



Assurance Standing Committee 5th Meeting (via Zoom) Minutes of Meeting

Venue: Zoom Meeting ($\underline{\text{https://zoom.us/j/92369501222}}$) Date and time: 5 November 2020 at 4.00 pm - 6.30 pm KL time

Members Attendance:

Growers			
Name	Organisation	Group Representation	
Agus Purnomo (AP) (Co-chair)	Golden Agri Resources (GAR)	Indonesian Growers (IGC)	
Lee Kuan Yee (LKY)	Kuala Lumpur Kepong (KLK) Berhad	Malaysian Growers (MPOA)	
Laszlo Mathé (LM)	New Britain Palm Oil Limited (NBPOL)	Growers RoW	
Vacant	n/a	Smallholders Group	
NGOs			
Name	Organisation	Group Representation	
Michael Guindon (MG) (Co-chair)	WWF Singapore	E-NGO	
Paula den Hartog (PH)	Rainforest Alliance	E-NGO	
Paul Wolvekamp (PW)	Both ENDS	S-NGO	
Marcus Colchester (MC)	Forest Peoples Programme	S-NGO	
Supply Chain Sector / Downstream / Others			
Name	Organisation	Group Representation	
Kuan-Chun Lee (KCL)	P&G	CGM (alternate)	
Emily Kunen (EK)	Nestle	CGM	
Hugo Byrnes (HB)	Royal Ahold Delhaize N.V	Retailers	
Olivier Tichit (OT) (absent with apology)	Musim Mas Holdings	P&T	
Michael Zrust (MZ)	Lestari Capital	Financial	

RSPO Secretariat Attendance:





Name	Position
Bakhtiar Talhah (BT)	COO
Aminah Ang (AA)	Interim Assurance Director
Wan Muqtadir Wan Abdul Fatah (WM)	Sr. Manager, Assurance Integrity Unit
Aizat Affendi (AMA)	Sr. Executive, Assurance Integrity Unit
Tiur Rumondang (TR)	Indonesia Director of Operations
Amir Afham	Greenhouse Gas Manager
Amirul Ariff	Certification Manager
Panglima Emir	Consultant, Standing Committee Support Unit
Nefissa Sahnoun	Consultant, Standing Committee Support Unit
Sara Cowling	Senior Global Communications Manager
Ashwin Selvaraj	Head of Smallholder Unit
Dilon Sarim	Senior Executive, Strategic Projects
Khing Su Li	Biodiversity Manager

Other Attendance:

Name	Organisation	Role
Neil Judd (NJ)	Proforest	Lead Facilitator
Shinta Puspitasari (SP)	Proforest	Facilitation support
Ruth Silva (RS)	HCVRN	
Arie Soetjiadi (AS)	HCVRN	

Item	Description	Action Points
1.0	Introduction	
	AP & MG opened the meeting and welcomed all members. NJ explained this ASC meeting is longer than usual to accommodate the full discussion. NJ highlighted the agenda of the meeting.	agenda and





1.1	RSPO Antitrust Guidelines	
	NJ reminded the members of the RSPO Antitrust Guidelines.	
1.2	RSPO consensus-based decision making	
	NJ stated that the ASC follows the RSPO consensus-based decision-making process, in accordance with the ASC Terms of Reference.	
1.3	Declaration of Conflict of Interest (Col)	
	NJ highlighted the ASC CoI obligations and if ASC members feel a conflict of interest under any agenda items, they should excuse themselves in order to enable an objective discussion. No CoI was declared at this meeting.	
1.4	Acceptance of Previous Meeting Minutes	
	NJ presented the minutes of the previous virtual meeting held on 1st September 2020. Following an opportunity for comment, NJ confirmed that the minutes of the previous meeting had been accepted.	
2.0	Action Tracker	
	NJ highlighted the main and relevant outstanding actions which are included in the meeting agenda, including: distribution of final draft of ToR to ASC members, and sharing ASC budget plan for financial year 2020-21. Outstanding actions that are not included in the agenda, for discussion now, are feedback received from ASC members on CB performance assessment with ASI, and the Fire Hub launch.	
	AA responded on the CB performance that the Secretariat has received the draft of SOP for the evaluation of CB's performance and is now in the process of reviewing it with ASI. They agreed on the method to monitor performance and will review in future in case changes are needed.	
	AP highlighted that considering the suggestions made by EIA and Grassroot, ASC should make CB performance assessment a priority; we should proceed with a meeting with ASI.	
	LM and LKY requested the draft SOP to be shared, to which AA responded that the draft has not been reviewed yet. They plan to share the draft SOP by 3 rd week of November with the ASC members.	
	AP commented that if the draft will be shared by 20 th Nov, ASC needs to consider having a meeting with ASI before end of this year.	AA will share the draft SOP for the evaluation of CB's
	NJ reminded that the next ASC meeting will be in the 1 st quarter of 2021. He proposed ASC can have a specific joint discussion with ASI before the	performance by 20 th Nov 2020.





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	end of this year and opened to suggestions.	
	MC suggested that ASC members could form sub-groups that can meet and look intensively at certain issues and report back. This will make ASC work faster.	
	NJ responded to MC's feedback and suggested ASC convenes sub-groups. The next step would be to continue the convening off-line and to develop simple ToRs for the sub-groups. Both co-chairs agreed with the suggestion. LM, LKY, HB, & MC volunteered if the RSPO Secretariat considers input necessary from growers and other ASC members. WM gave updates on the Fire Hub based on the latest discussion with IMU. There have been delays in terms of technicalities and the usage of the website. It was expected that the Fire Hub will go live in w/c 9 th Nov 2020. NJ asked for clarification whether the Hub will be in trial and restricted mode or the full version, in which WM confirmed that the Hub will give full access to public.	NJ & Co-chairs will convene the forming of sub-groups within ASC to look at issues related to ASI and forming the pool of experts. IMU will launch the Fire Hub in w/c 9 th Nov 2020.
	AP further questioned whether there's a workplan on the Hub: whether the Hub will be shared in stages and what will be developed at different stages. WM will check with the GIS unit and revert to the ASC members.	
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budget is for the Secretariat staff travelling to witness how the audit is being done by the CBs and how the training is being carried out by the independent trainers.

NJ added that this budget is mostly indicative and not prescriptive and that the ASC members can still decide on their priority activities for the financial year.

MZ asked for clarity on whether there's still the possibility to re-prioritise the budget based on ASC agreed scope of works and whether the changes need to be approved by the CEO. Additionally, MZ also asked if ASC needs to establish working groups, whether the budget will come under the ASC budget, too.

BT responded that the budget has been allocated for ASC. So, whatever the ASC members decide in terms of priority or re-allocation within this budget, we can do so. For example, if the ASC would like to focus on two activities in the next 6 months, we can re-allocate this budget for these activities. However, we still need the final approval from the CEO before we can go ahead with the spending. On the last question, BT explained that when a WG is formed, it comes with a budget allocation as well. It could be part of or can be in addition to the ASC budget. Again, this will need further approval by the CEO.

3.0 HCVRN updates

3.1 Updates from HCVRN for the RSPO ASC

RS updated the ASC members on HCVRN, including: the HCVRN, the HCVRN collaboration with RSPO, activity updates in the last 12 months, and challenges and opportunities.

RS also shared food for thought on HCVRN's current role in quality assurance as a contribution for ASC; some causes of problems in assessment reports; pilot field verification of a sample of HCV assessments outcomes; and HCVRN contribution to management and monitoring.

PH asked a question on 'trusting the independent licensed assessors' from ALS and what the quality control was on that. For independent assessors, the system is set up for the assessors to be able to carry out the work and be trusted. If this is not the case, what is the quality control on that and how should this be addressed?

RS responded that the system is based on whether the assessors have the documented skills to be licensed. RS assured the group that all listed ALS assessors do have the required skills to carry out a satisfactory assessment. However, this does not mean there are no other factors. Even good assessors may make errors – analytical or simple human error – or may be working with a team who do not have the skill to verify all details. They may produce reports that have problems. That is why

ASC will follow up with HCVRN on the clarity of their role and contribution to





working with the ALS is useful because we have a multi-disciplinary team that can look at these reports and spot the errors. There is a level of control we can exercise with the assessors. But principally, it's based on their experience, CVs and the work they sent to us.

ASC works.

MZ asked about the HCS part of the joint assessment and if there are sole HCS assessments to be done how the quality will be audited?

RS responded that all HCV/HCSA reports must go through HCVRN ALS, while the HCSA stand-alone reports will go through HCSA. The No-Deforestation Task Force (NDTF) is developing a reviewer checklist. The HCSA peer-review system is not a pass-fail system. It is different from the ALS. And because of that, there are challenges in using it in the RSPO certification. Over time the stand-alone assessments are going to disappear. Everything will be HCV/HCSA through the ALS.

MZ highlighted that part of ASC's scope of work is to include HCSA, and that we have had past issues with legacies of poor assessments. This is still worth looking at.

RS agreed and suggested it is good to have a better understanding by also inviting the NDTF (Amir) to brief on adapting a pass-fail mechanism into the HCSA peer-review.

NJ shared some outstanding points from the ATF reviews on whether the complaint mechanisms need to be harmonised or not. The other point is about the level of transparency of HCV maps.

RS responded that harmonising the complaint mechanism will make sense. HCVRN made an early coordination attempt with the CP. The talks have started but they have not yet decided how to operationalise this. It's important to know what issues about complaint mechanisms link to each other and how we could find a practical way to present them to the public and share the relevant information. On HCV maps, RS shared that it has been a much-debated topic because there's a legal restriction to sharing maps. There is also concern that some values are better protected if not publicly known. There are also practical efforts to have agreement with companies to voluntarily share. There's trial and testing of public mapping systems; with existing tools for monitoring, it's less possible to limit the public access to that information. But monitoring should not only look at maps. We should also develop a system where we can include maintenance and enhancement and monitoring of what has been done, what is working, and what is not. RS continued that it feels that monitoring now won't necessarily be sufficient to ensure long-term conservation of HCVs.

LM added that on verification some CBs do some checks relating to the HCV assessment which in the past LM objected to. However, he was told that the RSPO Secretariat has told the CBs to check HCV assessments and flag any inconsistencies. Is this something formalised?

On maintenance and enhancement, LM agreed that it would be good to have cooperation among different RSPO memberships. Not all growers





will have the technical knowledge. Support from the RSPO would be useful.

RS asked a final question seeking clarity from the ASC on HCVRN's roles and contribution to the ASC works, not only on the assurance but also delivering some of the KPIs. RS suggested an official discussion with HCVRN when decisions have been made by the ASC.

MC endorsed the need to get clarity on what role ASC wants HCVRN to play and asked RS what the ideal roles would be so ASC can consider.

NJ wrapped up the discussion and suggested to follow up with HCVRN on this discussion.

4.0 ASC Workplan

4.1 Strengthening the RSPO assurance systems: Root Cause Analysis

NJ shared the priorities in the ASC workplan and the fundamental points. The first one is on root cause analysis as the ASC has recognised that assurance is an integrated system that needs to be considered holistically. Although many steps have been taken to improve RSPO's assurance system, concerns and weaknesses remained. The ATF independent review made key recommendations that ASC plans should be based on thorough understanding on the root causes of poor audits and assessments. At the same time also having a systematic approach to our overall scope of work.

NJ also shared a quick summary on the components of the root cause analysis including internal gap assessment, CBs performance evaluation, external review, and secretariat capacity review. NJ reminded the group that on CBs performance, the Secretariat is working with ASI and will accelerate that with specific sub-group and bring that back to the next ASC meeting. Secretariat capacity and capability is also critical to deliver RSPO's assurance system; an internal review on capacity has already been started by the CEO.

WM shared some details on the proposed gap assessment and explained that it was based on previous studies, ATF review and existing reports.

NJ proposed that the Secretariat should go ahead with the coordination of the root cause analysis and bring it back at the next ASC meeting.

MC drew attention to the decision of the European Parliament to not accept certification as a guarantee of due diligence in ensuring that there's no deforestation and other sustainability violations in the supply chain of commodities entering the EU. That should be focusing our attention on the importance of ASC's works.

HB elaborated on MC's comment that it is key to do the root cause analysis and to understand all the details related to this and how the





Secretariat can expedite this.

NJ summarised that there is much information to build on: first that the Secretariat identifies what are the weaknesses, what are the gaps. This work needs to happen and has already started. The second is from ASI, the key source of information on the CB performance. The third is external input, including the current IUCN Netherlands study that should be embraced as input that includes the topic of decoupling but also looks more widely at innovations from other sectors. These 3 sources of information should be sufficient to identify measures that need to be taken to strengthen performance. NJ also highlighted the importance of strengthening the Secretariat's capacity.

LM reminded the group of missing key stakeholders that need to be involved: the growers. He suggested that we need to move away from thinking about the RSPO assurance as being solely related to the performance of the CBs. There are issues with standards, procedures, and informal interpretations circulating between CBs and the RSPO Secretariat that should not be forgotten. Not only RSPO and ASI views, but the grower views should also be incorporated as growers have to fulfill those requirements and understand what works and doesn't work.

AP mentioned that there are stakeholders that the EU seeks views from. For social and human rights issues, the sources amongst others are the social NGOs based in Europe. AP directed a request to MC and PW and others who may have better information on the key concerns of the EU. This will help to efficiently identify what needs to be done.

MC responded that he's happy to ask colleagues to report back on this issue.

PH asked for further clarification. On the gap analysis, whether all issues have been identified and how each issue has been dealt with and who will analyse them. Additionally, PH also asked what the role of ASC and the Secretariat would be related to the activities and the budget associated with them.

NJ responded that it is what we are planning to ask the Secretariat to lead initially and then bring their findings back to the ASC members for further evaluation. However, if it needs to be supplemented by commissioned external work then that can be another route. NJ commented that there is not much point in hiring an external consultant to conduct the root cause analysis. We already have different strands of input which we can put together. NJ further suggested that the Secretariat takes the lead and puts this together.

EK echoed PH and referred to the gap analysis that was presented early this year and whether this is the same thing. She also agreed that we need to have a compilation of all issues that have been reported.

Based on the feedback, MG suggested that the next step would be that the Secretariat develops a ToR that outlines the scope of the root cause

The Secretariat to





analysis and then compiles a list of all issues that need to be considered and brings that to the ASC for feedback. The ToR can also include the role of other stakeholders and the process to be followed. PH added that there's a role for the Secretariat as an expert body to look at and analyse the list of issues raised thus far and gaps identified. MC further suggested that we need a combination of internal review, ASI input and external review and to do that we need a clear ToR.

LM suggested we use the IUCN review as the external review, the ASI review is already on the way, and to get on with the internal gap assessment so as not to spend too much time with the process.

WM updated that now the Secretariat is already working on the internal gap assessment. NJ proposed to accelerate the process and come back with the draft ToR in the next few weeks.

WM also noted that AA is leaving RSPO at the end of December and the Secretariat is still looking for her replacement for the Assurance Director position and to fill other vacancies as well.

PH asked whether ASC or RSPO are also involved in the IUCN review process. AA responded that they received an email from the consultant hired by IUCN. It was at the request of FPP & Both Ends on how the assurance system can be improved and how decoupling can further improve the assurance. The Secretariat participated as one of the interviewees. MC added comments that IUCN NL and FPP are members of the IUCN Task Force on Palm Oil and Biodiversity and discussed the problem of weak audits. This led to IUCN NL's decision to commission the study. As the BoG has not had time to decide on the idea of a study on decoupling, IUCN NL went ahead while this decision is outstanding.

NJ suggested that he will follow up the discussion with co-chairs and the Secretariat in a short time to pull together an overview of all issues and gaps identified and define a clear plan with a timeline.

4.2 Detailed review of outstanding ATF recommendations

NJ reassured the group that we will not re-invent the wheel on ATF recommendations NJ suggested that the Secretariat should review all outstanding recommendations and bring the proposed actions to address these back to the ASC members before the March 2021 meeting for feedback.

4.3 Liaison/feedback from external partner organisations

NJ highlighted the three relationships with HCVRN, ASI, HCSA, which are within ASC's scope for oversight. It is currently proposed that ASI will be invited to the next ASC meeting (March 2021), and then we will potentially invite HCSA for a joint discussion at the June 2021 meeting.

4.4 Priorities from scope of work: ASC members' feedback

develop ToR to outline scope of root cause analysis and to consider a combination of internal reviews, ASI and external reviews (IUCN reviews) for this work.

The Secretariat is to compile a list of existing gaps and other related issues.

NJ will discuss with The Secretariat and co-Chairs and will update the ASC members on the timeline for the ToR development and plan to move forward.

The Secretariat will review outstanding recommendations from the ATF independent review and bring proposed actions back to ASC members before the next meeting.





NJ shared the ASC scope of work and suggested to focus on the development of the ToR for root cause analysis and to use that as a basis to move forward in the short term.

MG reminded the group of the earlier discussion about setting up a pool of experts. This should be prioritised before the next meeting in March by setting up a sub-group dedicated to this issue. PW volunteered to be part of the sub-group for the pool of expert discussion. NJ agreed to the suggestion and it remains on the action tracker.

[See action point above on establishment of sub-groups]

WM commented that the Secretariat has already initiated the discussion regarding the pool of experts with IMU and already has the initial listing of the pool of experts but they have been looking at some of the consideration and findings from the Frontline Defenders report that indicate that the establishment of a roster of experts is probably not the best idea at the current moment because it is a time-consuming process and they require some clarifying issues being resolved.

AP responded that we could come up with the roster of experts without spending too much time. If the roster is not perfect, we can always improve it. We could hire the experts for 6 months and if their expertise is not what we need we can change or replace them. However, having the roster of experts is also important to increase the level of assurance. If the response from IMU is less enthusiastic, then AP suggested BT could get involved and speed up the process.

NJ suggested that perhaps BT can join the sub-group meeting to move that forward.

5.0 Assurance Systems Updates

5.1 Jurisdictional certification

Dilon represented the Secretariat to share the update on the Jurisdictional approach framework. He informed the group that MC is a member of the Jurisdictional Working Group and welcomed MC's input in this session. Dilon shared the key elements of the framework with regards to the assurance system, the required development and next steps. Dilon continued that JA is a group certification approach and not a standard but still utilizes all existing Standards and systems (P&C, RISS, SCCS).

For the required developments, Dilon explained that these include new RSPO membership category and rules (Jurisdictional Entity and its participants); enhancement of PalmTrace; development of relevant RSPO procedures and mechanisms; development of guidance documents (Landscape level HCV-HCS mapping); development of audit checklists and the relevant Certification System Document to include elements of JA audits; and rules for sanction and termination. Dilon updated that the





Secretariat is working with the CBs on the audit checklist now.

Dilon continued with the next steps which included that the final draft framework was presented to the SSC, of which LKY is a member, in October 2020; the status of the framework is pending endorsement; the Secretariat has laid out the internal resourcing plan for 'the required developments'; developing an internal resourcing plan to ensure the Secretariat has enough capacity to support the implementation of the Jurisdictional Approach; the final draft will be tabled again to the SSC for endorsement, and then to the BoG for the final endorsement.

LKY added that during the SSC meeting, the CEO asked to pause on this framework to discuss further internally on the resourcing plan. LKY highlighted that it is the CEO who requested they pause the work, not SSC.

MG asked for the timeline for this framework going to the BoG for endorsement.

Dilon updated that the aim is to get the endorsement by end of 2020. But if this timeline is not reached, the Secretariat will share the update.

5.2 RaCP

Su Li gave an update on the independent review on the status of RaCP implementation and key next steps for the study. The study was conducted by an independent consultant, Dr Helen Newing. Among the stakeholders interviewed were BHCVWG members, compensation panel members, and growers. The study is at the final stage and looking at assessing the two-existing approved RaCP projects and those in the pipeline; identifying stakeholder concerns with the effectiveness of the procedure; and making recommendations on how to improve the process.

The key findings are capacity issues that include limited capacity within the RSPO Secretariat, and limited availability and technical capacity of compensation panel members. Su Li clarified that the compensation panel members are all on a voluntary basis but still need to have time to turn around the reviews. Other issues are related to the pool of experts and weaknesses in the external review process.

The Secretariat and the Biodiversity and HCV Working Group are aware of many of these issues and have taken some steps towards addressing them.

On RaCP processes, none of the steps are redundant, but there is potential for simplification and improvement of all steps. On conservation liability, calculations of conservation liability are hampered by the limits in quality and interpretation of satellite images. Lastly on technical requirements, there are challenges with limited capacity and low awareness amongst growers, insufficiently clear guidance and a lack of adequate socialisation and support.

Social liability, remediation and compensation is the component of the RaCP that is the least advanced. Some of the recommendations were the

The RaCP report will be made public.





disclosure note template needs revision in order to be fit for purpose; disclosed social liability mostly related to HCV4, which was commonly addressed through environmental rather than social remediation; uncertainty about how social liability should be defined and treated in relation to non-compliant clearance by smallholders; monitoring and reporting.

Su Li concluded with the next steps which include to address errors and omissions in the report or ask for more details/clarification - this has been done; BHCVWG to approve the independent study and to prepare an addendum of comments on the report prior to making it public; BHCVWG will review the recommendations and prepare a roadmap for prioritized actions.

AP asked whether the next steps also include how to address social liability for HCV4 and solutions for this issue.

Su Li explained that there will be phased steps. First of all is to restructure how we are asking the questions on social liability disclosure to ensure accurate answers, then mapping and how to better approach social liability issues.

MZ asked whether the report will be made public with the list of stakeholders included. MZ sought clarification on the lack of capacity, what kind of capacity and how this has been concluded in the report. MZ further asked if this issue can be unpacked more to identify what the underlying problems are.

Su Li responded that the report will be made public and the addendum will capture comments. Helen unpacked every step of the RaCP process and where the gaps are. As for capacity, Su Li shared her own experience of how RaCP has had a limited number of personnel since it was first endorsed in 2015. Internally, the Secretariat is working on the resource plan.

MZ agreed that the Secretariat will need more support and suggested the ASC take note on the resource needs for dealing properly with compensation.

LM shared that the company had an RaCP case and received great support from RSPO. LM highlighted issues and shared with Helen. LM further recommended the need to have a predictable process with timelines and costs to help planning.

Su Li noted and responded that more resource is needed to keep to the timeline. She also shared that the Secretariat is developing a database and digitalised the cases to help speed up the process. Helen's study gave some recommendations for this issue in an objective manner.

5.3 RISS monitoring

This session was omitted due to time limitations.

The Secretariat to share RISS monitoring updates





5.4	Remote Audits - update from CB experience This session was omitted due to time limitations.	by email to get input & feedback from ASC members.	
6.0	Any Other Business		
6.1 & 6.2	Joint meeting with CP and the next Assurance Forum		
	MC shared input on agenda points for the joint meeting with CP. It is a high priority meeting and was scheduled for 10 th September but was cancelled.	The sub-group of ASC will aim to move forward the	
	MC strongly recommended that this meeting is conducted before the end of this year, either as a full meeting or as a sub-group meeting, where members can volunteer to join. WM will also check and discuss with CP on planning the joint meeting.	meeting with CP around 1 st or 2 nd week of December.	
	MC added that ASC also has the obligation to conduct the Assurance Forum.	communicate with CP on the meeting schedule.	
	AP agreed on the proposed agenda items by MC (shared by email), including: where are the bottlenecks related to lack of CP performance; is CP effective at *resolving* problems and providing remedy for violations?; is the CP subject to adequate oversight?		
	HB asked whether providing oversight for CP is part of ASC's scope. CP has been given a specific positioning. The oversight should be discussed perhaps by the BoG or GA. NJ agreed that ASC's role is limited to oversight of the relationship with the CP, but not in relation to the CP's operation and activities.		
	MC commented that the BoG is limited in its discussions on this issue and the GA often does not have enough time to discuss in detail. MC suggested other ways to address this issue by raising it with CP and convening a forum to discuss.		
	NJ suggested that the sub-group of ASC should aim to move forward the meeting with CP before end of year.		
	HB suggested, based on the previous Assurance Forum, the need to have a solid agenda for a good discussion.		
	WM asked for confirmation whether to plan both meetings if possible for the first 2 weeks of December, which NJ agreed.	The Assurance Forum will be conducted around	
	AP suggested if most of the Assurance Forum members are unavailable in December, then the meeting could be potentially moved to January 2021.	1 st & 2 nd week of December.	
	NJ suggested to try to find dates for both meetings in the first 2 weeks of December. NJ will work with the Secretariat and send pool dates to find a	NJ will support WM on the coordination	





suitable time. LM asked whether AA can update on the Certification document. AA responded that the document would go to the BoG for endorsement in w/c 9 th Nov and they will share the outcome.	of both CP meeting and the Assurance Forum.
End of meeting Co-chairs and NJ thanked everyone including all the ASC members who attended the meand for their feedback and comments. The meeting adjourned at 6.31 pm.	