

MINUTES OF MEETING OF RSPO 33rd RSPO BHCVWG MEETING

Date: 6th November 2016 Start Time: 8:30 am

Venue: Shangri-La Hotel, Bangkok

Attendance:

Members and Alternates

- 1. Adam Harrison (AH, WWF INT)
- 2. Agus Purnomo (AP, GAR)
- 3. Audrey Lee (ALMF, OLAM)
- 4. Benjamin Loh (BL, WWFMY)
- 5. Cahyo Nugraho (CN, FFI)
- 6. Gan Lian Tiong (GLT, MM)
- 7. Ginny Ng (GN, WILMAR)
- 8. Jennifer Lucey (JL, SEARRP)
- 9. John Payne (JP, BORA)
- 10. Juan Carlos Espinosa (JCE, Fedepalma)
- 11. Lanash Thanda (LT, SEPA)
- 12. Michael A. Brady (MaB, IFC)
- 13. Michal Zrust (MZ, Daemeter)*
- 14. Olivier Tichit (OT, SIPEF)
- 15. Norazam Abd Hameed (NaH, FGV)
- 16. Paulina Villapando (PV, HCVRN)
- 17. Richard Kan (RK, GAR)
- 18. Tang Meng Kong (TMK, SIME)

Absent with Apologies

- 19. Anne Rosenbarger (AR, WRI)
- 20. Azmariah Muhamed (AM, FGV)
- 21. Glen Reynolds (GR, SEARRP)
- 22. Harjinder Kler (HK, Hutan)
- 23. Lee Swee Yin (LSY, SIME)
- 24. Marcus Colchester (MC, FFP)

RSPO Advisors

Secretariat Staff

- 1. Dillon Sarim (DS)
- 2. Francisco Naranjo (FN)
- 3. William Siow (WS)

Observer

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Item	Description	Point Person
1.0 1.0.1	 1.0 Opening meeting JP welcomed everyone to the 33rd BHCVWG meeting. Noticing that there were few new attendees in the room, he requested everyone to do a round of introduction. GN welcomed everyone and gave the floor to WS. 	
1.1	Approval of previous minutes WS presented the CTF minutes and sought comments from members. ALMF commented: 1. In Section 3, it was mentioned in the minutes that the secretariat will produce an FAQ for the compensation call. This however, was not highlighted in the action points. 2. Further in Section 3, she requested to reword 'commitment to zero	
	deforestation' to 'commitment to safe guard HCV and HCS'. This request is to avoid misinterpretation of information. PV commented: 1. The sentence highlighted in blue for section 11 is incorrect. Action points: 1. To make necessary corrections and upload the minutes onto the website.	Secretariat
2.0	2.0 Update on LUCA, social liability disclosure, Compensation concept note and SOP submission DS presented the update on LUCA, and SOP & social liability submission. DS informed the WG that the secretariat will produce a big update on the RaCP statistic at the coming meeting. The next update will include information on the reported vs reviewed figure of non-compliant land clearance and final conservation liability. The analysis from now on will focus on the number of management units, instead of the number of reporting companies. DS reported that out of the 263 management units, 28 have not submitted their LUCA. These 28 units belong to	
	four different companies. DS seek the advice from the WG on how to deal with these members. Decision made: 1. Members who have not submitted the full LUCA for all of its management unit, will not be able to get its other units certified even though the RaCP for that particular unit has been completed. On submission of SOP and social liability, DS informed the WG that, despite the reminders and extension of deadlines, there are still members who have not fulfilled this requirement. The secretariat has proposed the following:	



Item	Description Point Person	
	The secretariat will still be accepting submission of the SOP and Social	
	Liability	
	2. The social liability submission must be fulfilled in order for the	
	endorsement process of the LUCA review findings to take place	
	3. SOP submission must be completed before the company can be	
	allowed to be certified.	
	GN commented that getting the CBs to verify the SOP is time consuming as	
	there are no available guidance for the CBs to refer to.	
	WS suggested to conduct a workshop involving the CBs and the growers to	
	produce a guidance. The WG disagree.	
	ALMF suggested the secretariat to collect the checklist used by the CBs for the	
	verification. AH and OT disagreed. The P&C checklist is already sufficient to	
	cover the verification of SOP.	
	ALMF then suggested to get the CB's checklist and compare it with the P&C	
	checklist. The checklist can then be accompanied by an example of approved	
	SOP. The WG agreed.	
	On LUCA review endorsement, GLT requested for a checklist to be developed.	
	At the moment, there is no guidance on what the panel should evaluate before	
	endorsing the LUCA review findings. DS commented that similar requests have	
	come out from other CP discussions and the secretariat noted the request.	
	DS highlighted that there will be more LUCAs submitted for the review process	
	from grower applicants. At the moment, LUCA review priority is given to RSPO	
	members.	
	ALNAS disagrand Characteristics and the base of the first and an extraction the ULICA and	
	ALMF disagreed. She commented that we need to be fair and review the LUCAs	
	submitted by the applicants according to the LUCA review queue. The WG	
	agreed.	
	GN requested the secretariat to look for more reviewers to support the review	
	process. The secretariat should also look at the possibility of hiring reviewers from different regions. She then requested the WG members to aid the	
	secretariat to look for potential reviewers. The TOR for the LUCA reviewer is to	
	be circulated to the WG members.	
	be chediated to the We members.	
	Decision made:	
	DS to remove the priority and place the new submissions from the	
	grower applicants in the existing LUCA review queue.	
	To increase the number of LUCA reviewers and possibly getting a	
	reviewer from different regions.	
	Action point:	
	The secretariat to collect the verification checklists from the CBs and	
	compared it with the existing P&C checklist. The final checklist is then	Secretariat
	paired with an example of an approved SOP.	5551 5541 145
	2. The secretariat to develop a checklist for the CP on the LUCA review	Secretariat
	finding endorsement.	
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Item	Description	Point Person
	The secretariat to share the TOR for the LUCA reviewer with the WG members.	Secretariat
3.0	3.0 Finalisation of the LUCA guidance documents In the interest of time, the co-chairs decided to not have the discussion on the LUCA guidance document. However, the document will be put up for a comment period and the co-chairs urged the WG members, especially the growers, to provide their comments in two months. The WG group agreed to have this discussion via email.	
	Decision made: 1. The LUCA guidance document will be finalized after the two-month comment period. Action points: 1. The secretariat to recirculate the draft to the WG members for comments.	Secretariat
4.0	4.0 Discussion on appointment of compensation plan evaluator (TOR) GN presented the TOR for the compensation plan evaluator to the WG. A checklist of what the evaluator should check on has already been prepared and GN requested for the WG members to comment on the TOR. AH commented that the checklist is only targeting on the important elements of what should be put into the compensation plan. However, the checklist does not fit for quality and adequacy checking. He further commented that, rather than having a section on 'Evaluator Comments', the WG should focuses on getting the evaluator to judge whether the specific section of the plan is adequate.	
	It was then suggested that the output of the evaluation should consists of: 1. An executive summary 2. A reporting of the evaluation results (following the HCV report evaluation format) 3. The evaluation checklist (the word limit is to be removed) The WG worked on the TOR and finalised the checklist. It is agreed that the checklist will be uploaded together with the TOR, with a note that the checklist is not final and will be improved further. On the checklist, PV suggested an idea of having an online checklist for the evaluator to fill. She volunteered to help further developed the checklist.	
	The WG agreed that there will be no direct communication between: 1. The CP and the Evaluator 2. The Evaluator and the company The evaluator will communicate the results of the evaluation to the RSPO Secretariat. The RSPO secretariat will be responsible with the reporting of the results to the company/CP.	



Item	Description	Point Person
	On the cost of evaluation, OT raised a question to the Secretariat on the possibility of having a flat rate fee. Another option is to cost the evaluation based on the complexity of the compensation plan. WS responded that it may be possible to charge a flat fee for the evaluation, similar to the LUCA review. GN mentioned that the WG has developed Annex 8 to reduce the potential of receiving concept note with complicated scopes. GN requested the WG members to spread the words on this tender. Action point: 1. JL, PV, MZ and JC to work on refining the checklist by end of November.	
	The secretariat to open the tender for the Compensation Plan Evaluator on the RSPO website.	JC Secretariat
5.0	5.0 Updates on the RT Biodiversity prep cluster	
	WS presented the updates on the RT Biodiversity prep cluster. The moderator, speakers and the topics are confirmed.	
	AH highlighted to the WG that he has received some requests to open the opportunities for people outside of the WG to give inputs on the selection of topics. The co-chairs acknowledge the request and it will be considered for the next RT.	
	DS reminded the WG that the RT14 will be paperless and all questions will be posted online through the RSPO RT app. There will be a short briefing on app for the moderator and the speakers.	
6.0	6.0 Riparian management field guide updates	
	WS presented the field guide document by MEC. The field guide is 13 pages long, slightly more pages than what the BHCVWG requested.	
	PV highlighted that before publishing the field guide, it is important to have the experts to read it. JL agreed to help the secretariat on the communications with the expert. RK suggested that this field guide to be circulated to the author of the Riparian Management Guideline, Holly Barclay.	
	Recalling for previous meetings, MZ reminded the WG that they have requested for an audit checklist for the riparian management guideline. The checklist is still unavailable.	
	OT reminded everyone that this field guide serves only for guidance. RSPO members still need to adhere to legal compliance as per RSPO P&C 2. He requested this to be added and highlighted in the field guide. The WG agreed.	



Item	Description	Point Person
	DwM mentioned that the INA HCV toolkit taskforce is developing a similar	
	guidance and the guidance will be ready by Jan 2017. MZ requested the	
	secretariat to circulate this draft to the INA HCV toolkit taskforce.	
	The WG agreed to get this field guide ready by March 2017.	
	Decision made and timeline for completion: 1. WG members to provide comments by end of Dec 2016. The main document is to be circulated to all the WG members. 2. Fact checking to be completed by Jan 2017	
	 3. Final text to be ready by Jan 2017 4. Printing of document by March 2017. In terms of printing of the field guide, the secretariat needs to make sure the design of the document 	
	is consistent with other RSPO guidance documents. 5. The guidance will be trialled for 1 year.	
	On the design and figures to be included in the field guide, MZ suggested to contact Irmawan from Daemeter Consulting.	
	Action points:	
	The secretariat to circulate the Riparian Management Guidelines to the WG members.	Secretariat
	 The secretariat to add a section on legal compliance in the field guide. The secretariat to announce that the field guide is in its 1 year trial period. Public comments are welcomed. 	Secretariat Secretariat
7.0	7.0 Latin America issues	
	JC thanked the WG for the opportunity to be part of the BHCVWG. He then presented the updates and alarming issues from the Latin America region.	
	The LUCA review process has been a major concern in the region. However, it has improved ever since the secretariat hired a pre-reviewer to pre-review the LUCA submission and recommend corrective actions to the companies.	
	Since the vegetation cover is very different in Latin America, as compared to the Southeast Asia, LUC guidance specific for Latin America is required. OT highlighted that the Latin American growers, as well as the other growers from the rest of the regions, should provide their inputs to improve the classification of the land covers to its vegetation coefficients.	
	The Latin American growers raised an issue regarding the LUCA requirement in the NPP. The existing LUCA guidance is only applicable to the RaCP. There is a need for the RSPO to come up with the guidance for conducting the LUCA for NPP.	
	On the LUCA, the Latin American growers questioned whether there will be plans to have a third party evaluation, similar to that of the HCV assessment being reviewed by the HCVRN. AH responded that there is currently a second party evaluation, which are the LUCA reviewers hired by the RSPO. He then questioned the WG whether the current verification process is attributable	



Item	Description	Point Person
	enough. The WG agreed that the LUCA review process is sufficient at the moment.	
	The Latin American growers are also requesting the BHCVWG to consider a fast track procedure for companies with small FCL. PV highlighted that there is an option where companies can convert their FCL into monetary figure and invest it in an endorsed compensation project. OT further added that the options were considered because it allows companies to have flexibility in fulfilling their FCL.	
	FN then questioned the WG whether a company is required to submit a fresh concept note when the company opt for the monetary option and invest it in an endorsed compensation project, to which, GN replied yes. The company is to justify to the compensation panel on how their contribution fulfil the four criteria of additionality, long-lasting, equitable and knowledge-based. The WG agreed.	
8.0	8.0 HCV management updates and discussion on HCS checklist	
	PV presented an update from HCVRN. She reminded the WG members that the ALS will be revised (after two years of implementation period) and urged everyone to submit any comments by the end of 2016. One of the few major changes is the merging of the quality panel and peer review. GN questioned if this will cost more for the growers. PV responded that the price of the review will increase slightly, but growers are only required to pay for one review, instead of two. This will be effective by January 2017.	
	PV also presented an update on the HCS checklist. The checklist distinguish between high (off-site) and low (on-site) priority projects.	
	 The checklist also focuses on the four criteria: Additionality, in which the company cannot proposed area HCV overlapped HCS areas to be used for compensation. This will also include peat and steep areas. Long-lasting, in which the projects will last for at least 25 years. Equitable and knowledge based, in which FPIC will need to be 	
	conducted before the project commences. JL added that the priority is not an indication on the acceptance of the project. Companies are required to provide justification on why they could not go for higher priority projects. On additionality, JL commented that, in one of the compensation cases, the panel considers the additionality to come from the proposed activities to enhance the HCS areas. She requested this to be added in the additionality section of the checklist.	
	RK recalled that there was already a very comprehensive checklist that the WG has provided their comments on. PV commented, before the checklist can be improved, the WG must make sure that the projects meet the four criterion. MZ agreed. MZ has several comments on the criteria: 1. On equitable, there was a comment on restricting community access into the HCS areas. Instead of restricting community access, the company needs to prove that the community is using the areas sustainably.	



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	 On additionality, MZ recalled a discussion from previous meetings that the WG once considered that additionality should be measured by improving the vegetation coefficient value of the land cover, for example, 0.4 to 0.7. Since there are still some strong comments from the WG members, GN suggested that comments period to be extended until the end of November 2016. 	
	MaB offered to share this checklist with their biodiversity specialist for more comments.	
	Action points: 1. The WG members to provide comments to PV by end of November 2016. 2. PV to work on refining the checklist based on the comments received.	WG members
	2. PV to work on remning the checklist based on the comments received.	PV
9.0	9.0 Secretariat's concerns	
	 WS presented the following secretariat's concerns: Certification audit and the RaCP Compensation panel future workload Cases related to voluntary declaration of HCV clearance Annex 7 Concept note format SOP to bring specific compensation issues for plenary discussion at the BHCVWG LUCA and membership approval process Response timeline for compensation panel i) Certification audit and the RaCP The secretariat has been receiving many queries from CBs on the eligibility for RSPO growers to proceed with the certification audit without having to complete the RaCP. For initial certification, RSPO growers who are found to have major non-compliance (NC) will need to resolve the major NC before the 	
	certificate can be issued. The RSPO growers have one year period to close the major NC before the validity of the audit expires. AH added that the initial audit for the unit with non-compliant land clearance can only proceed once the submitted concept note is endorsed by the compensation panel. He further commented that the concept note endorsement is a signal that the company is moving in the right direction. The actual closure of the non-conformity would be the approval of the compensation plan. The WG agreed to make a statement about this and the three platforms that	
	can be used are: 1. The RSPO announcement page 2. The RIF 3. The FAQ The WG requested the secretariat to refer to the group before making such announcement.	



Item	Description	Point Person
	WS highlighted that the CBs are very cautious of this as they will receive major NC from ASI for auditing units which have not completed the RaCP.	
	The WG advised the secretariat to communicate this to ASI. A note explaining this is to be added in the certification system document.	
	ii) Compensation panel future workload	
	The secretariat is concerned with the CP's future workload on approving concept notes. The average approval of concept note submission is 8 months. WS informed the WG that the secretariat has received quite a number of concept notes and is expecting more.	
	It is also the concern of the secretariat to get the panel together to sit for a call. Often, time is wasted on arranging the call that everyone can attend to.	
	OT commented that anybody from the company can be a panel member. For example, if he is not available to join the compensation panel meeting, he can instruct his assistant to join the compensation call to meet the quorum.	
	TMK raised a concern on the timeline for the concept note approval. He recalled from previous meetings that the purpose of getting RSPO growers to submit the concept note is to speed up the approval of the compensation plan. He thinks that the panel are focusing too much on the concept note and it has negative effects to the RSPO growers. He urges the WG to relook at the purpose of the concept note.	
	The WG believes that the concept note submission and approval process is crucial, hence, the WG will not remove this process in the RaCP. OT suggested to the secretariat to move all the concept note discussion online. This will be accompanied by a checklist of items that the panel needs to check and provide comments on. A call will only be necessary if the panel requires. He suggested discussion platforms such as doodle and google drive. The new platform should be up and running by 1st Jan 2017.	
	Decision made:	
	All concept note discussion will be made online and a call is only arranged if required.	
	Action points:	
	 The secretariat to develop a checklist for the concept note discussion. The secretariat to develop an online discussion platform to accommodate the concept note discussion by 1st Jan 2017. 	Secretariat Secretariat
	iii) Cases related to voluntary declaration of HCV clearance	
	The secretariat has received a few voluntary declaration of HCV clearance from its member. Usually, the secretariat will receive a referral letter from the complaints panel requesting for recommendations from the BHCVWG (CP). The BHCVWG will only accept complaints that come from:	
	 The complaints panel The referral from the certification body 	
	Currently, there is no guidance on how this type of cases should be dealt with.	
	The WG stressed that in order for them to accept the cases like this as compensation, they must only come from the two channels. HB volunteered to take this discussion at the next F2F complaints meeting.	
	Action points:	
	 HB to discuss this with the complaints panel and come with a recommendation/decision for the WG. 	НВ
	iv) Annex 7: Concept note format	



Item	Description	Point Person
	The secretariat has received concept notes that are not following the stated formatting. As a result, the secretariat received concept notes that are either too wordy or too simplified.	
	Decision made:	
	 The WG agreed that RSPO growers need to adhere to the word limit of 150 words. Over simplified and over written concept note should be returned to the RSPO growers. 	
	v) SOP to bring specific compensation issues for plenary discussion at the BHCVWG	
	At the previous meeting, the secretariat was instructed to develop an SOP related to bringing specific compensation issues for plenary discussion at the BHCVWG. This request had also echoed in several compensation panel meetings.	
	The WG agreed that the involvement of the WG members is important in certain decision making. However, in the interest of time the WG decided that the co-chairs should first screened through the issues before bringing it for discussion with the whole group.	
	AH recommended both OT and AR to also join the co-chair in the screening process as both OT and AR have the constitutional memories of the WG's decisions.	
	The WG agreed. In terms of decision making, the WG can only provide recommendations to the CP and the CP needs to make decision based on the recommendations.	
	Decision made:	
	 Co-chairs, OT and AR will screen through the issues and decide if the involvement of the whole WG is required The final decision will come from the CP, not the BHCVWG. 	
	vi) LUCA and membership approval process	
	This has been discussed earlier and the WG has agreed that the LUCA submitted by grower applicants should be treated fairly by placing them in the queue. The secretariat needs to inform the grower applicants about the review process.	
	AH added that it is already written in the RaCP that the approval of membership can only happen after the LUCA has been approved. He advised the secretariat to look for more reviewers to review the LUCAs.	
	vii) Response timeline for compensation panel	
	This has been discussed at (ii).	
10.0	10.0 Updates on the recommendation of compensation for independent smallholders WS updated the WG on the recommendation of compensation for independent smallholders. The proposal will be discussed at the November board meeting. The results will be communicated to the WG.	
11.0	11.0 FFI Presentation CN presented FFI's proposal on compensation mechanism to the WG. The objective of the compensation mechanism is to help and involve communities	



Item	Description	Point Person
	in managing forests. Hence, it requires support from multiple stakeholders. FFI	
	believes that the RaCP can help to support the program.	
	The 'compensation and village forest-project' aims to link the compensation mechanism to the Hutan Desa (HD) under PES programme in a stringent way and validated under international standard, for example, Plan Vivo, Verified Carbon Standard (VCS) and Community, Climate and Biodiversity Standard (CCB).	
	In terms of complying with the four criteria, the project is 35 years long and renewable; validated under the international standard; contribute to existing conservation efforts and practices FPIC.	
	FFI requested the acknowledgement from the BHCVWG of this proposal.	
	The WG acknowledged the proposal and advised all panel members to consider the concept note developed around FFI's proposal. All concept notes submitted must go through the usual endorsement process.	
	JL suggested to advertise this proposal (as well as other proposals such as the CCF). The WG agreed to have the proposals up on the RaCP page of the RSPO website.	
	Decision made: 1. CP to consider any concept notes developed around FFI proposal 2. The WG acknowledged, but did not endorse FFI's proposal. All concept notes will go through the usual endorsement process. 3. The secretariat to advertise the proposal on the RaCP page of the RSPO website.	
11.0	11.0 AOB and closing meeting MaB informed that he has presented on Fire Management in the Oil Palm Sector at the Financial Institution Task Force on 4 th of November 2016. He will share the presentation with the BHCVWG.	
	Action points: 1. MaB to share the presentation on Fire Management in the Oil Palm Sector with the BHCVWG.	MaB
	Daemeter is not going to apply for the compensation plan evaluator as they are working with several companies for delivering compensation. Hence, the conflict of interest will not allow them to apply for the evaluator post.	
	The co-chairs informed the WG that the 33 rd BHCVWG meeting will be the last for AH. The members of the WG thanked AH for his contribution.	
	The next BHCVWG meeting will be on the 4^{th} of April 2017. The WG decided to allocate a day for compensation panel meetings (on the 5^{th} of April 2017). The next venue is Kuala Lumpur.	
	The co-chairs thanked the WG members for their participation and wished everyone a good RT.	



ANNEX 1





33rd Meeting of RSPO BHCVWG 6th November 2016 Shangri-La Hotel, Bangkok

#	Name	Organisation	Signature
1	Adam Harrison	WWF Int	a.
2	Agus Purnomo	GAR	fame p
3	Anders Lindhe	HCV RN	
4	Anne Rosenbarger	WRI	
5	Audrey Lee	OLAM	my.
6	Cahyo Nugroho	Fauna and Flora International	20
7	Cecep Saepulloh	Remark Asia	37
8	Benjamin Loh	WWF MY	2 sen
9	Dwi Muhtaman	Remark Asia	Jun
10	Gan Lian Tiong	Musim Mas	We.
11	Ginny Ng Siew Ling	WILMAR	NIN
12	Glen Reynolds	SEARRP	200
13	Harjinder Kler	HUTAN	300
14	Henry Barlow	Independent	ARJE1
15	John Payne	BORA	an
16	Lanash Thanda	SEPA	Anostof
17	Lee Swee Yin	SIME	
18	Leonie Lawrance	ZSL	umia
19	Marcus Colchester	FPP	C) CV
20	Michael Brady	IFC	Lina Bil
21	Norazam Abd Hameed	FGV	1
22	Olivier Tichit	SIPEF	911

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#	Name	Organisation	Signature
23	Richard Kan	GAR	auin
24	Simon Siburat	WILMAR	
25	Tang Men Kon	SIME To	
26	Paulina Villdlpando	HU NETWORK	faulinos
27	MICHAL ZRUST	DAKMETER	1
28	FRANCISIO NADANTO	2520	MayoR
29	Jan (a) la Epinola	Federalma	8
30	DICO LUCKYHARTO	FPP	My
31	Joss Lyons-WHITE	HCV NETWORK	Cers Gent Vo

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