

MINUTES OF MEETING JURISDICTION WORKING GROUP MEETING #16 (VIRTUAL)

Date : 16 March 2023 (Thursday) 4:00 pm to 5:24 pm (MYT)

<p><u>Attendance:</u> <u>Members and alternates</u></p> <ol style="list-style-type: none"> 1. John Watts (Kaleka)* 2. Rob Nicholls (Musim Mas) 3. Lee Kuan Chun (P&G) 4. Sander van den Ende (SIPEF)* 5. Chin Kai Xiang (Bunge) 6. Paul Wolvekamp (Bothends) 7. Lim Sian Choo (Bumitama) 8. Silvia Irawan (Kaleka) 9. Aprilianto Nugroho (Sinarmas) 10. Daniel Liew (RSPO) 	<p><u>Absent with Apologies</u></p> <ol style="list-style-type: none"> 1. Quentin Meunier (Olam) 2. Tom Lomax (FPP) 3. Eza Nurain Abdullah (Sime Darby) 4. Maria Amparo (Ecuador CISPS) 5. Jon Hixson (YUM) 6. Rauf Prasodjo (Unilever) 7. Tri Padukan Purba (Rainforest Alliance) 8. Marcus Colchester (FPP) 9. Glyn Davies (WWF Malaysia)** 10. Melissa Thomas (CI) 11. Max Donysius (WWF Malaysia) 12. Alfred Yee (LKSS)
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*Co-chairs of JWG

**Special consultant

Agenda

Jurisdictional Working Group
Meeting Date - 16 March 2023
Venue - Zoom video conference

Item	Time (MYT)	Duration (minutes)	Agenda	Remarks
1 - Admin matters	1600 - 1605	5	1.1 - Opening and welcome new member	
	1605 - 1610	5	1.2 - RSPO Antitrust Guidelines, Conflict of Interests Declaration, and Chatham House Rules 1.3 - Acceptance of minutes - JWG meeting #15 - Jan23	
2 - Updates and discussions	1610 - 1620	10	2.1 - RaCP for JA study	
	1620 - 1630	10	2.2 - HCVN-HCSA proposal	
	1630 - 1640	10	2.3 - JE membership in RSPO	
	1640 - 1710	30	2.4 - JA strategy paper for BoG	
3 - Other JWG matters	1710 - 1725	15	3.1 - JWG membership updates	
	1725 - 1730	5	3.2 - Any other business	

Minutes of Meeting:

Item	Description	Action
<p>1.1</p>	<p>Opening and welcome new members</p> <p>The meeting started at 4:07 pm Malaysian time.</p> <p>Co-chair who is retiring thanked everyone for support and introduced the replacement for social NGO representative.</p> <p>New member representing smallholder (Malaysia) was recently admitted into the JWG but did not join the meeting.</p>	
<p>1.2</p>	<p>RSPO Antitrust Guidelines, Conflict of Interests Declaration and Chatham House Rules</p> <p>There was no question regarding the guidelines and the rules. And no conflict was declared.</p>	
<p>1.3</p>	<p>Acceptance of minutes – JWG Meeting #15</p> <p>Minutes of the JWG Meeting #15 was adopted by members.</p>	
<p>2.1</p>	<p>RaCP for JA study</p> <p>The Secretariat updated the group regarding the progress of the study so far. The consultants have interviewed the Integrity unit of the Secretariat, all three JA pilots and a grower. More interviews were being arranged for another grower and a government unit.</p> <p>Initial draft of report from the consultants focusing on the applicability and gaps issues of existing RaCP at jurisdictional level was expected by 17 Mar 2023. The report was still a draft as it was based on interview conducted so far and more info is needed from other stakeholders.</p> <p>A member asked if smallholder groups would be interviewed. The Secretariat explained that it was not yet in the plan but agreed that it would be a good idea to get a more complete picture.</p> <p>A member offered to help connect to smallholder groups in Indonesia that are already RSPO-certified, should the needs arise.</p>	<p>The Secretariat to check with the consultants on suggestion to include smallholders</p>
<p>2.2</p>	<p>HCVN-HCSA proposal</p> <p>The Secretariat updated that the ToR has been finalised by the Secretariat and shared to HCVN for feedbacks.</p>	

	<p>The tentative work time remained at 6 months and target start date is early / mid April 2023.</p> <p>The Secretariat added that the contract with HCVN is yet to be finalised, pending their response from the recently shared ToR. If there is no further comments from HCVN, the internal contracting and procurement process would start.</p> <p>2.3 JE membership in RSPO</p> <p>The Secretariat explained that, after internal discussion, it was decided that we should try to internally align on how a JE should look, where should they sit in terms of RSPO membership etc, before starting on the redrafting of RSPO documents.</p> <p>As such, the Secretariat would first discuss with internal legal dept and engage consultants to advise on ways to integrate JE into the RSPO structure.</p> <p>Responding to a question about the deadline for the work, the Secretariat advised that the target is to get the new JE membership structure endorsed in GA 2023. It also advised that while tight, the deadline is still achievable.</p> <p>A member added that there should be milestones and hard stops set to ensure that the process stays on track.</p> <p>The Secretariat added that it is also possible to conduct a extraordinary resolution, should the process took longer than the GA 2023 date.</p> <p>2.4 JA strategy paper for BoG</p> <p>The Secretariat informed the group that strategy paper v4 was shared with CEO JD and SSC in Feb23. It is now working on draft v5 to address questions from the SSC and to add info on overall goal of JA. The Secretariat also requested for JWG members’ feedback for inclusion into the draft v5.</p> <p>A member mentioned that certification has to be done, in JA as in the management unit approach, as a means of independent and external verification of sustainable work by members</p> <p>Another member added that JA a hybrid approach where governments could rely on JE to help regulate things by way of certification. But further conversations are needed to decide where certification stops and where government regulatory actions would kick in.</p> <p>There was also comment that JA is about pooling efforts of multi stakeholders and government’s commitment that the jurisdiction will follow RSPO requirements and be verified.</p>	
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	<p>And that there should be no dilution (referring to “beyond certification”) and the JA certification system must be delivered.</p> <p>A member, who co-chairs the SSC, clarified that the SSC felt that it is not yet time to talk about certification before the foundation of JA is completed. Additionally, there also needs to be discussions on whether everyone needs to be certified in JA and on “beyond certification”.</p> <p>A member pointed out that the purpose of the strategy paper is to accelerate the completion of the JA certification systems (primary function of the working group) and is concerned that the strategy document was instead slowing down the process and being counterproductive.</p> <p>There was also added comment that the 3 existing pilots are waiting for the certification system, which is the foundation for the pilot project to move forward and to be completed.</p> <p>The Secretariat brought up the possibility of communicating with some of the SSC members to address their concerns directly. A member agreed with the suggestion as there are still many who do not fully understand what JA is about and direction communication would help to get to the core of the matter and help people understand.</p> <p>A member added that there is a lack of proper understanding of JA among BoG members and other committees. It was suggested the JWG could provide scenarios (for example, growers or smallholders), with defined timeframe, on what it would entail for being active in JA. This would help to parties involved to think along, follow the reasoning behind actions and understand the dilemmas.</p> <p>It was suggested to consider renaming the document from strategy paper to resource request, if the purpose of the “strategy” document was only to help resource the work on developing certification system and communication. This would do away with the debates on the substance of JA, which could be better addressed by the endorsed piloting framework.</p> <p>It was specifically pointed out that this effort is not to circumvent the SSC, it is for communication and outreach which is different from the SSC “route” of processing formal document.</p> <p>As the work on JA has started five years ago and progress has been slow, a member highlighted the risk of loss of interests by the pilots and loss of confidence in RSPO.</p>	
<p>3.1</p>	<p>JWG membership updates</p> <p>Financial institution vacancy – stopped pursuing for now due to lack of response from potential party</p> <p>Smallholder (Malaysia) – Alfred Yee (LKSS) from Sabah confirmed</p>	

<p>3.2 Any other business</p>	<p>The Secretariat thanked the resigning member and co-chair for the contributions since the founding of the JWG.</p> <p>New co-chair – The Secretariat informed members to send in nominations by 15 Apr 23. Nominations to be put to a vote in the JWG meeting #17, tentatively scheduled on 18 May 2023.</p> <p>A member informed the group of its plan of involving ISEAL in engaging other commodities certification schemes in its area of operations to apply the RSPO jurisdictional approach. The Secretariat would also be involved in the discussion.</p> <p>The project is targeted for Central Kalimantan, potentially involving timber (FSC), coconut, rubber and aqua-culture. According to the member, the certification scheme for these commodities are still at the stage of exploring the concept of jurisdictional / landscape certification but still do not have the structured model as in RSPO.</p> <p>The member added that the interests of the Seruyan govt was always on how to have multi-commodity jurisdictional certification, with palm oil being the entry point.</p> <p>The meeting ended at 5:24 pm</p>	