

REPORT OF THE REVISION OF THE UEBT STANDARD

APRIL 2012

I. INTRO

UEBT is concluding the revision process of its Ethical BioTrade Standard. The purpose of the revision process was to capture the lessons learned with the implementation of the standard since UEBT's creation in 2007, to reflect modifications in the UEBT membership Conditions and Obligations (UEBT GOV25 – Membership Conditions and Obligations for Trading Members), and to reflect developments in the international regulatory framework regarding biodiversity (e.g. Nagoya Protocol). The revised standard and verification system should allow UEBT to better adapt to the realities of those working on Ethical BioTrade, setting the stage for further growth of the UEBT membership base.

Following a first public consultation phase of the standard, the UEBT Secretariat developed a revised version. In July 2011 UEBT initiated the second phase of the public consultation of this revised standard. This 2nd consultation phase ended on 5th December 2011, following which a 2nd Draft of the Ethical BioTrade standard was developed. This 2nd Draft was shared among UEBT members as per the UEBT standard setting procedure. No members expressed serious concern or objected to the standard. On April 4th 2012, the UEBT Standard Committee recommended the adoption of the Final Draft Ethical BioTrade to the UEBT Board of Directors who formally approved it on April 11th, 2012.

The revision process has involved UEBT members and wider stakeholders, and included field tests and stakeholder workshops including communities in Peru, Brazil and Madagascar. In line with the ISEAL code for standard setting, UEBT has offered ample opportunity for stakeholders to share their views assuring broad stakeholder consultation.

II. WHY DID UEBT ENTER INTO STANDARD REVISION PROCESS?

Since the publication of the UEBT Verification Framework in 2007, numerous field applications and audits have been undertaken. A pre-consultation process reviewing the Verification Framework with direct users was conducted to establish whether a full consultation process would be valuable. Following this study, the UEBT Board of Directors concluded in April 2009 that while there were no fundamental flaws in the standard, several improvements could be made including:

- Improvements with regard to the wording and structure of the standard;
- Improvements to some descriptions of the process as over time UEBT has further improved its procedures and verification system;
- Addressing some comments related to minimum indicators.

It was thus decided to undertake a formal revision of the UEBT standard to allow for:

- Correction of issues identified in the pre-consultation phase and through UEBT experiences;
- The introduction of additional elements that could further increase the impact of the Ethical BioTrade Standard;
- Inclusion of more experience and expertise in the revision process;
- Reflection of developments in international regulations regarding biodiversity, particularly concerning Access and Benefit Sharing;
- A further increase in the legitimacy of the Ethical BioTrade Standard.

III. STANDARD REVISION PROCEDURE

The Union for Ethical BioTrade is a member of [ISEAL Alliance](#) (International Social and Environmental Accreditation and Labelling), and the Ethical BioTrade standard has been designed in accordance with the ISEAL code for standard setting. This includes the need to periodically review the standard,

at least every five years, as well as ensuring stakeholder engagement throughout the consultation process.

The Standardization process to review an existing standard consists in carrying out two public consultation phases. After each of these phases, the UEBT Secretariat supported by the UEBT Standard Committee addresses the comments received in drafting a revised standard. The revised standard is then revised and approved by the UEBT Standard Committee, which provides recommendations to the UEBT Board of Directors to formally endorse it before its publication. To read more about the standardization process, please refer to the UEBT Standardization procedure (UEBT PRO06 – Standardization process). <http://www.ethicalbiotrade.org/revisionprocess/>

IV. FIRST AND SECOND PHASES OF PUBLIC CONSULTATION

In January 2011, the first consultation phase was completed. The UEBT Secretariat received and reviewed more than 700 comments from 44 participants (organisations and/or individuals) that actively took part in this 1st public consultation phase. These comments, along with UEBT’s own experiences, informed the development of a Draft Revised Standard (STD01 – D1 – Ethical BioTrade Standard – 2011-05-04). More details of the first consultation phase can be found [here](#).

The 2nd public consultation phase was opened to UEBT’s stakeholders in mid-July 2011 and closed early December 2011.

The UEBT Secretariat actively reached-out to its stakeholders using a variety of channels to bring the consultation to their attention (e.g. newsletters, list-servers, emailing, etc). In order to reach local producers and smallholders, the UEBT Secretariat, together with local partners, also organised consultation workshops in Peru (July 2011), in Bolivia (September 2011) and in Brazil (November 2011), and consultations with local communities in Madagascar (November 2011), Peru (July 2011) and Brazil (July 2011). Field tests were also undertaken through five third party audits.

When the 2nd public consultation phase closed on December 5th, 2011 the UEBT Secretariat had received comments from more than 120 participants.

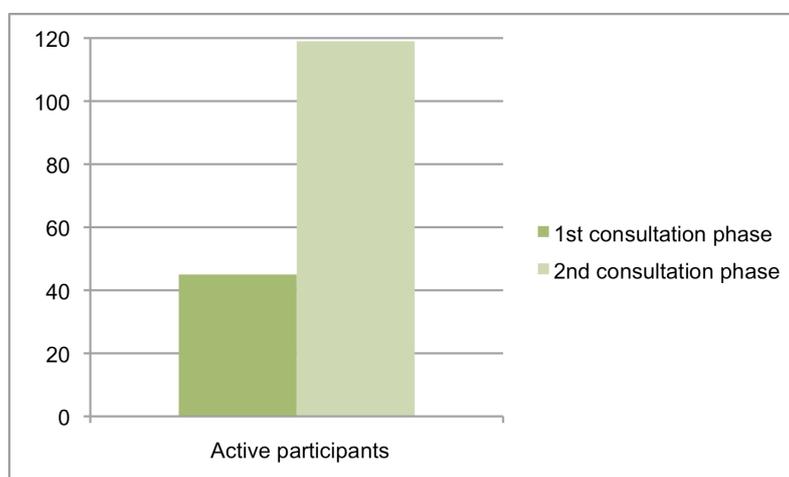


Figure 1: Active participation for the 1st and the 2nd consultation phases.

The total participation rate increased with 264% from the 1st to the 2nd consultation phases.

Looking at the entire process, UEBT has reached a significant number of people from developing countries being involved in either economic or environmental sectors. Thanks to the community workshops, UEBT managed to reach a higher number of representatives from the social sector in developing economy countries. Despite specific efforts to involve the social sector from Developed and Emerging economy countries in the process, the participation from these sectors remained a bit lower in comparison with others. UEBT also succeeded in increasing participation of the end users of the standard, i.e. the private sector. The column with “Other” represents the international institutions that UEBT could not classify under economic, environmental or social (e.g. lawyers, international donors, government agencies, etc.).

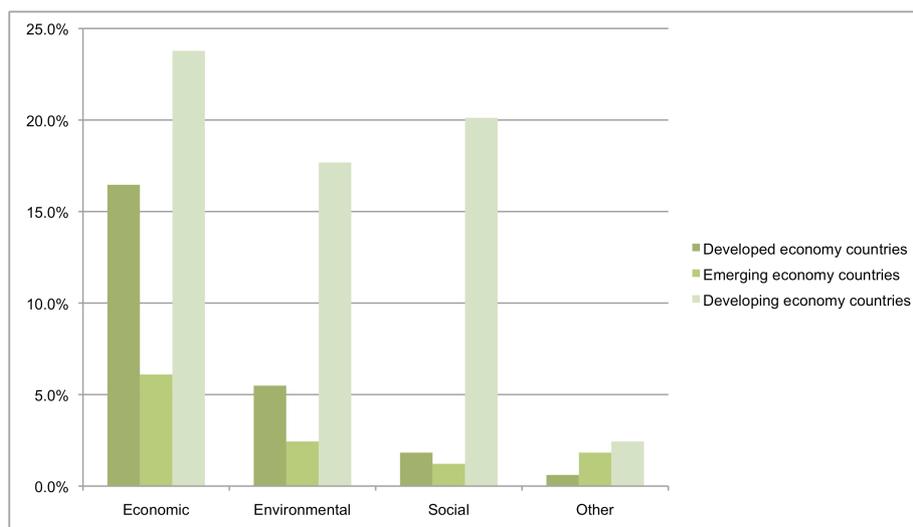


Figure 2: Division of participants in the two consultation phases according to the UEBT stakeholder groups.

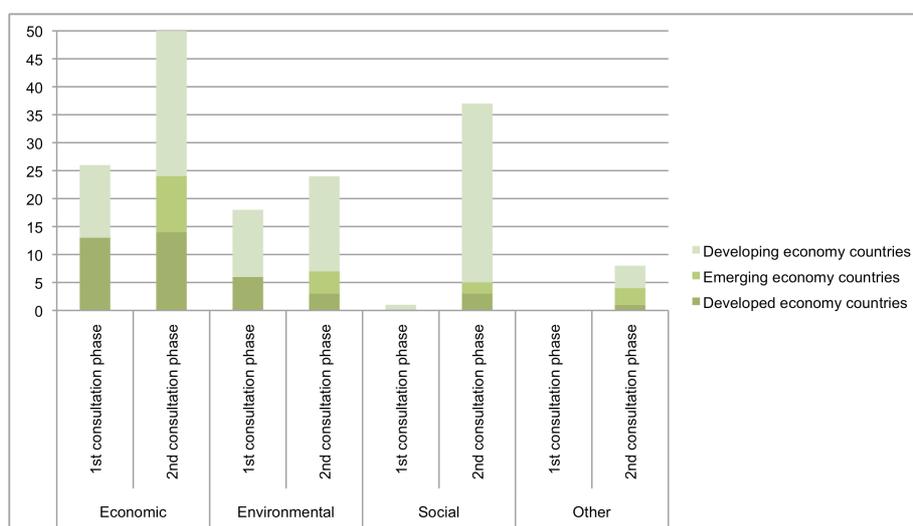


Figure 3: Comparison of stakeholder participation in the 1- and 2- consultation phases

V. ANALYSIS OF THE COMMENTS RECEIVED DURING THE CONSULTATION PHASES

Below is a brief synopsis of comments received on the consultation process and the main changes that have been made to the Ethical BioTrade Standard. This is not an exhaustive list of comments. If you want to have more details on the process or access the full list of comments made during the 1st and the 2nd consultation phases, please contact the UEBT Secretariat at: info@ethicalbiotrade.org

Scope

Following internal discussions and public comment, UEBT has decided to widen the scope of the Ethical BioTrade Standard to make it applicable to **all natural ingredients of the organisation's portfolio** rather than 'native' natural ingredients. This helps increase the positive environmental and social impacts of the Ethical BioTrade Standard. Nevertheless, promoting 'native' species remains an important aspect of UEBT and this is reinforced within the Ethical BioTrade Standard with a new indicator under the criterion 1.2.

In the 2007 Verification Framework, the entry points necessary for an organisation to become a member of UEBT were highlighted as minimum indicators. In the 1st draft revised standard these entry points were no more highlighted in the standard itself. But following the comments received during the 2nd consultation phase, the UEBT Secretariat decided to go back and highlight them as *Entry Indicators* as part of the standard, being entry points to become UEBT Provisional Trading Member. In addition to the entry indicators, UEBT Provisional Trading Members are also required to comply with the Membership Conditions and Obligations (GOV25 – Membership Conditions and Obligations for Trading Members) and follow the UEBT membership process to complete its membership.

In order to reflect these aspects, the introductory part of the Ethical BioTrade Standard had been significantly reviewed. These revisions allow for a better understanding of the role of the Ethical BioTrade Standard in UEBT membership obligations.

Definitions

During the consultation process a number of comments were made on definitions used in standard. Some emphasized the need to adopt international terms used by the CBD while others indicated that some definitions were missing to ensure a consistent and reliable understanding of the Ethical BioTrade Standard. In response the UEBT Secretariat further improved some definitions. The list of new and modified definitions can be found in an Annex 1 to this report.

Principles - general

Throughout the standard, in order to respond to concerns about the scope and responsibilities implied in the requirements, changes clarify who is responsible for what and in what context. These changes range from substantive reviews of criteria and indicators to grammatical changes such as less use of the passive voice (for example, more sentences begin with reference to "the organisation...").

Principle 1 – Conservation of biodiversity

Following comments received during 1st consultation phase, aspects of Principle 1 had been modified so that it now mentions the need for ecosystems to be maintained AND restored, thereby promoting restoration practices. The wording of the indicators has also been altered to make it clear that requirements focus on areas where the organisation is sourcing. In addition, the definition of 'natural habitat' has been improved to properly refer to ecosystems that are untouched by human beings, which was the original meaning within the UEBT standard.

Following comments received during 2nd consultation phase, the main changes aim to clarify the scope and responsibility of requirements under Principle 1. The standard now distinguishes between requirements focusing on general threats to the ecosystem and those more linked to sourcing activities. An indicator has been added to highlight the importance of efforts to restore biodiversity and another one to highlight the commitment to source natural ingredients from their native distribution areas.

Principle 2 – Sustainable use of biodiversity

Following comments received during 1st consultation phase, the wording of the standard has also been altered so that the requirements on training are more position specific. In addition, the Ethical BioTrade standard now also requires that sourcing activities take place under a legal permit. UEBT has also grouped all the indicators related to environmental impact together, under criterion 2.4.

Following comments received during the 2nd consultation phase, Principle 2 includes an additional indicator that allows for a better recognition of organic practices. In addition, an indicator had been added calling for respect of the WHO recommended maximum utilization rates of pesticides. There is also more consistency in the wording of the indicators under 2.4.

Principle 3 – Fair and equitable sharing of benefits derived from the use of biodiversity

Comments in both the first and second consultation phases emphasized the significance of Principle 3 in the Ethical BioTrade Standard. There were also suggestions for significant changes to clarify complex topics around the fair and equitable sharing of benefits, as well as to facilitate the implementation of related requirements.

Following comments received during 1st consultation phase, criteria that take into account access and benefit sharing legislation had been introduced into this principle. An additional criterion on designing patents that support the objectives of the CBD and the Ethical BioTrade standard has been added, as a criterion on Prior Informed Consent informed by the CBD definition.

After the 2nd consultation phase, Principle 3 now more clearly distinguishes between legal and ethical requirements, and between sourcing and research and development practices. Criteria 3.1 to 3.4 outline the elements in the fair and equitable sharing of benefits resulting from sourcing activities. In criteria 3.1, 3.2, and 3.3, changes have been made in wording in order to clarify the intent of the requirements. Each criterion now also reflects a stepwise approach. Criterion 3.4 recognizes the value of traditional practices linked to the sourcing of natural ingredients that promote the conservation and sustainable use of biodiversity.

Criterion 3.5 provides guidance on the legal aspects of access and benefit sharing, which are particularly relevant in cases of research and development based on biodiversity and associated traditional knowledge. In addition, new criteria 3.6 and 3.7 focus on ethical requirements linked to R&D activities, even if there are no legislative or regulatory requirements in place. Criterion 3.6 addresses access to biodiversity and associated traditional knowledge, which must take place with prior informed consent and mutually agreed terms. Criterion 3.7 addresses the sharing of benefits derived from the use of biodiversity and associated traditional knowledge in R&D activities.

Finally, the criterion on patents – criterion 3.8 – which was added after the first consultation phase has been reformulated with a stepwise approach in order to facilitate its application.

Principle 4 – Socio-economic sustainability

The main changes in Principle 4 were to remove indicators identified by some commentators as redundant. Moreover, a new criterion was added in order to make a clearer link between the requirements of the Ethical BioTrade Standard and the member organisation's own management system. As well as a new indicator under criterion 4.1 had been added, asking the organization to ensure long-term financial sustainability through periodic strategic plans.

Principle 5 – Compliance with national and international legislation

Following comments received during 1st consultation phase, UEBT has added indicators below each criterion. In addition, the word comply has been changed to respect, to reflect the fact that at times it can be difficult to comply with legislation when insufficient administrative processes are established in the country.

Following comments received during 2nd consultation phase, these changes focused on the terminology in the criteria on international agreements and on local and national legislations. A reference was added to the Nagoya Protocol on access and benefit sharing, adopted in 2010 under the aegis of the CBD. In addition, the criterion 5.4 had been moved to Principle 7 as its intent is more linked to land tenure.

Principle 6 – Respect for the rights of actors involved in BioTrade activities

Following comments received during 1st consultation phase, changes concentrate on the payment of wages in line with national regulations and the respect of ILO conventions on wages. In addition, the criterion on food diversity and security had been reduced to focus solely on food security.

Following comments received during 2nd consultation phase, changes concentrate on splitting the indicator listing the ILO core Conventions to help their understanding by organisation from the private sector as well as improving the criterion 6.2 in order to improve the wording in line with other agreements such as the ILO 169 on Indigenous People and the UNDRIP.

Principle 7 – Clarity about land tenure, right of use and access to natural resources

Following comments received during 1st consultation phase, changes include changes to the criterion on access to biodiversity and land tenure to ensure respect of the land tenure and to implement mechanisms for conflict resolution. In addition, the criterion on Prior Informed Consent had been moved to Principle 3.

Following comments received during 2nd consultation phase, few changes include slight changes in the wording and the addition of the old criterion 5.4 under Principle 7.

VI. CONCLUSION

Various important changes have been made to the UEBT Standard in view in response to public consultation, changes in international regulatory frameworks, and changes in the UEBT membership conditions and obligations.

A significant number of UEBT members and stakeholders participated in improving the Ethical BioTrade Standard. The revision process has resulted in a 2nd Draft of the Ethical BioTrade Standard that has been reviewed by the UEBT Standard Committee and shared to UEBT members, as defined in the UEBT standard setting procedure. No sustained objection was voiced by the UEBT members and on April 4th 2012, the UEBT Standard Committee recommended adoption of the Final Draft Ethical BioTrade standard to the UEBT Board of Directors who formally endorsed it on April 11th, 2012.

ANNEX 1: NEW & MODIFIED DEFINITIONS

Access and Benefit Sharing: In the Convention on Biological Diversity (CBD), it is the system for access to genetic resources and the fair and equitable sharing of benefits arising out of the utilization of genetic resources, on the basis of prior informed consent and mutually agreed terms. In many of the laws and regulations implementing the CBD, as well as in the Ethical BioTrade standard, access and benefit sharing requirements extend more broadly to biodiversity-based research and development, as well as subsequent applications and commercialization activities.

Biodiversity Management System: a set of policies, procedures, and practices designed to implement the Ethical BioTrade Standard and UEBT Membership Obligations at the level of the member organisation and its natural ingredient supply chains. (UEBT, 2012)

Collectors: persons who collect plants/animals or part of them, professionally or as part of a commercial relationship with a buyer.

Endangered species: species facing a very high risk of extinction in the wild and is listed in either IUCN redlist, national legislation and/or CITES.

Ethical BioTrade Sourcing targets: specific targets aiming to gradually align the biodiversity sourcing practices of a UEBT Trading Member with the UEBT Membership Conditions and Obligations. (UEBT, 2012)

Fair and equitable benefit sharing: refers to measures taken to ensure that benefits arising from the utilization of biodiversity and associated traditional knowledge, as well as subsequent applications and commercialization, are shared in a fair and equitable way with all those organisations or communities identified as having contributed to resource management, research and development, and commercialization. (Reference to criterion 3.2)

Food security: when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. (Adapted from 1996 World Food Summit)

Living wage: hourly wage paid (when calculated as a function of a standard working month) meets basic needs of workers and their families and to provide some discretionary income. (Adapted from Fair Wear Foundation)

Lodging: safe and locally acceptable accommodation, access to food and beverages.

Management system: system that contains a set of policies, procedures, and good practices to reach objectives defined by the organisation.

Mutually agreed terms: conditions for access to biological resources and associated traditional knowledge, and the sharing of resulting benefits, established between the user and the providers these resources, including government agencies, groups, indigenous and local communities or individuals with relevant and recognized rights.

Natural ingredient: for the purpose of the UEBT Membership Conditions and Obligations, ingredient that comes directly from plants or animals or that includes plant or animal inputs, even if these inputs have been significantly processed.

Natural ingredient portfolio: portfolio of natural ingredients that the organisation sources and works with.

Prior informed consent: consent of the providers of biological resources and associated traditional knowledge, including government agencies, groups, indigenous and local communities or individuals with relevant and recognized rights, for access for research and development, granted without coercion, prior to the start of activities, and on the basis of an understanding of the full range of issues and potential impacts. (Adapted from CBD principles).

Regeneration rate: rate at which a species can regrow.

Research and development: series of analyses, tests and other investigative activities conducted

with the intention of identifying new and useful properties of the plant/animal parts and/or plant/animal extracts, when such findings can be deemed to be novel, involve an inventive step and be subject to industrial application.

Sourced species: species that are cultivated and/or collected for sourcing purposes.

Sourcing activities: all activities along the supply chain related to sourcing.

Sourcing areas: areas from which the sourced species are cultivated and/or collected.

Supplier: organisation, person, etc. that provides things that people want or need, especially over a long period of time.

Stepwise, risk-based approach: a gradual approach towards reaching compliance with the Ethical BioTrade Standard giving priority to those ingredients that pose the biggest risk to ethical sourcing of biodiversity as defined by this standard. (UEBT, 2012)

UEBT Trading Member: member that is directly involved in the supply chain of Ethical BioTrade goods and services (e.g. producer/collector organisations, processing companies, traders, manufacturing companies, brands, consortia of trading companies, research institutions, etc.).

UEBT Provisional Trading Member: organisation that is in the process of becoming Trading Member and which complies with the Entry Indicators as one of the first steps of the process.

ANNEX 2: NEW & MODIFIED CRITERIA AND INDICATORS

The following criteria and indicators have been added or *significantly* changed in the Ethical BioTrade Standard or adapted. These should not be considered a definitive list of requirements and reference should always be made to the official STD01 – Ethical BioTrade Standard – 2012-04-11.

1.1 Characteristics of ecosystems in which sourcing activities take place shall be maintained or restored.

1.1.1 The organisation has identified these ecosystems.

1.1.2 The organisation has identified threats to the conservation of biodiversity in these ecosystems, related or not to its sourcing activities.

1.1.3 The organisation has identified initiatives (local, national and/or international) that address the threats identified in 1.1.2.

1.1.4 The organisation contributes to addressing these threats either through own initiatives or participating in the initiatives identified in 1.1.3.

1.2 Sourcing activities shall conserve and restore biodiversity.

1.2.1 Entry indicator: The organisation does not undertake activities that convert pristine ecosystems.

1.2.2 The organisation identifies the impacts of its sourcing activities on the biodiversity in sourcing areas.

1.2.3 The organisation takes measures to avoid or mitigate the identified impacts in 1.2.2.

1.2.7 The organisation, through its sourcing activities, actively promotes biodiversity restoration practices in sourcing areas.

1.2.8 The organisation endeavors to source natural ingredients from their native distribution areas.

1.3 Sourcing activities shall be aligned with strategies, plans or programmes for conservation and sustainable use of biodiversity applicable to sourcing areas.

1.3.1 The organisation has identified these strategies, plans or programmes.

1.3.2 The organisation's sourcing activities do not contravene, but rather contribute to the implementation of the relevant strategies, plans and programmes identified in 1.3.1.

2.1.4 Information is available on the regeneration rate of the sourced species and in case of wild collection, on the level of their populations in the sourcing areas.

2.1.5 The organisation's sourcing activities do not negatively affect the populations of the sourced species or the long-term levels of yield.

2.2.2 Employees, suppliers and collectors are trained in the good practices mentioned in 2.2.

2.4.2 Entry indicator: The organisation does not use agrochemicals:

- banned under the Stockholm Convention on Persistent Organic Pollutants (POPs),
- that fall under WHO Categories I and II
- and/or are listed in the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
- and/or banned in the relevant countries of operations.

2.4.3 The organisation respects maximum utilisation rates of agrochemicals recommended by WHO.

2.4.4 The organisation has examined substituting agrochemicals with alternatives approved under organic agricultural practices.

2.4.9 Mechanisms are in place to avoid and minimize the waste of raw materials in different phases of production.

3.2.2 Prices are based on cost calculations that consider the costs of implementing conservation, sustainable use, social and other requirements in this standard as well as a profit margin.

3.2.3 Prices are periodically reviewed.

3.2.5 If requested and justified, pre-financing is available at the producer level for part of the contract value.

3.3.1 Producers and their local communities are consulted in order to understand their local sustainable development goals.

3.3.2 The organisation promotes employment in sourcing areas and gives priority to employing local people.

3.3.5 The organisation works to build the capacities of producers and their local communities, in the context of its sourcing activities, on issues such as organisational structures, natural resource management, technical and commercial skills, as defined through 3.3.1.

3.4 Traditional practices linked to the sourcing of species and ingredients are recognized.

3.4.1 The organisation has information on traditional practices linked to the sourcing of species and ingredients.

3.4.3 The organisation utilizes or refers to these traditional practices in sourcing activities only with the approval and involvement of producers and their local communities, as well as adequate remuneration.

3.5 The organisation shall comply with legislative or regulatory requirements on access to biodiversity and associated traditional knowledge for research and development and the sharing of resulting benefits.

3.5.1 The organisation is aware of the concepts and principles of access and benefit sharing and the possible legal implications for its activities.

3.6 For research and development activities, even if there are no legislative or regulatory requirements on access to biodiversity and associated traditional knowledge, such access shall be subject to the prior informed consent and based on mutually agreed terms.

3.6.1 Negotiations related to access to biodiversity and associated traditional knowledge are transparent and based on dialogue and trust, as defined by Criterion 3.1 of this standard.

3.6.2 The organisation has identified government agencies, groups, indigenous and local communities or individuals with recognized rights over the relevant biodiversity and associated traditional knowledge.

3.6.3 The organisation takes measures to engage these agencies, groups, communities or individuals, providing information and opportunities for their effective participation in negotiations.

3.6.4 Negotiations on prior informed consent and mutually agreed terms consider issues such as the intended and permitted uses of the biodiversity and associated traditional knowledge, recognition of their origin, possible use of intellectual property rights, safeguards in case of third party involvement, and commitments towards determining and sharing benefits.

3.6.5 If traditional knowledge is used in research and commercial activities, such uses respect the rights of traditional knowledge holders, takes into account their ethical and cultural concerns, and allows their continued customary use of the traditional knowledge.

3.6.6 The organisation identifies and addresses allegations regarding access to biodiversity and associated traditional knowledge without prior informed consent or mutually agreed terms, in line with PRO30 – Procedure for addressing claims of conduct inconsistent with ethical sourcing practices.

3.7 For research and development activities, even if there are no legislative or regulatory requirements on the sharing of benefits arising from the use of biodiversity and associated traditional

knowledge, as well as subsequent application and commercialisation, benefits shall be shared in a fair and equitable way and based on mutually agreed terms.

3.7.1 Negotiations related to benefit sharing are transparent and based on dialogue and trust, as defined by Criterion 3.1 of this standard.

3.7.2 The organisation has identified government agencies, groups, indigenous and local communities or individuals having contributed to the research, development or commercialisation processes.

3.7.3 The organisation takes measures to share benefits in a fair and equitable way with these agencies, groups, communities or individuals having contributed to research, development or commercialization processes, on the basis of the mutually agreed terms.

3.7.4 In determining benefits to be shared, the organisation considers their contribution to local sustainable development goals, as defined by Criterion 3.3 of this standard.

3.7.5 Other benefits may include access fees; milestone payments; special fees to be paid to trust funds supporting conservation and sustainable use of biodiversity; sharing of research and development results; collaboration, cooperation and contribution in scientific research; and institutional and professional relationships.

3.7.6 The organisation identifies and addresses concerns on the sharing of benefits on the basis of mutually agreed terms.

3.8 Patents and other intellectual property rights shall be exploited and enforced in a manner that is supportive to the objectives of the CBD and the Ethical BioTrade standard.

3.8.1 The organisation is aware of the issues around the use of patent protection and research and development on biodiversity and associated traditional knowledge, and the possible legal implications for its activities.

3.8.2 If the organisation uses patent protection in relation to research and development based on biodiversity and associated traditional knowledge, it has in place patent and biodiversity policies aiming to ensure that these patent practices support the objectives and provisions of the CBD, and this standard.

4.1.2 Financial reports are available and externally verified in line with national regulatory requirements.

4.1.3 The organisation undertakes periodic strategic and business planning to assure long-term financial sustainability.

4.2 The organisation shall integrate the requirements of the Ethical BioTrade Standard into its management system for its operations and supply chains.

4.2.1 The organisation has systematised the implementation of the Ethical BioTrade Standard, through policies, procedures and standard practices.

4.2.2 The organisation measures the impact of the implementation of the Ethical BioTrade Standard.

4.2.3 The organisation monitors progress and takes corrective actions if required.

5.1 The organisation shall respect international agreements related to biodiversity, particularly the CBD, the Nagoya Protocol and CITES.

5.2 The organisation shall respect national and local regulatory requirements related to the use and trade of natural ingredients.

5.2.2 There is no substantiated evidence of non-compliance with relevant regulatory requirements for the use and trade of natural ingredients

6.1.2 Entry Indicator: The organisation protects child through at least the respect of the ILO Conventions on the Minimum Age Convention (138) and on the Elimination of the Worst Forms of Child Labour (182).

6.1.3 The organisation respects workers rights by at least respecting ILO Conventions on Freedom of Association and Protection of the Right to Organize (87) and on the Right to Organize and Collective Bargaining (98).

6.1.4 Entry Indicator: The organisation avoids immoral transactions in business operations according to the UN Convention against TransNational Organized Crime, Protocol on Trafficking and Smuggling, the OECD guidelines for Multinational Enterprises and the UN Convention on contracts for Sale of Goods.

6.2 The organisation shall respect the rights of indigenous and local communities, as defined by UNDRIP, ILO 169 and national laws, in its sourcing activities.

6.2.1 The organisation respects the rights of indigenous and local communities to own, use, and control lands, territories and resources in its sourcing activities.

6.2.2 The organisation respects the rights of indigenous and local communities to maintain, protect, and have access in privacy to their religious and cultural sites in its sourcing activities.

6.2.3 The organisation respects the rights of indigenous and local communities to maintain, control, protect, and develop their cultural heritage, including traditional knowledge associated to biodiversity, in its sourcing activities.

6.3.1 The organisation pays wages in line with national regulations and ILO conventions 95 (Protection of wages), 26 (Minimum wage-Fixing machinery) and 131 (Minimum wage fixing), ILO 100 (Equal remuneration) and seeks to pay living wages.

7.1.2 Conflict resolution mechanisms need to be adopted in case of disputes over rights to use lands.

7.2 The organisation shall take measures to minimize the illegal use of the sourcing areas it manages by others.

ANNEX 3: REMOVED INDICATORS

The following indicators have been removed:

1. From the Verification Framework for Native Natural Ingredients – 2007-09-20

- 1.1.4 The organisation does not introduce alien species into natural habitats being managed.
- 1.2 Genetic variability of flora, fauna and micro-organisms (for use and conservation) shall be maintained
 - 1.2.1 The organisation takes measures to maintain the varieties and wild relatives of the species being managed.
- 4.1.1 The organisation is currently profitable or has a viable business plan to become so.
- 4.1.2 The organisation's structure is in line with its production objectives and size
- 7.1.1 There are no disputes over land tenure and access of substantial magnitude involving a significant number of interests

2. From STD01 – D1 – Ethical BioTrade Standard – 2011-05-04

- 1.1.3 Main negative impacts on biological interactions of sourced species with other organisms within the ecosystem are addressed.
- 3.1.2 The organisation takes step to determine whether and how this legislation applies to its activities.
- 3.1.4 The organisation applies other criteria of Principle 3 of the UEBT standard so as to complement and build on applicable requirements of this legislation.
- 3.2.1 The organisation takes measures towards conducting any administrative procedures required by access and benefit sharing legislation to solicit access to biodiversity and associated traditional knowledge.
- 3.2.2 Use of biodiversity and traditional knowledge takes place with the prior informed consent of the local or community authorities, groups or individuals with rights over these resources and knowledge.
- 3.3.2 Prices provide a living wage.
- 3.4.6 An impact assessment, as defined in the UEBT impact measurement system, is undertaken, at least for those species with high biodiversity risk as defined by UEBT.
- 3.6.2 Patent applications for inventions based on biodiversity disclose the country of origin of the biological resources and any traditional knowledge relevant to the invention.
- 3.6.3 Potential use of patent protection is addressed in the negotiation and implementation of access and benefit-sharing agreements.
- 3.6.4 If providing samples derived from biodiversity for research purposes, the organisation takes into account relevant requirements in access and benefit sharing legislation.
- 4.3.2 The organisation knows and is able to document the origin of its natural ingredients along the supply chain.
- 4.3.4 The organisation is able to associate this traceability system to relevant Ethical BioTrade practices as defined in this standard.
- 6.2.2 Indigenous peoples and local communities control the management of the resources in their lands and territories, unless they delegate control with free and informed consent to other organisation.