

# RSPO

Roundtable on Sustainable Palm Oil



## **NATIONAL INTERPRETATION (NI) OF THE RSPO PRINCIPLES AND CRITERIA 2018 FOR HONDURAS**

for the production of  
Sustainable Palm Oil

Developed by the National Working Group through the  
National Interpretation process for public consultation





PREAMBLE

Sustainable palm oil production comprises legal, economically viable, environmentally appropriate and socially beneficial management and operations. This is delivered through the application of the following set of Principles and Criteria (P&C), and the accompanying Indicators and Guidance.

The first set of Principles and Criteria, Indicators and Guidance (RSPO P&C 2007) have been applied since November 2007. These had been subject to trial implementation from November 2005 to November 2007 and, in a number of countries, to a subsequent process of National Interpretation (NI). After five years of application by RSPO members, RSPO P&C 2007 were reviewed in 2012–2013, leading to the RSPO P&C 2013. After a further five years of application, these were reviewed and revised in 2017–2018 by the RSPO Principles and Criteria Review Task Force.

The objective of each review and revision is to improve the relevance and effectiveness of the P&C for RSPO members, and in achieving the shared vision and mission of making sustainable palm oil the norm.

More specifically, the most recent revision sought to align the P&C with the RSPO Theory of Change (ToC) and to increase accessibility by making them more relevant and practical.

The review process went beyond ISEAL best practices, including two public consultation periods of 60 days each and 17 physical consultation workshops in 10 countries around the world, as well as 6 physical Task Force meetings. This process resulted in the production of the revised and restructured RSPO Principles and Criteria for Sustainable Palm Oil

Production (RSPO P&C 2018).

In line with ISEAL best practices, this document (RSPO P&C 2018) will be completely reviewed again after five years, following adoption by the General Assembly (GA) of the RSPO.

The RSPO and its members recognize, support and commit to following the United Nations Universal Declaration of Human Rights [<http://www.un.org/en/documents/udhr>] and the International Labor Organization (ILO)'s Declaration on Fundamental Principles and Rights at Work [<http://www.ilo.org/declaration/lang-en/index.htm>].

This document (RSPO P&C 2018) defines Indicators for each Criterion and further Guidance where useful. Indicators are specific pieces of objective evidence that shall (must) be in place to demonstrate or verify that the Criterion is being met, i.e. they constitute the normative part of the standard together with the Principles, Criteria and definitions. Guidance consists of useful information to help the unit of certification and auditor understand what the Criterion and/or Indicators mean in practice, to indicate good practice, and practices that should be followed. Guidance constitutes the informative part of the standard.

The independent smallholders standard was approved by RSPO in November, 2019.

This document (RSPO P&C 2018) is effective after adoption by the RSPO 15th General Assembly (GA15) on 15 November 2018. As stated in section nine of the RSPO Standard Operating Procedures (SOP) for Standard Setting, National Interpretations (NIs) must be revised to be fully consistent with the RSPO P&C 2018 within 12 months of the date of

adoption (i.e. by 15 November 2019). Certificate holders must be fully compliant with the new version of an NI within one year of it being endorsed by the Board of Governors (BoG).

In countries where NIs are not updated by 15 November 2019, P&C 2018 will be effective until the NI has been updated.

In countries without NIs and/or in cases where members have conducted a Local Interpretation applicable to their own operations, P&C 2018 is effective immediately after adoption (15 November 2018) and shall be used for any new certification activities after the adoption date.

Existing certified entities can continue to be certified after the date of adoption and before the completion of any relevant NI, by conducting a maximum of one further Annual Surveillance Assessment (ASA) against P&C 2013 (or their current NI), but shall demonstrate compliance to the new RSPO P&C 2018 at the following ASA.


Criterion 7.12 requires that new land clearing after 15 November 2018 (i.e. adoption of the P&C at GA15) must be preceded by an HCV-HCS assessment. The Task Force recognizes that there is an array of scenarios, in which HCV assessments have previously been undertaken and have been approved or are in the process of approval. Annex 5 shows how the new requirements apply in different scenarios of existing and new certifications, with and without new land clearing.

Necessary revisions shall be made to other RSPO normative documents and guidance to ensure consistency with the wording of RSPO P&C 2018 and, in that context, please note the disclaimer and procedural note for the Supply Chain requirements for mills at the end of Principle 3.

Annex 1 provides definitions of the technical terms used in this standard. Annex 2 contains the additional generic guidance. Annex 3. Provides key international law and conventions applicable to the Production of Palm Oil. Annex 4 provides the necessary details for the implementation procedure for Indicator 2.3.2. Annex 5. Transition from HCV to HCV-HCS assessment. Annex 6. List of Honduras Law applicable. Annex 7. Definition on smallholders based on Honduras context.

This document identifies critical (C) Indicators proposed by the RSPO Principles and Criteria Review Task Force and endorsed by the RSPO BoG on 12 October 2018.

The English version of this document shall always prevail in case of any discrepancy or inconsistency between the English version and other translated versions.

**IMPORTANT NOTE:** When you see the  symbol in the Criteria, please refer to additional guidance in Annex 2.

# NATIONAL INTERPRETATION OF THE P&C RSPO FOR HONDURAS

With the aim of implementing the P&C of the RSPO 2018, adapting it to the country's legal and regulatory framework for the sustainable production of palm oil in Honduras, the Fundacion Solidaridad Latinoamericana Foundation highlighted the importance and reasons for having a national interpretation of the standard for the country, thus facilitating the process. With the experience of the development of the 2013 RSPO National Interpretation for Honduras, carried out in 2014, the palm sector extended its trust in Solidaridad to facilitate and lead the process in a transparent and neutral manner.

In 2019, through dialogue sessions, assemblies and by consensus, the Honduran oil palm sector approved the Work Plan and the Budget which was also submitted and approved by the RSPO LATAM executive office, who ratified Solidaridad to occupy the Technical Secretariat communicating to the oil palm Sector in October 2019. In 2020, following the RSPO terms of reference, and after carrying out a mapping of actors at the national level, the Technical Secretariat made calls to interested parties to integrate the Group of National Work for the National Interpretation-GTN.

The GTN was integrated with the participation of 26 civil society organizations, non-governmental, environmental and social organizations, ministries of Agriculture and Livestock-SAG, Ministry of Environment-MIAMBIENTE, Institute for Forest Conservation, Wildlife and Protected Areas-ICF, Secretary of Labor, National Agrarian Institute-INA, the Federation of Oil

Palm Producers-FENAPALMAH, the Association of Oil Palm Industries of Honduras-AIPAH, experts (auditors RSPO, AVC, Conservation), Honduran Council of the Social Sector of the Economy -COHDESSE, and marketers of oil and derivatives.

The IN Technical Secretariat has been provided by the Latin American Solidarity Foundation with the technical supervision of the RSPO LATAM office.

The members of the National Interpretation Working Group (NIWG)

were informed about the process and the corresponding code of ethics, sending a letter of acceptance with the appointment of the holder and alternate, at the same time, the Technical Secretariat and Solidaridad work team identified the national legal framework applied to environmental, social, productive issues, etc. In compliance with the ToR of interpretations of the RSPO standard, the National Work Group- (NIWG) was formed, balanced and with representation from all sectors.

Considering the national health emergency situation in Honduras due to the Covid 19 Pandemic, it was necessary to adapt the work plan, as well as promote an interactive methodology by developing online meetings, via webinar through the digital platform of the Mesoamerican Alliance for Sustainable Palm Program- MAPA- (<https://www.mapa-solidaridad.org/interpretacion-nacional-rspo-hondur>) led by Solidaridad. Relevant RSPO reference documents were posted on this platform to support the process, as well as the virtual meeting schedule.

The president of the GTN was democratically elected with a list of candidates, informed of the process and their role. The GTN and to be efficient in the discussions, it was subdivided into working subgroups, according to the impact area of the Theory of Change of the RSPO standard: 1) Prosperity, 2) People and 3) Planet. The participation of the members has been assiduous, in harmony, with respect and attached to the established code of conduct.

The IN RSPO 2018 Launch was held on May 7, 2020 via webinar with the participation of the Executive Director of RSPO LATAM, with an attendance of 54 participants, 72% men, 28% women. On a continuous basis, the GTN and the subgroups have held a series of successful sessions every two weeks and extraordinary weekly meetings reviewing its content and its adoption to the legal and regulatory framework. 100% of the work done to date has been virtually given the restrictions of the Government of Honduras due to the pandemic, however, that has not prevented the subgroups from meeting periodically. Each session has been recorded and with the corresponding minute. It is important to mention that the RSPO 2019 Certification Standard for Independent Small Producers was introduced and explained to each working subgroup, regarding its structure, scope, objectives

and sessions were dedicated to the discussion of the definitions of palm oil smallholders, scheme smallholders, independent smallholders, depending on the national context and the conditions of the palm oil producers.

To promote the public consultation period on social networks, the Technical Secretariat and the facilitation team have prepared a video explaining the public consultation process and its importance, which will be published on social networks. In addition to the dissemination in electronic media, announcements have also been prepared to be published in the main newspapers of the country, promoting participation in public consultation. The development of virtual forums has been included to expand information with grassroots groups, producers, local governments, local NGOs.

At the end of the public consultation period, all comments will be collected for analysis and incorporation into the IN. After the approval of the IN by the GTN, the NI will be translated into English for submission and approval by the RSPO Secretariat.

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Acronym	Meaning
AFI	Accountability Framework Initiative
ALS	Assessor Licensing Scheme
ASA	Annual Surveillance Assessments
ASEAN	Association of Southeast Asian Nations
BHCV WG	Biodiversity&HighConservationValueWorkingGroup
BMPs	Best Management Practices
BOD	Biochemical Oxygen Demand
BoG	Board of Governors
CABI	Centre for Agriculture and Biosciences International
CB	Certification Body
CBA	Collective Bargaining Agreement
CBD	Convention on Biological Diversity
CPO	Crude Palm Oil
CSO	Civil Society Organization
DfID	Department for International Development (UK government)
DLW	Decent Living Wage
EFB	Empty Fruit Bunches
FAO	Food and Agriculture Organization

Acronym	Meaning
FFB	Fresh Fruit Bunch
FPIC	Free, Prior and Informed Consent
FSC	Forest Stewardship Council
GA	General Assembly
GHG	Greenhouse Gas
GLWC	Global Living Wage Coalition
H&S	Health and Safety
HCS	High Carbon Stock
HCSA	High Carbon Stock Approach
HCV	High Conservation Value
HCVRN	High Conservation Value Resource Network
HFCC	High Forest Cover Country
HFCL	High Forest Cover Landscape
HGU	Hak Guna Usaha
HRC	Human Rights Commission
HRD	Human Rights Defender
ICS	Internal Control System
IDS	Institute of Development Studies
IFC	International Finance Corporation



Acronym	Meaning
IFL	Intact Forest Landscape
ILO	International Labor Organization
IP	Identity Preserved
IPCC	Intergovernmental Panel on Climate Change
IPM	Integrated Pest Management
ISO	International Organization for Standardization
IUCN	International Union for Conservation of Nature
JCC	Joint Consultative Committee
KBA	Key Biodiversity Area
KPI	Key Performance Indicator
LTA	Lost Time Accident
LUCA	Land Use Change Analysis
MB	Mass Balance
NDJSG	No Deforestation Joint Steering Group
NGO	Non-Governmental Organisation
NI	National Interpretation
OER	Oil Extraction Rate
QMS	Quality Management System
P&C	RSPO Principles and Criteria (i.e. this document)

Acronym	Meaning
PK	Palm Kernel
PLWG	Peatland Working Group
PO	Palm Oil
POME	Palm Oil Mill Effluent
PPE	Personal Protective Equipment
RaCP	Remediation and Compensation Procedure
REDD	Reducing Emissions from Deforestation and Forest Degradation
RSPO	Roundtable on Sustainable Palm Oil
RTE	Rare, Threatened or Endangered
SCCS	RSPO Supply Chain Certification Standard
SDG	Sustainable Development Goal
SEIA	Social and Environmental Impact Assessment
SHIG	Smallholder Interim Group
SLAPP	Strategic Lawsuits against Public Participation
SOP	Standard Operating Procedure
ToC	Theory of Change
UN	United Nations

## 1. SCOPE

The RSPO Principles and Criteria (RSPO P&C) is applicable for sustainable palm oil production worldwide. The RSPO P&C cover the most significant environmental and social impacts of palm oil production and the immediate inputs to production, such as seed, chemicals and water, and social impacts related to on-farm labour and community relations.

The RSPO P&C apply to all production level companies, i.e. all mills, who do not fall under the definition of independent mill as outlined in the RSPO SCC standard; and to all growers, who do not meet the definition of Independent Smallholder or the applicability requirements as outlined in the RSPO Smallholder Standard (under development as of September 2018 with finalization expected in 2019) and therefore cannot apply the RSPO Smallholder Standard. These are referred to as the unit of certification throughout this document.

The unit of certification is responsible for the certification of related Scheme Smallholders and out growers within three years of obtaining its own certificate (see section 4.1.3 in RSPO Certification Systems 2017). Guidance for implementation of the RSPO P&C 2018 for Scheme Smallholders and out growers will be developed.

The RSPO P&C apply to existing plantings, as well as planning, siting, development, expansion and new plantings.

Where RSPO standards differ from local laws, the higher/stricter of the two shall always prevail and NIs are required to develop a list of applicable laws (see section 9 in RSPO SOP for Standard Setting 2017).

Compliance with the RSPO P&C and all requirements as outlined in associated documents is required in order for certification to be awarded. Any non-conformities may result in suspension or loss of certification (see section 4.9 in RSPO Certification Systems 2017). Compliance must be demonstrated with the normative part of the P&C, i.e. the Principles, Criteria and Indicators. Non-conformities are raised at Indicator-level by auditors. The informative part (i.e. Annex 2 Guidance) is there to help with implementation of Indicators, but is not normative, nor can non-conformities be raised against this section.

Team	Explanation	RSPO Standard Setting document	Category
<b>Principle</b>	Fundamental statements about a desired outcome	A fundamental statement about a desired outcome, often providing greater detail about the objectives.	Normative
<b>Criteria</b>	What implementation of the Principle looks like – the preconditions or means of judging whether or not a Principle has been fulfilled	The conditions that need to be met in order to fulfil a Principle. Criteria add meaning and operationality to a Principle without themselves being direct measures of performance.	Normative
<b>Indicator</b>	Variable to measure the implementation (positive or negative)	The measurable states, which allow the assessment of whether or not associated Criteria, are being met. Indicators convey a single, meaningful message or piece of information.	Normative
<b>Guidance</b>	Additional information that assists with the understanding, implementation and auditing of the requirement (i.e. the Indicator)	Guidance consists of useful information to help the unit of certification and auditor understand what the Criterion and/or Indicators mean in practice, to indicate good practice, and practices that should be followed.	Informative
<b>Procedural Note</b>	Exceptional measure to allow mention of pending developments	A note in the standard only to be used where a methodology or element of the standard is still under development to clarify terms, conditions and procedure prior to the said methodology or element being finalised	Informative

## Role of Definitions

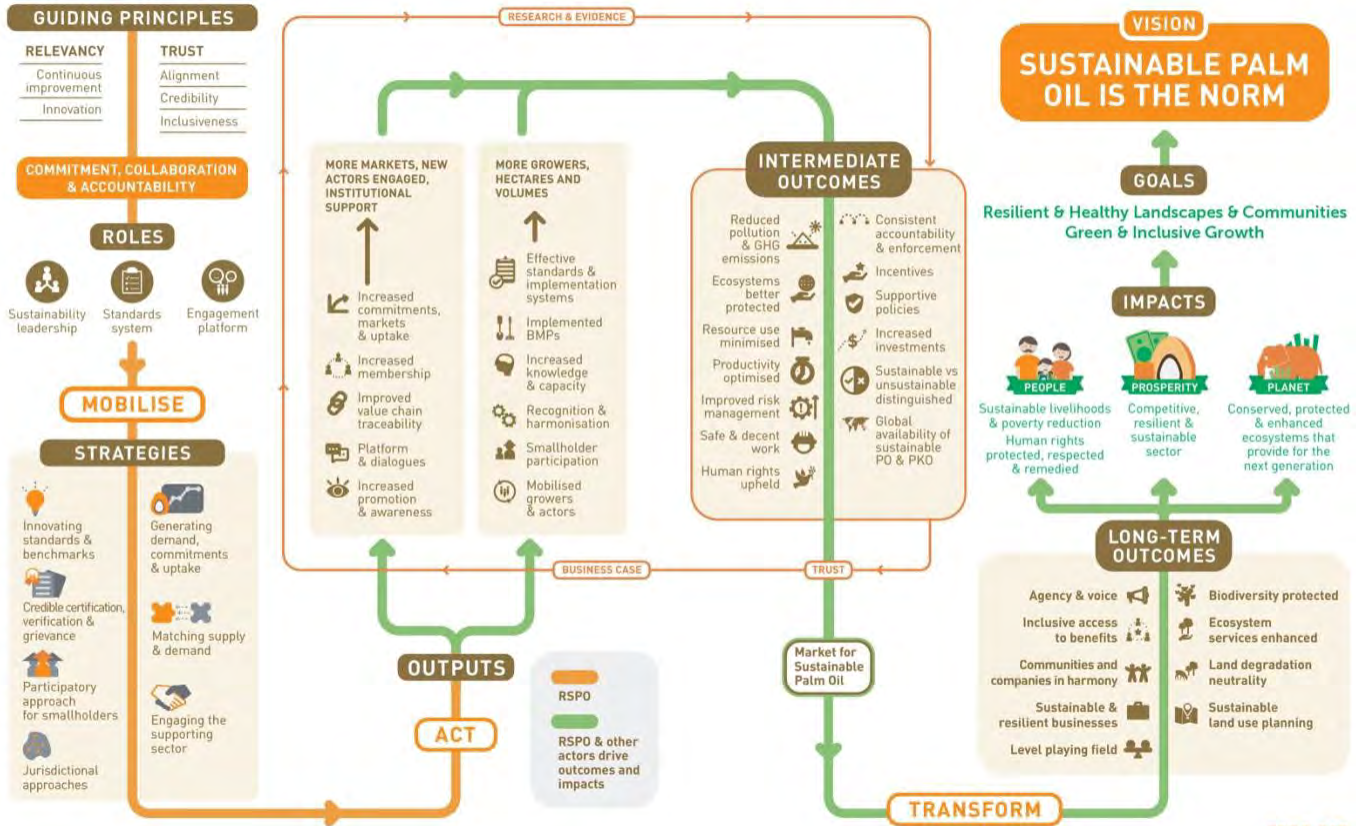
Throughout the standard, some terms carry a specific RSPO definition, which is provided in Annex 1 – Definitions section of this standard. These definitions are binding elements of Criteria and Indicators

## 2. RSPO VISION AND THEORY OF CHANGE



The RSPO Theory of Change (ToC) is a roadmap that demonstrates how RSPO will achieve its vision of making sustainable palm oil the norm. With the support of its members, partners and other actors, RSPO will implement key strategies and activities to trigger the transformation of the palm oil sector. These strategies are intended to bring about direct outputs in the form of increased adoption of the RSPO standards, greater transparency and inclusivity in the RSPO system, increased market uptake of sustainable palm oil, and an improved enabling environment. Over time, these outputs will lead to outcomes that are expected to improve the quality of life of oil palm farmers, create a more prosperous palm oil industry, and enable us to better conserve our planet and its resources. When the ToC is fully realized, it delivers change where it matters most – on the ground; a space where oil palm, the environment, and local communities can co-exist in harmony. It also provides a framework to monitor, evaluate and report on the effects of applying the RSPO P&C. More details on the RSPO ToC are available here: <https://rspo.org/about/impacts/theory-of-change>.

# THEORY OF CHANGE RSPO'S ROADMAP FOR SUSTAINABLE PALM OIL





Effective implementation and more growers' uptake of the P&C lead to the intermediate outcomes:

- Resource use minimisation (soil, water, energy), input use reduction – reduced costs
- Reduced pollution (water, air, greenhouse gas (GHG))
- Improved risk management – management plans and assessments
- Ecosystems better protected
- Productivity optimized
- Land and use rights respected
- Safe and decent work for all community members

The process for change at RSPO is characterized by a progression of “**Mobilise, Act and Transform**”. This is the backbone of the RSPO ToC and underpinned by the concept of shared responsibility and accountability for results.

**Commitment:** All the actors commit to their contribution to transforming markets.

**Collaboration:** Recognising the need to work together and making that happen: transformation of markets cannot happen without collaboration.

**Accountability:** Commitment and collaboration are to be fulfilled with a shared responsibility for impact. The expectation of partners and members is that they commit to participate and there is mutual and agreed accountability for results.

## 3. OUTCOME FOCUS

The core objectives of the 2018 RSPO P&C review include:

- Incorporating elements of impacts
- Making it more relevant and practical, particularly by making it metricated (measurable)
- Incorporating elements of impacts as prescribed by the ToC

It is important to keep in mind that it is simply not feasible or meaningful to propose indicator level, specific measurable outcomes because of many technical and political challenges. From research and experience with other standards these include:

- Attribution – achieving outcomes is based on a wide range of actions and context, often out of the control of the grower (weather, market forces, pests)
- Defining globally relevant outcomes
- Favour larger, more resourced growers potentially demotivating small and medium size growers
- Costs and burden for data reporting systems and management

However, outcome focused P&C can still be achieved, by showing very explicitly the links between the set of Criteria and intended outcomes. Furthermore, a requirement for reporting to RSPO has been included into the Management Principle under Criterion 3.2 for continuous improvement.

This will provide RSPO with information on the results of implementation of the P&C. This requirement refers to a small set of strategic metrics, directly related to the P&C and aligned with the ToC and RSPO organisational Key Performance Indicators (KPIs). The resulting reporting will be anonymised for analysis, marketing and impact assessment.

The selection criteria for these metrics included:

- Value added to growers
- Link to P&C requirements
- Key ToC outcomes
- Those already required for measuring, monitoring and/or reporting

## 4. STRUCTURE OF THE RSPO P&C

The RSPO P&C are organized into three impact areas according to the RSPO ToC.



**Impact Goal PROSPERITY:**  
Competitive, resilient and sustainable sector

- Principle 1. **Behave ethically and transparently**
- Principle 2. **Operate legally and respect rights**
- Principle 3. **Optimise productivity, efficiency, positive impacts and resilience**

**Impact Goal PEOPLE:**  
Sustainable livelihoods and poverty reduction

- Principle 4. **Respect community and human rights and deliver benefits**
- Principle 5. **Support smallholder inclusion**
- Principle 6. **Respect workers' rights and conditions**

**Impact Goal PLANET:**  
Conserved, protected and enhanced ecosystems that provide for the next generation

- Principle 7. **Protect, conserve and enhance ecosystems and the environment**



Impact Area ToC	Objectives ToC	Principle of Theme
<p><b>PROSPERITY</b> Impact Goal: Competitive, resilient and sustainable sector</p>	<p>A sustainable, competitive, and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where oil palm is grown. Effective planning and management system address economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&amp;C, and supports continuous improvement toward sustainable palm oil.</p>	<p>1. Behave ethically and transparently</p> <hr/> <p>2. Operate legally and respect rights</p> <hr/> <p>3. Optimise productivity, efficiency, positive impacts and resilience</p>
<p><b>PEOPLE</b> Impact Goal: Sustainable livelihoods and poverty reduction</p>	<p>Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfill their potential in work and community with dignity and equality and in a healthy working and living environment.</p>	<p>4. Respect community and human rights and deliver benefits</p> <hr/> <p>5. Support smallholder inclusion</p> <hr/> <p>6. Respect workers' rights and conditions</p>
<p><b>PLANET</b> Impact Goal: Conserved, protected and enhanced ecosystems that provide for the next generation</p>	<p>Impact Goal: Conserved, protected, and enhanced ecosystems that provide for the next generation. Ecosystems and their services are protected, restored, and resilient, including through sustainable consumption and production and sustainable management of natural resources [sustainably manage forests, combat desertification, halt and reverse and degradation, halt biodiversity loss (SDG 15)]. Climate change is addressed through continuous GHG reductions and air and water pollution are controlled</p>	<p>7. Protect, conserve and enhance ecosystems and the environment</p>

## Preamble

### 4. STRUCTURE OF THE RSPOP&C



PROSPERITY



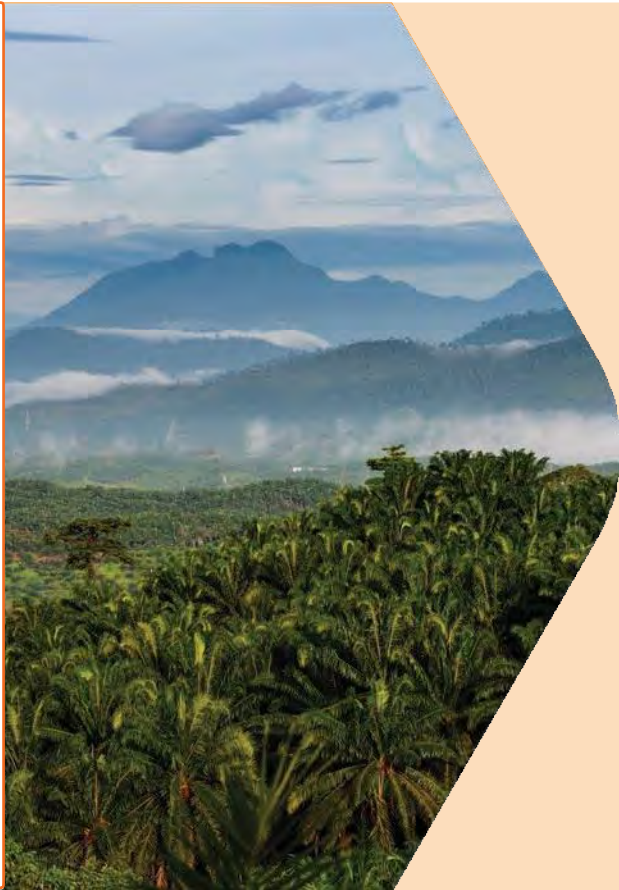
PEOPLE



PLANET

	Criteria Topic	2018 P&C Criterion No	2013 P&C CriterionNo
PROSPERITY	1. Information and public availability Communication and consultation Commitment to ethical conduct	1.1	1.1 / 1.2 / 6.10
		1.2	6.2
		1.3	1.3/6.10
	2. Legal compliance Third party contractors legal Third party FFB legally sourced	2.1	2.1/6.10
		2.2	n.a.
		2.3	n.a.
	3. Long term plan and economic viability Continuous Improvement & Reporting Standard Operating Procedures SEIA and Plans System for managing human resources Occupational Health and Safety Plan Training	3.1	3.1
		3.2	8.1
		3.3	4.1
		3.4	5.1 / 6.1 / 7.1
		3.5	n.a.
		3.6	4.7 (part)
	3.7	4.8	
PEOPLE	4. Human Rights Complaints and Grievances Contribution to local sustainable development	4.1	6.13
		4.2	6.3
		4.3	6.11 (part)
	Land use & FPIC Land Use : Compensation Land Use : Conflict	4.4&4.5	2.3 / 7.5
		4.6&4.7	6.4 / 7.6
	5. Improved SH livelihoods Pay and working conditions	4.8	2.2
		5.1	6.1
	6. No discrimination Pay and working conditions Freedom of association No child labour No harassment No forced or trafficked labour Safe working environment	5.2	6.11 (part)
		6.1	6.8
		6.2	6
6.3		6.6	
6.4		6.7	
6.5		6.9	
6.6		6.12	
6.7	4.7 (part)		
PLANET	7. Effective Integrated Pest Management Pesticide Use Waste management Soil health fertility Soil conservation (erosion and degradation) Soil survey and topographic information Peat Water quality and quantity Energy Use Pollution and GHGs Fire HCV and HCS	7.1	4.5
		7.2	4.6
		7.3	5.3
		7.4	4.2 / 7.2
		7.5	4.3 & 7.4 (parts)
		7.6	4.3 & 7.2
		7.7	4.3&7.4 (parts)
		7.8	4.4
		7.9	5.4
		7.10	5.6/7.8
		7.11	5.5/7.7
		7.12	5.5/7.3

Linkto Theory of Change- Intermediate outcomes	
Improved Risk Management	
Improved Risk Management	
Improved Risk Management	
Improved Risk Management	
Improved Risk Management	
Improved Risk Management	
Improved Risk Management	
Improved Risk Management, Cross cutting	
Improved Risk Management, Cross cutting	
Improved Risk Management	
Improved Risk Management	
Improved Risk Management, Safe and Decent work	
Improved Risk Management, Safe and Decent work	
Human rights upheld	
Human rights upheld	
Human rights upheld	
Human rights upheld	
Human rights upheld	
Inclusive access, communities	
Inclusive access, SH	
Inclusive access, SH	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Safe and decent work	
Resource use, pollution, productivity	
Resource use minimised, pollution	
Resource use minimised, pollution	
Productivity optimised, Ecosystems	
Reduced pollution	
Ecosystem protected, Resource use minimised, Reduced pollution	
Pollution, ecosystems	
Resource use, pollution, ecosystems	
Resource use minimised, pollution	
Reduced pollution	
Reduced pollution	
Ecosystems protected	



# PROSPERITY: COMPETITIVE, RESILIENT AND SUSTAINABLE SECTOR



## Objectives and outcomes

A sustainable, competitive and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where oil palm is grown. An effective planning and management system addresses economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&C, and supports continuous improvement toward sustainable palm oil

### Principle 1

**Behave ethically and transparently**

### Principle 2

**Operate legally and respect rights**



### Principle 3

**Optimise productivity, efficiency, positive impacts and resilience**

## Principle 1

# BEHAVE ETHICALLY AND TRANSPARENTLY



Drive ethical business behaviour, build trust and transparency with stakeholders to ensure strong and healthy relationships.

Criteria	Indicators	ToC Outcomes
1.1 The unit of certification provides adequate information to relevant stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages and forms to allow for effective participation in decision making. 	1.1.1 (C) Management documents that are specified in the RSPO & C are made publicly available. 1.1.2 Information is provided in appropriate languages and accessible to relevant stakeholders. 1.1.3 (C) Records of requests for information and responses are maintained. 1.1.4 (C) Consultation and communication procedures are documented, disclosed, implemented, made available, and explained to all relevant stakeholders by a nominated management official. 1.1.5 There is a current list of contact and details of stakeholders and their nominated representatives.	Improved risk management
1.2 The unit of certification commits to ethical conduct in all business operations and transactions. 	1.2.1 A policy for ethical conduct is in place and implemented in all business operations and transactions, including recruitment and contracts. 1.2.2 A system is in place to monitor compliance and the implementation of the policy and overall ethical business practice.	Improved risk management

## Principle 2

# OPERATE LEGALLY AND RESPECT RIGHTS

Implement legal requirements as the basic principles of operation in any jurisdiction.



Criteria	Indicators	ToC Outcomes
<p>2.1 There is compliance with all applicable local, national, and ratified international laws and regulations.</p> 	<p>2.1.1 (C) The unit of certification complies with applicable legal requirements.</p> <p>2.1.2 A documented system for ensuring legal compliance is in place. This system has a means to track changes to the law and also includes listing and evidence of legal due diligence of all contracted third parties, recruitment agencies, service providers and labour contractors.</p> <p>2.1.3 Legal or authorized boundaries are clearly demarcated and visibly maintained, and there is no planting beyond these legal or authorized boundaries.</p>	<p><b>Improved risk management</b></p>
<p>2.2 All contractors providing operational services and supplying labour, and Fresh Fruit Bunch (FFB) suppliers, comply with legal requirements.</p> 	<p>2.2.1 A list of contracted parties is maintained</p> <p>2.2.2 All contracts, including those for FFB supply, contain specific clauses on meeting applicable legal requirements, and this can be demonstrated by the third party.</p> <p>2.2.3 All contracts, including those for FFB supply, contain clauses disallowing child, forced and trafficked labour. Where young workers are employed, the contracts include a clause for their protection.</p>	

Criteria	Indicators	ToC Outcomes
<p>2.3 All FFB supplies from outside the unit of certification are from legal sources.</p>	<p>2.3.1 For all directly sourced FFB, the mill requires:</p> <ul style="list-style-type: none"> <li>• Information on geo-location of FFB origins</li> <li>• Proof of the ownership status or the right/claim to the land by the grower/smallholder</li> <li>• Where applicable, valid planting/operating/trading license, or is part of a cooperative which allows the buying and selling of FFB.</li> </ul> <p>2.3.2 For all indirectly sourced FFB, the unit of certification obtains from the collection centres, agents or other intermediaries, the evidence as listed in Indicator 2.3.1.</p> <p><b>PROCEDURAL NOTE:</b> For Implementation Procedure for 2.3.2 refer to Annex 4.</p>	<p>Improved risk management</p>



### Principle 3

## OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Implement plans, procedures and systems for continuous improvement.

Criteria	Indicators	ToC Outcomes
<p>3.1 There is an implemented management plan for the unit of certification that aims to achieve long-term economic and financial viability.</p> <p></p>	<p>3.1.1 (C) A business or management plan (minimum three years) is documented that includes, where applicable, a jointly developed business case for Scheme Smallholders.</p> <p>3.1.2 An annual replanting programme projected for a minimum of five years with yearly review, is available.</p> <p>3.1.3 The unit of certification holds management reviews at planned intervals appropriate to the scale and nature of the activities undertaken.</p>	<p><b>Improved risk management;</b> <b>Productivity optimized</b></p>
<p>3.2 The unit of certification regularly monitors and reviews their economic, social and environmental performance and develops and implements action plans that allow demonstrable continuous improvement in key operations.</p> <p></p>	<p>3.2.1 (C) The action plan for continuous improvement is implemented, based on consideration of the main social and environmental impacts and opportunities of the unit of certification.</p> <p>3.2.2 As part of the monitoring and continuous improvement process, annual reports are submitted to the RSPO Secretariat using the RSPO metrics template.</p>	



Criteria	Indicators	ToC Outcomes
3.3 Operating procedures are appropriately documented, consistently implemented and monitored. 	3.3.1 (C) Standard Operating Procedures (SOPs) for the unit of certification are in place. 3.3.2 A mechanism to check consistent implementation of procedures is in place. 3.3.3 Records of monitoring and any actions taken are maintained and available.	<b>Improved risk management</b>
3.4 A comprehensive Social and Environmental Impact Assessment (SEIA) is undertaken prior to new plantings or operations, and a social and environmental management and monitoring plan is implemented and regularly updated in ongoing operations. 	3.4.1 (C) In new plantings or operations including mills, an independent SEIA, undertaken through a participatory methodology involving the affected stakeholders, and including the impacts of any smallholder/outgrower scheme is documented. 3.4.2 For the unit of certification, a SEIA is available and social and environmental management and monitoring plans have been developed with participation of affected stakeholders. 3.4.3 (C) The social and environmental management and monitoring plan is implemented, reviewed and updated regularly in a participatory way.	<b>Improved risk management; Human rights upheld</b>

### Principle 3

## OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Criteria	Indicators	ToC Outcomes
3.5 A system for managing human resources is in place.	3.5.1 Employment procedures for recruitment, selection, hiring, promotion, retirement and termination are documented and made available to the workers and their representatives.  3.5.2 Employment procedures are implemented and records are maintained.	<b>Improved risk management; Safe and decent work</b>
3.6 An occupational health and safety (H&S) plan is documented, effectively communicated and implemented.	3.6.1 <b>(C)</b> All operations are risk assessed to identify H&S issues. Mitigation plans and procedures are documented and implemented.  3.6.2 <b>(C)</b> The effectiveness of the H&S plan to address health and safety risks to people is monitored.	
3.7 All staff, workers, Scheme Smallholders, out growers, and contract workers are appropriately trained.	3.7.1 <b>(C)</b> A documented programme that provides training is in place, which is accessible to all staff, workers, Scheme Smallholders and out growers, taking into account gender-specific needs, and which covers applicable aspects of the RSPOP&C, in a form they understand, and which includes assessments of training.  3.7.2 Records of training are maintained, where appropriate on an individual basis.  3.7.3 Appropriate training is provided for personnel carrying out the tasks critical to the effective implementation of the Supply Chain Certification Standard (SCCS). Training is specific and relevant to the task(s) performed.	<b>Improved risk management; Safe and decent work</b>

## SUPPLY CHAIN REQUIREMENTS FOR MILLS



**This chapter was endorsed by the RSPO Board of Governors on 1 February 2020.**

The following section stipulates the requirements for mills which are identified as complying with the Identity Preserved (IP) Module and Mass Balance (MB) Module.

For independent mills, that are only required to obtain RSPO Supply Chain Certification, Compliance with modules A and/or C of the Supply Chain Certification Standard will be required. All definition in Supply Chain Certification Standard applies.

As per RSPO Principles and Criteria, all requirements are classified as Critical Indicators.

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes	
3.8	<p data-bbox="193 297 411 348">Supply Chain Requirements for Mills</p>	<p data-bbox="456 297 783 320">3.8.1 Identity Preserved Module</p> <p data-bbox="528 353 1158 465">A mill is deemed to be Identity Preserved (IP) if the FFB processed by the mill are sourced from plantations/estates that are certified against the RSPO Principles and Criteria (RSPOP&amp;C), or against the Group Certification scheme.</p> <p data-bbox="528 499 1166 673">Certification for CPO mills is necessary to verify the volumes and sources of certified FFB entering the mill, the implementation of any processing controls (for example, if physical separation is used), and volume sales of RSPO certified products. If a mill processes certified and uncertified FFB without physically separating them, then only Mass Balance Module is applicable.</p>	<p data-bbox="1190 297 1482 320"><b>Improved risk management</b></p>
	<p data-bbox="456 717 743 740">3.8.2 Mass Balance Module</p> <p data-bbox="528 773 1182 947">A mill is deemed to be Mass Balance (MB) if the mill process FFB from both RSPO certified and uncertified plantations/estates. A mill may be taking delivery of FFB from un certified growers, in addition to those from its own and 3<sup>rd</sup> party certified supply base. In that scenario, the mill can claim only the volume of oil palm products produced from processing of the certified FFB as MB.</p>	<p data-bbox="1190 717 1482 740"><b>Improved risk management</b></p>	

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.3 The estimated tonnage of CPO and PK products that could potentially be produced by the certified mill shall be recorded by the certification body (CB) in the public summary of the P&C certification report. This figure represents the total volume of certified oil palm product (CPO and PK) that the certified mill is allowed to deliver in a year. The actual tonnage produced shall then be recorded in each subsequent annual surveillance report.	<b>Improved risk management</b>
	3.8.4 The mill shall also meet all registration and reporting requirements for the appropriate supply chain through the RSPO IT platform.	<b>Improved risk management</b>
	3.8.5 Documented procedures  The mill shall have written procedures and/or work instructions or equivalent to ensure the implementation of all elements of the applicable supply chain model specified. This shall include at minimum the following: <ul style="list-style-type: none"> <li>a) Complete and up to date procedures covering the implementation of all elements of the supply chain model requirements.</li> <li>b) Complete and up to date records and reports that demonstrate compliance with the supply chain model requirements (including training records).</li> </ul>	<b>Improved risk management</b>

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	<ul style="list-style-type: none"> <li>c) Identification of the role of the person having overall responsibility for and authority over the implementation of these requirements and compliance with all applicable requirements. This person shall be able to demonstrate awareness of the mill's procedures for the implementation of this standard.</li> <li>d) The mill shall have documented procedures for receiving and processing certified and non-certified FFBs including ensuring no contamination in the IP mill.</li> </ul>	
	3.8.6 Internal Audit <ul style="list-style-type: none"> <li>i) The mill shall have a written procedure to conduct an annual internal audit to determine whether the mill;               <ul style="list-style-type: none"> <li>(a) conforms to the requirements in the RSPO Supply Chain requirements for mills and the RSPO Rules on Market Communications and Claims.</li> <li>(b) effectively implements and maintains the standard requirements within its organization.</li> </ul> </li> <li>ii) Any non-conformities found as part of the internal audit shall be issued and required corrective action. The outcomes of the internal audits and all actions taken to correct non-conformities shall be subject to management review at least annually. The mill shall maintain the internal audit records and reports.</li> </ul>	<b>Improved risk management</b>

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.7 Purchasing and Goods in <ul style="list-style-type: none"> <li>i) The mill shall verify and document the tonnage and sources of certified and the tonnage of non-certified FFBs received.</li> <li>ii) The mill shall inform the CB immediately if there is a projected overproduction of certified volume.</li> <li>iii) The mill shall have a mechanism in place for handling of non-conforming FFB and/or documents</li> </ul>	<b>Improved risk management</b>
	3.8.8 Sales and Goods Out <p>The supplying mill shall ensure that the following minimum information for RSPO certified products is made available in document form. The information shall be complete and can be presented either on a single document or across a range of documents issued for RSPO certified oil palm products (for example, delivery notes, shipping documents and specification documentation):</p> <ul style="list-style-type: none"> <li>a) The name and address of the buyer;</li> <li>b) The name and address of the seller;</li> <li>c) The loading or shipment / delivery date;</li> <li>d) The date on which the documents were issued;</li> <li>e) RSPO certificate number;</li> <li>f) A description of the product, including the applicable supply chain model (Identity Preserved or Mass Balance or the approved abbreviations);</li> </ul>	

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	<ul style="list-style-type: none"> <li>g) The quantity of the products delivered;</li> <li>h) Any related transport documentation;</li> <li>i) A unique identification number.</li> </ul>	
	<p>3.8.9 Outsourcing Activities</p> <ul style="list-style-type: none"> <li>(i) The mill shall not outsource its milling activities. In cases where the mill outsources activities to independent third parties (e.g. subcontractors for storage, transport or other outsourced activities), the mill holding the certificate shall ensure that the independent third party complies with relevant requirements of this RSPO Supply Chain Certification.</li> </ul>	<b>Improved risk management</b>



Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	(ii) The mill shall ensure the following: <ul style="list-style-type: none"> <li>a) The mill has legal ownership of all input material to be included in outsourced processes</li> <li>b) The mill has an agreement or contract covering the outsourced process with each contract or through a signed and enforceable agreement with the contractor. The onus is on the mill to ensure that certification body (CB) has access to the outsourcing contractor or operation if an audit is deemed necessary.</li> <li>c) The mill has a documented control system with explicit procedures for the outsourced process which is communicated to the relevant contractor.</li> <li>(d) The mill shall furthermore ensure (e.g. through contractual arrangements) that independent third parties engaged provide relevant access for duly accredited CBs to their respective operations, systems, and all information, when this is announced in advance.</li> </ul>	
	3.8.10 The mill shall record the names and contact details of all contractors used for the physical handling of RSPO certified oil palm products.	Improved risk management
	3.8.11 The mill shall inform its CB in advance prior to conduct of its next audit of the names and contact details of any new contractor used for the physical handling of RSPO certified oil palm products.	Improved risk management

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.12 Record keeping <ul style="list-style-type: none"> <li>i) The mill shall maintain accurate, complete, up-to-date and accessible records and reports covering all aspects of this RSPO Supply Chain Certification Standard requirements.</li> <li>ii) Retention times for all records and reports shall be a minimum of two (2) years and shall comply with relevant legal and regulatory requirements and be able to confirm the certified status of raw materials or products held in stock.</li> <li>iii) For Identity Preserved Module, the mill shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis.</li> <li>iv) For Mass Balance Module, the mill:               <ul style="list-style-type: none"> <li>a) Shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis and / or three-monthly basis.</li> <li>b) All volumes of certified CPO and PK that are delivered are deducted from the material accounting system according to conversion ratios stated by RSPO.</li> <li>c) The mill can only deliver Mass Balance sales from a positive stock. Positive stock can include product ordered for delivery within three (3) months. However, a mill is allowed to sell short (i.e. product can be sold before it is in stock.)</li> </ul> </li> </ul>	<b>Improved risk management</b>

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.13 Extraction Rate  The oil extraction rate(OER) and the kernel extraction rate(KER) shall be applied to provide a reliable estimate of the amount of certified CPO and PK from the associated inputs. Mill shall determine and set their own extraction rates based upon past experience, documented and applied it consistently.	<b>Improved risk management</b>
	3.8.14 Extraction rates shall be updated periodically to ensure accuracy against actual performance or industry average if appropriate.	<b>Improved risk management</b>
	3.8.15 Processing  For Identity Preserved Module, the mill shall assure and verify through documented procedures and record keeping that the RSPO certified oil palm product is kept separated from non-certified oil palm products, including during transport and storage to strive for 100% separation.	<b>Improved risk management</b>

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.16 Registration of Transactions <ul style="list-style-type: none"> <li>i) Shipping Announcement in the RSPO IT platform shall be carried out by the mills when RSPO certified products are sold as certified to refineries, crushers, and traders not more than three months after dispatch with the dispatch date being the Bill of Lading or the dispatch documentation date.</li> <li>ii) Remove: RSPO certified volumes sold under different scheme or as conventional, or in case of underproduction, loss or damage shall be removed in the RSPO IT platform.</li> </ul>	<b>Improved risk management</b>
	3.8.17 Claims <p>The mill shall only make claims regarding the production of RSPO certified oil that are in compliance with the RSPO Rules on Market Communications and Claims.</p>	<b>Improved risk management</b>

# PEOPLE: SUSTAINABLE LIVELIHOODS AND POVERTY REDUCTION



## Objectives and outcomes

Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of a sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfil their potential in work and community with dignity and equality, and in a healthy working and living environment

### Principle 4

**Respect community and human rights and deliver benefits**

### Principle 5



**Support smallholder inclusion**




### Principle 6

**Respect workers' rights and conditions**

# RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Respect community rights, provide equal opportunities, maximize benefits from engagement and ensure remediation where needed.

Criteria	Indicators	ToC Outcomes
<p>4.1 The unit of certification respects human rights, which includes respecting the rights of Human Rights Defenders.</p> 	<p>4.1.1 (C) A policy to respect human rights, including prohibiting retaliation against Human Rights Defenders (HRDs), is documented and communicated to all levels of the workforce, operations, supply chain and local communities and prohibits intimidation and harassment by the unit of certification and contracted services, including contracted security forces.</p>	<p><b>Human rights upheld</b></p>
	<p>4.1.2 The unit of certification does not instigate violence or use any form of harassment, including the use of mercenaries and paramilitaries in their operations.</p>	
<p>4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties.</p> 	<p>4.2.1 (C) The mutually agreed system, open to all affected parties, resolves disputes in an effective, timely and appropriate manner, ensuring anonymity of complainants, HRDs, community spokespersons and whistleblowers, where requested, without risk of reprisal or intimidation and follows the RSPO policy on respect for HRDs.</p>	<p><b>Human rights upheld</b></p>
	<p>4.2.2 Procedures are in place to ensure that the system is understood by the affected parties, including by illiterate parties.</p>	
	<p>4.2.3 The unit of certification keeps parties to a grievance informed of its progress, including against agreed timeframe and the outcome is available and communicated to relevant stakeholders.</p>	



Criteria	Indicators	ToC Outcomes
<p>4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties. (Continued)</p> 	<p>4.2.4 The conflict resolution mechanism includes the option of access to independent legal and technical advice, the ability for complainants to choose individuals or groups to support them and/or act as observers, as well as the option of a third-party mediator.</p>	<p><b>Human rights upheld</b></p>
<p>4.3 The unit of certification contributes to local sustainable development as agreed by local communities.</p> 	<p>4.3.1 Contributions to community development that are based on the results of consultation with local communities are demonstrated.</p>	<p><b>Human rights upheld</b></p>
<p>4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their Free, Prior and Informed Consent.</p> 	<p>4.4.1 (C) Documents showing legal ownership or lease, or authorized use of customary land authorized by customary landowners through a Free, Prior and Informed (FPIC) process. Documents related to the history of land tenure and the actual legal or customary use of the land are available.</p>	<p><b>Human rights upheld</b></p>

## Principle 4

### RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS


Criteria	Indicators	ToC Outcomes
4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their FPIC. (Continued)	<p>4.4.2 Copies of documents evidencing agreement-making processes and negotiated agreements detailing the FPIC process are available and include:</p> <ul style="list-style-type: none"><li>a) Evidence that a plan has been developed through consultation and discussion in good faith with all affected groups in the communities, with particular assurance that vulnerable, minorities' and gender groups are consulted, and that information has been provided to all affected groups, including information on the steps that are taken to involve them in decision making</li><li>b) Evidence that the unit of certification has respected communities' decisions to give or withhold their consent to the operation at the time that these decisions were taken</li><li>c) Evidence that the legal, economic, environmental and social implications of permitting operations on their land have been understood and accepted by affected communities, including the implications for the legal status of their land at the expiry of the unit of certification's title, concession or lease on the land.</li></ul> <p>4.4.3 (C) Maps of an appropriate scale showing the extent of recognized legal, customary or user rights are developed through participatory mapping involving affected parties (including neighbouring communities where applicable, and relevant authorities).</p>	Human rights upheld





Criteria	Indicators	ToC Outcomes
<p>4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their FPIC. (Continued)</p> 	<p>4.4.4 All relevant information is available in appropriate forms and languages, including assessments of impacts, proposed benefit sharing, and legal arrangements.</p> <p>4.4.5 (C) Evidence is available to show that communities are represented through institutions or representatives of their own choosing, including by legal counsel if they so choose.</p> <p>4.4.6 There is evidence that implementation of agreements negotiated through FPIC is annually reviewed in consultation with affected parties.</p>	<p>Human rights upheld</p>
<p>4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions.</p> 	<p>4.5.1 (C) Documents showing identification and assessment of demonstrable legal, customary and user rights are available.</p> <p>4.5.2 (C) FPIC is obtained for all oil palm development through a comprehensive process, including in particular, full respect for their legal and customary rights to the territories, lands and resources via local communities' own representative institutions, with all the relevant information and documents made available, with option of resourced access to independent advice through a documented, long-term and two-way process of consultation and negotiation.</p>	<p>Human rights upheld</p>

## Principle 4


### RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicators	ToC Outcomes
<p>4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions. (Continued)</p> <p></p>	<p>4.5.3 Evidence is available that affected local peoples understand they have the right to say 'no' to operations planned on their lands before and during initial discussions, during the stage of information gathering and associated consultations, during negotiations, and up until an agreement with the unit of certification is signed and ratified by these local peoples. Negotiated agreements are non-coercive and entered into voluntarily and carried out prior to new operations.</p> <p>4.5.4 To ensure local food and water security, as part of the FPIC process, participatory SEIA and participatory land-use planning with local peoples, the full range of food and water provisioning options are considered. There is transparency of the land allocation process.</p> <p>4.5.5 Evidence is available that the affected communities and rights holders have had the option to access information and advice, that is independent of the project proponent, concerning the legal, economic, environmental and social implications of the proposed operations on their lands.</p> <p>4.5.6 Evidence is available that the communities (or their representatives) gave consent to the initial planning phases of the operations prior to the issuance of a new concession or land title to the operator.</p>	<p><b>Human rights upheld</b></p>

Criteria	Indicators	ToC Outcomes
4.5	<p>No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions. (Continued)</p> 	Human rights upheld
4.6	<p>Any negotiations concerning compensation for loss of legal, customary or user rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.</p> 	Human rights upheld

## Principle 4

### RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicators	ToC Outcomes
<p>4.6 Any negotiations concerning compensation for loss of legal, customary or user rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions. (Continued)</p> <p></p>	<p>4.6.4 The process and outcomes of any negotiated agreements, compensation and payments are documented, with evidence of the participation of affected parties, and made publicly available to them.</p>	Human rights upheld
<p>4.7 Where it can be demonstrated that local peoples have legal, customary or user rights, they are compensated for any agreed land acquisitions and relinquishment of rights,</p>	<p>4.7.1 (C) A mutually agreed procedure for identifying people entitled to compensation is in place.</p> <p>4.7.1 (C) A mutually agreed procedure for calculating and distributing fair compensation (monetary or otherwise) is in place and documented and made available to affected parties.</p> <p>4.7.2 Communities that have lost access and rights to land for plantation expansion are given opportunities to benefit from plantation development.</p>	Human rights upheld



Criteria	Indicators	ToC Outcomes
<p>4.8 The right to use the land is demonstrated and is not legitimately contested by local people who can demonstrate that they have legal, customary, or user rights.</p>	<p>4.8.1 Where there are or have been disputes, proof of legal acquisition of title and evidence that mutually agreed compensation has been made to all people who held legal, customary, or user rights at the time of acquisition is available and provided to parties to a dispute, and that any compensation was accepted following a documented process of FPIC.</p> <p>4.8.2 <b>(C)</b> Land conflict is not present in the area of the unit of certification. Where land conflict exists, acceptable conflict resolution processes (see Criteria 4.2 and 4.6) are implemented and accepted by the parties involved. In the case of newly acquired plantations, the unit of certification addresses any unresolved conflict through appropriate conflict resolution mechanisms.</p> <p>4.8.3 Where there is evidence of acquisition through dispossession or forced abandonment of customary and user rights prior to the current operations and there remain parties with demonstrable customary and land use rights, these claims will be settled using the relevant requirements (Indicators 4.4.2, 4.4.3 and 4.4.4)</p> <p>4.8.4 For any conflict or dispute over the land, the extent of the disputed area is mapped out in a participatory way with involvement of affected parties (including neighbouring communities where applicable).</p>	<p><b>Human rights upheld</b></p>

## Principle 5

# SUPPORT SMALLHOLDER INCLUSION


Include smallholders in RSPO supply chains and improve their livelihoods through fair and transparent partnerships.

Criteria	Indicators	ToC Outcomes
5.1 The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses.	<p>5.1.1 Current and period prices paid for FFB are publicly available and accessible by smallholders.</p> <p>5.1.2 (C) Evidence is available that the unit of certification regularly explains the FFB pricing to smallholders.</p> <p>5.1.3 (C) Fair pricing, including premium pricing, when applicable, is agreed with smallholders in the supply base and documented.</p> <p>5.1.4 (C) Evidence is available that all parties, including women and independent representative organizations assisting smallholders where requested, are involved in decision-making processes and understand the contracts. These include those involving finance, loans/credits, and repayments through FFB price reductions for replanting and/or other support mechanisms where applicable.</p> <p>5.1.5 Contracts are fair, legal and transparent and have an agreed timeframe.</p> <p>5.1.6 (C) Agreed payments are made in a timely manner and receipts specifying price, weight, deductions and amount paid are given.</p>	<b>Inclusive access to benefits</b>

Criteria	Indicators	ToC Outcomes
5.1 The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses. (Continued) 	5.1.7 Weighing equipment is verified by an independent third party on a regular basis (this can be government).  5.1.8 The unit of certification supports Independent Smallholders with certification, where applicable, ensuring mutual agreements between the unit of certification and the smallholders on who runs the internal control system (ICS), who holds the certificates, and who holds and sells the certified material.  5.1.9 <b>(C)</b> The unit of certification has a grievance mechanism for smallholders and all grievances raised are dealt with in a timely manner.	<b>Inclusive access to benefits</b>
5.2 The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chains. 	5.2.1 The unit of certification consults with interested smallholders (irrespective of type) including women or other partners in their supply base to assess their needs for support to improve their livelihoods and their interest in RSPO certification.  5.2.2 The unit of certification develops and implements livelihood improvement programmes, including at least capacity building to enhance productivity, quality, organizational and managerial competencies, and specific elements of RSPO certification (including the RSPO Standard for Independent Smallholder).  <b>PROCEDURAL NOTE:</b> There is a specific standard for Independent Smallholders certification approved by RSPO 2019.	<b>Inclusive access to benefits</b>

## Principle 5

### SUPPORT SMALLHOLDER INCLUSION


Criteria	Indicators	ToC Outcomes
5.2 The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chains. (Continued) 	5.2.3 Where applicable, the unit of certification provides support to smallholders to promote legality of FFB production.  5.2.4 (C) Evidence exists that the unit of certification trains Scheme Smallholders on pesticide handling.  5.2.5 The unit of certification regularly reviews and publicly reports on the progress of the smallholder support programme.	Inclusive access to benefits



## Principle 6



# RESPECT WORKERS' RIGHTS AND CONDITIONS


Protect workers' rights and ensure safe and decent working conditions.

Criteria	Indicators	ToC Outcomes
6.1 Any form of discrimination is prohibited. 	<p>6.1.1 (C) A publicly available non-discrimination and equal opportunity policy is implemented in such a way to prevent discrimination based on ethnic origin, caste, national origin, religion, disability, gender, sexual orientation, gender identity, union membership, political affiliation or age.</p> <p>6.1.2. (C) Evidence is provided that workers and groups including local communities, women, and migrant workers have not been discriminated against. Evidence includes migrant workers' non-payment of recruitment fees.</p> <p>6.1.3 The unit of certification demonstrates that recruitment selection, hiring, access to training and promotion are based on skills, capabilities, qualities and medical fitness necessary for the jobs available.</p> <p>6.1.4 Pregnancy testing is not conducted as a discriminatory measure and is only permissible when it is legally mandated. Alternative equivalent employment is offered for pregnant women.</p>	<b>Human rights upheld; Safe and decent work</b>

## Principle 6



### RESPECT WORKERS' RIGHTS AND CONDITIONS



Criteria	Indicators	ToC Outcomes
6.1 Any form of discrimination is prohibited. (Continued) 	6.1.5 <b>(C)</b> A gender committee is in place specifically to raise awareness, identify and address issues of concern, as well as opportunities and improvements for women.	<b>Human rights upheld; Safe and decent work</b>
	6.1.6 There is evidence of equal pay for the same work scope.	
6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). 	6.2.1 <b>(C)</b> Applicable labour laws, union and/or other collective agreements and documentation of pay and conditions are available to the workers in national languages and explained to them in a language they understand.	<b>Human rights upheld; Safe and decent work</b>
	6.2.2 <b>(C)</b> Employment contracts and related documents detailing payments and conditions of employment (e.g. regular working hours, deductions, overtime, sick leave, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc. in compliance with national legal requirements) and payroll documents give accurate information on compensation for all work performed, including work done by family members.	
	6.2.3 <b>(C)</b> There is evidence of legal compliance for regular working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice and other legal labour requirements.	

Criteria	Indicators	ToC Outcomes
6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). (Continued) 	<p>6.2.4 <b>(C)</b> The unit of certification provides adequate housing, sanitation facilities, water supplies, medical, educational and welfare amenities to national standards or above, where no such public facilities are available or accessible. National laws, or in their absence the ILO Guidance on Workers' Housing Recommendation No. 115, are used. In the case of acquisitions of non-certified units, a plan is developed detailing the upgrade of infrastructure. A reasonable time (5 years) is allowed to upgrade the infrastructure.</p> <p>6.2.5 The unit of certification makes efforts to improve workers' access to adequate, sufficient and affordable food.</p> <p>6.2.6 ADLW is paid to all workers, including those on piece rate/quotas, for whom the calculation is based on achievable quotas during regular work hours.</p> <p><b>PROCEDURAL NOTE:</b> The RSPO Labor Task Force have prepared a guidance on the DLW implementation, including details on how to calculate a DLW. The RSPO Secretariat will endeavour to carry out DLW country benchmarks for palm oil producing countries in which RSPO members operate and for which no Global Living Wage Coalition (GLWC) benchmarks exist.</p> <p>6.2.7 Permanent, full-time employment is used for all core work performed by the unit of certification. Casual, temporary and day labour is limited to jobs that are temporary or seasonal.</p>	

## Principle 6


### RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicators	ToC Outcomes
<p>6.3 The unit of certification respects the rights of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel.</p> <p></p>	<p>6.3.1 <b>(C)</b> A published statement recognizing freedom of association and right to collective bargaining in national languages is available and is explained to all workers in languages that they understand, and is demonstrably implemented.</p> <p>6.3.2 Minutes of meetings between the unit of certification with trade unions or workers representatives, who are freely elected, are documented in national languages and made available upon request.</p> <p>6.3.3 Management does not interfere with the formation or operation of registered unions/labour organizations or associations, or other freely elected representatives for all workers including migrant and contract workers.</p>	<p><b>Human rights upheld;</b> <b>Safe and decent work</b></p>
<p>6.4 Children are not employed or exploited.</p> <p></p>	<p>6.4.1 A formal policy for the protection of children, including prohibition of child labour and remediation is in place, and included into service contracts and supplier agreements.</p> <p>6.4.2 <b>(C)</b> There is evidence that minimum age requirements are met. Personnel files show that all workers are above the national minimum age or above company policy minimum age, whichever is higher. There is a documented age screening verification procedure.</p>	<p><b>Human rights upheld;</b> <b>Safe and decent work</b></p>

Criteria	Indicators	ToC Outcomes
6.4 Children are not employed or exploited. (Continued) 	6.4.3 (C) Young persons may be employed only for non-hazardous work, with protective restrictions in place for that work.  6.4.4 The unit of certification demonstrates communication about its 'no child labour' policy and the negative effects of child labour, and promotes child protection to supervisors and other key staff, smallholders, FFB suppliers and communities where workers live.	<b>Human rights upheld; Safe and decent work</b>
6.5 There is no harassment or abuse in the workplace, and reproductive rights are protected. 	6.5.1 (C) A policy to prevent sexual and all other forms of harassment and violence is implemented and communicated to all levels of the workforce.  6.5.2 (C) A policy to protect the reproductive rights of all, especially of women, is implemented and communicated to all levels of the workforce.  6.5.3 Management has assessed the needs of new mothers, in consultation with the new mothers, and actions are taken to address the needs that have been identified.  6.5.4 A grievance mechanism, which respects anonymity and protects complainants where requested, is established, implemented and communicated to all levels of the workforce.	<b>Human rights upheld; Safe and decent work</b>

## Principle 6

### RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicators	ToC Outcomes
6.6 No forms of forced or trafficked labour are used. 	<p>6.6.1 <b>(C)</b> All work is voluntary and the following are prohibited:</p> <ul style="list-style-type: none"> <li>• Retention of identity documents or passports</li> <li>• Payment of recruitment fees</li> <li>• Contract substitution</li> <li>• Involuntary overtime</li> <li>• Lack of freedom of workers to resign</li> <li>• Penalty for termination of employment</li> <li>• Debt bondage</li> <li>• Withholding of wages</li> </ul> <p>6.6.2 <b>(C)</b> Where temporary or migrant workers are employed, a specific labour policy and procedures are established and implemented.</p>	<b>Human rights upheld; Safe and decent work</b>
6.7 The unit of certification ensures that the working environment under its control is safe and without undue risk to health.	<p>6.7.1 <b>(C)</b> The responsible person(s) for H&amp;S is identified. There are records of regular meetings between the responsible person(s) and workers. Concerns of all parties about health, safety and welfare are discussed at these meetings, and any issues raised are recorded.</p> <p>6.7.2 Accident and emergency procedures are in place and instructions are clearly understood by all workers. Accident procedures are available in the appropriate language of the workforce. Assigned operatives trained in first aid are present in both field and other operations, and first aid equipment is available at worksites. Records of all accidents are kept and periodically reviewed.</p>	<b>Safe and decent work</b>

Criteria	Indicators	ToC Outcomes
<p>6.7 The unit of certification ensures that the working environment under its control is safe and without undue risk to health. (Continued)</p>	<p>6.7.3 <b>(C)</b> Workers use appropriate personal protective equipment (PPE), which is provided free of charge to all workers at the place of work to cover all potentially hazardous operations, such as pesticide application, machine operations, land preparation, and harvesting. Sanitation facilities for those applying pesticides are available, so that workers can change out of PPE, wash and put on their personal clothing.</p> <p>6.7.4 All workers are provided with medical care and covered by accident insurance. Costs incurred from work-related incidents leading to injury or sickness are covered in accordance with national law or by the unit of certification where national law does not offer protection.</p> <p>6.7.5 Occupational injuries are recorded using Lost Time Accident (LTA) metrics.</p>	<p><b>Safe and decent work</b></p>

## Impact Goal

# PLANET: CONSERVED, PROTECTED AND ENHANCED ECOSYSTEMS THAT PROVIDE FOR THE NEXT GENERATION



## Objectives and outcomes

Ecosystems and their services are protected, restored and resilient, supported by sustainable consumption and production, and sustainable management of natural resources (in line with SDG 15 – sustainably manage forests, combat desertification, halt and reverse land degradation, halt biodiversity loss). Climate change is addressed through continuous GHG reductions; air and water pollution are controlled. There is greater resilience in our food and fibre production. The water and air are cleaner, and carbon is drawn out of the air to regenerate soils for current and future generations. Inputs decrease while yields are maintained, or even improved

## Principle 7



**Protect, conserve and enhance ecosystems and the environment**



## Principle 7

# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT


Protect the environment, conserve biodiversity and ensure sustainable management of natural resources.

Criteria	Indicators	ToC Outcomes
<p>7.1 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.</p> <p></p>	<p>7.1.1 (C) IPM plans are implemented and monitored to ensure effective pest control.</p> <p>7.1.2 Species referenced in the Global Invasive Species Database and CABI.org are not to be used in managed areas, unless plans to prevent and monitor their spread are implemented.</p> <p>7.1.3 There is no use of fire for pest control unless in exceptional circumstances, i.e. where no other effective methods exist, and with prior approval of government authorities. [For NI to define process]</p>	<p><b>Pollution reduced; Resource use minimized; Productivity optimized</b></p>
<p>7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment.</p> <p></p>	<p>7.2.1 (C) Justification of all pesticides used is demonstrated. Selective products and application methods that are specific to the target pest, weed or disease are prioritized.</p> <p>7.2.2 (C) Records of pesticides use (including active ingredients used and their LD50, area treated, amount of active ingredients applied per ha and number of applications) are provided.</p> <p>7.2.3 (C) Any use of pesticides is minimized as part of a plan, eliminated where possible, in accordance with IPM plans.</p>	<p><b>Reduced pollution; Resource use minimized</b></p>

## Principle 7



### PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT




Criteria	Indicators	ToC Outcomes
<p>7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. (Continued)</p>	<p>7.2.4 There is no prophylactic use of pesticides, unless in exceptional circumstances, as identified in national best practice guidelines</p> <p>7.2.5 Pesticides that are categorized as World Health Organization Class 1A or 1B, or that are listed by the Stockholm or Rotterdam Conventions, and paraquat, are not used, unless in exceptional circumstances, as validated by a due diligence process, or when authorized by government authorities for pest outbreaks.</p> <p>The due diligence refers to:</p> <ul style="list-style-type: none"> <li>a) Judgment of the threat and verify why this is a major threat</li> <li>b) Why there is no other alternative which can be used</li> <li>c) Which process was applied to verify why there is no other less hazardous alternative</li> <li>d) What is the process to limit the negative impacts of the application</li> <li>e) Estimation of the timescale of the application and steps taken to limit application to the specific outbreak.</li> </ul>	<p><b>Reduced pollution;</b> <b>Resource use minimized</b></p>

Criteria	Indicators	ToC Outcomes
7.2	<p>Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. (Continued)</p>  <p>7.2.6 Pesticides are only handled, used or applied by persons who have completed the necessary training and are always applied in accordance with the product label. All precautions attached to the products are properly observed, applied, and understood by workers (see Criterion 3.6). Personnel applying pesticides must show evidence of regular updates on the knowledge about the activity they carry out.</p> <p>7.2.7 <b>(C)</b> Storage of all pesticides is in accordance with recognized best practices.</p> <p>7.2.8 All pesticide containers are properly disposed of and/or handled responsibly if used for other purposes.</p> <p>7.2.9 <b>(C)</b> Aerial spraying of pesticides is prohibited, unless in exceptional circumstances where no other viable alternatives are available. This requires prior government authority approval. All relevant information is provided to affected local communities at least 48 hours prior to application of aerial spraying.</p> <p>7.2.10 <b>(C)</b> Specific annual medical surveillance for pesticide operators, and documented action to treat related health conditions, is demonstrated.</p> <p>7.2.11 <b>(C)</b> No work with pesticides is undertaken by persons under the age of 18, pregnant or breastfeeding women or other people that have medical restrictions and they are offered alternative equivalent work.</p>	<p>Reduced pollution; Resource use minimized</p>

## Principle 7


### PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT



Criteria	Indicators	ToC Outcomes
7.3 Waste is reduced, recycled, reused and disposed of in an environmentally and socially responsible manner. 	7.3.1 A waste management plan which includes reduction, recycling, reusing, and disposal based on toxicity and hazardous characteristics, is documented and implemented.  7.3.2 Proper disposal of waste material, according to procedures that are fully understood by workers and managers, is demonstrated.  7.3.3 The unit of certification does not use open fire for waste disposal.	<b>Reduced pollution; Resource use minimized</b>
7.4 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield. 	7.4.1 Good agricultural practices, as contained in SOPs, are followed to manage soil fertility to optimise yield and minimise environmental impacts.  7.4.2 Periodic tissue and soil sampling is carried out to monitor and manage changes in soil fertility and plant health.  7.4.3 A nutrient recycling strategy is in place, which includes the recycling of Empty Fruit Bunches (EFB), Palm Oil Mill Effluent (POME), palm residues and optimal use of inorganic fertilisers.  7.4.4 Records of fertiliser inputs are maintained.	<b>Reduced pollution; Resource use minimized; Productivity optimized</b>

Criteria	Indicators	ToC Outcomes
7.5 Practices minimise and control erosion and degradation of soils. 	7.5.1 <b>(C)</b> Maps identifying marginal and fragile soils, including steep terrain, are available.	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> <b>Productivity optimized</b>
	7.5.2 There is no extensive replanting of oil palm on steep terrain.	
	7.5.3 There is no new planting of oil palm on steep terrain.	
7.6 Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations. 	7.6.1 <b>(C)</b> To demonstrate the long-term suitability of land for oil palm cultivation, soil maps or soil surveys identifying marginal and fragile soils, including steep terrain, are taken into account in plans and operations.	<b>Ecosystems protected;</b> <b>Resource use minimized;</b> <b>Reduced pollution</b>
	7.6.2 Extensive planting on marginal and fragile soils, is avoided, or, if necessary, done in accordance with the soil management plan for best practices.	
	7.6.3 Soil surveys and topographic information guide the planning of drainage and irrigation systems, roads and other infrastructure.	
7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. 	7.7.1 <b>(C)</b> There is no new planting on peat regardless of depth after 15 November 2018 in existing and new development areas.	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> <b>Productivity optimized</b>
	7.7.2 Areas of peat within the managed areas are inventoried, documented and reported (effective from 15 November 2018) to RSPO Secretariat.  <b>PROCEDURAL NOTE:</b> Maps and other documentation of peat soils are provided, prepared and shared in line with RSPO Peatland Working Group (PLWG) audit guidance (see Procedural Note for 7.7.5 below).	

## Principle 7




### PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes
7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued) 	7.7.3 <b>(C)</b> Subsidence of peat is monitored, documented and minimized. 7.7.4 <b>(C)</b> A documented water and ground cover management programme is in place. 7.7.5 <b>(C)</b> For plantations planted on peat, drainability assessments are conducted following the RSPO Drainability Assessment Procedure, or other RSPO recognized methods, at least five years prior to replanting. The assessment result is used to set the timeframe for future replanting, as well as for phasing out of oil palm cultivation at least 40 years, or two cycles, whichever is greater, before reaching the natural gravity drainability limit for peat. When oil palm is phased out, it is replaced with crops suitable for a higher water table (paludiculture) or rehabilitated with natural vegetation.  <b>PROCEDURAL NOTE:</b> Full details of the RSPO Drainability Assessment Guidelines and related concepts and detailed actions are in the manual currently being fine-tuned/tested by PLWG. A final version should be approved by PLWG in January 2019 and will include additional guidance on the steps to be followed after the decision not to replant as well as implications for other stakeholders, smallholders, local communities and the unit of certification. It is recommended that a further twelve-month methodology trial period is proposed for all related management units (i.e. those with plantations on peat) to utilise the methodology and provide feedback to the PLWG to enable further refinement of procedure as appropriate before January 2020. Units of certification have the option to defer replanting till after the availability of the revised guidelines. Additional guidance on alternative crops and rehabilitation of natural vegetation will be provided by PLWG.	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> <b>Productivity optimized</b>


Criteria	Indicators	ToC Outcomes
<p>7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued)</p> 	<p><b>PROCEDURAL NOTE:</b> PLWG and the Smallholder Interim Group (SHIG) will collaboratively develop guidance for Independent Smallholders [cross links to SHIG and GHG issues].</p> <p>7.7.6 (C) All existing plantings on peat are managed according to the ‘RSPO Manual on Best Management Practices (BMPs) for existing oil palm cultivation on peat’, version 2 (2018) and associated audit guidance.</p> <p>7.7.7 (C) All areas of unplanted and set-aside peatlands in the managed area (regardless of depth) are protected as “peatland conservation areas”; new drainage, road building and power lines by the unit of certification on peat soils is prohibited; peatlands are managed in accordance with the ‘RSPO BMPs for Management and Rehabilitation of Natural Vegetation Associated with Oil Palm Cultivation on Peat’, version 2 (2018) and associated audit guidance.</p>	<p><b>Ecosystems protected;</b>  <b>Reduced pollution;</b>  <b>Productivity optimized</b></p>
<p>7.8 Practices maintain the quality and availability of surface and groundwater.</p> 	<p>7.8.1 A water management plan is in place and implemented to promote more efficient use and continued availability of water sources and to avoid negative impacts on other users in the catchment. The plan addresses the following:</p> <ul style="list-style-type: none"> <li>a) The unit of certification does not restrict access to clean water or contribute to pollution of water used by communities</li> <li>b) Workers have adequate access to clean water.</li> </ul>	<p><b>Ecosystems protected;</b>  <b>Reduced pollution; Resource use minimized</b></p>

## Principle 7

### PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes
7.8 Practices maintain the quality and availability of surface and groundwater. (Continued) 	7.8.2 (C) Water courses and wetlands are protected, including maintaining and restoring appropriate riparian and other buffer zones in line with 'RSPO Manual on BMPs for the management and rehabilitation of riparian reserves' (April 2017).	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> <b>Resource use minimized</b>
	7.8.3 Mill effluent is treated to be in compliance with national regulations. Discharge quality of mill effluent, especially Biochemical Oxygen Demand (BOD), is regularly monitored.	
	7.8.4 Mill water use per tonne of FFB is monitored and recorded.	
7.9 Efficiency of fossil fuel use and the use of renewable energy is optimized. 	7.9.1 A plan for improving efficiency of the use of fossil fuels and to optimise renewable energy is in place, monitored and reported.	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> <b>Resource use minimized</b>
7.10 Plans to reduce pollution and emissions, including greenhouse gases (GHG), are developed, implemented and monitored and new developments are designed to minimise GHG emissions. 	7.10.1 (C) GHG emissions are identified and assessed for the unit of certification. Plans to reduce or minimise them are implemented, monitored through the Palm GHG calculator and publicly reported.	<b>Reduced pollution</b>
	7.10.2 (C) Starting 2014, the carbon stock of the proposed development area and major potential sources of emissions that may result directly from the development are estimated and a plan to minimise them prepared and implemented (following the RSPO GHG Assessment Procedure for New Development).	
	7.10.3 (C) Other significant pollutants are identified and plans to reduce or minimise them implemented and monitored.	



Criteria	Indicators	ToC Outcomes
7.11 Fire is not used for preparing land and is prevented in the managed area. 	7.11.1 <b>(C)</b> Land for new planting or replanting is not prepared by burning.	<b>Ecosystems protected;</b> <b>Reduced pollution</b>
	7.11.2 The unit of certification establishes fire prevention and control measures for the areas directly managed by the unit of certification.	
	7.11.3 The unit of certification engages with adjacent stake holders on fire prevention and control measures.	

### PROCEDURAL NOTE for 7.12

The 2018 RSPOP & C includes new requirements to ensure the effective contribution of RSPO to halting deforestation. This will be achieved by incorporating the High Carbon Stock Approach (HCSA) Toolkit in the revised standard.

The RSPO ToC also commits RSPO to balancing sustainable livelihoods and poverty reduction with the need to conserve, protect and enhance ecosystems.

High Forest Cover Countries (HFCCs) urgently require economic opportunities that enable communities to choose their own development path, while providing socio-economic benefits and safeguards.


Adapted procedures will be developed to support the sustainable development of palm oil by indigenous peoples and local communities with legal or customary rights. These will apply in specific HFCCs, and within those, in High Forest Cover Landscapes (HFCLs).

The development of these procedures will be guided by a No Deforestation Joint Steering Group (NDJSG) of RSPO and HCSA members. In HFCCs, RSPO will work through national and local participatory processes with governments, communities and other stakeholders to develop these procedures. A timeframe for these activities is stipulated in the Terms of Reference for the NDJSG and publicly available.

## Principle 7


### PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes
7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced.	<p>7.12.1 <b>(C)</b> Land clearing since November 2005 has not damaged primary forest or any area required to protect or enhance HCVs. Land clearing since 15 November 2018 has not damaged HCVs or HCS forests.</p> <p>A historic Land Use Change Analysis (LUCA) is conducted prior to any new land clearing, in accordance with the RSPO LUCA guidance document.</p> <p>7.12.2 <b>(C)</b> HCVs, HCS forests and other conservation areas are identified as follows:</p> <p>a) For existing plantations with an HCV assessment conducted by an RSPO-approved assessor and no new land clearing after 15 November 2018, the current HCV assessment of those plantations remains valid</p> <p>b) Any new land clearing (in existing plantations or new plantings) after 15 November 2018 is preceded by an HCV-HCS assessment, using the HCSA Toolkit and the HCV-HCSA Assessment Manual. This will include stakeholder consultation and take into account wider landscape-level considerations.</p> <p><b>PROCEDURAL NOTE</b> for 7.12.2: For details of transitional measures, refer to Annex 5: RSPO transition from HCV assessments to HCV-HCSA assessments.</p>	<b>Ecosystems protected</b>

Criteria	Indicators	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced. (Continued)</p> 	<p>7.12.3 <b>(C)</b> In High Forest Cover Landscapes (HFCLs) within HFCCs, a specific procedure will apply for legacy cases and development by indigenous peoples and local communities with legal or customary rights, taking into consideration regional and national multi-stakeholder processes. Until this procedure is developed and endorsed, 7.12.2 applies.</p> <p><b>PROCEDURAL NOTE</b> for 7.12.3: There should be demonstrable benefits to the local community; clear recognition of legal and customary lands based on participatory land use planning; development should be proportional to the needs of the local community; with a balance between conservation and development. This procedure will also cover planting on previous or abandoned agricultural land/ plantations. All other P&amp;C requirements apply, including FPIC and HCV requirements.</p> <p>7.12.4 <b>(C)</b> Where HCVs, HCS forests after 15 November 2018, peatland and other conservation areas have been identified, they are protected and/ or enhanced. An integrated management plan to protect and/ or enhance HCVs, HCS forests, peatland and other conservation areas is developed, implemented and adapted where necessary, and contains monitoring requirements. The integrated management plan is reviewed at least once every five years. The integrated management plan is developed in consultation with relevant stakeholders and includes the directly managed area and any relevant wider landscape level considerations (where these are identified).</p>	<p><b>Ecosystems protected</b></p>

## Principle 7

# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced. (Continued)</p> <p></p>	<p>7.12.5 Where rights of local communities have been identified in HCV areas, HCS forest after 15 November 2018, peatland and other conservation areas, there is no reduction of these rights without evidence of a negotiated agreement, obtained through FPIC, encouraging their involvement in the maintenance and management of these conservation areas.</p> <p>7.12.6 All rare, threatened or endangered (RTE) species are protected, whether or not they are identified in an HCV assessment. A programme to regularly educate the workforce about the status of RTE species is in place. Appropriate disciplinary measures are taken and documented in accordance with company rules and national law if any individual working for the company is found to capture, harm, collect, trade, possess or kill these species.</p> <p>7.12.7 The status of HCVs, HCS forests after 15 November 2018, other natural ecosystems, peatland conservation areas and RTE species is monitored. Outcomes of this monitoring are fed back into the management plan.</p> <p>7.12.8 (C) Where there has been land clearing without prior HCV assessment since November 2005, or without prior HCV-HCSA assessment since 15 November 2018, the Remediation and Compensation Procedure (RaCP) applies.</p>	<p><b>Ecosystems protected</b></p>

## ANNEX 1: DEFINITIONS

Term	Definition	Source
<b>Carbon neutrality</b>	<p>Carbon neutrality refers to achieving net zero GHG emissions by balancing a measured amount of carbon dioxide equivalent (CO<sub>2</sub>e) emissions released with an equivalent amount sequestered or offset.</p> <p>(The term “climate neutral” reflects the broader inclusiveness of other greenhouse gases in addition to carbon dioxide in climate change. The terms are used interchangeably.)</p>	P&C Review 2018
<b>Child</b>	The term child applies to all persons under the age of 18.	ILO Minimum Age Convention, 1973 (No. 138) Worst Forms of Child Labor Convention, 1999 (No. 182)
<b>Child labour</b>	<p>Child labour is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. The term applies to:</p> <ul style="list-style-type: none"> <li>• All children under 18 involved in the “worst forms of child labour” (as per ILO Convention No. 182)</li> <li>• All children aged under 12 taking part in economic activity; and</li> <li>• All 12 to 14-year-olds engaged in more than light work.</li> </ul> <p>The ILO defines light work as work that is not likely to be harmful to children’s health or development and not likely to be detrimental to their attendance at school or vocational training.</p>	ILO Minimum Age Convention, 1973 (No. 138)

## Annex 1

### DEFINITIONS

Term	Definition	Source
<b>Childlabour</b>	Those under 18 years old should not engage in hazardous work that might jeopardise their physical, mental or moral well-being, either because of its nature or the conditions under which it is carried out. For young workers above the legal minimum age but below 18, there should be restrictions on hours of work and overtime; working at dangerous heights; with dangerous machinery, equipment and tools; transport of heavy loads; exposure to hazardous substances or processes; and difficult conditions such as night work at night.	ILO Minimum Age Convention, 1973 (No. 138)
<b>Contractsubstitution</b>	The practice of substituting or changing the terms of employment to which the worker originally agreed, either in writing or verbally, which results in worse conditions or less benefits. Changes to the employment agreement or contract are prohibited unless these changes are made to meet local law and provide equal or better terms.	ILO Report to the Committee examining alleged non-compliance by Qatar of Forced Labor
<b>Contractworker</b>	Contract worker refers to persons engaged in temporary work, or work for a specific period of time. It also refers to workers who are not employed directly by the company, but employed by a contractor or consultant with whom the company has a direct contract.	ILO, Non-Standard Forms of Employment

Term	Definition	Source
<b>Core work</b>	<p>The primary area or activity that a company was founded to do or focuses on in its business operations. Core work pertains to work that is essential and desirable to the growth of the organization.</p> <p>All agricultural and milling activities are considered core work, e.g. planting, harvesting, fertilizing, maintenance; FFB sorting and grading; machine-technical maintenance; and machine operation.</p>	P&C Review 2018
<b>Debt bondage</b>	The status or condition of debt bondage when their labour, or the labour of a third Party under their control, is demanded as repayment of a loan or of money given in advance, and the value of their labour is not applied towards the liquidation of the debtor the length of the service is not limited and/or the nature of the service is not defined.	UN GA Human Rights Council: Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences July 2016.
<b>Decent living wage</b>	The remuneration received by a worker, for work performed on regular hours, in a particular place sufficient to afford a decent standard of living for the worker and her or his family.	Adapted from GLWC
<b>Deforestation</b>	Loss of natural forest as a result of: <ul style="list-style-type: none"> <li>i) conversion to agriculture or other non-forest land use;</li> <li>ii) conversion to a plantation forest; or</li> <li>iii) severe and sustained degradation.</li> </ul>	Draft Accountability Framework Initiative a (AFI) (July 2018). Refer to latest AFI definition
<b>Due diligence</b>	A risk management process implemented by a company to identify, prevent, mitigate, and account for how it addresses environmental and social risks and impacts in its operations, supply chains, and investments.	Draft AFI (July 2018). Always refer to latest AFI definition

## Annex 1

### DEFINITIONS

Term	Definition	Source
<b>Eminent domain and expropriation</b>	Eminent domain is the statutory power of governments to expropriate private property for public use or in the national interest, usually with the payment of compensation according to rates defined by law. Expropriation implies divesting persons of their property without requiring their agreement or consent.	P&C Review 2018
<b>Extensive replanting on steep terrain</b>	Any individual, contiguous planted area on steep terrain (>25 degrees) greater than 25 ha within the re-planting area.	P&C 2013, Annex 2, NI Guidance
<b>Facilitation payment</b>	Bribes paid to facilitate routine government action <sup>[1]</sup> . A common example is where a government official is given money or goods to perform (or speed up the performance of) an existing duty <sup>[2]</sup> .	<sup>[1]</sup> UK Bribery Act 2010 Guidance <sup>[2]</sup> UK Serious Fraud Office Bribery Act Guidance
<b>Family farm</b>	A farm operated and mostly owned by a family, for the growing of oil palm, sometimes along with subsistence production of other crops, and where the family provides the majority of the labour used. Such farms provide the principal source of income, and the planted area of oil palm is below 50 ha in size. Work by children is acceptable on family farms, under adult supervision; when not interfering with education programmes; when children are part of the family and when they are not exposed to hazardous working conditions.	P&C 2013
<b>Food security</b>	Food security is achieved when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. Four dimensions of food security are commonly identified: food availability, food access, utilization and stability.	FAO World Food Summit, 1996. See FAO Policy Brief Issue 2, June 2006 for further detail.



Term	Definition	Source
<b>Forced labour</b>	<p>All work or service which is exacted from any person under the menace of any penalty and for which said person has not offered him or herself voluntarily.</p> <p>This definition consists of three elements:</p> <ol style="list-style-type: none"> <li>1. Work or service refers to all types of work occurring in any activity, industry or sector including in the informal economy.</li> <li>2. Menace of any penalty refers to a wide range of penalties used to compel someone to work.</li> <li>3. Involuntariness: The terms “offered voluntarily” refer to the free and informed consent of a worker to take a job and his or her freedom to leave at any time. This is not the case for example when an employer or recruiter makes false promises so that a worker takes a job he or she would not otherwise have accepted.</li> </ol>	<p>ILO Forced Labor Definition</p> <p>ILO, Forced Labor Convention, 1930 (No. 29)</p> <p>ILO, Protocol of 2014 to the Forced Labor Convention, 1930 (P029)</p> <p>ILO, Abolition of Forced Labor Convention, 1957 (No. 105)</p> <p>ILO, Forced Labor Recommendation 2014 (No. 203)</p> <p>P&amp;C Review 2018.</p>
<b>Fragile soil</b>	<p>A soil that is susceptible to degradation (reduction in fertility) when disturbed. A soil is particularly fragile if the degradation rapidly leads to an unacceptably low level of fertility or if it is irreversible using economically feasible management inputs. (See also definition for ‘marginal soil’)</p>	<p>UN Women, OSAGI Gender</p>
<b>Gender equal</b>	<p>This refers to the equal rights, responsibilities and opportunities of women and men, and girls and boys.</p>	<p>Mainstreaming - Concepts and definitions</p>

## DEFINITIONS

Term	Definition	Source
<b>Greenhousegas</b>	<p>Greenhouse gases (GHGs) are those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and emit radiation at specific wavelengths within the spectrum of thermal infrared radiation emitted by the Earth's surface, the atmosphere itself, and by clouds.</p> <p>GHGs are measured in terms of their global warming potential – the impact a GHG has on the atmosphere expressed in the equivalent amount of carbon dioxide CO<sub>2</sub> (CO<sub>2</sub>e). Greenhouse gases regulated by the Kyoto Protocol include: carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxides (N<sub>2</sub>O), Hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulphur hexafluoride (SF<sub>6</sub>).</p>	Intergovernmental Panel on Climate Change (IPCC) Data Distribution Centre
<b>Hazardous work</b>	<p>Hazardous work is work performed in hazardous conditions; or “in the most hazardous sectors and occupations, such as agriculture, construction, mining, or ship-breaking, or where working relationships or conditions create particular risks, such as exposure to hazardous agents, such as chemical substances or radiation, or in the informal economy.” (<a href="https://www.ilo.org/safework/areasofwork/hazardous-work/lang--en/index.htm">https://www.ilo.org/safework/areasofwork/hazardous-work/lang--en/index.htm</a>)</p> <p>Hazardous work is also defined as “any work which is likely to jeopardise children’s physical, mental or moral health, safety or morals” and which “should not be done by anyone under the age of 18.” (<a href="https://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang--en/index.htm">https://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang--en/index.htm</a>)</p>	Article 3 (d) of ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, 1999 (No. 182)

Term	Definition	Source
<b>High Carbon Stockforest</b>	Forests that have been identified using the High Carbon Stock Approach (HCSA) Toolkit	HCSA website <a href="http://www.highcarbonstock.org">www.highcarbonstock.org</a>
<b>High Forest Cover Country (HFCC)</b>	Countries defined as having >60% forest cover (based on recent, trusted REDD+ and national data); <1% oil palm cover; a deforestation trajectory that is historically low but increasing or constant; and a known frontier area for oil palm or where major areas have been allocated for developmen	RSPO No Deforestation consultancy: HFCC Proforest, 2018
<b>High Forest Cover Landscape (HFCL)</b>	Landscapes having >80% forest cover. Landscape as defined under HCSA Toolkit (Module 5): "The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (b) selecting a unit size that encompasses the plantation concession and a buffer of the surrounding area (e.g. 50,000 ha or 100,000 ha); or (c) using a radius of 5 km from the area of interest (for instance, the planned concession)."	HCSA Toolkit (v2)
<b>High Conservation Value (HCV) areas:</b>	<p>The areas necessary to maintain or enhance one or more High Conservation Values (HCVs):</p> <p><b>HCV1 – Species diversity;</b> Concentrations of biological diversity including endemic species, and rare, threatened or endangered (RTE) species, that are significant at global, regional or national levels.</p> <p><b>HCV 2 – Landscape-level ecosystems, ecosystem mosaics and Intact Forest Landscapes (IFL);</b> Large landscape-level ecosystems, ecosystem mosaics and IFL that are significant at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.</p> <p><b>HCV 3 – Ecosystems and habitats;</b> RTE ecosystems, habitats or refugia.</p>	High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs 2017

## DEFINITIONS

Term	Definition	Source
<b>High Conservation Value (HCV) areas: (Continued)</b>	<p><b>HCV4 – Ecosystem services;</b> Basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.</p> <p><b>HCV5 – Community needs;</b> Sites and resources fundamental for satisfying the basic necessities of local communities or indigenous peoples (for livelihoods, health, nutrition, water, etc.), identified through engagement with these communities or indigenous peoples.</p> <p><b>HCV6 – Cultural values;</b> Sites, resources, habitats and landscapes of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or indigenous peoples, identified through engagement with these local communities or indigenous peoples.</p>	<p>High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs 2017</p>
<b>Human Rights Defenders (HRD)</b>	<p>Individuals, groups and associations who promote and protect universally recognized human rights and fundamental freedoms of individuals and peoples. This definition includes Environmental HRD, whistleblowers, complainants and community spokespersons. This definition does not include those individuals who commit or propagate violence.</p>	<p>protection of HRD, Whistleblowers, Complainants and Community Spokesmen (endorsed by BoGon 24 Sept 2018)</p>
<b>Independent Smallholder</b>	<p>All smallholder farmers that are not considered to be Scheme Smallholders [see definition for Scheme Smallholders] are considered Independent Smallholder farmers.</p>	<p>Smallholder Interim Group (SHIG)</p>

Term	Definition	Source
<b>Indigenous peoples</b>	<p>Indigenous peoples are inheritors and practitioners of unique cultures and ways of relating to people and the environment. They have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live. Despite their cultural differences, indigenous peoples from around the worlds hare common problems related to the protection of their rights as distinct peoples.</p> <p>Indigenous peoples have sought recognition of their identities, way of life and their right to traditional lands, territories and natural resources for years, yet throughout history, their rights have always been violated. Indigenous peoples today, are arguably among the most disadvantaged and vulnerable groups of people in the world. The international community now recognizes that special measures are required to protect their rights and maintain their distinct cultures and way of life.</p>	UNDESA, Division for Inclusive Social Development, Indigenous Peoples
<b>In good faith</b>	The principle of good faith implies that the parties make every effort to reach an agreement, conduct genuine and constructive negotiations, avoid unjustified delays in negotiations, respect agreements concluded and applied in good faith, and give sufficient time to discuss and settle collective disputes. In the case of multinational enterprises, such companies should not threaten to transfer the whole or part of an operating unit from the country concerned in order to unfairly influence negotiations.	ILO Q&As on business and collective bargaining
<b>Integrated Pest Management (IPM)</b>	IPM is the careful consideration of all available pest control techniques and subsequent integration of appropriate measures that discourage the development of pest populations and keep pesticides and other interventions to levels that are economically justified and reduce or minimise risks to human health and the environment. IPM emphasises the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms.	P&C 2013 FAO 2013 <a href="http://www.fao.org/agriculture/crops/thematicsite/theme/pests/ipm/en/">http://www.fao.org/agriculture/crops/thematicsite/theme/pests/ipm/en/</a>

## DEFINITIONS

Term	Definition	Source
<b>Intimidation and harassment</b>	Intimidation and harassment include loss of income due to/resulting in organizational restrictions, threats of dismissal from employment, restrictions on travel, restrictions to the environment in which the HRDs operate, deliberate obstruction to holding of meetings between HRDs, hostility within the community the HRDs lives as claims may be seen to jeopardise the community's honour and culture (this may especially be the case with women HRDs). More serious measures include character assassination of HRDs, discrediting, defamation campaigns, arbitrary use of security forces, surveillance, SLAPP suits (Strategic Lawsuits against Public Participation) due to his or her work and/or in the course of his/her activities, threats of physical violence and death threats. Special attention is needed to avoid gender-specific violence such as rape or threats of sexual violence used to silence women.	P&C Review 2018
<b>ISO standards</b>	Standards developed by the International Organization for Standardization.	P&C 2013 ISO: <a href="http://www.iso.org">www.iso.org</a>
<b>Land clearing</b>	Conversion of land from one land use to another. Clearing actively managed oil palm plantation to replant oil palm is not considered land clearing. Within existing certified units, clearing of less than 10 ha is <u>not</u> considered new land clearing.	P&C Review 2018
<b>Landscape</b>	A geographical mosaic composed of interacting ecosystems resulting from the influence of geological, topographical, soil, climatic, biotic and human interactions in a given area.	IUCN <a href="https://www.iucn.org/downloads/en_iucn_glossary_definitions.pdf">https://www.iucn.org/downloads/en_iucn_glossary_definitions.pdf</a>

Term	Definition	Source
<b>Landscape level</b>	The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (b) selecting a unit size that encompasses the plantation concession and a buffer of the surrounding area (e.g. 50,000 ha or 100,000 ha); or (c) using a radius of 5 km from the area of interest (i.e. planned concession boundaries).	HCV-HCSA Assessment Manual 2017
<b>Livelihood</b>	<p>A person's or a group's way of making a living, from their environment or in the economy, including how they provision their basic needs and assure themselves and following generations secure access to food, clean water, health, education, housing and the materials needed for their life and comfort either through their own direct use of natural resources or through exchange, barter, trade or engagement in the market.</p> <p>A livelihood includes not just access to resources but the knowledge and institutions that make this possible such as time for community participation and integration, personal, local or traditional ecological knowledge, skills, endowments and practices, the assets that are intrinsic to that way of making a living (e.g. farms, fields, pastures, crops, stock, natural resources, tools, machinery and intangible cultural properties) and their position in the legal, political and social fabric of society.</p> <p>The risk of livelihood failure determines the level of vulnerability of a person or a group to income, food, health and nutritional insecurity. Therefore, livelihoods are secure when they have secure ownership of, or access to, resources and income earning activities, including reserves and assets, to offset risks, ease shocks and meet contingencies.</p>	P&C 2013

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### DEFINITIONS

Term	Definition	Source
<b>Livelihood (Continued)</b>	(Compiled from various definitions of livelihoods from Department for International Development (DfID), Institute of Development Studies (IDS) and FAO and academic texts from: <a href="http://www.fao.org/docrep/X0051T/X0051t05.htm">http://www.fao.org/docrep/X0051T/X0051t05.htm</a> ).	P&C 2013
<b>Managed area</b>	The land containing oil palm and associated land uses such as infrastructure (e.g. roads), riparian zones and conservation set-asides.	P&C Review 2018
<b>Management documents</b>	Management documents are documented information and evidence to interact with the RSPOP&C. It shall be in the form of manual, working procedures, report and records that subject to be audited and reviewed periodically.	ISO 9001 QMS – <a href="https://advisera.com">https://advisera.com</a>
<b>Marginal soil</b>	A soil that is unlikely to produce acceptable economic returns for the proposed crop at reasonable projections of crop value and costs of amelioration. Degraded soils are not marginal soils if their a melioration and resulting productivity is cost effective. (See also definition for 'fragile soil'.)	P&C Review 2018
<b>Migrant worker</b>	A person who migrates from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a Migrant for employment. Migrants are defined as those who cross international boundaries for the purposes of employment, and do not include those workers who move within a country for the purposes of employment.	P&C 2013
<b>Natural ecosystems</b>	All land with natural, native vegetation, including but not limited to native forests, riparian vegetation, natural wetlands, peatlands, grasslands, savannahs, and prairies.	P&C Review 2018
<b>New planting</b>	Planned or proposed planting on land not previously cultivated with oil palm.	NPP 2015
<b>Non-hazardous work</b>	See definition for hazardous work	



Term	Definition	Source
<b>Operations</b>	All activities planned and/or undertaken by the management unit within the boundaries of the palm oil mill and its supply base.	P&C 2013
<b>Other conservation areas</b>	Areas (in addition to HCV, HCS forests and peatland conservation areas) that are required to be conserved by the RSPO P&C (such as riparian areas and steep slopes) and other areas allocated by the unit of certification.	P&C Review 2018
<b>Outgrowers</b>	Farmers, where the sale of FFB is exclusively contracted to the unit of certification. Outgrowers may be smallholders.	P&C 2013
<b>Peat</b>	A soil with cumulative organic layer(s) comprising more than half of the upper 80 cm or 100 cm of the soil surface containing 35% or more of organic matter (35% or more Loss on Ignition) or 18% or more organic carbon. Note for management of existing plantations in Malaysia and Indonesia, a narrower definition has been used, based on national regulations: namely soil with an organic layer of more than 50% in the top 100 cm containing more than 65% organic matter.	PLWG2 July 2018 Derived from FAO and USDA definition for histosols (organic soils) (FAO 1998, 2006/7; USDA 2014)
<b>Pesticide</b>	Substances or a mixture of substances intended for preventing, destroying, repelling or mitigating any pest. Pesticides are categorized into four main substituent chemicals: herbicides; fungicides; insecticides and bactericides.	P&C 2013
<b>Plan</b>	A time-bound and detailed scheme, programme, or method for achieving objective(s) and desired outcome(s). Plans shall have clear targets with timelines for delivery, actions to be taken and a process for monitoring progress, adapting plans to changing circumstances and reporting. Plans shall also include the identification of named individuals or positions responsible for the delivery of the plan. There shall be evidence that sufficient resources are available to carry out the plan and the plan is implemented in full.	P&C 2013
<b>Plantation</b>	The land on which oil palm is grown. (See also definition for 'managed area'.)	P&C Review 2018

## Annex 1

### DEFINITIONS

Term	Definition	Source
<b>Prophylactic</b>	A treatment or course of action applied as a preventive measure.	P&C 2013
<b>Rare, threatened or endangered (RTE) species</b>	Species as defined by the High Conservation Value Resource Network (HCVRN).	HCVRN Common Guidance for the Identification of HCVs
<b>Recruitment fees</b>	Recruitment fees pertain to costs and expenses associated with the recruitment and hiring of the worker, i.e. recruiter and agent service fees, documents processing, employer-required skills and medical testing, training, documentation, visa, work permits, transportation (from sending country to point of entry, and return), administrative and overhead costs.	Dhaka Principles and ILO 181.
<b>Restore</b>	Returning degraded or converted areas within a plantation to a semi-natural state.	P&C 2013
<b>Rights</b>	Rights are legal, social, or ethical principles of freedom or entitlement, in accordance with the International Bill of Rights, and other relevant international human rights instruments including the UN Declaration on the Rights of Indigenous Peoples, UN Guiding Principles on Business and Human Rights, The Global Compact for Safe, Orderly and Regular Migration.	P&C 2013
	<ol style="list-style-type: none"> <li>1. Customary rights: Patterns of long-standing community land and resource usage in accordance with indigenous peoples' customary laws, values, customs and traditions, including seasonal or cyclical use rather than formal legal title to land and resources issued by the State.</li> <li>2. Legal rights: Rights given to individual(s), entities and others through applicable local, national or ratified international laws and regulations.</li> </ol>	<p>UN Refugees &amp; Migrants, Global Compact for Safe, Orderly and Regular Migration, 2018</p> <p>World Bank Operational Policy 4.10</p> <p>From FSC Principles &amp; Criteria</p>

Term	Definition	Source
<b>Rights (Continued)</b>	3. User rights: Rights for the use of land and resources that can be defined by local custom, mutual agreements, or prescribed by other entities holding access rights.	P&C 2013
	4. Demonstrable rights: Indigenous peoples, local communities and users may have informal or customary rights in land that are not registered or recognized by the government or national laws. Demonstrable rights are distinguished from spurious claims by direct engagement with local communities, so they have adequate opportunities to justify their claims, and are best ascertained through participatory mapping with the involvement of neighbouring communities.	UNRefugees & Migrants, Global Compact for Safe, Orderly and Regular Migration, 2018  World Bank Operational Policy 4.10  From FSC Principles & Criteria
<b>Risk assessment</b>	A systematic process of identifying and evaluating the potential risks that maybe involved in a projected activity or undertaking.  It enables a weighing up of whether enough precautions are in place or whether more should be done to prevent harm to those at risk, including workers and members of the public.	Adapted from ILO, A 5 step guide for employers, workers and their representatives on conducting workplace risk assessments, 2014
<b>Scheme Smallholder</b>	Farmers, landowners or their delegates that <u>do not</u> have the: <ul style="list-style-type: none"> <li>• Enforceable decision-making power on the operation of the land and production practices; and/or</li> <li>• Freedom to choose how they utilise their lands, type of crops to plant, and how they manage them (whether and how they organise, manage and finance the land).</li> </ul> (See also smallholder and Independent Smallholder).	SHIG

## DEFINITIONS

Term	Definition	Source
<b>Significant pollutant</b>	Chemical or biological substances which have a substantial adverse impact on water, air or land quality including POME, sewage, and other wastewater, sediment, fertiliser, pesticides, fuels and oil, air pollutants, as guided by national regulations and international standards.	P&C Review 2018
<b>Site</b>	A single functional unit of an organization or a combination of units situated at one locality, which is geographically distinct from other units.	RSPO 2017 SCCS Standard
<b>Smallholder</b>	Farmers growing oil palm, sometimes along with subsistence production of other crops, where the family provides the majority of labour and the farm provides the principal source of income and where the planted area of oil palm is usually below 50 ha in size.	P&C 2013
	<b>Scheme Smallholder:</b> Farmers, landowners or their delegates that <u>do not</u> have the: <ul style="list-style-type: none"> <li>• Enforceable decision-making power on the operation of the land and production practices; and/or</li> <li>• Freedom to choose how they utilise their lands, type of crops to plant, and how they manage them (whether and how they organise, manage and finance the land).</li> </ul>	SHIG
	<b>Independent Smallholder:</b> All smallholder farmers that are not considered to be Scheme Smallholders [see definition for Scheme Smallholders] are considered Independent Smallholder farmers.	SHIG

Term	Definition	Source
<b>Social and Environmental Impact Assessment (SEIA)</b>	An analysis and planning process to be carried out prior to new plantings or operations. This process incorporates relevant environmental and social data, as well as stakeholder consultations, in order to identify potential impacts (both direct and indirect) and to determine whether these impacts can be satisfactorily addressed, in which case the proponent also defines specific actions to minimise and mitigate potential negative impacts.	P&C Review 2018
<b>Stakeholders</b>	An individual or group with a legitimate and/or demonstrable interest in, or who is directly affected by, the activities of an organization and the consequences of those activities.	P&C 2013
<b>Steep terrain</b>	Areas above 25 degrees or based on a National Interpretation (NI) process.	P&C 2013 Annex 2 Guidance NI
<b>Trafficked labour</b>	Trafficked labour is a form of exploitation that results from the recruitment, transport, transfer, harbouring, and receipt of individuals to perform labour or services through the use of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits.	The UN Palermo Protocols to Prevent, Suppress and Punish Trafficking in Persons.
<b>Transmigrant</b>	A person who migrates from one part of the country to another with a view to being employed otherwise than on his own account.	P&C 2013
<b>Undue influence</b>	The exertion by a third party of any kind of control such that a person signs a contract or other agreement which, absent the influence of the third party, he would not have signed.	P&C 2013
<b>Unit of certification</b>	The unit of certification shall be the mill and its supply base and shall include both directly managed land (and estates) and Scheme Smallholders and outgrowers, where estates have been legally established with proportions of lands allocated to each.	RSPO Certification Systems 2017

## DEFINITIONS

Term	Definition	Source
<b>Voluntary isolation</b>	Indigenous peoples in voluntary isolation are indigenous peoples or segments of indigenous peoples who do not maintain sustained contacts with the majority non-indigenous population, and who generally reject any type of contact with persons not part of their own people. They may also be peoples or segments of peoples previously contacted and who, after intermittent contact with the nonindigenous societies, have returned to a situation of isolation and break the relations of contact that they may have had with those societies. In line with the principle of FPIC, RSPO prohibits oil palm expansion in these peoples' territories.	Inter-American Commission on Human Rights, Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas, 2013
<b>Vulnerable groups</b>	Any group or sector of society that is at higher risk or being subjected to social exclusion, discriminatory practices, violence, natural or environmental disaster, or economic hardship than other groups, such as indigenous peoples, ethnic minorities, migrants, disabled people, the homeless, isolated elderly people, women and children.	P&C Review 2018
<b>Water security</b>	The capacity of a population to safeguard sustainable access to adequate quantities of acceptable quality water for sustaining livelihoods, human well-being, and socio-economic development; for ensuring protection against water-borne pollution and water-related disasters; and for preserving ecosystems in a climate of peace and political stability.	UN Water, Water Security Infographic

Term	Definition	Source
<b>Whistleblower</b>	Individuals who are employees or former employees who report on illegal, irregular, dangerous or unethical practices or actions by employers which contravene RSPO Code of Conduct and related key documents and who may potentially be at risk of reprisal. This includes individuals who are outside the traditional employee-employer relationship, such as contract workers, temporary workers, consultants, contractors, trainees/interns, volunteers, student workers and former employees.	RSPO policy on the protection of HRD, Whistleblowers, Complainants and Community Spokesmen (endorsed by BoG on 24 September, 2018)
<b>Worker</b>	Men and women, migrants, transmigrants, contract workers, casual workers and employees from all levels of the organisation.	P&C Review 2018
<b>Workforce</b>	The total number of workers employed by the management unit either directly or indirectly. This includes contract workers and consultants.	P&C 2013
<b>Young person</b>	Young workers are aged 15, or above the minimum age of employment, but under the age of 18. According to the ILO, "these workers are considered 'children' even where they may legally perform certain jobs."	ILO Minimum Age Convention, 1973 (No. 138), Article 3  ILO Safety and Health in Agriculture Convention, 2001 (No. 184), Article 16

## ANNEX 2: GUIDANCE

### Principle 1: Behave ethically and transparently

Criterion (new)	Guidance
1.1	<p>This concerns 1.1.1. 1.1.2. The unit of certification manages the administrative documents relating to environmental, social and legal issues that are relevant to compliance with RSPO Criteria, which should be available to relevant stakeholders as appropriate, in appropriate languages and forms to allow their understanding and effective participation in decision-making. The unit of certification must define the disclosure procedure according to the context of its area of influence.</p> <p>Management documents comprise the results of FPIC processes, SEIAs, Human Rights Policies including a policy on protection of HRDs/whistleblowers, social programmes avoiding or mitigating negative social impact, social programmes advancing livelihoods, figures of gender distribution within all workers categorised by management, administrative staff and workers (both permanent casual workers, piece rate workers), partnership programmes for Independent Smallholders, and programs for education and health in the communities.</p> <p>1.1.3 Information requests from relevant stakeholders and their responses are documented.</p> <p>1.1.4 The unit of certification must define, document, disclose and implement the consultation and communication procedure to relevant stakeholders</p> <p>The auditors will comment on the adequacy of each of the documents listed in the public summary of the audit assessment report</p> <p>Examples of commercially confidential information include financial data such as costs and income, and details relating to customers and/or suppliers. Data that affects personal privacy should also be confidential, and they should also be subject to national data protection legislation.</p>



Ongoing disputes (within or outside of a legal mechanism) can be considered as confidential information where disclosure could result in potential negative outcomes for all parties involved. However, affected stakeholders and those seeking resolution to conflict should have access to relevant information.

## Criterion (new) Guidance

### 1.1 (Continued)

Examples of information where disclosure could result in potential negative environmental or social outcomes include information on sites of rare species where disclosure could increase the risk of hunting or capture for trade, or sacred sites which a community wishes to maintain as private. The unit of certification should ensure that sufficient objective evidence exists to demonstrate that the level of measuring and monitoring of the management plan, and information, is appropriate and made available.

For 1.1.5: [The Unit of certification keeps the list of relevant stakeholders and their designated representatives up to date](#). Applicable data privacy laws should be considered in the gathering, storage, use and distribution and publication of personal information.

The following documents should be available at the unit of certification (but not necessarily limited to) upon request:

- Land titles/user rights (Criterion 4.4)
- Occupational health and safety plans (Criterion 3.6)
- Plans and impact assessments relating to environmental and social impacts (Criterion 3.4)
- HCV & HCS documentation (Criterion 7.12)
- Pollution prevention and reduction plans (Criterion 7.10)
- Details of complaints and grievances (Criterion 4.2)
- Negotiation procedures (Criterion 4.6)
- Continuous improvement plans (Criterion 3.2)
- Public summary of certification assessment report
- Human Rights Policy (Criterion 4.1)

Criterion (new)	Guidance
1.2	<p>All levels of operations will include subcontractors (i.e. those involved in safety)</p> <p>The policy should include as a minimum:</p> <ul style="list-style-type: none"><li>• A respect for fair conduct of business</li><li>• A prohibition of all forms of corruption, bribery and fraudulent use of funds and resources</li><li>• A proper disclosure of information in accordance with applicable regulations and accepted industry practices</li></ul> <p>The policy should be set within the framework of the UN Convention Against Corruption, in particular Article 12, <a href="#">and other applicable national laws</a>.</p> <p>The policy should cover elements such as: bribery; facilitation payments; guidance and procedure for gifts and hospitality; disclosure of political contributions; guidelines for charitable donations and sponsorships; respect for fair conduct of business; proper disclosure of information in accordance with applicable regulations and accepted industry practices; compliance with existing anti-corruption legislation.</p> <p>Commitment to company ethical policies is incorporated in all service contracts.</p> <p>There are due diligence procedures in place for the selection and contracting of recruitment agencies and labour intermediaries or suppliers.</p> <p>Unethical conduct includes charging fees to workers, recovering cost of recruitment and transportation against workers' wages, receiving gifts and commissions from labour intermediaries or suppliers.</p>

1.2.2 The unit of certification should have a system to monitor compliance and implementation of the ethical conduct policy, including the procedure to report non-compliance.

## Principle 2: Operate legally and respect rights

Criterion (new)	Guidance
2.1	<p>The implementation of all legal requirements is an essential baseline requirement for all farmers, regardless of size or location. Relevant legislation includes, but is not limited to: regulations governing land tenure and use rights, labor issues, agricultural practices (i.e. use of agrochemicals), environment <del>wildlife laws, pollution, environmental management and forestry laws,</del> <a href="#">general environmental law, the law for forest, protected areas and wildlife and its regulations, and their corresponding regulations</a>), storage, transportation and processing <a href="#">practices and others that apply to the Unit of certification in all areas: tax, social and environmental</a>. It also includes legislation on the country's obligations under international conventions or laws (i.e. the Convention on Biological Diversity (CBD), the basic ILO conventions, or the United Nations Guiding Principles on Business and Human rights). Additionally, if the countries have provisions to respect customary laws, these will be taken into account.</p> <p>Key international laws and conventions are set out in Annex 1 3.</p> <p>Contradictions and inconsistencies should be identified, and solutions suggested. Evidence should be incorporated as part of implementation of Criterion 2.3.</p> <p><a href="#">The national regulations related to these Principles and Criteria are found in Annex 6</a></p> <p>See <a href="#">Indicator 4.4.1</a> for requirements on legal ownership or lease and authorised use of customary lands.</p> <p>For Indicator 2.1.2: A 'documented system for ensuring legal compliance' can take the form of physical or virtual filing cabinet of applicable laws, regulations and rules with elements of how these laws are interpreted and followed in the running of the operations.</p>

For this same indicator, each unit of certification may establish the due diligence mechanism with its contracted third parties and define its monitoring system for legal compliance.

The Unit of certification documents in a general way, all the applicable local, national and international legislation ratified. The means for identifying it can be internal or external.

The evaluation of legal compliance will be done annually, and the update of current legislation will be done dynamically as necessary.

## Annex 2 GUIDANCE

Criterion (new)	Guidance
2.2	<p>Contracted parties include:</p> <ul style="list-style-type: none"><li>• Temporary employment, whereby workers are engaged only for a specific period of time, includes fixed-term, project- or task-based contracts, as well as seasonal or casual work, including day labour</li><li>• Short-term contracts; renewable contract</li><li>• Fixed-term, project, or task-based contracts are contractual employment arrangements between one employer and one employee characterised by a limited duration or a pre-specified event to end the contract</li><li>• Casual work is the engagement of workers on a very short term or on an occasional and intermittent basis, often for a specific number of hours, days or weeks, in return for a wage set by the terms of the daily or periodic work agreement. Casual work is a prominent feature of informal wage employment in low-income developing countries, but it has also emerged more recently in industrialised economies, particularly in jobs associated with the “on-demand” or “gig economy”. (<a href="https://www.ilo.org/global/topics/non-standard-employment/WCMS_534826/lang--en/index.htm">https://www.ilo.org/global/topics/non-standard-employment/WCMS_534826/lang--en/index.htm</a>)</li></ul> <p>For 2.2.2. The unit of certification shall establish a monitoring system to ensure compliance with legal requirements.</p> <p>The unit of certification shall establish its monitoring system to ensure compliance with these prohibitions.</p> <p>For 2.2.3 in the case of hiring a young worker, it is recommended to be guided by the provisions of the current Labor Code</p>

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2.3

For consideration of FFB legality, NIs should also consider commonly accepted local practices and customs that are generally accepted to be on a par with legal standing or accepted by authorities (e.g. native courts). For indicator 2.3.1:

- a) Information on the geographical location of the origin of the fruit can be verified with the geographical coordinates of the production areas.
  - b) Each unit of certification may establish the documentation that supports the proof of the property status or the right to use the land by the producer / smallholder.
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## Principle 3: Optimise productivity, efficiency, positive impacts and resilience

Criterion (new)	Guidance
3.1	<p>Whilst it is recognised that long-term profitability is also affected by factors outside their direct control, top management should be able to demonstrate attention to economic and financial viability through long-term management planning.</p> <p>For plantations on peat, a longer time frame for the projection of the annual replanting programme is needed per Criterion 7.7.</p> <p>The unit of certification should have a system to improve practices in line with new information and techniques. For smallholder schemes, the scheme management should be expected to provide their members with information on significant improvements. This Criterion is not applicable to Independent Smallholders.</p> <p>The business or management plan should contain:</p> <ol style="list-style-type: none"><li>1. Attention to quality of planting materials</li><li>2. Crop projection = Fresh Fruit Bunches (FFB) yield trends</li><li>3. Mill extraction rates = Oil Extraction Rate (OER) trends</li><li>4. Cost of production = cost per tonne of Crude Palm Oil (CPO) trends</li><li>5. Forecast prices</li><li>6. Financial indicators</li></ol> <p>Suggested calculation: Trends in 3-year running mean over the last decade (FFB trends may need to allow for low yield during major replanting programmes).</p> <p>Consideration of smallholders should be inherent in all management planning where applicable (see also Principle 5). For Scheme Smallholders, the content of the business plan may vary from that suggested.</p>

## Criterion (new) Guidance

3.1 (Continued) Where the specific financial details are not known, an estimate of these amounts, or structures for defining those estimates will be made clear within the contract.

Management reviews (Indicator 3.1.3) should include:

1. Results of internal audits
2. Customer feedback
3. Process performance and product conformity
4. Status of preventive and corrective actions
5. Follow-up actions from management reviews
6. Changes that could affect the management system
7. Recommendations for improvement

3.2 For the action plan for continuous improvement, indicators may include but not be limited to:

1. Optimizing the yield of the supply base.
2. Reduction in use of pesticides (Criterion 7.2)
3. Environmental impacts (Criteria 3.4, 7.6 and 7.7)
4. Waste reduction (Criterion 7.3)
5. Pollution and greenhouse gas (GHG) emissions (Criterion 7.10)
6. Impacts on communities, workers and smallholders (Principle 6)
7. Integrated management of HCV-HCS, peatland and other conservation areas (Criteria 7.7 and 7.12)
8. [Early detection, monitoring and control of phytosanitary problems \(Criteria 7.1 and 7.2\)](#)

Where applicable, review should include Scheme Smallholders.

Criterion (new)	Guidance
3.2 (Continued)	The unit of certification should have a system to improve practices in line with new information and techniques, and a mechanism for disseminating this information throughout the workforce. For smallholders, there should be systematic guidance and training for continuous improvement.
3.3	<p>The unit of certification could include in an orderly and organized manner the good practices, the training program and a communication and information system. Mechanisms to check implementation could include documentation of management systems and internal control procedures (see Criterion 2.1).</p> <p>SOP and documentation for mills should include relevant supply chain requirements (see SCCS section under Principle 3).</p> <p>The unit of certification, while working with third party suppliers of FFB on traceability and legality, should use the opportunity to distribute suitable information on BMPs.</p> <p>It is recommended to consult the specific manuals for these topics, whether they are local or regional manuals, such as:</p> <ul style="list-style-type: none"> <li>• Guide to Good Agricultural Practices in palm cultivation in Honduras</li> <li>• Diary of my plot</li> <li>• Field book for recording activities. Solidarity 2018.</li> </ul>
3.4	<p>The terms of reference of the SEIA should be defined. Ideally, the SEIA should be carried out by accredited independent experts, in order to ensure an objective process. The assessment (SEIA) should include, but is not limited to:</p> <ol style="list-style-type: none"> <li>1. Assessment of the impacts of all major planned activities, including land clearing, planting, replanting, pesticide and fertilizer use, mill operations, roads, drainage and irrigation systems and other infrastructure</li> <li>2. Assessment of the impacts on HCVs, biodiversity and RTE species, including beyond concession boundaries and any measures for the conservation and/or enhancement of these</li> </ol>



3. Assessment of the potential effects on adjacent natural ecosystems of planned developments, including whether development or expansion will increase pressure on nearby natural ecosystems
4. Identification of watercourses and wetlands and assessment of potential effects on hydrology and land subsidence of planned developments. Measures should be planned and implemented to maintain the quantity, quality and access to water and land resources
5. Baseline soil surveys and topographic information, including the identification of steep terrain, marginal and fragile soils, areas prone to erosion, degradation, subsidence, and flooding
6. Analysis of the type of land to be used (forest, degraded forest, peatlands, cleared land, etc.)
7. Assessment of land ownership and user rights

## Criterion (new) Guidance

- 3.4(Continued)
8. Assessment of current land use patterns
  9. Assessment of impacts on people's amenity
  10. Assess impacts on employment, employment opportunities or from changes of employment terms
  11. A cost-benefit analysis on social aspects
  12. Assessment of potential social impacts on surrounding communities of a plantation, including an analysis of potential effects on livelihoods, and differential effects on women versus men, ethnic communities, and migrant versus long-term residents
  13. Assessment of salient risk of human rights violations
  14. Assessment of the impacts on all dimensions of food and water security including the right to adequate food, and monitoring food and water security for affected communities
  15. Assessment of activities which may impact air quality or generate significant GHG emissions

For smallholder schemes, the scheme management has the responsibility to undertake an impact assessment and to plan and operate in accordance with the results.

Additional information on SEIA can be found in various external sources such as HCSA Toolkit Module 3 and the International Finance Corporation (IFC)'s *Guide to Biodiversity for Private Sector: The Social and Environmental Impact Process*.

The review of the monitoring and management plan should be done (once every two years) internally or externally.

Criterion (new)	Guidance
3.4 (Continued)	<p>Management documents may comprise social programmes avoiding or mitigating adverse social impact including human rights, social programmes advancing community livelihoods and gender equality, partnership programmes for Independent Smallholders, education and health in the communities.</p> <p>Affected stakeholders are able to express their views through their own representative institutions, or freely chosen spokespersons, during the identification of impacts, reviewing findings and plans for mitigation, and monitoring the success of implemented plans.</p> <p>Affected stakeholders should be consulted during all stages of the ESIA, based on a prior definition of the area of influence and the mapping of stakeholders. The unit of certification must document the consultations carried out and ensure that the opinions and perspectives of interested parties are incorporated throughout the process.</p>
3.5	<p>The Unit of Certification must establish a human resources management system among which it must consider the guidelines established in the Labor Code, as well as the different policies related to the management of human resources.</p> <p>The human resources management system is aligned with the national regulations on the matter. This system covers the monitoring processes to ensure that contractors or intermediaries implement and document their own human resource management systems.</p> <p>The human resources management system must be articulated with the labor, human rights, non-discrimination, ethics and other applicable policies.</p>

3.6

Refer to National Law/Regulation or ILO Convention 155 for those countries without national Occupational Safety and Health Law/Regulation at a minimum.

The Unit of certification should have a policy and an occupational health and safety plan according to the risk analysis with their respective indicators. The plan should also reflect the application of national regulations and the ILO guide in its Convention 184. The Plan is aligned with the Standard Operating Procedures-SOP and their respective KPIs adjusted to dignified labor.

The security plan must be understood, implemented, and monitored. The plan will include the following elements, among others: Risk analysis of all activities. Provide personal protective equipment. Identify, record, and report all occupational injuries. All injuries must be investigated, and corrective action taken so they do not happen again. Train employees on occupational health and safety issues. Keep a record of all trainings.

3.7

**Training content:** Workers should be adequately trained on: the health and environmental risks of pesticide exposure; recognition of acute and long-term exposure symptoms including the most vulnerable groups (e.g. young workers, pregnant women); ways to minimise exposure to workers and their families; and international and national instruments or regulations that protect workers' health.

The training programme should include productivity and best management practice, and be appropriate to the scale of the organisation. The programme should enable everyone to fulfil their jobs and responsibilities in accordance with documented procedure.

**Training participants:** Training should be given to all staff and workers including women smallholders and women plantation workers, within the unit of certification, as well as contract workers.

The unit of certification should demonstrate training activities for Scheme Smallholders who provide FFB on a contracted basis.

Criterion (new)	Guidance
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3.7(Continued)	
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	Workers on smallholder plots also need adequate training and skills, and this can be achieved through extension activities of the unit of certification that purchase fruit from them, by smallholders' organisations, or through collaboration with other institutions and organisations.
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For individual scheme smallholder operations, training records should not be required for their workers, but anyone working on the farm should be adequately trained for the job they are doing.

The training program, regardless of the topic that is addressed (following the P & C RSPO) must include the topic of inclusion of gender and environment in a crosscutting manner. The unit of certification must assign a dedicated person with the competencies for the implementation and monitoring of the training program.

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## Principle 4: Respect community and human rights and deliver benefits

### Criterion (new) Criterion (new)

4.1

4.1.1 The unit of certification will have a Human Rights policy based on the Guiding Principles on Business and Human Rights of the United Nations, RSPO Policy on the Protection of Human Rights Defenders, Complainants and Irregularities, other Complainants and Community Spokespersons, as well as current national legislation.

The Unit of Certification must implement an appropriate communication procedure, according to its context, to communicate the Human Rights policy at all levels of operations and to local communities to ensure compliance.

All within the levels of operations will include contractors, including service providers or subcontractors (ie those involved in safety, harvest, post-harvest, fresh fruit suppliers, transportation and other processes related to the operations of the unit of certification. .) extending and socializing the policy of respect for Human Rights

The UN Guiding Principles on Business and Human Rights notes that:

*“The responsibility of business enterprises to respect human rights refers to internationally recognised human rights - understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labor Organization’s Declaration on Fundamental Principles and Rights at Work.”*

The UN Guiding Principles on Business and Human Rights also note that the responsibility of business enterprises to respect human rights exists independently of nation states’ abilities and/or willingness to fulfil their own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights. (See “The corporate responsibility to respect human rights” in *the UN Guiding Principles on Business and Human Rights*).

The RSPO Human Rights Working Group will provide additional guidance to identify, prevent, mitigate and address human rights issues and impacts.

The resulting guide will identify the relevant issues on human rights to all RSPO members.

Details on requirements to protect the rights of HRDs, including complainants, whistleblowers and community spokespersons, are set out in the *RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons*.

## Annex 2

### GUIDANCE

#### Criterion (new) Guidance

- 4.2 4.2.1. The unit of certification should be should establish the dispute resolution mechanisms procedures through open agreements agreed with the relevant affected parties, respecting anonymity to avoid negative consequences derived from the process.  
The dispute resolution procedure should contain what is established by the RSPO (for example: response times, legal advice, communicated to interested parties (potentially affected)).
- The resolution of disputes must be carried out through peaceful and non-violent means that promote the dignity of people and respect for human rights. Violence and threats have no place in the process.
- 4.2.2. 4.2.3. Regarding the disclosure of the complaints and claims handling system, appropriate means should be considered to facilitate its understanding, even for illiterate people. This system should be updated to assess its effectiveness.
- The Unit of Certification should identify different mechanisms for receiving complaints (mobile mailboxes, complaint notebook, email, etc.).
- Complaints should be dealt with through mechanisms such as Joint Consultative Committees (CCC), with gender representation and, if relevant, with representation of migrant workers. Complaints could be internal (employees) or external
- For small independent and system farmers, see current RSPO guidance documents on small independent and system farmers.
- 4.2.4. Independent legal advice could include independent human rights defenders, in mutual agreement of the parties, or with the representation of CONADEH, the UN High Commissioner for Human Rights, the Office of the Prosecutor for Ethnic Groups and Cultural Heritage, among others.

If no mutually agreed resolution is reached, complaints can be made to the RSPO complaint system.

Consult useful guide texts, such as the guide approved by the Human Rights Commission (HRC)

Refer to helpful texts for guidance, such as the UN Human Rights Commission (HRC) endorsed '*Guiding Principles on Business and Human Rights: Implementing the UN "Protect, Respect and Remedy" Framework*', 2011.

4.3

Contributions to local sustainable development should be based on the results of consultation with local communities and should have long term economic, social and/or environmental benefits. Such consultation should be based on the principles of transparency, openness and participation, and should encourage communities to identify their own priorities and needs, including the different needs of men, women and minority/vulnerable groups.

The unit of certification may also seek partnerships from non-governmental organisations (NGOs) and civil society organisations (CSOs) to identify key environmental and/or social issues that are prevalent in the community and develop and implement solutions to address these issues as part of their contributions to sustainable development.



## Criterion (new) Guidance

### 4.3 (Continued)

Contributions to the communities will be according to the economic possibilities of the unit of certification, prioritizing according to the proposals of the community expressed in the consultation.

The communities consulted through their representative organizations for development contributions are those with which the unit of certification is directly related by location or impact of the plantations.

Contributions made by companies should be socialized with communities after prioritizing needs.

Said agreements should contemplate the actions to be taken from the beginning to the end of the projects, encouraging the representatives of the communities to contribute to the sustainable development projects.

Some examples of contributions to local sustainable development may be, but are not limited to:

- a) Poverty reduction
- b) Access to health and wellbeing
- c) Access to quality education
- d) Access to clean water and sanitation
- e) Conservation or restoration of natural resources
- f) Gender equality programmes
- g) Support/enhance/secure food and water security

Where candidates for employment are of equal merit, preference should always be given to members of local communities. Positive discrimination should not be recognised as conflicting with Criterion 6.1.

4.4

All indicators will apply to current operations, but there are exceptions for long-established plantations which may not have records dating back to the time of the decision making, in particular for compliance with Indicators 4.4.2 and 4.4.3.

Where there are legal or customary rights overland, the unit of certification should demonstrate that these rights are understood and are not being threatened or reduced. This Criterion should be considered in conjunction with Criterion 4.5, 4.6 and 4.7. Where customary rights areas are unclear these should be established through participatory mapping exercises involving affected parties (including neighbouring communities and local authorities).

It is recommended to consult the [Guide on Free, Prior and Informed Consent for RSPO members and the consultation protocols of indigenous peoples and other protocols with potentially affected communities](#). This Criterion allows negotiated agreements to be reached to compensate other users for the loss of benefits and / or the waiver of their rights. Negotiated agreements should be without coercion and signed on a voluntary basis, made before undertaking new investments or operations and be based on an open exchange in which all relevant information is shared. The representation of the communities should be transparent and with open communication with other members of the community

This Criterion allows for negotiated agreements to compensate other users for lost benefits and / or relinquished rights. Negotiated agreements should be non-coercive and entered into voluntarily, carried out prior to new investments or operations, and based on an open sharing of all relevant information. The representation of communities should be transparent and in open communication with other community members.

Relevant legal arrangements may include, but are not limited to, negotiated benefit sharing agreements, joint operations agreements, legal representation on boards of directors, prior land use restrictions, co-management agreements, small producer contracts, rental and leasing, royalty payments, or the implications of land acquisition and permits for community tenure, use, and access rights to land

## Annex 2

### GUIDANCE

#### Criterion (new) Guidance

4.4 (Continued)

4.4.1. and 4.4.2. The unit of certification should demonstrate the legal right to the land with documentation, as the case may be:

- a) Private property title or full ownership title endorsed by the competent authorities (Property Institute, National Agrarian Institute)
- b) Full ownership: Legal document issued by the municipality on land as well as those endorsed by the INA.
- c) Usufruct document endorsed by ICF

If there are legal or customary rights to the land, the unit of certification should demonstrate that these rights are understood with the parties involved and that they are not threatened or limited. The lease should also show legal ownership, tenure or use of the land.

4.4.3. Topographic plans will be prepared according to the deed on an adequate scale. 4.4.4. is articulated with 1.1  
4.4.5. is articulated and defined in 1.1.5

4.5 The unit of certification can, through compliance with RSPO criteria demonstrate its commitment to support the UN Sustainable Development Goals (especially SDGs 2, 6 and 15).

The unit of certification should support the implementation of existing national strategies regarding food and water security, and not contradict them by any of its business activities.

The unit of certification should recognize national and/or international natural disaster risk assessments, strategies and maps in the management plan/strategy for the managed areas. The unit of certification should inform suppliers and communities in the concerned region about natural risks and provide support in case of strong adverse natural and human made disasters.

This activity should be integrated with the [participative](#) SEIA required by Criterion 3.4.

Within the FPIC process, measures to balance potential negative impacts on food and water security for local communities should be discussed and agreed between the unit of certification and the local communities. These measures and their proposed implementation features (what, how, how long, recipients, threats and opportunities to implementation) are documented as part of the resource management planning.

## Criterion (new) Guidance

### 4.5 (Continued)

In cases where the availability, access, quality and stability of food and water is negatively affected by the planned operations, mitigation and relief measures should be agreed.

Where applicable, in communities resettled in accordance with FPIC, the unit of certification should monitor the food and water security situation through a screening process and, for example, through continuous dialogue, to ensure local food and water security.

Efforts should be made to consider population dynamics. The set of measures is to be reviewed regularly (proposed biannually) to reflect on changes in needs and capacities and the resources available.

The unit of certification should not restrict access to markets for local communities through its operations.

The unit of certification should assess water catchments in order to identify key water risks or shared challenges (see HCV 4). The unit of certification should regularly monitor their operations' impacts on water availability and quality.

Where new plantings are considered to be acceptable, management plans and operations should maintain sacred sites.

Agreements with indigenous peoples, local communities and other stakeholders should be made without coercion or other undue influence (see Guidance for Criterion 4.4). Relevant stakeholders include those affected by or concerned with the new plantings.

Customary and user rights will be demonstrated through participatory user mapping as part of the FPIC process.

FPIC is a guiding principle and should be applied to all RSPO members throughout the supply chain. Refer to RSPO approved FPIC guidance (*'FPIC and the RSPO; A Guide for Members'*, October 2015).

## Annex 2

### GUIDANCE

Criterion (new)	Guidance
4.6	<p>Where there is a conflict on the condition of land use as per land title, the unit of certification should show <b>documentary</b> evidence that necessary action has been taken to resolve the conflict with relevant parties.</p> <p>A mechanism should be in place to resolve any conflict (Criteria 4.2 and 4.6). <b>Documentary evidence could include the history of the conflict, summonings, agendas discussed, signatures of participants, minutes, agreements, among others</b></p> <p>Where operations overlap with other rights holders, the unit of certification should resolve the issue with the appropriate authorities, consistent with Criteria 4.2 and 4.6.</p> <p><b>In negotiated agreements, consider the presence of honor witnesses</b></p>
4.7	<p><b>In the event that in the FPIC process it has been identified that compensation is necessary, it is essential to have all the documentation that supports the negotiation process and the compensation agreement reached, with its respective calculation methodology.</b></p> <p>The unit of certification should be creative in seeking compensation alternatives, considering the priorities of the person or persons affected.</p> <p>The compensation can be of a different nature but always in an agreed manner, if within the agreement, compensation is manifested on land, it will be calculated based on the market value of the lands in the area, or acceptable alternatives.</p>
4.8	<p>In those cases in which the unit of certification has managed a documented compensation procedure, it will maintain and comply with the agreed resolutions. It refers to the management of the criteria of Principle 4 that are integrated</p>

## Principle 5: Support smallholder inclusion

### Criterion (new) Guidance

5.1

Fair prices for FFB will be equal to or above the prices as established by government or government endorsed initiatives, where applicable. Where not applicable, the following elements should be considered subject to prevailing commodity prices:

The unit of certification must have a system (agreed between both parties) to calculate prices based on FFB production costs plus a percentage of contingencies and profits.

Other elements to set the fair price are, among others:

1. Cost incurred by smallholders where applicable (e.g. fertiliser, seeds, pesticides, transport of FFB, land use permit, land ownership fees, land preparation, labour costs and other costs related to FFB production);
2. Unexpected and unpredictable environmental and climate related risk costs including the occurrence of new pests for which treatment is not yet available, climate change effects or extreme weather conditions.

Source: *2012 FAO Guiding Principles Responsible Contract Farming*

~~This should also be applied to situations where the unit of certification functions as the group manager for groups certified under group certification.~~

Transactions with smallholders should consider issues such as the role of middlemen, transport and storage of FFB, quality and grading. The need to recycle the nutrients in FFB (see Criterion 7.5) should also be considered; where it is not practicable to recycle wastes to smallholders, compensation for the value of the nutrients exported can be made through the FFB price.

Smallholders should have access to the grievance procedure under Criterion 4.2 if they consider that they are not receiving a fair price for FFB, whether or not middlemen are involved.

If the unit of certification requires smallholders to change practices to meet the RSPO P&C, consideration should be given to the costs of such changes, and the possibility of advance payments for FFB can be considered.

#### 5.1 (Continued)

The unit of certification must maintain fair and transparent contracts with all the smallholder farmers that supply them with fresh fruit, indicating:

- Name of the Producer.
- Location of the farm.
- Number of Hectares.
- Estimation of Fruit to be delivered.
- Delivery time of the Fruit-Term.

The contract must also include a description of how the price of fresh fruit bunches is calculated in relation to the international price of crude palm oil, and must inform small independent farmers when these are modified and what affects operating costs when this is less, and must keep records or evidence of such information.

Clauses that indicate the agreed payments and the forms of payment indicating whether they will be by prompt payment, transfers, cash, check, etc.

Report on the communication mechanism (i.e. verbal, or in writing, online, etc.) between the producer and the extraction plant, including the complaint or claim mechanism with its respective resolution process.

In the contract there should be a clause indicating legal compliance, prohibiting child labor, forced labor. When required and the producer requests it, the extraction plant will provide benefits such as inputs, fertilizers, templates, etc., which may be paid against delivered fruit, for which special agreements will be defined where the quotas that the producer will pay according to delivery of the fruit, must be well documented.

The extraction plant must provide payment slips for the fruit that indicate weight, price, deductions and total amount to be paid, with its respective name, identity number and code that identifies it.

## 5.1 (Continued)

In correspondence with fair and transparent prices, the extraction plants will keep the scales calibrated to guarantee that the weights are reliable and records of their verifications will be kept, in case there are collection centers, the scales must be validated with the weights of the scales. calibrated.

To the extent possible, the extraction plant could support smallholder farmers in the certification process, indicating that they could adhere to the extraction plant certification, at the request of groups of independent smallholder farmers, and by mutual agreement, under some guidelines that are indicated either as an independent group, where they make their decisions, but the extraction plant may be the Group Manager or Group Manager Advisor (as long as there is mutual agreement), see standard of independent smallholder farmers -2019.

If the unit of certification requires smallholders to change their practices to meet the RSPO Principles and Criteria, the costs of such changes and the possibility of making advance payments for FFBs should be considered.



## Annex 2

### GUIDANCE

#### Criterion (new) Guidance

5.2 RSPO will develop guidance on smallholder support (a separate RSPO Smallholder Standard is currently under development as of the printing of this standard).

It is recommended to consult the RSPO Certification Standard for independent smallholder farmers

The consultation may include collection centres or other parties like representative organisations, where applicable.

In particular for Scheme Smallholders, support programmes are based on long term relations.

When the unit of certification assesses the eligibility of the requested support by Independent Smallholders, the following factors can be taken into account and are explained to and understood by the smallholders:

- Expected continued supply of FFB to the mill
- Readiness of smallholders to implement the improvement programmes

Specific elements on RSPO certification may include:

- Socialisation on RSPO also [focused on the benefits in its production unit](#)
- H&S training
- FPIC
- HCV

The delivery of the support services can include but is not limited to cooperatives, agents, collection centres and representative organisations.

[It is recommended to develop a technical assistance program with the elements identified through consultation with smallholder farmers to improve their livelihoods.](#)

## Principle 6: Respect workers' rights and conditions

Criterion (new)	Guidance
6.1	<p>The non-discrimination policy is public and meets the non-discrimination requirements applied applying it to all workers, regardless of their contractual situation, this includes contractor farmers.</p> <p>Examples of compliance can be appropriate documentation (e.g. job vacancies, job descriptions, appraisals, promotions etc.), and/or information obtained via interviews with relevant stakeholders such as affected groups which may include women, local communities, foreign workers and migrant workers, etc.</p> <p>Notwithstanding national legislation and regulation, medical conditions should not be used in a discriminatory way.</p> <p>The grievance procedures detailed in Criterion 4.2 apply. Positive discrimination to provide employment and benefits to specific communities is acceptable as part of negotiated agreements.</p> <p>Examples of evidence for Indicator 6.1.2 could include contract between employer and the agency contractor; contract between worker and agency contractor; clear company policy and recruitment procedures; confirmation by workers and agency that no recruitment fees are charged.</p> <p>Foreign and migrant workers should not pay anything that a local worker is not required to pay, unless mandated by law. A worker should not be selected for the job on the basis of their capacity to pay.</p> <p>Contractors must comply with national legislation, respect for human rights and the non-discrimination policy.</p>

6.1 (Continued)

6.1.4. Pregnant women are offered alternative equivalent employment, without affecting their salary or other benefits or conditions that may affect them. Pregnant women enjoy labor rights supported by national laws (see Labor Code; Law of Equal Opportunities for Women) as well as what is established in the agreements of the International Labor Organization.

6.1.5. The Gender Committee must be formed in a participatory, consultative manner, with its regulations or operating procedure, in accordance with all operations. The Gender Committee has a management plan documented evidence of its activities, and will seek opportunities to promote gender inclusion by creating capacities for women.

6.2

Elements in the calculation of a decent standard of living should include food, water, housing, [electricity](#), education, healthcare, transport, clothing and other essential needs, including provision for unexpected effects, in accordance with the GLWC methodology.

The list of essential needs (that will be considered for the non-food, non-housing element), and the costs/values associated with these elements, will be provided by the RSPO. ([see RSPO guide for the implementation of Living Wage](#))

## Annex 2

### GUIDANCE

Criterion (new)	Guidance
6.2 (Continued)	<p>Where a GLWC living wage standard, or one that fulfils the basic requirements of the RSPO-endorsed living wage methodology, has been established in the country or region of operation, this should be used as benchmark.</p> <p>Where there are industry-established benchmarks of living wage, these can be used as a basis, as long as the elements of the DLW definition or their equivalencies have been considered.</p> <p>For countries where no living wage standard is established, the RSPO-endorsed benchmark should be followed, until such time that a GLWC-developed benchmark for the country is in place (see procedural note in Indicator 6.2.6).</p> <p>Among the provisional measures is that the unit of certification will comply with the legal framework by paying the minimum or basic salary and estimate the prevailing salary following the RSPO guide (RSPO Guide for calculation of prevailing salary, 2019). For Living Wage Implementation, see RSPO Guide for Living Wage Implementation.</p> <p>A written policy, committing to payment of a living wage should be in place.</p> <p>The implementation plan should have specific targets, and a phased-implementation process should be in place, including the following:</p> <ul style="list-style-type: none"><li>• An assessment is conducted to determine prevailing wages and in-kind benefits already being provided to workers</li><li>• There is <a href="#">plan that shows the</a> annual progress on the implementation of living wages</li><li>• Where a minimum wage, based on equivalent basket of goods, is stipulated in Collective Bargaining Agreements (CBAs), this should be used as the foundation for the gradual implementation of the living wage payment</li><li>• The unit of certification may choose to implement the living wage payment in a specific section as a pilot project; the pilot will then be evaluated and adapted before an eventual scale-up of the living wage implementation</li></ul>

Without disrupting the wage distribution, employers can provide more or better in-kind benefits to increase the living standards of their workers, as long as it is agreed upon by the trade union/worker representatives.

In cases where the contractor figure operates as a worker contracting agency, it must be trained ensuring that they understand the requirements of the RSPO, labor code and their compliance.

## Criterion (new)

## Guidance

6.3

The unit of certification in accordance with ILO in accordance conventions 87 and 98 and the provisions of the current Labor Code, should be should respect the rights of employees and workers, without forgetting migrant and transmigrants and subcontracted workers, to partner and bargain collectively with the unit of certification.

In cases when workers are not interested in forming unions and want to elect their representatives to negotiate with the management or direction of the unit of certification, they must also respect their rights as indicated in the aforementioned agreements and current regulations.

Workers' organizations or associations must be legally registered with the Ministry of Labor.

Collective bargaining is encouraged to include terms and conditions relevant to workers' rights, but also to the workers and families' rights to access health care, education, nutritious food, safety/protection equipment, energy, and could include a clear mechanism of grievances and remedy.

Foreign workers should be encouraged to join unions. Where the right to freedom of association and collective bargaining are restricted under law, the unit of certification publishes a statement that facilitates parallel means of independent and free association and bargaining for all such personnel.

The unit of certification must document and make public its statement regarding the Respect for employees and workers -migrants and contractors to be able to associate and carry out collective bargaining if they so decide.

## Criterion (new)    Guidance

6.4

The unit of certification will have a policy to protect children and the prohibition of child labor. It extends and explains this policy to its suppliers.

Service contracts and supplier agreements refer to those entered into and influenced by the unit of certification, and not to agreements that cover established infrastructure services, such as telephone or electricity.

The unit of certification should clearly define the minimum age of workers, together with the hours of work. Only workers who are older than the mandatory minimum age at which they can abandon schooling in the country, ~~or who are at least 15 years old~~, may be employed, [respecting current regulations](#). The minimum age of workers will not be lower than that established in national regulations. According to ILO Convention 138, minors under the age of 18 shall not do any dangerous work.

Work on family farms is prohibited, when the farm is contracted to another entity or does business with it. Agricultural work is only accepted when it is for the family's own consumption.

Child labor does not happen only under employers, and children do not have to be in a working relationship with a third party for it to be considered child labor and suffer its consequences.

## Annex 2

### GUIDANCE

Criterion (new)	Guidance
6.4 (Continued)	<p>Age verification documents include a government recognised photographic identification document, where available.</p> <p>Examples of remediation are: procedures to assist underage workers found to be working; to ensure the children are taken out of the work site, parents/guardians are informed, medical testing to assess physical and mental health is conducted; and the unit of certification ensures that the children are enrolled in school.</p>
<del>6.5</del>	<del>There should be a clear policy developed in consultation with staff and workers, contract workers and other relevant stakeholders, and the policy should be publicly available. Progress in implementing the policy should be regularly monitored, and the results of monitoring activities should be recorded.</del>
6.6	
6.7	<p>The unit of certification shall develop and in consultation with employees and workers, contract workers and other relevant stakeholders, the policies and make them publicly available in understandable language.</p> <p>These policies should include the education of women and the sensitization of all members of the workforce. There should be programs planned on particular issues faced by women, such as violence and sexual harassment in the workplace. <del>This committee, which</del> Within its powers, the gender committee should include representatives from all areas of work. It will deal with aspects such as: training on women's rights; counseling for women affected by violence; nurseries provided by the unit of certification. <del>women to be allowed to breastfeed up to nine months before resuming chemical spraying or usage tasks; and women to be given specific break times to enable effective breastfeeding.</del></p> <p>Women during their breastfeeding period may not perform tasks related to fumigation or use of agrochemicals, respecting the legal framework on breastfeeding.</p> <p>In the case of sexual harassment or violence, the unit of certification must have a procedure for handling it, and differentiate it within the common complaints system, considering current regulations.</p> <p>For 6.5.3: The Gender Committee can support the assessment.</p>

Where possible, the unit of certification should provide adequate space and paid breaks for mothers with infants 24 months to breastfeed or express and store breast milk in privacy. The unit of certification gives breastfeeding permits according to the current applicable law.

6.5.4. In the Complaints and Claims procedures (see 4.2), the workforce must be informed and included about the respect and anonymity of the complainants (if they so wish).



Criterion (new)	Guidance
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6.8

Migrant workers should be legalised, and a separate employment agreement should be drawn up to meet immigration requirements for foreign workers and international standards. Any deductions made should not jeopardise a DLW. [as long as they are legal deductions or authorized by the worker.](#)

~~Workers may voluntarily want to have their passports or identity documents held by the management for safekeeping purposes. In such cases, the documents should be returned to the workers upon request. There should be evidence of due diligence in applying this to all sub-contract workers and suppliers. National guidance should be used on contract substitution.~~

[According to the current regulatory framework, the unit of certification will respect the conditions agreed in the contract.](#)

Workers should enter into employment voluntarily and freely, without the threat of a penalty, and should have the freedom to terminate employment without penalty given reasonable notice or as per agreement. This is in accordance with ILO conventions: Forced Labor Convention, 1930 (No. 29); Protocol of 2014 to the Forced Labor Convention, 1930 (P029); Abolition of Forced Labor Convention, 1957 (No. 105); Forced Labor Recommendation, 2014 (No. 203)

The specific labour policy should include:

- Statement of the non-discriminatory practices
- No contract substitution
- Post-arrival orientation programme to focus especially on language, safety, labour laws, cultural practices etc.
- Decent housing to be provided in accordance with national law or in their absence ILO Recommendation 115
- Fees related to recruitment and hiring of migrant workers

## Criterion (new)      Guidance

6.7

The unit of certification must work with the trained people to assess the risks of all operations and exercise the action plan with procedures focused on occupational health and safety; and medical prevention activities. The risk analysis is carried out with the participation of the workforce.

It is mandatory to provide employees with Personal Protective Equipment-PPE and free of charge. It is also the employer's responsibility to supervise the correct use of PPE. (see complement indicated in criterion 3.6)

The unit of certification is committed to providing a safe, risk-free environment to all its employees and workers regardless of their status and condition.

All employees are made aware of the Occupational Health and Safety Plan, the training program with the respective KPI performance indicators. This plan is adjusted periodically.

The Certification unit must comply with those described in the Regulation of preventive measures and work accidents according to its operations, contemplating in the safety plan what is related to prevention, health, responses to emergencies and first aid attached to the legal framework of the country.

6.7.5 In order to reduce the causes that may affect the performance of the workforce due to work accidents and occupational diseases, the unit of certification should identify their prevention and control.

- Keep monthly statistics on accidents, number of people and hours due to disability, hours lost due to accidents in order to determine the unproductive time due to reported accidents.

## Principle 7: Protect, conserve and enhance ecosystems and the environment

Criterion (new)	Guidance
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7.1

7.1.1 The unit of certification should apply recognized IPM techniques that use cultural, biological, mechanical and physical methods to minimize the use of chemical products, giving priority to biological, mechanical and / or cultural control.

The good practices of the RSPO Manual are recommended: "Best Management Practices (BMPs) for the Management and Rehabilitation of Riparian Reserves, (April 2017, Guide Criterion 7.8).

It is suggested to consult the Guide to Good Environmental Practices for the Cultivation of Oil Palm in Honduras (December 2013, SERNA, SAG, FENAPALMAH).

7.1.2 To the extent possible, native species should be used for biological control. Due diligence is recommended to prevent the use of invasive species. Regarding biological control, consult SENASA.

7.1.3 In specific cases for the control of pests or diseases through burning, according to the regulations there must be evidence of a prior approval of controlled burning in the manner specified by the competent authorities. relevant authorities in the 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines or regulations in other regions.

## 7.2

The RSPO has identified some examples of alternatives to pesticide and herbicide use, which include those listed in the *'Research Project on Integrated Weed Management Strategies for Oil Palm'*, CABI, April 2011.

Due to problems in the accuracy of measurement, monitoring of pesticide toxicity is not applicable to Independent Smallholders.

The justification should consider less harmful alternatives and IPM. Justification of the use of such pesticides will be included in the public summary report. Measures to avoid the development of resistance (such as pesticide rotations) should be applied.

Due diligence is understood as the process through which enterprises should identify, assess, mitigate, prevent and account for how they verify the emergency use of pesticides that are categorised as World Health Organisation Class 1A or 1B, or that are listed by the Stockholm or Rotterdam Conventions, and paraquat, which are banned from use in RSPO, except in very specific situations. The nature and extent of due diligence will be affected by factors such as the size of the area where the pesticides should be applied, the context and location of the application, the nature of products or services, and the severity of actual and potential adverse impacts which will be caused by the use of the high hazardous pesticides.

## Criterion (new) Guidance

### 7.2 (Continued)

The due diligence should refer to:

- a) Judgment of the threat and verification of why this is a major threat
- b) Why there is no other alternative which can be used
- c) Which process was applied to verify that there is no other less hazardous alternative
- d) What the process is to limit the negative impacts of the applications
- e) Estimation of the timescale of the application and which steps are taken to limit the application to a singularity.

[7.2.6, 7.2.8](#) It is recommended to follow the guidelines dictated by the Regulation on the Registration, Use and Control of Pesticides and Related Substances Agreement No. 642-98 SAG-SENASA for the handling of pesticide containers.

[7.2.6](#) Recognised best practice includes: storage of all pesticides as prescribed in the '*FAO International Code of Conduct on the distribution and use of pesticides*' and its guidelines and supplemented by relevant industry guidelines in support of the International Code (see Annex 3).

[7.2.9](#). In exceptional cases, agricultural aerial fumigation services, service providers will be in charge of managing the authorizations required by the competent authority.

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### 7.3

The waste management and disposal plan should include measures for:

- Improving the efficiency of resource utilisation and recycling potential wastes as nutrients or converting them into value-added products (e.g. through animal feeding programmes).
- Appropriate management and disposal of hazardous chemicals and their containers. Surplus chemical containers should be reused, recycled or disposed of in an environmentally and socially responsible way using best available practices with the [understanding that they should not be reused for domestic use](#). (e.g. returned to the vendor or cleaned using a triple [rinse](#) method), in such a way that there is no risk of contamination of water sources or risk to human health. The disposal instructions on the manufacturers' labels should be adhered to. ~~The unit of certification is encouraged to improve the waste management in surrounding neighbourhoods.~~

Where there are no options for non-toxic and non-hazardous domestic waste collection by local government services, landfills may be required as a solution for disposal.

Where landfills are used, appropriate guidelines should be followed, which includes being:

- Only for domestic and household waste, where inorganic waste is minimised
- Located away from water sources, people and communities, and outside conservation areas
- Properly covered, with clear demarcation and signage to avoid disturbance.

For proper waste management, the Regulation for the integral management of solid waste should be consulted - Executive Agreement number 1567-2010.

Criterion (new)	Guidance
7.4	<p>Long-term fertility depends on maintaining the structure, organic matter content, nutrient status and microbiological health of the soil. Nutrient efficiency should take into account the age of the plantations and the soil conditions.</p> <p><a href="#">Integrated nutrition management programs will be based on foliar (annual) and soil analysis (maximum of 5 years) in order to ensure the application of what the crop demands.</a></p> <p>The nutrient recycling strategy should include the use of biomass as by-products or for energy production and should strive to minimize the use of inorganic fertilizers <a href="#">by incorporating leaves from pruning and harvesting, empty bunches, composting and application of effluents. extractor plant from fertigation.</a></p>
7.5	<p>Techniques that minimise soil erosion are well known and should be adopted, where appropriate. These should include practices such as ground cover management, biomass recycling, terracing, and natural regeneration or restoration instead of replanting.</p> <p><a href="#">For the elaboration of the maps, the results of the soil analyzes must be used.</a></p> <p><a href="#">The maximum acceptable slope for sowing is 30% (16.70 °), where the soil is for agricultural purposes (Forestry Law, Protected Areas and Wildlife DECREE 98-2007).</a></p>
7.6	<p>These activities can be linked to the SEIA (see Criterion 3.4) but need not be done by independent experts.</p> <p>Soil suitability maps or soil surveys should be appropriate to the scale of operation and should include information on soil types, topography, hydrology, rooting depth, moisture availability, stoniness and fertility to ensure long-term sustainability of the development.</p> <p><a href="#">The results of the soil analysis of the areas where the new plantations will be established should be considered.</a></p> <p>Soils requiring appropriate practices should be identified (see Criteria 7.6 and 7.7). This information should be used to plan</p>

planting programmes, etc.

Measures should be planned to minimise erosion through appropriate use of heavy machinery, terracing on slopes, appropriate road construction, rapid establishment of cover, protection of riverbanks, etc.

Areas located within the plantation perimeters that are considered unsuitable for long-term oil palm cultivation should be delineated in plans and included in operations for conservation or rehabilitation as appropriate (see Criteria 7.6 and 7.7) with their respective management plans.

See [New Planting Procedure approved by the Governing Board on November 20, 2015](#)

Assessing soil suitability is also important for smallholders, particularly where there are significant numbers operating in a particular location and provide the [Unit if Certification with FFB](#).

Criterion (new)	Guidance
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7.6(Continued)

Information should be collected on soil suitability by the unit of certification if planning to purchase FFB from potential developments of Independent Smallholders in a particular location. The unit of certification should assess this information and provide information to Independent Smallholders on soil suitability, and/or in conjunction with relevant government/ public institutions and other organisations (including NGOs) provide information in order to assist Independent Smallholders to grow oil palm sustainably.



7.7 The unit of certification is encouraged to map the peatlands within the supply base to enable monitoring and promotion of BMPs.

For Indicator 7.7.3: For existing plantings on peat, the water table should be maintained at an average of 50 cm (between 40 cm and 60 cm) below ground surface unless required to be higher by national regulations, measured with groundwater Piezometer readings, or an average of 60 cm (between 50 cm and 70 cm) below ground surface as measured in water collection drains, through a network of appropriate water control structures (e.g. weirs, sandbags, etc.) infields, and watergates at the discharge points of main drains.

For Indicator 7.7.3: Monitoring of subsidence should be undertaken in all drained peat areas in the plantation including Areas adjacent to the plantation where water tables may be impacted by drainage associated with the plantation. [See New Plantations Procedure approved by the Governing Board on November 20, 2015.](#)

7.8 The water management plan should include:

- Consideration of relevant stakeholders, their water use and [conservation](#), and water resource availability [considering the state of the watershed and of the water sources.](#)
- Taking account of the efficiency of use and renewability of sources
- Ensuring that the use and management of water by the unit of certification does not result in adverse impacts on other users within the catchment area, including local communities and customary water users
- Aiming to ensure, ~~local communities workers and their families~~ [local communities workers and their families](#) have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes, [in the case of dwellings provided by the unit of certification.](#)
- Avoiding contamination of surface and ground water through runoff of soil, nutrients or chemicals, or as a result of inadequate disposal of waste including POME.

## Annex 2

### GUIDANCE

Criterion (new)	Guidance
7.8 (Continued)	<p>Refer to the '<i>RSPO Manual on BMPs for the management and rehabilitation of riparian reserves</i>' (April 2017).</p> <p>Where national regulations do not specify mill effluent requirements or discharge quality, these should be defined at NI level.</p>
7.9	<p>Renewable energy use per tonne of CPO or palm product in the mill should be monitored and reported.</p> <p>Direct fossil fuel use per tonne of CPO or FFB should be monitored.</p> <p>Energy efficiency should be taken into account in the construction or upgrading of all operations. The unit of certification should assess the direct energy use of their operations, including fuel and electricity, and energy efficiency of its operations. This should include estimation of fuel use by on-site contract workers, including all transport and machinery operations.</p> <p>The feasibility of collecting and using biogas should be studied where relevant.</p>
7.10	<p>The unit of certification should only establish new plantings on mineral soils, in low carbon stock areas, and cultivated areas (including rubber and tree crops), which the current users are willing to develop into oil palm.</p> <p><a href="#">It is recommended to follow the guidelines of the Procedure for new plantings of the RSPO</a></p> <p>Plans prepared by the unit of certification should specify actions to be taken to reduce GHG emissions including for example, adopting low-emission management practices for both mills (e.g. better management of palm oil mill effluent (POME), efficient boilers etc.) and plantations (e.g. optimal fertiliser use, energy efficient transportation, good water management, restoration of peatlands and conservation areas). Reference can be made to the RSPO Compilation of BMPs to Reduce Total Emissions from Palm Oil Production. This Criterion covers plantations, mill operations, roads and other</p>

infrastructure including access and perimeter canals and roads.  
It is recommended to articulate or link 7.10.3 with the SEIA (3.4.)

7.11

~~Extension/training programmes for smallholders may be necessary.~~

In the case of oil palm cultivation, in the Honduran environment, the use of fire should not be allowed as an acceptable practice in preparing the soil for palm planting, due to its negative effect on the content of organic matter, in the destruction of the flora and fauna of the soil, as well as the emission of greenhouse gases. The Unit of Certification should have a plan of fire prevention and control measures, aligned with the competent entities. It could also conduct fire prevention training programs with neighboring stakeholders.

## Criterion (new) Guidance

7.12

For any clearing for the establishment of new plantations, the guidelines of the RSPO New Planting Procedure must be followed.

### For Indicator 7.12.2

HCV assessments conducted as part of integrated HCV-HCS assessments, should follow the HCVRN procedures, using HCVRNALS approved assessors for HCV assessments for new plantings, in line with the current version of the Common Guidance on HCV Identification provided by the HCVRN or national HCV toolkits.

NIs of the globally-applicable HCV definitions may be used to assist with implementation of the HCVA. The globally-applicable HCV definitions provided in the Common Guidance take precedence in any cases where a conflict is perceived with a NI.

Where landscape level HCV and/or HCS maps have been developed, these should be taken into account in project planning, whether or not such maps form part of government land use plans.

Further guidance for implementation of 'wider landscape-level considerations' and other natural ecosystems will be developed by the BHCVWG. This will include reference to Key Biodiversity Areas (KBAs), which are identified under a Global Standard (IUCN 2016) [National System of Protected Areas and Wildlife of Honduras \(SINAPH\)](#) and should be identified through an HCV assessment.

### For Indicator 7.12.4

Refer to relevant guidance documents on RSPO and HCVRN websites.

The integrated management plan should be developed in collaboration with other stakeholders active in that landscape before and during the project implementation. It should be adaptive to changes in HCVs. Evidence of attempted collaboration efforts should be documented and available. Such collaborative plans and areas should include but are not limited to:

- Identifying, protecting and/or enhancing forest connectivity important for biodiversity, ecosystem services, or [watershed protection](#)
- Minimising hydrological impacts to the landscape related to or arising from drainage systems and access roads or canals linked to the plantation

Criterion (new)	Guidance
7.12(Continued)	<ul style="list-style-type: none"><li>• Ensuring that any legal requirements relating to the protection of species or habitats are met</li><li>• Avoiding damage to and deterioration of HCV habitats, for example by ensuring that HCV areas are connected, corridors are conserved, and buffer zones around HCV areas are created</li><li>• Protecting and managing other conservation areas including watercourses and wetlands, peatlands, riparian zones, and steep slopes</li><li>• Controlling any illegal or inappropriate hunting, fishing or collecting activities, and encroachment</li><li>• Developing responsible measures to resolve human-wildlife conflicts (e.g. incursions by elephants).</li></ul>

**For Indicator 7.12.5**

Decisions will be made in consultation with the affected communities.

Areas required by affected communities to meet their basic needs, taking into account potential positive and negative changes in livelihoods resulting from proposed operations, should be identified in consultation with the communities and incorporated into HCV and HCS assessments and management plans.

The unit of certification should consider a variety of land management and tenure options to secure HCV management areas in ways that also secure local peoples' rights and livelihoods. Some areas are best allocated to community management and secured through customary or legal tenures; in other cases, co-management options may be considered.

Where communities are asked to relinquish rights so that HCVs can be protected or enhanced by the companies or state agencies, then great care needs to be taken to ensure that communities retain access to adequate land and resources to secure their basic needs; all such relinquishment of rights must be subjected to their FPIC.

**For Indicator 7.12.7**

Refer to HCVRN Common Guidance for HCV Management and Monitoring document

## ANNEX 3: KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Ethical Business Conduct	1.1 1.2 2	United Nations Convention against Corruption (2000)			Art 12	<p>Promoting the development of standards and procedures to safeguard the integrity of private entities, including codes of conduct, for business activities and preventing conflict of interest.</p> <p>Promoting transparency.</p> <p>Ensuring that companies have sufficient internal auditing controls to prevent corruption.</p>
	1.2 2.1 2.2	Private Employment Agencies Convention 1997 (No 181)				Covers protection for workers who are employed through third party and/or private employment agencies.
Respect for Human Rights	4.1 4.2		Declaration on the Rights of Human Rights Defenders			Contains human rights standards enshrined in other international instruments that are legally binding for The protection of human rights, including HRDs.

### Annex 3

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Respect for Human Rights	4 5 6			United Nations Guiding Principles on Business and Human Rights (2011)	Principles 11-24	Respect human rights, by avoiding and/or mitigating negative impacts regardless of their organisation size, sector of operation or ownership.
	4 5 6	Core International Human Rights Treaties: - International Covenant on Civil and Political Rights (ICCPR) - International Covenant on Economic, Social and Cultural Rights (ICESCR) - International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)			All core human rights treaties	Respect for human rights regardless of age, nationality, gender, race, ethnicity, religion, ability, marital status, sexual orientation and gender identity, political opinion or affiliation, etc.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Respect for Human Rights	4 5 6	<ul style="list-style-type: none"> <li>- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)</li> <li>- Convention on the Rights of the Child (CRC)</li> <li>- International Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (ICMRW)</li> <li>- Convention for the Protection of All Persons from Enforced Disappearance (CPED)</li> <li>- Convention on the Rights of Persons with Disabilities (CRPD)</li> </ul>				
Just Land Acquisition	4	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 13-19	Respect and safe guardrights to lands and natural resources traditionally occupied and used; respect for customs of inheritance; no forced removals; compensation for loss and injury.
	4		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 25-26	Right to distinctive relationship with land; right to own, use, develop and control their lands, territories and other resources.



## Annex 3

### KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4	UN Convention on Biological Diversity (1992)			Art 10(c)	Protect and encourage customary use of biological resources in accordance with traditional practices.
Public Participation of Affective Communities	4.5 4.5			Rio Declaration on Environment and Development (1992) and Agenda 21	Principle 10	Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. Principle 10 combines public participation with public access to information and access to remedial procedures. According to Agenda 21, one of the fundamental principles for the achievement of sustainable development is broad public participation in decision-making. Both Agenda 21 and the Rio Declaration emphasise the importance of the participation of all major groups, and special emphasis has been given, including in legally binding international instruments, to ensuring participation in decision-making of those groups that are considered to be politically disadvantaged, such as indigenous peoples and women.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Fair Representation and Participation of Indigenous and Tribal People	4.2 4.4 4.5 4.6	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 6-9	Self-representation through institutions; consultations with objective of achieving agreement or consent; rights to decide their own priorities, retain their own customs and resolve their offences according to customary law (compatible with international laws).
	4.4-4.8		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 3	Indigenous peoples have the right to self-determination and to freely pursue their economic, social and cultural development.
	4.4 4.5 4.7		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 10, 11(2), 19, 28(1), 29(2) and 32(2)	Right to FPIC to any project affecting their lands as expressed through their own representative institutions.
	4.4 4.5 4.7	Convention on the Eliminations of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights, Inter American Human Rights System.			UN CERD Committee, UN Committee on Social Culture and Economic Rights, Inter American Commission on Human Rights	FPIC for decisions that may affect indigenous people. (This standard has been widely accepted as 'best practice' standard by bodies such as World Commission on Dams, Extractive Industries Review, Forest Stewardship Council, UNDP, CBD, IUCN, WWF).

### Annex 3

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
No Forced Labor	2.2	ILO Convention 29 (1930) Forced Labor	Protocol of 2014 to the Forced Labor Convention 1930		Art 5	No concession to companies shall involve any form of forced or compulsory labour.
	6.6					
	6.6					
	6.6	ILO Convention 105 (1957) Abolition of Forced Labor			Art 1	Not make use of any form of forced or compulsory labour.
Protection of Children	6.4	ILO Convention 138 (1973) Minimum Age			Arts 1-9	Abolition of child labour and definition of national minimum age for labour not less than 15-18 years (depending on occupation).
	6.4	ILO Convention 182 (1999) Worst Forms of Child Labor			Arts 1-7	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution; suitable methods to monitor and enforce compliance.
	6.4	Minimum Age (Agriculture) Convention 1921 (No.10)			Art 1-2	Applicable to children under the age of 14 outside the hours of attendance in school.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.4	Convention on the Rights of the Child (CRC), 1989			Art 32	Right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
	6.4 6.5		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 17(2), 21, 22(2)	No exploitation or exposure to hazard or discrimination against indigenous women and children.
Freedom of Association and Collective Bargaining	6.3	ILO Convention 87 (1948) Freedom of Association and Protection of Right to Organise			Art 2-11	Freedom to join organisations, federations and confederations of their own choosing; with freely chosen constitutions and rules; measures to protect the right to organise.
	6.3	ILO Convention 98 (1949) Right to Organise and Collective Bargaining			Art 1-4	Protection against anti-union acts and measures to dominate unions; establish means for voluntary negotiation of terms and conditions of employment through collective agreements.
	6.3	ILO Convention 141 (1975) Rural Workers' Organisations			Art 2-3	Right of tenants, sharecroppers and smallholders to organise; freedom from association; free from interference and coercion.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.3	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 8 (1)	The right of everyone to form trade unions and join the trade union of their choice, subject only to the rules of the organisation concerned, for the promotion and protection of their economic and social interests. No restrictions may be placed on the exercise of this right, other than those prescribed by law and which are necessary in a democratic society in the interests of national security, or public order, or for the protection of the rights and freedoms of others.
	6.3	Collective Bargaining Convention, 1981 (No 154)			Art 1-3	Workers' representatives in the undertaking shall enjoy effective protection against any act prejudicial to them, including dismissal, based on their status or activities as a workers' representative or on union membership or participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Non-discrimination and Equal Remuneration	6.1	ILO Convention 100 (1951) Equal Remuneration			Art 1-3	Equal remuneration for men and women for work of equal value.
	6.1	ILO Convention 111 (1958) Discrimination (Employment and Occupation)			Art 1-2	Equality of opportunity and treatment in respect to employment and occupation; no discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin.
	6.1		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 2, 8(e), 9, 15(2), 16(1), 21(2), 22, 24(1), 29(1), 46(3)	No discrimination based on origin or identity; free to express identity based on custom; special attention to and full protection of rights of indigenous women.
	6.1	ILO Convention 156 (1981) Workers with Family Responsibility			Art 1-5, 7-10	No discrimination of any form against a worker, whether male or female with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.

## Annex 3

### KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	2.2	ILO Convention on Private Employment Agencies 1997 (No. 181)			Art 1,2,4-12	Concerns the protection of workers which are employed with the intention of making the services of these workers available to third parties.
	6.1	ILO Convention on Vocational Rehabilitation and Employment (Disabled Persons) 1983 (No. 159)			Art 1-4	This convention concerns vocational rehabilitation to enable a disabled person to secure, retain, and advance in suitable employment, and thereby to further such person's integration or reintegration into society.
	6.1	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 7	<p>Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work.</p> <p>Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;</p>

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Elimination of Harassment and Abuse in the Workplace	6.5	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)			General Recommendation 35	of the private sector, including businesses and transnational corporations, in efforts to eradicate all forms of gender-based violence against women; developing protocols and procedures addressing all forms of gender-based violence that may occur in the work place or affect women workers, including effective and accessible internal complaints procedures.
Just Employment for Migrants	2.2 6.6					Provision of information; no obstacles to travel; provision of healthcare; non-discrimination in employment; accommodation, social security and remuneration; no forced repatriation of legal migrant workers; repatriation of savings.
	6.6	ILO Convention 143 (1975) Migrant Workers (Supplementary Provisions)			Art 1-12	Respect basic human rights; protection of illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labour.



## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	2.2 6.6	Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)			Art 11; 21; 25; 26	Prevention of slavery; forced and compulsory labour; on confiscation of identity documents; conditions of work and contractual terms; and freedom of association and right to join trade unions.
Protection of Plantation Workers	6.1	ILO Convention 97 (1949) Migration for Employment			Art 5-91	Protection of members of families of recruited workers' rights during recruitment and transport; fair employment contracts; abolition of penal sanctions; fair wages and conditions of work; no coercion or obligation to use company stores; adequate accommodation and conditions; maternity protection; compensation for injuries and accidents; freedom of association; right to organise and collective bargaining; proper labour inspection; decent housing and medical care.
	6.2	ILO Convention No 11 Rights of Association (Agriculture) 1921			Art 1	All those who work in the agricultural sector to be accorded the same rights of association and combination as to industrial workers

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6	ILO Convention on Plantation (1958) (No. 110)			Art 1,2,5,7,8, 11,12-15	This convention relates to rights of workers and their families (including migrant workers) who have been recruited to work on plantations.
Working Time for Workers	6.2	ILO Convention No 101 Holidays with Pay (Agriculture) 1952			Art 1,3,5,7-9	Workers employed in agricultural undertakings and related occupations shall be granted an annual holiday with pay after a period of continuous service with the same employer.
	6.2	ILO Convention No 47 Forty Hour Week			Art 1	Requires that a member adopts a 40 hour week in a manner that the standard of living is not reduced as a consequence.
Protection of Women's Rights to Work	6.1	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)			Art 11	Right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training; Right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1	Maternity Protection Convention 2000 (No. 183)			Art 9	Prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by national laws or regulations in respect of work.
	6.5 6.7	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)			Art 11 (f)	The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
	6.5	Maternity Protection Convention 2000 (No. 183)			Art 10	A woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child.  These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly.
Protection of Tenants and Sharecroppers	4.2			ILO Recommendation 132 (1968) Tenants and Sharecroppers	Art 4-8	Fair rents; adequate payment for crops; provisions for well-being; organisation; fair contracts; procedures for the settlement of disputes.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Protection of Smallholders	5	ILO Convention 117 (1962) Social Policy (Basic Aims and Standards)			Art 4	Alienation with due regard to customary rights; assistance to form cooperatives; tenancy arrangements to secure highest possible living standards
Health and Safety	3.6 6.7	ILO Conventions 184 (2001) Safety and Health in Agriculture			Art 7-21	Carry out risk assessments and adopt preventive and protective measures to ensure health and safety with respect to workplaces, machinery equipment, chemical tools and processors; ensure dissemination of information, appropriate training, supervision and compliance; special protection for youth and women workers; coverage against occupational health and disease.
	3.6 6.7	ILO Convention on Occupational Cancer 1974 (No 139)				Members shall make every effort to have carcinogenic substances and agents to which workers may be exposed in the course of their work replaced by non-carcinogenic substances or agents or by less harmful substances or agents; in the choice of substitute substances or agents account shall be taken of their carcinogenic, toxic and other properties.
	3.6 6.7	ILO Convention on Invalidity Insurance (Agriculture) 1933 (No. 38)			Art 1-6, 13, 17, 20,23	Maintenance of a scheme for invalidity Insurance for workers.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1 6.2	Convention on Maternity Protection 2000 (No. 183)			Art 2-4	Maternity Protection and benefits
Control or Eliminate the use of Dangerous Chemicals and Pesticides	7.2	Stockholm Convention on Persistent Organic Pollutants (2001)			Arts 1-5	Prohibit and/or eliminate production and use of chemicals listed in Annex A (eg Aldrin, Chlordane PCB); restrict production and use of chemicals in Annex B (eg DDT); reduce or eliminate releases of chemicals listed in Annex C (eg Hexachlorobenze).
	7.2	Rotterdam Convention on Prior and Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998)			Art 1, 5, and 6	Curb the trade of banned and hazardous chemicals and pesticides; develop national procedures for control of their use and trade; list banned and hazardous chemicals and pesticides.
			UN Declaration on the Rights of Indigenous Peoples (2007)		Art 21(1), 23, 24, 29(3)	Improvement of livelihood and sanitation, health and housing, participate in health delivery; maintain traditional health systems; effective monitoring of health.
		ILO Convention No 148 on Working Environment (Air, Pollution, Noise and Vibration) 1977			Art 1-3	Provides for measures which should be taken for the prevention and control of, and protection against, occupational hazards in the working environment due to air pollution, noise and vibration.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
		ILO Convention No 170 on Chemical Convention 1990			Art 2(c), and Part IV	Provides for measures to prevent or reduce the incidences of chemically induced illness and injuries at work; and identifies the roles and responsibilities of employers in the context of identification, transfer of chemicals, exposures, operational control, disposal and information dissemination and training.
Right to Food	6.2	International Covenant on Economic, Social and Culture Rights (ICESCR)(1966)			Art 11	Right to adequate standard of living, including right to food.
Environmental Protection	3.4	UN Convention on Biological Diversity (1992)			Art 14	Environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimising such effects and, where appropriate, allow for public participation in such procedures.
Conservation of Biodiversity		UN Convention on Biological Diversity (1992)			Art 1 – 18	Conservation of biological diversity and the sustainable use of its components.
GHG Emissions	7.10				Art 1-4	Aimed at stabilising atmospheric concentrations of greenhouse gases to avoid “dangerous anthropogenic interference, including in agricultural sector.



## ANNEX 4: IMPLEMENTATION PROCEDURE FOR INDICATOR 2.3.2

Where the unit of certification has smallholder suppliers, for existing RSPO certified mills, the time requirement to fulfil this Criterion for all their smallholder suppliers is three years from [15 November 2018]. For mills that are not yet certified/ mills going for first year of certification, the time requirement is three years from initial point of certification for their smallholder suppliers.

## ANNEX 5: TRANSITION FROM HCV TO HCV–HCS ASSESSMENT

Criterion 7.12 requires that new land clearing after 15 November 2018 (i.e. Adoption of the P&C at GA15) must be preceded by an HCV-HCS assessment. The Task Force recognises that there is an array of scenarios, in which HCV assessments have previously been undertaken and have been approved or are in the process of approval. This Annex shows how the new requirements apply in different scenarios of existing and new certifications, with and without new land clearing.

### NO NEW LAND CLEARING SCENARIOS:

- Existing certified plantations, with valid HCV assessment approved before 15

November 2018<sup>1</sup>

- o Going for recertification → HCV assessment is acceptable
- o Replanting → HCV assessment is acceptable

- Existing plantations, not yet certified at 15 November 2018, going for initial certification

- o Without existing ALS Approved HCV Assessment → New combined HCV-HCS required
- o With valid ALS approved HCV assessment → ALS Approved Assessment acceptable
  - Where certification is pending, as of 15 November 2018, because it has been held up by RACP or HGU processes, previous approved HCV assessment (RSPO and ALS approved), if they are not older than January 2009<sup>1</sup>, will be accepted.
- o HCV assessment submitted to ALS but pending approval before 15 November 2018
  - If passes ALS process, then the approved HCV assessment is acceptable;
  - If fails ALS process, new combined HCV-HCS assessment required
- o Replanting → ALS approved HCV is acceptable

- 1 The date for first published list of RSPO-approved HCV assessors.



## ANNEX 5: TRANSITION FROM HCV TO HCV-HCS ASSESSMENT

### NEW LAND CLEARING SCENARIOS:

- In new plantations and in existing uncertified units, land clearing after 15 November 2018
  - o Without existing HCV assessment
    - New combined HCV-HCS required
    - HCV assessment conducted, but not yet submitted to ALS before 15 November 2018
      - New combined HCV-HCS required
    - HCV Assessment submitted to ALS but pending approval before 15 November 2018
      - If passes ALS process, then the approved HCV assessment is acceptable;
      - If fails ALS process, new combined HCV-HCS assessment required
    - NPP initiated by 15 November 2018 and HCV assessment conducted and passes ALS before 15 November 2018
      - ALS Approved HCV assessment is acceptable
  
- In existing certified plantations (certified before 15 November 2018), with land clearing after 15 November 2018 → New combined HCV-HCS required
  - If area to be cleared is exclusively pasture, infrastructure, agriculture or monocrop tree plantations which have not been abandoned for more than three years
    - Valid HCV assessment + LUCA to demonstrate that no clearing of native vegetation occurred without prior HCV assessment is acceptable.

## ANNEX 6: LIST OF HONDURAS LAW APPLICABLE

Below is a list of the main legal requirements related to the RSPO Principles and Criteria for the production of sustainable palm oil. Corresponds with current regulations in Honduras. It should be noted that this is not an exhaustive compilation of the Honduran legal framework; was developed to guide oil palm growers and mills on the main legal requirements associated with the RSPO standard.

### Principle 1 TRANSPARENT AND ETHICAL BEHAVIOUR

**Criterion 1.1 The certification unit provides adequate information to interested parties, relevant to environmental, social and legal aspects, relevant to the RSPO Criteria, in appropriate languages and forms to allow effective participation in decision-making.**

Themes	Regulation/Legislation
<b>General</b>	Constitution of the Republic. For health, safety and environmental purposes, Arts. 59 - 64 on Declarations. 127-141 about work; 142 - 144 on social security; 145 - 150 on health. Art. 128 numeral 10) Country Vision: objective 1; Goal 1.5. OBJECTIVE 2; Target 2.3, Target 2.5. OBJECTIVE 3; Target 3.1, Target 3.3, 3.6, 3.7. OBJECTIVE 4; Target 4.1 Legislative Decree 24-2008: Consumer Protection Law Organic Law of the National Commissioner of Human Rights Legislative Decree 134-90: Municipalities Law. Law to Stimulate Production, Competitiveness and Support for Human Development
<b>Labor</b>	Labor code. General Regulation of Preventive Measures for Labor Accidents and Occupational Diseases
<b>Health</b>	Health Code
<b>Property</b>	Property Law. Regulation of the Property Law. Legislative Decree 113-14 Forced Expropriation Law Land Allocation Regulations in Agrarian Reform
<b>Tax</b>	Administrative simplification law; National Tax Registry (Decree-Law Number 102); Law for the Strengthening the Tax Administration
<b>Environmental</b>	Regulation of the National System of Environmental Impact Assessment - Executive Agreement 189– 2009 (December 31, 2009). General Environmental Law - Decree 104 - 93 (June 30, 1993). Regulation of Environmental Audits - Agreement No. 887 - 2009 (January 15, 2010).

	Regulation of the National Registry of Environmental Services Providers - Agreement 826 - 2009 (January 15, 2010). Agreement 1714 - 2010 - Environmental Categorization Table.
<b>Criterion 1.2 The certification unit is committed to ethical conduct in all business operations and transactions.</b>	
<b>Anti-corruption</b>	National Anticorruption Council Law. Law of Transparency and access to Public Information. Special law against money laundering
<b>Principle 2 LEGAL OPERATIONS AND RESPECT FOR RIGHTS</b>	
<b>Criterion 2.1 There is compliance with all ratified local, national and international laws and regulations</b>	
<b>Property</b>	Civil Code, Book II Property Law, 82 - 2004 Legislative Decree 180-2003: Territorial Regulation Law. Regulation of the Territorial Ordinance Law. Municipalities Law
<b>Agrarian Reform</b>	Law of Modernization and Development of the Agricultural Sector Legislative Decree 170-1974: Agrarian Reform Law.
<b>Environmental</b>	General Environmental Law Forestry Law
<b>Criterion 2.2 All contractors that provide operational services and labor, as well as suppliers of Fresh Fruit Bunches (FFB), comply with the legal requirements.</b>	
<b>Labor</b>	Labor Code - Decree 189 - 59 (July 15, 1959). Minimum Wage Law - Decree No. 103 (June 31, 1971). Ministerial Agreement SECRETARIAT OF LABOR number 001-2012 Social Security Law - Decree No. 140 - 1959. Income Tax Law - Decree No. 394-2005. Legislative Decree 51-2003: Tax Equity Law. Decree 230-2010: Hourly Employment Law. Regulations of the National Hourly Employment Program. Legislative Decree 112: Law of the Seventh Day and Thirteenth Month in Concept of Aguinaldo. Regulation of the Fourteenth Month of Salary in Concept of Social Compensation. Regulation of the Minimum Wage Commissions. Ministerial Agreement SECRETARIAT OF LABOR number 001-2012. Regulations for the Payment of the Educational Bonus.
<b>Principle 3 OPTIMIZE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE</b>	
<b>Criterion 3.1 There is a management plan in place for the certification unit that seeks to achieve long -term economic and financial viability .</b>	
<b>Commercial</b>	Commercial Code. Law to Stimulate Production, Competitiveness and Support for Human Development - Decree 131 - 98 (April 20, 1998);

	<p>Law for the Modernization and Development of the Agricultural Sector;  Legislative Decree 194-2002: Law of Financial Balance and Social Protection.  Regulation of the Fourteenth Month of Salary in Concept of Social Compensation.  Decree Law 24-63: Sales Tax Law.  Legislative Decree 51-2003: Tax Equity Law.  Legislative Decree 24-2008: Consumer Protection Law.  Legislative Decree 96-2012: Law of Anti Evasion Measures in Income Tax.  Legislative Decree 135-2008: Law for the Promotion and Development of Competitiveness of Micro and Medium Enterprises.  Regulation of the Law for the Promotion and Development of Competitiveness of Micro and Medium Enterprises.  Legislative Decree 73-1950: Commercial Code.  Regulation of the Law on Income Tax.  Regulation of the Law of Financial Balance and Social Protection  Regulation of the Law on Income Tax.  Regulation of the Law on Financial Balance and Social Protection.  Regulation of the Tax Equity Law. • Regulation of the Population Security Law.</p>
<p><b>Criterion 3.2 The certification unit regularly monitors and reviews its economic, social and environmental performance and develops and implements action plans that allow demonstrating continuous improvement in key operations.</b></p>	
<p><b>Environmental</b></p>	<p>General Environmental Law  Regulation for the Integral Management of Solid Waste  General Water Law  Regulation for the Control of Emissions generated by Fixed Sources  General regulation of preventive measures  Accidents and occupational diseases</p>
<p><b>Criterion 3.3 Operational procedures are properly documented and consistently implemented and monitored.</b></p>	
<p><b>Productivity</b></p>	<p>Good Environmental Practices Guide for the production of biodiesel from African palm oil.  Guide to Good Agricultural Practices in the cultivation of Palm  Regulation for the Environmentally Sound Management of Equipment and Waste with Polychlorinated Biphenyls.  Oil Palm Production Manual published on November 19, 2014  Note: within the framework of the process of the National Interpretation of the P&amp;C of the RSPO of Honduras, the publication of the agreement SAG 813 2014, of the Oil Palm Production Manual, was identified, which has not been published and is not known to the committee technical. This will be reviewed by growers and processors once it becomes public knowledge.</p>

**Criterion 3.4 An exhaustive Social and Environmental Impact Assessment (ESIA) is carried out before new plantations or operations are carried out, and a social and environmental management and monitoring plan is implemented, which is periodically updated in ongoing operations.**

**Environmental**

General Environmental Law - Decree 104 - 93 (June 30, 1993) and its Regulations.  
 Regulation of the National System of Environmental Impact Assessment - Executive Agreement 189 - 2009 (December 31, 2009).  
 Forestry, Protected Areas and Wildlife Law - Decree 98-2007 (February 26, 2011).  
 Environmental Audits Regulation - Agreement No. 887 - 2009 (January 15, 2010).  
 Regulation of the National Registry of Environmental Services Providers - Agreement 826 - 2009 (January 15, 2010).  
 Agreement 1714 - 2010 - Environmental Categorization Table.  
 Decree 181 - 2007 - Delegation of Licensing in Municipalities.  
 Decree 1152 - 2002 (Publication of the Mitigation Measures Contract).  
 Technical-Administrative Standard for the Development of Management of Protected Areas.  
 Framework Law for the Drinking Water and Sanitation Sector  
 Decrees of Declarations of Protected Areas and Management Plans

**Criterion 3.5 There is a human resources management system.**

**General**

Constitution of the Republic of Honduras

**Labor**

Labor Code - Decree 189 - 59 (July 15, 1959).  
 Minimum Wage Law - Decree No. 103 (June 31, 1971).  
 Ministerial Agreement SECRETARIAT OF LABOR number 001-2012  
 Social Security Law - Decree No. 140 - 1959.  
 Income Tax Law - Decree No. 394-2005.  
 Legislative Decree 51-2003: Tax Equity Law.  
 Decree 230-2010: Hourly Employment Law.  
 Regulations of the National Hourly Employment Program.  
 Legislative Decree 112: Law of the Seventh Day and Thirteenth Month in Concept of Aguinaldo.  
 Regulation of the Fourteenth Month of Salary in Concept of Social Compensation.  
 Regulation of the Minimum Wage Commissions.  
 Ministerial Agreement MINISTRY OF LABOR number 001-2012.  
 Regulations for the Payment of the Educational Bonus.

**Criterion 3.6 There is a documented occupational health and safety plan, which is effectively communicated and implemented**

**Health and Security**

Labor Code - Decree 189 - 59 (July 15, 1959).  
 General Regulations for Preventive Measures for Work Accidents and Occupational Diseases - Executive Agreement No. STSS (June 28, 2004). Articles 1 - 471.  
 Health Code - Decree 65-91 (26 August 1991)  
 Legislative Decree 294-93: Law of Firefighters of the Republic.

	Legislative Decree 151-2009: Law of the National Risk Management System (SINAGER). Social Security Law Decree 56-2014: Law for the Regulation of the sale of agricultural products with different degrees of toxicity
<b>Criterion 3.7 All staff, workers, small system farmers, external contract growers and contractors are properly trained .</b>	
<b>Health and Security</b>	General Regulations for Preventive Measures for Work Accidents and Occupational Diseases - Executive Agreement No. STSS (June 28, 2004). Legislative Decree 158-2009: Special Law on Environmental Education and Communication. Labor Code
<b>Principle 4: RESPECT FOR THE COMMUNITY AND HUMAN RIGHTS AND PROVISION OF BENEFITS</b>	
<b>Criterion 4.1 The certification unit respects human rights, which includes respect for the rights of Human Rights Defenders.</b>	
<b>Rights Protection</b>	Constitution of the Republic of Honduras. Protection Law for Human Rights Defenders, Journalists, Social Communicators and Justice Operators. Law of equal opportunities for women Law of Equity and Integral Development for People with Disabilities Comprehensive Law for the Protection of the Elderly and Retirees Police and Social Coexistence Law Regulation for the control of security services, published in January 2010. Law on the Control of Firearms, Ammunition, Explosives and Related Materials, Decree No. 101 - 2018
<b>Criterion 4.2 There is a mutually agreed and documented system for handling complaints and claims, which is implemented and accepted by all affected parties.</b>	
<b>Framework Law</b>	Constitution of the Republic Health Code Decree 65-91 General Environmental Law Labor Code - Decree 189 - 59 (July 15, 1959).
<b>Criterion 4.3 The unit of certification contributes to local sustainable development as agreed by local communities .</b>	
<b>Environmental</b>	General Environmental Law and its Regulations.
<b>Social</b>	Decree Law 10-72: Law of the Honduran Institute of Professional Training (INFOP).
<b>Economic</b>	Legislative Decree 143-2010: Law for the Promotion of Public-Private Partnerships. General Regulations of the Law for the Promotion of Public-Private Partnerships:

	Legislative Decree 135-2008: Law for the Promotion and Development of Competitiveness of Micro and Medium Enterprises. Regulation of the Law for the Promotion and Development of the Competitiveness of Micro and Medium Enterprises.
<b>Criterion 4.4 The use of the land for oil palm crops does not diminish the legal, customary or use rights of other users without their Free, Prior and Informed Consent.</b>	
Right of Ownership	Property Law, 82 - 2004; Regulation of the Property Law; Legislative Decree 170-1974: Agrarian Reform Law
<b>Criterion 4.5 No new plantations are established on the lands of local populations where it can be demonstrated that legal, customary or use rights exist, without their FPIC. This is achieved through a documented system that allows these and other stakeholders to express their views through their own institutions that represent them.</b>	
Right of ownership and right of use	Property Law - Decree 82 - 2005 (June 15, 2004-0810). Decree Law 118-1968: Organic Law of the Honduran Institute of Anthropology and History. Law of the National Risk Management System Agrarian Reform Law. Decree 170. Constitutional Article 346 of Honduras.
<b>Criterion 4.6 Any negotiation related to compensation for loss of legal, customary or use rights is handled through a documented system that allows indigenous peoples, local communities and other interested parties to express their opinions through their own representative institutions..</b>	
Environmental	Forestry Law, Protected Areas and Wildlife Decree 982007
Social	Decree Law 118-1968: Organic Law of the Honduran Institute of Anthropology and History. Customary law Equal Opportunities Law Decree No. 34-2000
Economic	Legislative Decree 51-2011: Law for the Promotion and Protection of Investments.
<b>Criterion 4.7 When it can be shown that local peoples have legal, customary or use rights, these are compensated for any agreed land acquisitions and waiver of their rights, subject to their FPIC and negotiated agreements..</b>	
Right of Ownership	Property Law - Decree 82 - 2005 (June 15, 200408-10).
<b>Criterion 4.8 The right to use the land is demonstrated, and is not legitimately contested by local communities who can demonstrate that they have customary or legal rights of use.</b>	
Right of ownership and right of use	Property Law, 82 - 2004; Law of Modernization and Development of the Agricultural Sector Legislative Decree 180-2003: Territorial Regulation Law. Regulation of the Territorial Ordinance Law. Legislative Decree 170-1974: Agrarian Reform Law. Civil Code, Book II International Regulations United Nations Declaration on the Rights of Indigenous Populations.

United Nations Convention on Biological Diversity (1992).  
 Convention No. 169 on Indigenous and Tribal Peoples in Independent Countries  
 ILO Recommendation 132 (1968) on Tenants and Sharecroppers

**Principle 5: Principle 5: SUPPORTING THE INCLUSION OF SMALL HOLDERS**

**Criterion 5.1 The certification unit deals fairly and transparently with all small producers (independent and scheme) and other local businesses .**

**Environmental**

Regulation of the National System of Environmental Impact Assessment - Executive Agreement 189– 2009 (December 31, 2009).  
 General Environmental Law - Decree 104 - 93 (June 30, 1993).  
 Regulation of Environmental Audits - Agreement No. 887 - 2009 (January 15, 2010).  
 Regulation of the National Registry of Environmental Service Providers - Agreement 826 - 2009 (January 15, 2010)  
 Decree 1152 - 2002 (Publication of the Mitigation Measures Contract)  
 SINAGER Law

**Municipal**

Legislative Decree 134-90: Municipalities Law.  
 Decree 181 - 2007 - Delegation of Licensing in the Municipalities.

**Labor**

Labor Code - Decree 189 - 59 (July 15, 1959).  
 Constitution of the Republic  
 Health Code Decree 65-91

**Criterion 5.2 The unit of certification supports the improvement of the livelihoods of small producers and their inclusion in the value chains of sustainable palm oil.**

**Environmental**

General Environmental Law  
 Legislative Decree 134-90: Municipalities Law.

**Social**

Decree Law 10-72: Law of the Honduran Institute of Professional Training (INFOP).

**Economic**

Legislative Decree 143-2010: Law for the Promotion of Public-Private Partnerships.  
 Legislative Decree 135-2008: Law for the Promotion and Development of Competitiveness of Micro and Medium Enterprises.  
 Regulation of the Law for the Promotion and Development of Competitiveness of Micro and Medium Enterprises.  
 General Regulations of the Law for the Promotion of Public-Private Partnerships

**Principle 6: RESPECT FOR LABOR RIGHTS AND CONDITIONS**

**Criterion 6.1 Any form of discrimination is prohibited.**



Rights, equity, equal opportunities	National Regulations Law of equal opportunities for women - Decree 34 - 2000. D Legislative Decree 147-99: Special Law on HIV / AIDS Legislative Decree 17-91: Law for the Promotion of Jobs for Handicapped People Law of the Public Ministry Decree No.228-93 National Policy for Women and the II Plan for Gender Equality and Equity of Honduras 2010-2022 (II PIEGH) Law of Equity and Comprehensive Development for People with Disabilities. Decree 160-2005
<b>Criterion 6.2 The remuneration and working conditions of contractors' staff and workers always meet at least minimum legal or industry standards and are sufficient to provide a living wage(SD).</b>	
Labor	Labor Code - Decree 189 - 59 (July 15, 1959). Minimum Wage Law - Decree No. 103 (June 31, 1971). Ministerial Agreement SECRETARIAT OF LABOR number 0012012 Social Security Law - Decree No. 140 - 1959. Income Tax Law - Decree No. 394-2005. Legislative Decree 51-2003: Tax Equity Law. Decree 230-2010: Hourly Employment Law. Regulations of the National Hourly Employment Program. Legislative Decree 112: Law of the Seventh Day and Thirteenth Month in Concept of Aguinaldo. Regulation of the Fourteenth Month of Salary in Concept of Social Compensation. Regulation of the Minimum Wage Commissions Ministerial Agreement SECRETARIAT OF LABOR number 0012012. Regulations for the Payment of the Educational Bonus.
<b>Criterion 6.3 The certification unit respects the rights of all staff to create and join unions of their choice and to bargain collectively. If the right to freedom of association and collective bargaining is restricted by law, the employer provides parallel means of free and independent association and bargaining for all staff.</b>	
Freedom of Association	Constitution of the Republic Labor Code - Decree 189 - 59 (July 15, 1959).
<b>Criterion 6.4 Children are not employed or exploited .</b>	
Children's Rights	Decree 262-2011 Basic education. Childhood and Adolescence Code, Decree 73-96, Publication La Gaceta No. 28053. Labor Code - Decree 189 - 59 (July 15, 1959). Family Code Decree No. 76-84
<b>Criterion 6.5 There is no harassment or abuse in the workplace and reproductive rights are protected .</b>	
Women's Rights	Law on equal opportunities for women - Decree 34 - 2000. Family Code Decree No. 76-84 Childhood and Adolescence Code, Decree 73-96, Publication La Gaceta No. 28053.

	<p>Health Code - Decree 65-91 (August 26, 1991).  National Policy for Women and the II Plan for Gender Equality and Equity of Honduras 2010-2022 (II PIEGH)  Code of Ethical Conduct of Public Servants Decree No. 36-2006</p>
<b>Criterion 6.6 No form of forced labor or trafficking is used.</b>	
<b>Labor</b>	<p>Labor code.  Law against Trafficking in Persons. Decree 59-2012.  Family Code Decree No. 76-84  Childhood and Adolescence Code  Labor Code - Decree 189 - 59 (July 15, 1959).  Law for the Promotion of Jobs for the Handicapped. Decree Number 17-91  Hourly Employment Law  Employment Generation Law  Agreement STSS-607-2014  Equal Opportunities Act for women</p>
<b>Criterion 6.7 The unit of certification guarantees that the work environment under its control is safe and without undue risks to health .</b>	
<b>Occupational health and safety</b>	<p>Labor Code - Decree 189 - 59 (July 15, 1959).  General Regulations for Preventive Measures for Work Accidents and Occupational Diseases - Executive Agreement No. STSS (June 28, 2004). Articles 1 - 471.  Health Code - Decree 65-91 (26 August 1991)  Legislative Decree 294-93: Law of Firefighters of the Republic.  Legislative Decree 151-2009: Law of the National Risk Management System (SINAGER).  Social Security Law  Decree 56-2014: Law for the regulation of the sale of agricultural products with different degrees of toxicity</p>
<b>Principle 7: CONSERVED, PROTECTED AND ENHANCED ECOSYSTEMS FOR THE NEXT GENERATION</b>	
<b>Criterion 7.1 Introduced pests, diseases, weeds, and invasive species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.</b>	
<b>Integrated Pest Management</b>	<p>Phytozoosanitary Law Decree No. 157-94.  International Health Regulations.  Regulation of Diagnosis, Surveillance and Phytosanitary Campaigns.  Regulation for the Sanitary Control of Products, Services and Establishment of Sanitary Interest.  Regulation on the Registration, Use and Control of Fertilizers and Raw Materials.  Regulations for the Inspection and Safety of Fruits, Fresh and Processed Vegetables.  Health Code - Decree 65-91 (August 26, 1991).</p>

<b>Criterion 7.2 Pesticides are used in ways that do not endanger the health of workers, families, communities, or the environment</b>	
<b>Use of pesticides</b>	<p>Regulation on the Registration, Use and Control of Pesticides and Related Substances. Agreement for the Creation of the Interinstitutional Commission on Pesticides - Ministerial Agreement SAG 642 - 98 (September 12, 1998)</p> <p>General Regulations for Preventive Measures for Work Accidents and Occupational Diseases - Executive Agreement No. STSS (June 28, 2004). Articles 1 - 471.</p> <p>General Environmental Law - Decree 104 - 93 (June 30, 1993).</p> <p>General Regulation of the Environmental Law - Agreement 109-93 (February 6, 1994).</p> <p>Health Code - Decree 65-91 (August 26, 1991).</p> <p>Labor Code - Decree 189 - 59 (July 15, 1959).</p> <p>Traffic Law - Legislative Decree 205 - 2005 (January 3, 2006)</p> <p>Regulation of Agricultural Quarantine - Agreement 1618 - 97 (September 26, 2001).</p> <p>Regulation of Fees for Services Provided by the General Directorate of the National Agricultural Health Service (SENASA).</p> <p>General Regulation of the National Service of Agricultural Health (SENASA). Agreement No. 103 - 02 SAG: Pesticide Residues in Food.</p> <p>International Health Regulations.</p> <p>General Regulation of Environmental Health</p> <p>Regulation on the Registration, Use and Control of Fertilizers and Raw Materials. SAG Agreement 012-2007.</p>
<b>Criterion 7.3 Waste is reduced, recycled, reused and disposed of in an environmentally and socially responsible way .</b>	
<b>Waste Management</b>	<p>Regulation for the Integral Management of Solid Waste - Executive Agreement No. 1567-2010 (February 22, 2011).</p> <p>Regulation for the Sanitary Control of Products, Services and Establishment of Sanitary Interest.</p> <p>General Regulation of the Irrigation Districts.</p> <p>Regulation for the Sanitary Control of Products, Services and Establishment of Sanitary Interest.</p> <p>Technical Standard for the Discharge of Wastewater to receiving bodies and sanitary sewers</p> <p>Phytosanitary Law, Decree Law 157-94 Regulation on the Registration, Use and Control of Pesticides and Related Substances</p>
<b>Criterion 7.4 The practices maintain soil fertility, or where possible improve it to a level that ensures optimal and sustained yield .</b>	
	<p>General Environmental Law - Decree 104-93 (June 30, 1993). Good Environmental Practices Guide for the production of biodiesel from African palm oil.</p> <p>Regulation on the Registration, Use and Control of Fertilizers and Raw Materials</p> <p>General Water Law</p>

Soil Fertility	Technical Standards for Wastewater Discharges to Receiving Bodies and Sewers. Sanitary Regulation for the Environmentally Sound Management of Equipment and Waste with Polychlorinated Biphenyls.
<b>Criterion 7.5 The practices minimize and control erosion and soil degradation</b>	
Management of fragile soil and slopes	General Environmental Law - Decree 104 - 93 (June 30, 1993). General Regulation of the Environmental Law - Agreement 109-93 (February 6, 1994), Regulation for the integral management of solid waste; Legislative Decree 180-2003: Territorial Regulation Law. Regulation of the Territorial Ordinance Law. Forestry Law, Protected Areas and Wildlife
<b>Criterion 7.6 Soil studies and topographic information are used to plan the establishment of new crops, and the results are incorporated in to plans and operations.</b>	
Soil Management	General Environmental Law - Decree 104-93 (June 30, 1993). General Regulation of the Environmental Law - Agreement 109-93 (February 6, 1994), Regulation for the integral management of solid waste; Legislative Decree 180-2003: Territorial Regulation Law. Regulation of the Territorial Organization Law Forestry Law, Protected Areas and Wildlife Regulation for the Environmentally Sound Management of Equipment and Waste with Polychlorinated Biphenyls.
<b>Criterion 7.8 The practices maintain the quality and availability of surface and groundwater .</b>	
Use of Water	Constitution of the Republic of Honduras - Decree 171 (January 20, 1982), General Environmental Law - Decree 104 - 93 (June 30, 1993), General Regulation of the Environmental Law - Agreement 109-93 (February 6, 1994). Health Code - Decree 65-91 (26 August 1991) General Environmental Health Regulations - Agreement No. 0094 (June 20, 1998). Forestry Law, Protected Areas and Wildlife - Decree No. 98 - 2007 (February 26, 2008). General Regulation of the Forestry Law, Protected Areas and Wildlife - Agreement No. 031-2010 (October 16, 2010). Technical Standard for the Quality of Drinking Water - Agreement No. 084 - 95 of July 31, 1991 (October 4, 1995). The General Water Law - Legislative Decree 181 - 2009 (December 14, 2009). Framework Law of the Potable Water and Sanitation Sector - Agreement No. 118 - 2003 (October 8, 2003).

	<p>Regulation of the Framework Law of the Potable Water and Sanitation Sector - Agreement No. 006 (May 8, 2004).</p> <p>Regulation of the Water Administration Boards.</p>
<p><b>Criterion 7.9 The efficiency in the use of fossil energy and the use of renewable energy is optimized.</b></p>	
<p><b>Energy Use</b></p>	<p>General Environmental Law and its Regulations</p> <p>Incandescent To Fluorescent Light Substitution Law - Decree No. 112-2007 (December 13, 2007).</p> <p>Law for the Promotion of Electric Power Generation with Renewable Resources - Decree No. 70-2007 (October 2, 2007).</p> <p>Regulation of the Framework Law of the Electricity Subsector - Agreement No. 934-97 (April 12, 1999).</p> <p>Regulation for the Installation and Operation of Service Stations, Fuel Tanks for Own Consumption and Alternative or Substitute Products.</p> <p>Legislative Decree 85-98.</p> <p>Hydrocarbons Law Decree Number 194-84</p> <p>Law for the Production and Consumption of Biofuels</p> <p>Law to promote the generation of electricity with natural resources</p> <p>General Law of the Electric Industry</p>
<p><b>Criterion 7.10 Plans are developed, implemented and monitored to reduce pollution and emissions, such as greenhouse gas (GHG), and new techniques are designed to minimize GHG emissions</b></p>	
<p><b>Pollution Reduction</b></p>	<p>Regulation for the Regulation of Pollutant Gas and Smoke Emissions from Motor Vehicles - Agreement 719 - 1999 (October 11, 1999).</p> <p>General Regulation for the Control of Emissions Generated by Fixed Sources - Executive Agreement No. 1566 - 2010 (February 22, 2011).</p> <p>General Regulation on the Use of Substances that Deplete the Ozone Layer.</p> <p>General Environmental Law - Decree 104 - 93 (June 30, 1993).</p> <p>General Regulation of the Environmental Law - Agreement 109-93 (February 6, 1994).</p> <p>Health Code - Decree 65-91 (August 26, 1991).</p> <p>General Environmental Health Regulations - Agreement No. 0094 (June 20, 1998).</p> <p>Biofuels Law and its regulations</p> <p>Contribution planned and determined at the national level NDC.</p>
<p><b>Criterion 7.11 Fire is not used to prepare the land and is prevented in the area under management.</b></p>	
<p><b>Soil Preparation</b></p>	<p>Forestry Law, Protected Areas and Wildlife - Decree 98-2007 (February 26, 2011).</p> <p>General Regulation of the Forestry Law, Protected Areas and Wildlife - Decree No. 031 - 2010.</p> <p>General Environmental Law - Decree 104 - 93 (June 30, 1993).</p>

**Criterion 7.12 Land clearance does not cause deforestation or damage any areas necessary to protect or enhance High Conservation Value (HCV) or High Carbon Reserves (ARC) forests. In the management area, HCVs and ARC forests are identified, protected or improved.**

**Conservation Areas**

General Environmental Law and its Regulations.  
Forestry, Protected Areas and Wildlife Law - Decree 98-2007 (February 26, 2011).  
General Regulation of the Forest Law, Protected Areas and Wildlife, Executive Agreement 031-2010.  
Legislative Decree 180-2003: Territorial Regulation Law.  
Law of Territorial Regulation and Regulation of the Law of Territorial Regulation.  
Technical-Administrative Standard for the Development of Management of Protected Areas.  
Municipalities Law.  
Technical Standard for the Discharge of Wastewater to receiving bodies and sanitary sewers.  
Fishing Law No. 154.  
Decrees of all protected areas and management plans of the areas.

## ANNEX 7: SMALLHOLDERS DEFINITIONS BASED ON THE HONDURAN CONTEXT

The following definitions have been proposed based on the realities of the Honduran context:

Term	Definition
Smallholder Farmer	It is defined as producers who own the land, of different levels of schooling, who grow oil palm as well as other subsistence crops and livestock units, occasionally for sale, whose families provide most of the labor and the farm constitutes the main source of income and where the area planted with oil palm is normally less than or equal to 50 hectares.
System or Scheme Smallholder Farmer	They are defined as proprietary farmers who have enforceable decision-making power over the exploitation of the land, the type of crops to be planted, and the production practices, except for the management of palm cultivation, for which they receive technical assistance, inputs and in some cases credit assistance cases, training, etc. from a company with a beneficiation plant, or from your own organization, which has a beneficiation plant. They are organized in different figures (Peasant Associative Companies, Peasant Companies of the Agrarian Reform, Cooperatives and Producer Associations)
Independent Smallholder Farmer	They are defined as owner farmers who have enforceable decision-making power over the exploitation of the land, the type of crops to be planted and the production practices including the management of palm cultivation. They receive technical assistance from their own organization, producer federation, technicians, and occasionally from the government. They are organized in different figures (Peasant Associative Companies, Peasant Companies of the Agrarian Reform, Cooperatives and Producer Associations)
Intermediary in buying and selling fruit	They are defined as individuals or independent producers who buy and sell fresh fruit to producers by paying cash or through bank transfers. Due to the volume of fruit, they can be classified into three levels: 1. It captures fruit and sells directly to the processing plant, it has a large scale, it transports and delivers the fruit directly to the processing plant, it can be in different municipalities or localities and offer to different beneficiation plants Level 2: Captures fruit from another intermediary and transfers it to collection centers. Level 3: Find the small producer inland, away from the milling plants to buy the fruit and then take it to the Extraction Plant. Its working capital comes from a profit plant or private banking.

The RSPO is an international non-profit organisation formed in 2004 with the objective to promote the growth and use of sustainable oil palm products through credible global standards and engagement of stakeholders.

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