

MINUTES OF MEETING
Standard Standing Committee

Time : 1500 - 1800 (MYT)
Date : Wednesday, 27/01/2021
Venue : RSPO Zoom 1 / Conference Call

Attendees:

Name	Initial	Organisation	Representative Category
Lee Kuan Yee	LKY	MPOA/KLK	Grower (MY) - Substantive, Chair
Olivier Tichit	OT	Musim Mas	P&T - Substantive, Chair
Anne Rosenbarger	AR	World Resources Institute	ENGO - Substantive
Audrey Lee	AL	OLAM Group	Grower (RoW) - Substantive
Brian Lariche	BL	Humana Child Aid Society	SNGO - Substantive
Ian Orrell	IO	NBPOL	Grower (Smallholder) - Substantive
Masui Nobuhiko	MN	KAO Group	CGM - Alternative
Rudy Prasetya	RP	Triputra Agro Persada	Grower (INA) - Alternate
Sian Choo Lim	SCL	Bumitama Agri	Grower (INA) - Substantive
Jenny Walther Thoss	JWT	Sustainable Biomass Program	ENGO - Substantive
Yvon Philips-Meltzer	YPM	NN Investment Partners	Financial Institution - Alternate
Amir Afham	AA	RSPO Secretariat	
Bakhtiar Talhah	BT	RSPO Secretariat	
Beverly Postma	BP	RSPO Secretariat	
Bilge Daldeniz	BD	ProForest (SR Consultant)	
Dede Herland	DH	RSPO Secretariat	
Emir Bustami	EB	RSPO Secretariat	
Julia Majail	JM	RSPO Secretariat	
Nefissa Sahnoun	NS	RSPO Secretariat	
Inke van der Sluijs	IVDS	RSPO Secretariat	
Tiur Rumondang	TR	RSPO Secretariat	
Yunita Widiastuti	YW	Cargill	Invited Guest

Agenda:

Time	Topic
1500 - 1505	1.0 Opening 1.1 RSPO Antitrust Law 1.2 RSPO Consensus-based decision making 1.3 Acceptance of agenda
1505 - 1510	2.0 Confirmation of the 14th MoM on 13th November 2020 2.1 Matters arising from the previous meeting

	- Review Action Trackers
1510 - 1540	3.0 National Interpretation - For approval 3.1 Nigeria NI 3.2 Honduras NI 3.3 Guatemala NI 3.4 Liberia NI
1540 - 1550	4.0 Malaysia NI - Guidance on Recruitment Fee (for approval)
1550 - 1600	5.0 Medium Grower TF - Request for amendment of ToR (for approval)
1600 - 1615	6.0 Indonesia RISS Local Interpretation
1615 - 1630	7.0 NDJSG and NDTF - Progress update
1630 - 1700	8.0 AOB

DISCUSSION:

No.	Description	Action Points (PIC)
1.0 Opening		
	<p>The Chairs welcomed everyone to the meeting. The Antitrust is read out to the Committee. The Secretariat confirmed that quorum had been reached for the meeting.</p> <p>The Lead explained that there are 2 items added to the agenda for this meeting's discussion:</p> <ul style="list-style-type: none"> - National Interpretation and Local Interpretation WG/TF's Decision making when there is a lack of members - Breaking the deadlock in the SRWG <p>The amended agenda was accepted by the Committee.</p>	
2.0 Confirmation of the 14th MoM on 13th November 2020		
2.1	<p>14th SSC MoM <u>8.0 Metrication Template</u> Initial timeline was for the template to be officially announced in Jan 2021, but the Committee has yet to hear any news on it.</p> <p>The Chair reminded those on the Committee who have yet to sign the</p>	<p>Secretariat Lead to get back to the Committee via email</p>

	<p>CoC to please do so and send a copy to NS.</p> <p>The 14th SSC Minutes of Meeting was approved and accepted with no amendments .</p> <p>Action Tracker A member requested an update on the Human Rights and Social Compliance Working Group, as the Committee has accepted the guidance proposal with the exception of auditing.</p>	<p>Secretariat to revert back to the Committee</p>
<p>3.0 National Interpretation</p>		
<p>3.1</p>	<p>Nigeria NI The SSC had requested the Nigeria NI TF to add on 3 items onto the document during the previous meeting, and now believe that the document is complete. The document is endorsed by the SSC - pending an edit - and will be brought up to the BoG for endorsement.</p> <p>Decision: Endorsed</p>	<p>Secretariat to follow up with the member about this issue.</p>
<p>3.2</p>	<p>Honduras NI There were 2 issues that were highlighted;</p> <ul style="list-style-type: none"> (a) Guidance for 3.3 - the recommended Best Management Practices (BMP) is not an approved document by the RSPO, and needs to be vetted to ascertain that it meets RSPO standards. (b) Guidance for 4.7 stated, “The unit of certification should be creative in seeking compensation alternatives, considering the priorities of the person(s) affected”. The word “creative” here is too subjective and may lead to misinterpretation. <p>A member pointed out an additional issue;</p> <ul style="list-style-type: none"> - Guidance for 4.2 stated, “The unit of certification shall establish the dispute resolution procedure through open agreements agreed with the relevant affected party respecting anonymity.” It will be difficult to settle disputes if parties are anonymous. <p>The draft is not ready. The Secretariat will engage with the NI WG to explain and clarify the issues brought up here.</p> <p>Decision: The document was not endorsed and the Committee requested for additional editing and clarification to be done</p>	<p>Secretariat to engage with the LatAm NI WG on this.</p>
<p>3.3</p>	<p>Guatemala NI Some of the issues highlighted were;</p> <ul style="list-style-type: none"> (a) Criteria 3.3 - Recommended the use of Fedepalma SOP 2018 as reference. (b) Several elements have been struck out from the Criteria 6.3, 	

<p>3.4</p>	<p>6.4, and 6.6. (c) RSPO statement on DLW 6.2.6 procedural note is not included. (d) Proofreading oversights</p> <p>Other issues pointed out by members;</p> <ul style="list-style-type: none"> - Page 9 of the Significant Change document uses uncertain wording such as “however”. - Numbering issues - Included indicators of their own - Criteria 7.9 onwards contains many elements that do not align with RSPO standards. <p>Decision: The document was not endorsed, and needs to be reworked by the WG.</p> <p>Liberia NI Highlighted issues:</p> <ul style="list-style-type: none"> (a) 6.2.6 Procedural Note contradicts the indicator requirement that DLW is paid to all workers. (b) 7.12.2: NI Requesting for HCV-HCA (c) Smallholder definition - no specific indication of size threshold for the scheme. (d) 7.7.5: Peat drainability assessment is unclear. (e) Liberia is identified as HFCC, and is subject to 7.12.3. <p>Decision: The document was not endorsed. The draft will be returned to the WG for amendments on points (a), (b), (c), and (d).</p>	<p>Secretariat to convey this decision to the Liberia NI WG.</p>
<p>4.0 Malaysia NI</p>		
	<p>MYNI TF requested the Secretariat to add more clarity in the document regarding the recruitment fees. The inconsistency of interpretation and understanding by auditors on the components of recruitment fees have resulted in disagreements between growers and auditors.</p> <p>Proposed solution: the MYNI TF proposed the insertion of additional text (in blue) for Guidance of Criteria 6.1 (Indicator 6.1.2), and also in the Annex 2 of the MYNI 2019 document.</p> <p>A concern was raised about the countries listed out in the blue text. Any changes to this list will be seen as changes to the NI, which means the NI TF will have to refer back to the SSC for any of the changes to be implemented. The disclaimer should be edited to mean that the list is correct at the time of endorsement, and will evolve when regulations are modified.</p>	<p>The Secretariat to revert back to the WG to make the edits. The doc will be recirculated via email once it's done.</p>

	<p>Decision: Endorsed, pending edits to the document.</p>	
<p>5.0 Medium Grower Task Force</p>		
	<p>There is a challenge in recruiting members from the supply chain and finance/investment sectors due to lack of interest from these stakeholders.</p> <p>Proposed solution: To amend part of Section 3 of the MGTF ToR from “Quorum shall be achieved when at least one representative from each of the four stakeholder groups is present.” to “Quorum shall be achieved when at least one representative from three of the four stakeholder groups is present.”</p> <p>Another way of solving this issue is to invite an external or private party with the relevant knowledge to represent the absent sectors.</p> <p>Decision: The SSC agrees to grant the MGTF the quorum exemption requested for a duration of 6 months (until the end of June).</p>	<p>The Secretariat to engage with these sectors to determine a solution.</p> <p>The Secretariat to find out if the stakeholders from the 2 sectors are agreeable to have someone else represent them .</p>
<p>6.0 Governance in the Sierra Leone/Thailand NI</p>		
	<p>In the Standard setting for the TF, Clause 4.1.4 states that “Representatives of each stakeholder interest category must be an RSPO member, unless an exemption is approved by the Standard SC”. Sierra Leone does not have enough RSPO members, but has plenty of non-members interested in participating in the process, and hence was granted the exemption above. However a question was raised to the SSC in regards to the decision making process.</p> <p>Recommendation: Decision making will be made via consensus only. No voting will be allowed if there are non-members present in the TF. If there is no consensus, then Clause 4.4.2 will apply.</p> <p>A member feels that this solution should be not just for Sierra Leone and Thailand, but for all small production countries where there are no sufficient RSPO members.</p> <p>Another suggestion was that there should be a process/criterion</p>	<p>Circulate the recommendation via email to allow comments</p>

	<p>regarding the inclusion of non-members into the NI TFs.</p> <p>Decision: The Committee agreed to the proposed recommendation.</p>	
<p>7.0 Update on SRWG</p>		
	<p>The Shared Responsibility Consultant was invited to the meeting to inform the SSC of;</p> <ol style="list-style-type: none"> 1. Updates on SRWG work 2. The agreements on % uptake targets 3. Request assistance from the SSC in resolving the “conditionality” question (deadlock) <p>Update on SRWG work The revised timeline for the SRWG Process end Year 1 was presented to the Committee.</p> <p>The BoG was requested to develop a statement on the continuous use of credits, and they decided that credits would remain acceptable to help meet % uptake targets. The SRWG Secretariat will carry out a review on credit users during Q1 2021 and carry out an in depth analysis across membership and geographies to determine the role credits play in each of those markets. The Consultant also stated that the SWRG would continue with no sanctions for Year 1 as the implementation manual has not gone through public consultation due to delays in the timeline.</p> <p>Agreements on % uptake targets Retailers, Consumer Goods Manufacturers, and Processors and Traders have agreed to increase their uptake targets for 2021 by;</p> <ul style="list-style-type: none"> - P&T: 2% - RT and CGM: 12% CSPO, 7% CSPKO <p>These projections are created based on the 2019 Annual Communication of Progress (ACOP), taking into account market inefficiencies, the continued use of credits, and ISCC sales.</p> <p>Additional agreements are</p> <ul style="list-style-type: none"> - Allow reports/justifications on not meeting uptake targets in ACOP. - P&Ts have agreed to remove the aggregate target mechanism which they had initially proposed. - Year 2 (2021) will be used to examine and understand regional market realities with the aim of developing regional strategies and targets, rather than global. <p>The “conditionality” question (deadlock)</p>	

<p>The P&Ts are dependent on CGM and Retailers creating the demand and had proposed to have a built-in conditionality of their target that depends on the performance of CGM/Retailers meeting their targets. This will be difficult as the CGM/Retailers are allowed to use credits to increase their uptake, and the P&Ts are not a part of the credit market. The Growers and NGOs disagree with the conditionality hence resulting in a deadlock.</p> <p>The SRWG would like the SSC to help resolve this deadlock by 3rd Feb 2021, so that a board paper on the recommendation of % uptake figures can be submitted on 4th Feb 2021.</p> <p>A Grower member stated the reason why Growers are against the conditionality is that as there are no sanctions for this year, the P&Ts should first try to meet their uptake targets. If they fail to do so, then the topic of conditionality can be revisited.</p> <p>Several members feel that while the intent of the proposal is not bad, the usage of the word “conditionality” has a negative connotation. They suggested agreeing to the principal of the proposal, while recommending that the WG come up with new wording.</p> <p>Next step: The SSC members will talk with their respective stakeholder groups before coming to a decision via email chain discussion.</p>	<p>JM to work with IVDS on this email thread.</p>
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8.0 Indonesia RISS Local Interpretation

<p>Background: The Indonesia RISS was developed by SHIG, taking into consideration the complexity of the smallholder issue in the Indonesian local interpretation. A miscommunication during the development process has resulted in the current situation. The SSC had previously decided that;</p> <ol style="list-style-type: none"> 1. No NI is allowed to be on the RISS, and the generic RISS is to be adopted. 2. A light version of the interpretation is allowed should it be deemed necessary based on 3 items in the RISS; (a) Threshold (ha) defining independent smallholders, (b) Applicable laws and regulations concerning land rights or land legality, and (c) Any additional criteria should be adopted relating to the applicability of the standard. <p>The Chair of the Indonesia RISS NI TF raised 4 key concerns to the SSC;</p> <ol style="list-style-type: none"> 1. The term ‘local’ may be perceived (in an Indonesian context) as provincial/district rather than national. 2. The SSC had communicated the decision regarding the local interpretation of the RISS, but the standards (individual criteria 	
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	<p>and indicators) are unclear.</p> <ol style="list-style-type: none"> 3. Outputs of the local interpretation should be made very visible alongside the RISS to ease the implementation on local level. 4. The TF was initially created as RISS INA NI TF and referred to the NI CoC template when developing the ToR and CoC, which is currently still used by the TF. <p>Decision: A summary of the discussion will be shared with the SSC. This issue will be decided upon during the next SSC meeting.</p>	<p>To revert back to the RISS TF on the decision made by the SSC</p>
<p>9.0 NDJSG and NDTF</p>		
	<p>Due to time constraints, this agenda item was pushed to the next SSC meeting.</p>	
<p>10.0 AOB</p>		
	<p>Due to time constraints, the rest of the agenda will be discussed in the next meeting, which is slated for before or after Chinese New Year 2021.</p>	<p>The Secretariat to send out a Doodle Poll on potential meeting dates.</p>

Meeting ended 5:45 PM (MYT/GMT +8)