



VIETNAM FOREST CERTIFICATION SCHEME

VFCS/PEFC GD 1010:2026

QUY TRÌNH GIẢI QUYẾT TRANH CHẤP, KHIẾU NẠI CỦA HỆ THỐNG CHỨNG CHỈ RỪNG QUỐC GIA

*Procedure for the Resolution of Complaints and Appeals
of Vietnam Forerest Certification Scheme*

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Document name:	Procedure for Resolution of Complaints and Appeals of Vietnam Forest Certification Scheme
Document title:	VFCS/PEFC GD 1010:2026
Approved by:	Vietnam Forest Certification Office
Approved date:	28/05/2026
Issue date:	28/05/2026
Date of entry into force:	28/05/2026
Next review date:	28/05/2030

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Introduction

Sustainable forest management and forest certification (SFM&FC) has been implemented in Vietnam since the 2000s based on the implementation of the Vietnam Forestry Development Strategy for the period 2006-2020 and most recently the Forestry Development Strategy in the period of 2021-2030, a vision to 2050. Besides, SFM&FC has been codified in Articles 27 and 27 of the Forestry Law.

The Vietnam Forest Certification Scheme (VFCS) was established on the basis of Decision No. 1288/QĐ-TTg dated October 1, 2018 of the Prime Minister approving the Plan on Sustainable Forest Management and Forest Certification. In the period of 2019-2021, the Vietnam Administration of Forestry (VNFOREST) acted as the National Governing Body (NGB) and the Vietnam Forest Certification Office (VFCO) is under the VNFOREST. During this period, Vietnam became the 51st member of the Program for the Endorsement of Forest Certification (PEFC) on May 30, 2019 and VFCS was officially endorsed by PEFC on October 29, 2020. In October 2021, the role of NGB was assigned to the Vietnamese Academy of Forestry Sciences (VAFS) and VFCO was transferred to the VAFS through the Decisions No. 3924/QĐ-BNN-TCCB and Decision No. 3925/QĐ-BNN-TCCB dated October 4, 2021 by the Minister of Agriculture and Rural Development. In this change, VFCO is a legal entity taking full responsibility to operate VFCS.

VFCS is a national forest certification scheme endorsed by PEFC. The system is built on the basis of the principle of operation and independent decision-making among the participants, ensuring compliance with the requirements of the Vietnam Forest Certification Scheme. VFCS aims to increase the added value of forests through the application of high-quality, productive tree varieties, appropriate forest management techniques, and processes for implementing sustainable forest management and improving and enhancing ecosystem services and protecting biodiversity; ensure the legal source of wood materials to meet the certification requirements of the markets.

Procedure for the resolution of appeals and complaints in VFCS is to ensure the issuance and maintenance of VFCS sustainable management certificates and PEFC CoC certificates are objective, transparency and effective. At the same time, protection the rights and interests of organizations and individuals involved in the process of resolution of appeals and complaints.

This document describes Procedure for the resolution of complaints and appeals and based on Vietnamese Law on the process of handling complaints, denunciations, petitions, reflections and based on the guidelines of the PEFC document (PEFC GL 7:2007); PEFC administration document (PEFC GD 1004:2009).

This document was developed and issued by the Vietnam Forest Certification Office (VFCO) and replaces VFCS/PEFC GD 1010:2022.

1 Scope

The document regulates the procedures for resolving complaints and appeals related to the Vietnam Forest Certification Scheme (VFCS) and PEFC certification, including the following:

- a) regulations in operating the Vietnam Forest Certification Scheme and PEFC CoC certification related to requirements for accreditation bodies, certification bodies and other organizations, individuals;
- b) complaints and appeals involving VFCS and PEFC trademarks Usage rules;
- c) the standard-setting process for sustainable forest management, forest group management under VFCS;
- d) information security regulations in certification bodies notification contracts, VFCS and PEFC trademarks use contracts;
- e) regulations related to PEFC assessment and certification in Vietnam; disputes and claims between relevant stakeholders;
- f) request for a review of the process of setting and issuing standards.

2 Normative references

The following normative references are essential for the application of this document. For normative references with a publication year, the referenced version applies. For normative references without a publication year, the latest version applies, including any amendments (if any).

PEFC GD 1004:2009, *Administration of PEFC Scheme*

PEFC GL 7/2007, *PEFC Council procedures for the investigation and resolution of complaints and appeals*

VFCS/PEFC ST 1002, *Process for setting standards for the Vietnam Forest Certification Scheme*

3 Terms and definitions

The following terms and definitions are used in this document:

3.1 Relevant stakeholder

Accreditation body, certification bodies, forest owners, businesses, and agencies or units involved in requesting the resolution of complaints and appeals stipulated in the scope of the regulations.

3.2 Compliant/appeal

A written request from any individual, organization, or community requesting the authorized organization to consider the relevant issues stipulated in the scope of this document for any relevant individual or organization participating in the Vietnam Forest Certification Scheme (3.1).

[SOURCE: PEFC GL 7/2007, 3; Law on Complaints, 11/11/2011].

3.3 Authorized organization

The Vietnam Forest Certification Office (VFCO) is the authorized organization to receive and implement the procedure for resolution of complaints and appeals as prescribed.

3.4 Dispute

Conflicts of interest among stakeholders involved in the Vietnam Forest Certification Scheme (3.1).

4 Responsibility for resolving complaints and appeals

4.1 Point of contact for resolving complaints and appeals

VFCO is the focal point for receiving and resolving complaints and appeals. Based on the requests for the resolution of complaints and appeals, VFCO issues a decision to establish the Resolution of complaints and appeals Committee.

The Resolution of complaints and appeals Committee shall comprise five to nine members who are appointed by the VFCO, each member of the Committee shall come from agencies and organizations operating in sectors related to the issues of complaints and appeals.

4.2 Responsibilities of Resolution of complaints and appeals Committee

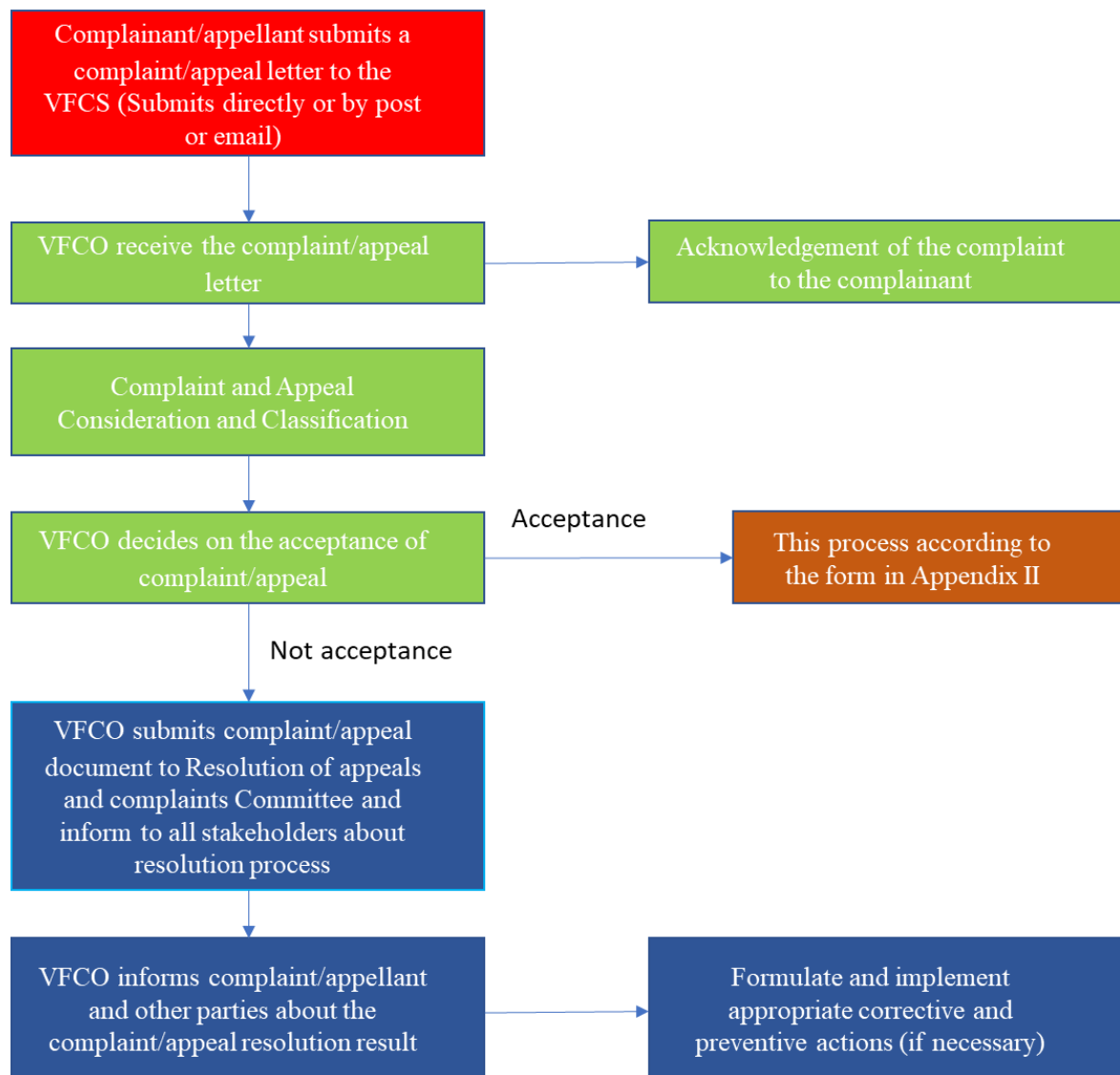
- a) resolving complaints/appeals, disputes within scope as prescribed;
- b) resolving complaints/appeals, disputes in accordance with the law and the regulations of the National Forest Certification Scheme;
- c) working based on the following principles:
 - adherence to legal regulations on complaint/appeal, dispute resolution;
 - objectivity, independence, and impartiality;
 - members with conflicts of interest are not allowed to participate in handling cases;
 - decisions are made by majority vote.

4.3 Rights of Resolution of complaints and appeals Committee

- a) comply with legal regulations regarding complaint/appeal and dispute resolution;
- b) review dispute and complaint files; request relevant stakeholders to submit supplemental documents, clarify the issue of appeals and complaints (if necessary);
- b) request relevant stakeholders to hold site visits, oral hearings or other proceedings that might help resolve the appeals and complaints (if necessary);
- d) issue a statement of its decision in which to notify the complainant and relevant parties of the dispute-resolving process and result.

5 Procedure for complaints and appeals resolution

The procedures for the resolution of complaints and appeals are described in the diagram below.



5.1 Receiving document

VFCO receives requests for resolution of complaints and appeals through the following methods:

- the contact section on the VFCS website: <https://vfcs.vn/lien-he/>;
- telephone and email addresses listed on the VFCS website;
- documents sent by post to VFCO;
- other communication channels such as direct feedback to VFCO leaders and those in charge of relevant sectors; during seminars, expert meetings, training sessions, etc.

5.2 Processing document

Based on the information received regarding the resolution of complaints and appeals, VFCO will take the following actions within 5 working days:

- categorize the information according to the scope of complaint and appeal resolution and send a written or email notification confirming acceptance or refusal of processing to the complainant. The VFCO has the right to refuse to accept complaints in the following cases:

- The issue of complaint/appeal, dispute does not meet the objectives and scope of this procedure stipulated;
- Complaints/appeals, disputes are unclear and there is not enough evidence.

c) once the complaint/appeal file has been accepted, VFCO establishes a Resolution of complaint and appeals Committee;

c) inform to all relevant organizations/persons in the complaint/appeal

VFCO inform to all relevant organizations/persons in the complaint/appeal the relevant information about complaint/appeal and evidence;

Organizations and individuals subject to disputes or complaints are responsible for proving that the complaints are incorrect to the Resolution of appeals and complaints Committee within 15 working days from the date of receipt of the notice of complaint.

5.3 Resolution of complaint/appeal by the Committee

Within 20 working days of the copies of the complaint/appeal (and its supporting documents) of the respondent(s), the Resolution of appeals and complaints Committee shall decide whether to proceed to hear the dispute;

The Resolution of appeals and complaints Committee shall convene to analyze, discuss all the information and evidence within the dispute in an objective and impartial manner, and make its decision on the dispute.

In exceptional circumstances, the Resolution Committee may do any or all of the following:

- Request supplemental the documents or evidence on any pertinent matter from any of the relevant parties to the dispute.
- Request assistance from the VFCO.
- Request the assistance of outside experts.
- Carry out site visits, oral hearings or other proceedings that might help resolve the dispute.
- The decision of the Resolution Committee shall be based on majority voted and shall be final.
- The Resolution Committee shall issue a statement of its decision and notify the complainant to relevant parties of the dispute-resolving process and result.

5.4 Notice of complaint and appeals resolution results

VFCO will directly notify to the relevant parties of the results of complaint and appeals resolution results and public all information on the website of VFCS (<https://vfcs.vn>).

If necessary, VFCO shall formulate and implement appropriate corrective and preventive actions.

NOTE: In cases where the resolution of a matter relates to the standard-setting process, the results of the complaint resolution or request for review are sent to the standard-setting committee for consideration during the periodic review of the standard.

5.5 Record keeping

Records of resolutions of complaints and appeals are kept in both written and electronic formats as required and in compliance with regulations on the protection of personal information as stipulated by law.

5.6 Inspection and monitoring

VFCO responsible for monitoring the resolution, handling complaints and appeals process and supervising the related parties on the capacity and experience of organizations and individuals operating in the VFCS and PEFC in Vietnam.