainable working partnerships, both internally and externally, with the corporate world, where together, the IWG and FSCA can make a difference in the quality of choices and, ultimately, quality of life for Aboriginal individuals and their respective communities.

3 Objectives of the IWG

The IWG is established to provide representational and expert feedback, advice and guidance to FSCA's various processes on Indigenous issues and forestry in Australia.

As a priority the IWG will:

1. Support existing community aspirations that align with FSC's values
2. Work to maximise IWG Indigenous participation and membership in FSCA

3. Develop, with the FSCA CEO and Board, a future governance model for the IWG which will incorporate a role for the FSCA Indigenous Forum
4. Provide guidance to FSCA on ways that it can improve engagement with affected and interested Indigenous stakeholders regarding FSCA membership, governance and promotion of FSCA

The IWG will also provide advice, guidance and where possible assistance to FSCA on:

5. The relevance and application of the Australia National Forest Stewardship Standard, auditing, and developing standards around ecosystems services to Indigenous People
6. Certificate matters that impact on Indigenous people, e.g. non-compliance on Principle 3, breach of cultural heritage matters etc.
7. Ways to support Indigenous Forest Enterprises that are exploring opportunities to seek certification
8. Seeking opportunities for training for Indigenous people to become accredited auditors as well as providing cultural awareness training to existing auditors
9. Ways that FSCA can support the aims and objectives of the National Indigenous Forestry Strategy, for example, exploring opportunities for supporting pilot programs with respect to certification
10. Opportunities to obtain financial assistance from Federal and State Governments, other publicly funded agencies and institutions, and from philanthropic foundations to fund opportunities to engage with a variety of Indigenous communities, toolkits, travel expenses and development of other communication products

4 Details on IWG membership

The IWG is comprised of 8-12 members possessing some technical expertise and experience as nominated by current IWG members, two independent experts as nominated by the IWG (may include FSCA Board members), and a Secretary from FSCA (see paragraph 6). IWG members commit to 1-year terms.

Ongoing membership of the working group is subject to active participation and can be revoked and replaced where it is evident that members are not participating in accordance with the terms of reference requirements.

The IWG is primarily a skills-based working group. Skills are required in areas where FSC's policies and standards connect with issues pertinent to the cultural, social, environmental, governance and economic interests of Indigenous people. Selection of IWG-members also aims to ensure a diversity that reflects that of Australia's First Nations People.

The IWG has rotating gender-balanced co-chairs elected for two-year terms from

among the IWG members and appointed by IWG members with yearly overlaps.

A quorum is established when more than half of all members are present. Only IWG members (co-chairs, Secretary and members) count towards quorum.

5 Responsibilities of the IWG

The IWG shall conduct its tasks according to this Terms of Reference.

The IWG will work together throughout this process, discussing issues and interacting with each other as a group in and outside of meetings.

6 Relationship to FSC Australia: Support and reporting

FSC Australia will provide administrative and technical support to the IWG. FSCA's Policy and Standards Manager, will serve as the IWG's Secretary to support the co-chairs in ensuring the smooth functioning of the group. In summary, the Secretary is responsible for:

- Ensuring meetings are effectively organised and minuted
- Maintaining effective records and administration
- Upholding the legal requirements of governing documents, charity law, company law etc (where relevant).
- Communication and correspondence
- Technical assistance

7 Deliberations and Decision making

For individual meetings the group will choose a member to facilitate that meeting. The position of facilitator is not permanent and only required for face-to-face meetings to ensure agenda items are met. The IWG is an advisory body, it does not serve as a decision-making or policy-forming body. The IWG, with support from FSCA, will produce advice and submissions to FSCA as required. Advice and positions may incorporate areas of consensus on particular questions or issues but can also capture disagreement and opposing viewpoints. If a consensus position cannot be reached, then the arguments for and against the issue shall be documented.

In all cases, outstanding concerns of individual IWG members shall be documented and presented in the final report that accompanies the document presented for decision.

8 Workplan and time commitment

The IWG, with support from FSCA, will develop an annual work-plan and conduct most of its work via e-mail or similar means of electronic communication (e.g. go-to meeting conference).

The workplan will include details for meeting the above objectives, including agreed outcomes based on the SMART principles (Specific, Measurable, Achievable, Results based, Tangible).

Additionally, the IWG will come together for one face to face meeting per year

coinciding with the FSC Australia AGM (May) and or otherwise as required and funds are available.

9 Expenses and Remuneration of the IWG

FSCA is a not-for-profit membership organisation with limited funding. Participation in the IWG will be remunerated at a fee of \$500 per day for face-to-face meetings and \$250 for 3-hour virtual meetings. Other participation through email and similar will be voluntary. FSCA covers all reasonable travel and accommodation expenses related to the workplan upon submission of the respective invoices and receipts, and if expenses are agreed in advance. FSCA will endeavour to provide an honorarium to IWG members where appropriate and feasible. The IWG may secure additional external funds through leveraging FSCA's allocated funds and then develop an annual work program and budget consistent with the ToR to utilise all funds.

10 Declarations of interest

The IWG operates according to Chatham House Rules. So, while members of the IWG have full authority to share the non-confidential substance of discussions and papers, they shall not report or attribute either the comments of individuals or their affiliations outside of meetings, whether conducted face to face or by other means. The default approach for the IWG is that the non-attributable content of discussions and papers is not confidential, unless so specified.

IWG members are expected to declare any conflicts of interest, where they arise. The IWG as a group will then decide whether or not this requires an individual to be recused from a particular discussion point.

11 Language and Social Media

While the working language of the IWG is English, FSCA recognises all Indigenous languages and Aboriginal-English hybrids may be used whenever possible in the group.

IWG members are encouraged to promote the IWG on social media but are expected to maintain a certain standard of behaviour when using social media to comment on matters pertaining to FSC, FSCA and the IWG. No IWG member is to engage on social media (and other media) as a representative or on behalf of FSCA and the IWG unless they first obtain the IWG and/or FSCA's approval.

FSCA can promote the work of the IWG on social media and through other channels with permission of one of the two co-chairs. Photos of IWG members can be used with members' written consent through the attached photo consent form.