

Minutes of Meeting 11th Standard Standing Committee (SSC) Meeting

Date: 13th August 2020

Time: 15.00 – 18.00 (KUL time)

Venue: Join Zoom Meeting

ATTENDANCE

Name	Organisation	Constituency
Present:		
1. Olivier Tichit (Co-Chair)	Musim Mas	Processor and Trader
2. Lee Kuan Yee (Co-Chair)	MPOA	Growers
3. Lim Sian Choo	Bumitama	Growers
4. Audrey Lee	OLAM	Growers
5. Ian Orrell	New Britain Palm Oil Limited	Smallholders (SHSC)
6. Jenny Walther-Thoss	WWF-Germany	ENGO
7. Anne Rosenbarger	WRI	ENGO
Absent with apologies:		
8. Paula de Hartog	Rainforest Alliance	SNGO
9. Faryda Linderman Alt.: Yvon Philip	NNI Partners	Finance Institution
RSPO Secretariat		
1. Julia Majail	RSPO Secretariat	
2. Amir Afham	RSPO Secretariat	
3. Kamini Visvanathan	RSPO Secretariat	
4. Dede Herland	RSPO Secretariat	
5. Tiur Rumondang	RSPO Secretariat	
6. Javin Tan	RSPO Secretariat	

AGENDA

Time	Item	Agenda	PIC
1500	1.0	Opening 1.1 RSPO Antitrust Law 1.2 RSPO consensus-based decision making 1.3 Acceptance of Agenda	Co-Chairs
	2.0	Confirmation 10th Minutes of Meeting on 17th July 2020 2.1 Meeting arising from the MoM - see action trackers	Co-Chairs/JM
	3.0	National Interpretation - NI Gabon	JM/WM/AA
	4.0	Formation of Labour Sub-Group	KV
	5.0	Decent Living Wage	KV
	6.0	HCSA	AA/JM
	7.0	NDJSG – Work Plan and Timeline	AA/JM
	8.0	HGU Indonesia	TR/JM
	9.0	AOB	

DISCUSSION

No.	Description	Action Items
1.0	<p>Opening</p> <ul style="list-style-type: none"> Co-Chairs welcomed and thanked everyone. He reminded members not to discuss matters related to business dealing or price which can be conceived as a breach of the antitrust law. All decisions will be based on consensus. <p><u>Acceptance of Agenda:</u></p> <ul style="list-style-type: none"> Members agreed to the proposed agenda. 	
2.0	<p>Confirmation Minutes of Meeting</p> <p>Some correction to be made on the minutes as follow:</p> <ul style="list-style-type: none"> Item 1.0, 1st bullet – to change ‘be done virtually’ to ‘be carried out virtually’. Item 1.0, 2nd bullet – to change ‘of breaching’ to ‘breach’ the antitrust law. Item 3, Pg 7, the quorum met more than half is required and must represent all the group. It was also proposed to add the following into the ToR: <i>In the case that not all groups are represented in the meeting, no decision could be made. Meetings can still proceed, and inputs will be sought from the member group (which are represented in the Standard SC) for decision via online. This will allow flexibility for the Committee to proceed with the meeting and still get the inputs from those not in attendance before making the final decision.</i> Item 3, 8th bullet, to add the Chatham House Rules. Item 7, NPP, 5th bullet – to change ‘to carefully wording’ to ‘to word clearly’ Item 12, 5th bullet -to correct the typo-error on “threshold” On nomination of alternate, members who are going for leave were urged to provide the name of their alternate by next week. <p>The minutes of the meeting is adopted subject to changes to items as commented above.</p>	
2.1	<p>Minutes of Meeting - Action Trackers</p> <ul style="list-style-type: none"> With regards to the progress/impact report on the support by RSPO to HCVRN, a summary report will be shared in the next meeting. HR&SCWG updates is missing. Will be shared in the next meeting. 	<p>Sec to share the summary report with SSC. Sec to resend the updates.</p>
3.0	<p>National Interpretation: NI Gabon</p> <ul style="list-style-type: none"> The NI Gabon added a procedural notes for the 7.12.3 mentioning about the setting up of a methodology to define HCS that is currently being finalized by the governmental authorities with the support of partners (e.g. CAFI) and will be approved by Gabonese stakeholders (government, private sector, civil society, smallholders, technical and financial partners). The government of Gabon invited NDJSG to come to Gabon to study this question 	

	<p>and the NIWG is available to discuss the technical aspects of this in the Gabonese national context with NDJSG.</p> <ul style="list-style-type: none"> • The Gabon NI TF agreed to keep the indicator which is to refer to the specific procedure by RSPO. Before the procedure is available, the 7.12.2 (HCSA method) will be used as reference. The intent of the procedural notes is to emphasize the invitation to NDJSG by Gabon NITF to interact (cross-learning) for the development of the procedure that is practical for HFCC. • The SSC is cautious of the placement of the procedural note, as it may be construed that the Standard SC is endorsing the government methodology. • It was also mentioned that if the methodology would be approved by NDJSG, in terms of application, the development is only for indigenous people and local community. • RSPO recognised that the NI Gabon process is valid. <p>Decision by the Standard SC:</p> <p>a. The Standard SC satisfied that due process has been followed in the development of the NI Gabon. Hence, SSC has no objection to recommend the NI Gabon for BoG endorsement after the correction is done on the following:</p> <ul style="list-style-type: none"> • The procedural notes under 7.12.3 to be removed from where it is now and proposed if it can be placed under the NI Gabon preamble. • Annex 1 – under the Adequate Food, the word “expired” should be read as “non-expired”. 	<p>Sec to notify the Gabon NITF to make the correction.</p> <p>Sec to get approval from all SSC members via online before submitting it to BoG.</p>
<p>4.0</p>	<p>Formation of Labour Sub-Group</p> <ul style="list-style-type: none"> • KV presented the comparison of the purview (goal, objective, and scope) of the Human Rights and Social Compliance WG and the Labour Sub-Group. • The ToR of the Labour Sub-Group shared with the SSC. • On composition, SSC proposed to change the composition particularly the number of SNGOs as it would compromise the decision making quality which requires a quorum of 2/3rd agreement. This would make it difficult to achieve any decisions as you would always need a high number of attendance. Further, there are very few SNGOs in the RSPO at the moment, particularly those working on labour, therefore it would be hard to achieve this number . • On quorum, 2/3 attendance of substantive must also include every category of representatives. • SSC raised the concerns of overlaps. Is it necessary to have this sub-group? Isn't it easier to discuss the topic within the HRSCWG? <p>Decision: To put on hold until there is more clarity for this. The sub-group will be set up under the HRSCWG. SSC proposed to reduce the workload and complexity, list of tasks. Decisions for approval can be sought via email.</p>	<p>Sec to rework on the ToR of the Labour Sub-Group particularly on the scope of work and the concern of the number of participants to the group .</p>

<p>5.0 Decent Living Wage - updates</p> <ul style="list-style-type: none"> ● This update is a follow up from the last SSC meeting. ● SSC agreed to the recommendation to park the DLWTF under the SSC. ● The justification for the proposed structure: <ul style="list-style-type: none"> a. Focus on the DLWTF is on the development of the benchmarks; b. Focus to interpret indicator 6.2.6 c. Clearer and cleaner reporting line to SSC. 	
<p>6.0 HCSA - updates</p> <ul style="list-style-type: none"> ● The Secretariat updated that an email announcement sent to all RSPO members on 4th August 2020 to provide clarity on the transition period of new SR requirements of HCSA Module 2. ● With regards to the development of the procedures, communication to NDTF is to be done until there is an official communication from RSPO on this matter. ● A meeting with HCVRN is scheduled next week (18 Aug, Tuesday) to explore the potential of a separate checklist to be made available to ALS assessors for Integrated HCV/HCS assessment, which only applicable to RSPO members. 	
<p>7.0 NDJSG – Work Plan and Timeline</p> <ul style="list-style-type: none"> ● The NDJSG was endorsed by the BoG on 16 November 2018, with 2 subgroups: <ul style="list-style-type: none"> ▪ Socialization sub-group ▪ Definition sub-group ● A total of 5 meetings conducted since the formation of the group (3 JSG meeting and 2 sub-group meeting) ● RSPO is clear to come up with a clear generic HCS procedure to be adopted for 7 HFCC through multi-stakeholders' processes. This is not clear yet for the HCSA side. ● NDJSG ToR also does not state the active period of the group. ● There was no reply received from the NDJSG to the letter sent by the SSC Co-chairs requesting the NDJSG to submit their work plan/timeline by 31 July2020. ● NDJSG is a body that reports to SSC. In view of the current situation where the NDJSG is not moving as aspired, it is pertinent for SSC to decide on how to best move forward. <p>Decision:</p> <ol style="list-style-type: none"> 1) SSC to write a reminder letter to NDJSG with clear consequences if the group does not function as expected. NDJSG is given 45 days to reply. 2) Secretariat/SSC will come up with a proposal on action that can be taken for non-functioning WGs/TFs. This may also be applicable to other WGs/TFs under all SCs. 	<p>SSC/Sec to write a follow up letter to NDJSG Co-Chairs.</p> <p>Secretariat/SSC will come up with a proposal on action that can be taken for non-functioning WGs/TFs.</p>
<p>8.0 HGU Indonesia - Updates</p>	

	<ul style="list-style-type: none"> • TR updated the SSC that the ToR to conduct the study on “Alternatif Hak Atas Tanah Bagi Perusahaan Perkebunan Kelapa Sawit Dalam Rangka Penghormatan Hak Tenure Masyarakat Adat dan/atau Masyarakat Lokal” by AsM Law Office, is now available. It was prepared in Bahasa Indonesia. A separate paper prepared by the Secretariat extracting the key points from the said document. • The ToR includes field interviews but possible to limit it to desktop research. • TR update the SSC that it is very possible that study will only be applicable to certain regions with strong local regulatory framework to support local community rights such as West Sumatra and Bali but not to the rest of Indonesia. The proposed cost to conduct the study is USD\$63,000. • It was highlighted that there might be potential risk if RSPO commissioned the study whereby the Indonesian government may perceive the act as influencing the local community to take the alternative. • Question was also raised whether RSPO should be responsible in providing the alternative? <p>Decision:</p> <ol style="list-style-type: none"> a) Having considered many factors, SSC will not commission the study as initially thought. SSC accepted the report commissioned by FPP which contained good information. b) SSC will seek feedback from the Co-Chairs INA NI to react to the report, and if they see any of the options applicable and if they wish to further study on the matter. 	<p>SSC/Sec to write a letter to INA NI Co-Chairs to react to the report (by AsM) commissioned by FPP.</p>
9.0	<p>AOB</p> <ol style="list-style-type: none"> a) Deadline to inform the Secretariat (Julia Majail) on nomination for the alternate position by 21st August 2020. 	<p>All SSC members.</p>

Meeting ends at 5:41pm.