



ROUND TABLE ON SUSTAINABLE PALM OIL

**RSPO - PRINCIPLES AND CRITERIA FOR SUSTAINABLE PRODUCTION
OF PALM OIL**

BRAZILIAN LOCAL INDICATORS

Approved by the RSPO Executive Board

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PRINCIPLES AND CRITERIA FOR THE SUSTAINABLE PRODUCTION OF PALM OIL

Principle 1: Commitment with transparency

Criterion	Indicators and Guidance	National Indicators
<p>Criterion 1.1 Oil palm growers and millers provide adequate information to other stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages & forms to allow for effective participation in decision making.</p>	<p>Indicators: Records of requests and responses must be maintained. Guidance: Growers and millers should respond constructively and promptly to requests for information from stakeholders.</p>	<p>Without proposal of alteration, the indicator “records of questions and answers” was well accepted among the participants.</p>
<p>Criterion 1.2 Management documents are publicly available, except where this is prevented by commercial confidentiality or where disclosure of information would result in negative environmental or social outcomes.</p>	<p>Indicators: This concerns management documents relating to environmental, social and legal issues that are relevant to compliance with RSPO Criteria. Documents that must be publicly available include, but are not necessarily limited to:</p> <ul style="list-style-type: none"> • Land titles/user rights (criterion 2.2). • Health and safety plan (4.7). • Plans and impact assessments relating to environmental and social impacts (5.1, 6.1, 7.1, 7.3). • Pollution prevention plans (5.6). 	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks: Some specifics on the matter may be found in legislations mentioned in items 2.2.1.(a,b,c) and 2,2,2.(b,d).</p>

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	<ul style="list-style-type: none"> • Details of complaints and grievances (6.3). • Negotiation procedures (6.4). • Continuous improvement plan (8.1). <p>Guidance: 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. 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 wish to maintain as private. For national interpretation, specific approaches to personal privacy safeguards, including any legal requirements, should be considered.</p>	<p>In Brazil there are state organizations that work on the regulation and inspection of land matters.</p> <p>The legislation also foresees the existence of plans that guarantee health and safety at work locations, as well as plans of pollution control (See List in item 2.2.1 of this Report).</p> <p>Constitutional law guarantees the operation of a democratic system in the country, which fosters the practice of fair negotiations and guarantees access to the rights of all Brazilians (item 2.2.1.a).</p> <p>The existence of a Continuous Improvement Plan was well received by the participants.</p> <p>There is concern regarding the applicability of these indicators for medium and small producers.</p>
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Principle 2: Enforcement of applicable laws and norms

Criterion	Indicators and Guidance	National Indicators
<p>Criterion 2.1 There is compliance with all applicable local, national and ratified international laws and regulations.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Evidence of compliance with relevant legal requirements. • A documented system, which includes written information on legal requirements. • A mechanism for ensuring that they are implemented. • A system for tracking any changes in the law. <p>The systems used should be appropriate to the scale of the organisation.</p> <p>Guidance: Implementing all legal requirements is an essential baseline requirement for all growers whatever their location or size. Relevant legislation includes, but is not limited to, regulations governing land tenure and land-use rights, labour, agricultural practices (e.g., chemical use), environment (e.g., wildlife laws, pollution, environmental management and forestry laws), storage, transportation and processing practices. It also includes laws made pursuant to a country's obligations under international laws or conventions (e.g. the Convention on Biodiversity, CBD). Furthermore, where countries have provisions to respect customary law, these must be taken into account. For small-scale producers the focus</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>Large companies are normally already certified in standards such as ISO 14 001 where compliance with environmental legislation is a basic criterion.</p> <p>Environmental legislation in Brazil is quite strict and in most of the country the inspection level is good. The main environmental laws in Brazil and Pará State are listed in item 2.2.1 of this report and the content of those laws will be considered the local RSPO indicator.</p> <p>Specifically regarding protected forest areas, the indicator shall be Provisory Measure 2.166 dated from August 2001, which significantly altered the Brazilian Forest Code (Law 4.771 dated</p>

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	<p>should be on the grower having adequate knowledge of the main legal requirements and implementing them.</p> <p>Key international laws and conventions are set out in Annex 1. [<i>amended to include UN Declaration on Rights of Indigenous people</i>]</p> <p>For national interpretation, all relevant legislation should be identified, and any particularly important requirements identified. Contradictions and inconsistencies should be identified and solutions suggested.</p>	<p>from 1.965), State Decree 2.099, published on January 25, 2.010, which establishes forestry conservation parameters for Pará State.</p>
<p>Criterion 2.2 The right to use the land can be demonstrated, and is not legitimately contested by local communities with demonstrable rights.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Documents showing legal ownership or lease, history of land tenure and the actual legal use of the land. • Evidence that legal boundaries are clearly demarcated and visibly maintained. • Where there are, or have been, disputes, additional proof of legal acquisition of title and that fair compensation has been made to previous owners and occupants; and that these have been accepted with free prior and informed consent. • Absence of significant land conflict, unless requirements for acceptable conflict resolution processes (criteria 6.3 and 6.4) are implemented and accepted by the parties involved. <p>Guidance:</p> <ul style="list-style-type: none"> • For any conflict or dispute over the land, the extent of the disputed area should be mapped 	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>Right to property is guaranteed by the Federal Constitution, article 5, as well as by the Civil Code. See items 2.2.1.a and 2.2.2.c, of this Report.</p> <p>There are also governmental entities (Federal and State) that oversee the right to property, guaranteed by the Federal Constitution.</p> <p>In Brazil there is an extensive structure</p>

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	<p>out in a participatory way.</p> <ul style="list-style-type: none"> • Where there is a conflict on the condition of land use as per land title, growers should show evidence that necessary action has been taken to resolve the conflict with relevant parties. • Ensure a mechanism to solve the conflict (Criteria 6.3 and 6.4) • All operations should cease on land planted beyond the legal boundary. For national interpretations, any customary land use rights or disputes which are likely to be relevant should be identified. 	<p>that guarantees exclusive rights to Indians and former slaves as per laws listed in item 2.2.2.d.</p>
<p>Criterion 2.3 Use of the land for oil palm does not diminish the legal rights, or customary rights, of other users, without their free, prior and informed consent.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Maps of an appropriate scale showing extent of recognised customary rights (criteria 2.3, 7.5 and 7.6) • Copies of negotiated agreements detailing process of consent (criteria 2.3, 7.5 and 7.6) <p>Guidance:</p> <p>Where lands are encumbered by legal or customary rights, the grower must demonstrate that these rights are understood and are not being threatened or reduced. This criterion should be considered in conjunction with criteria 6.4, 7.5 and 7.6 . Where customary rights areas are unclear these are best established through participatory mapping exercises involving affected and neighbouring communities.</p> <p>This criterion allows for sales and negotiated</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>Right to property is guaranteed by the Federal Constitution, article 5, as well as by the Civil Code. See items 2.2.1.a and 2.2.2. (c,d) of this Report.</p> <p>As regards sustainable use of Brazilian Territory, see item 2.2.1.b. The Brazilian Territory is being studied with the purpose of establishing ecologic and economic zoning, able to regulate the</p>

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	<p>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 in appropriate forms and languages, including assessments of impacts, proposed benefit sharing and legal arrangements. Communities must be permitted to seek legal counsel if they so choose. Communities must be represented through institutions or representatives of their own choosing, operating transparently and in open communication with other community members. Adequate time must be given for customary decision-making and iterative negotiations allowed for, where requested. Negotiated agreements should be binding on all parties and enforceable in the courts. Establishing certainty in land negotiations is of long-term benefit for all parties. For national interpretations, any commonly encountered situations should be identified. For definition of 'customary rights', see definitions.</p>	<p>use and occupation of soil, avoiding undue use of natural resources and promoting the economic development of several Brazilian areas.</p> <p>In Pará there already is macro-zoning of the state and presently the study is reaching the micro-areas, which naturally promotes the cartographic detailing of the territory. In Brazil, however, the entities responsible for land inspection in the rural area have a good basis of maps, as well as satellite images to guarantee the right to property.</p>
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Principle 3: Commitment with long-term economic and financial feasibility

Criterion	Indicators and Guidance	National Indicators
<p>Criterion 3.1 There is an implemented management plan that aims to achieve longterm economic and financial viability.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • A documented business or management plan (minimum 3 years). • Annual replanting programme, where applicable, projected for a minimum of 5 years with yearly review. <p>Guidance:</p> <p>Whilst it is recognised that long-term profitability is also affected by factors outside their direct control, top management must be able to demonstrate attention to economic and financial viability through long-term management planning.</p> <p>The business or management plan may contain:</p> <ul style="list-style-type: none"> • Attention to quality of planting materials. • Crop projection = FFB yield trends. • Mill extraction rates = OER trends. • Cost of Production = cost per tonne of CPO trends. • Forecast prices. • Financial indicators. • 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>For smallholder management schemes the</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>International indicators were very well received locally, as the guarantee that the installed undertakings will endure is a way of bringing economic security to the direct beneficiaries as well as of avoiding aggravated environmental degradation.</p>

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	<p>content would vary from that suggested. Growers should have a system to improve practices in line with new information and techniques. For smallholder schemes, the scheme management will be expected to provide their members with information on significant improvements. This criterion is not applicable to individual smallholders.</p>	
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Principle 4: Use of best practices by agricultural and industrial areas

Criterion	Indicators and Guidance	National Indicators
<p>Criterion 4.1 Operating procedures are appropriately documented and consistently implemented and monitored.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Standard Operating Procedures for estates and mills are documented • A mechanism to check consistent implementation of procedures is in place.. <p>Records of monitoring & the actions taken are maintained.</p> <p>Guidance:</p> <p>For individual smallholders working practices will have to be consistent with documented procedures provided by customers or smallholder organisations.</p> <p>For national interpretation, national codes of practice or Best Management Practices (BMPs) should be referenced.</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>Brazilian legislation foresees basic food security criteria regulated by the Ministry of Health and inspected by ANVISA. There are norms and standards for the quality of the product established by these entities and for an establishment to operate in Brazil it must be in conformity with them.</p> <p>Procedures related to environment and labor management of the companies exist when they are certified within the ISO 14 001, 9 001 and 22 000 standards.</p>
<p>Criterion 4.2 Practices maintain soil fertility at, or where possible improve</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Records of fertilizer inputs are maintained. • Evidence of periodic tissue and soil sampling 	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary</p>

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<p>soil fertility to, a level that ensures optimal and sustained yield.</p>	<p>to monitor changes in nutrient status.</p> <ul style="list-style-type: none"> • A nutrient recycling strategy should be in place. <p>Guidance:</p> <ul style="list-style-type: none"> • Long-term fertility depends on maintaining the structure, organic matter content, nutrient status and microbiological health of the soil. Managers should ensure that best agricultural practice is followed. Nutrient efficiency must take account of the age of plantations and soil conditions. The nutrient recycling strategy should include EFB, POME, palm residues after replanting and any use of biomass for by-products or energy production. Smallholders should be able to demonstrate that they have an understanding of the techniques required to maintain soil fertility and that they are being implemented. National interpretation should identify the range of appropriate techniques. 	<p>meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>The indicators listed in the International Norm meet the requirements of checking at national level.</p>
<p>Criterion 4.3 Practices minimise and control erosion and degradation of soils. Indicators:</p> <ul style="list-style-type: none"> • Maps of fragile soils must be available. 	<p>Indicators:</p> <ul style="list-style-type: none"> • Maps of fragile soils must be available. • A management strategy should exist for plantings on slopes above a certain limit (needs to be soil and climate specific). • Presence of road maintenance programme. • Subsidence of peat soils should be minimised 	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p>

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<ul style="list-style-type: none"> • A management strategy should exist for plantings on slopes above a certain limit (needs to be soil and climate specific). • Presence of road maintenance programme. • Subsidence of peat soils should be minimised under an effective and documented water management programme. • A management strategy should be in place for other fragile and problem soils (e.g. sandy, low organic matter, acid sulfate soils) <p>Guidance: Techniques that minimise soil erosion are well-known and should be adopted, wherever appropriate. This may include practices such as ground cover management, biomass</p>	<p>under an effective and documented water management programme.</p> <ul style="list-style-type: none"> • A management strategy should be in place for other fragile and problem soils (e.g. sandy, low organic matter, acid sulfate soils) <p>Guidance: Techniques that minimise soil erosion are well-known and should be adopted, wherever appropriate. This may include practices such as ground cover management, biomass recycling, terracing, and natural regeneration or restoration instead of replanting.</p> <p>For existing plantings on peat, water table should be maintained at a mean of 60cm (within a range of 50-75cm) below ground surface through a network of appropriate water control structures e.g. weirs, sandbags, etc. in fields, and watergates at the discharge points of main drains (see also Criterion 4.4 and 7.4). Smallholders should be able to demonstrate that they have an understanding of the techniques required to manage their soils and that they are being implemented.</p> <p>National interpretation should refer to national guidance, and identify the best management practices and appropriate techniques for maintaining soil quality in local conditions, including guidance on soil types, and any appropriate performance thresholds, such as maximum acceptable slope gradient for</p>	<p>Brazil has a good cartographic basis of soil that is available free of charge.</p> <p>The cultivation practices of palm in Brazil include the planting of associated plants, which reduces erosion.</p>
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<p>Criterion 4.4 Practices maintain the quality and availability of surface and ground water.</p>	<p>planting.</p> <p>Indicators:</p> <ul style="list-style-type: none"> • An implemented water management plan. • Protection of water courses and wetlands, including maintaining and restoring appropriate riparian buffer zones. • Monitoring of effluent BOD. • Monitoring of mill water use per tonne of FFB • <p>Guidance:</p> <p>Growers and millers should address the effects of their use of water and the effects of their activities on local water resources.</p> <p>The Water Management plan may include:</p> <ul style="list-style-type: none"> • Taking account of the efficiency of use and renewability of sources. • Ensuring that the use of water does not result in adverse impacts on other users. • Avoiding contamination of surface and ground water through run-off of soil, nutrients or chemicals, or as a result of inadequate disposal of waste including POME. • Appropriate treatment of mill effluent and regular monitoring of discharge quality, which should be in compliance with national regulations. <p>National interpretation should refer to national guidelines or best practice and where</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>The Management of Water Resources in Brazil is regulated by law as per details shown in item 2.2.1.e.</p> <p>Brazilian Legislation covers several aspects on adequate management of Water Resources such as capture of water and disposal of effluents. Waterways were classified in accordance with their degree of environmental conservation. There are defined standards for launching effluents, such as Ph, temperature, DBO, DQO, Phosphorus, Nitrogen, among other parameters, compatible with the conservation standard of the receiving body.</p> <p>Legislation requires the need of license to capture water and launch effluents, as per CONAMA Decisions and other</p>
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	<p>appropriate include performance thresholds for requirements such as the size and location and methods of restoration of riparian strips or acceptable maximum runoff levels.</p>	<p>regulations listed in item 2.2.1.b, indicated as Management of Water Resources.</p>
<p>Criterion 4.5 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • An IPM plan is documented and current. • Monitoring extent of IPM implementation including training. • Monitoring of pesticide toxicity units (a.i./LD 50 per tonne of FFB or per hectare). <p>Due to problems in the accuracy of measurement, monitoring of pesticide toxicity is not applicable to smallholders.</p> <p>Guidance: Growers should apply recognised IPM techniques, incorporating cultural, biological, mechanical or physical methods to minimise use of chemicals. Native species should be used in biological control wherever possible. National interpretation should provide further guidance on what practices are most appropriate for a particular country, and where needed, on practices which are appropriate to smallholders.</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>Some issues as regards the handling of agrochemicals are considered in national legislation, as per item 2.2.1.d of this Report.</p> <p>Considering that the area where the palm undertakings are being implanted in Brazil has high biological value - the Amazon - the use of agrochemicals is a critical factor and must be reduced to a minimum. Thus, the implantation of integrated handling of pests and diseases is extremely relevant and the indicators attributed by the International Norm meet national requirements.</p>

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<p>Criterion 4.6 Agrochemicals are used in a way that does not endanger health or the environment. There is no prophylactic use of pesticides, except in specific situations identified in national Best Practice guidelines. Where agrochemicals are used that are categorised as World Health Organisation Type 1A or 1B, or are listed by the Stockholm or Rotterdam Conventions, growers are actively seeking to identify alternatives, and this is documented.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Justification of all agrochemical use. • Records of pesticide use (including active ingredients used, area treated, amount applied per ha and number of applications). • Documentary evidence that use of chemicals categorised as World Health Organisation Type 1A or 1B, or listed by the Stockholm or Rotterdam Conventions, and paraquat, is reduced and/or eliminated. • Use of selective products that are specific to the target pest, weed or disease and which have minimal effect on non-target species should be used where available. However, measures to avoid the development of resistance (such as pesticide rotations) are applied. • Chemicals should only be applied by qualified persons who have received the necessary training and should always be applied in accordance with the product label. Appropriate safety equipment must be provided and used. All precautions attached to the products should be properly observed, applied, and understood byworkers. Also see criterion 4.7 on health and safety. • Storage of all chemicals as prescribed in FAO or GIFAP Code of Practice (see Annex 1). All chemical containers must be properly disposed of and not used for other purposes (see 	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>Some issues as regards the handling of agrochemicals are considered in national legislation, as per item 2.2.1.d of this Report.</p>
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	<p>criterion 5.3).</p> <ul style="list-style-type: none">• Application of pesticides by proven methods that minimise risk and impacts. Pesticides are applied aurally only where there is a documented justification.• Proper disposal of waste material, according to procedures that are fully understood by workers and managers. Also see criterion 5.3 on waste disposal.• Specific annual medical surveillance for pesticide operators, and documented action to eliminate adverse effects.• No work with pesticides for pregnant and breast-feeding women. <p>Guidance: National interpretation should consider: statutory requirements concerning pesticide use, lists of legally prohibited agrochemicals, agrochemical residues that should be tested for and the appropriate levels of residues, and best management practices for pesticide use or sources of information on these.</p> <p><i>Note: RSPO will urgently identify safe and cost effective alternatives to replace chemicals that are categorised as World Health Organisation Type 1A or 1B, or listed by the Stockholm or Rotterdam Conventions, and paraquat.</i></p>	
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<p>Criterion 4.7 An occupational health and safety plan is documented, effectively communicated and implemented.</p>	<p>Indicators: The health and safety plan covers the following:</p> <ul style="list-style-type: none"> • A health and safety policy, which is implemented and monitored. • All operations where health and safety is an issue have been risk assessed and procedures and actions are documented and implemented to address the identified issues. All precautions attached to products should be properly observed and applied to the workers. • All workers involved in the operations have been adequately trained in safe working practices (see also criterion 4.8). Adequate and appropriate protective equipment should be available to labourers at the place of work to cover all potentially hazardous operations, such as pesticide application, land preparation, harvesting and, if it is used, burning. • The responsible person should be identified. There are records of regular meetings between the responsible person and workers where concerns of all parties about health, safety and welfare are discussed. Records detailing the occurrence and issues raised should be kept. • Accident and emergency procedures should exist and instructions should be clearly understood by all workers. Accident procedures should be available in the appropriate language of the workforce. Assigned operatives trained in 	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark: See specific legislation on Management of Health and Safety listed in item 2.2.2.b.</p> <p>The same norm mentioned in the previous item (NR 31) establishes that the companies must have a Plan of Medical Control and Occupational Health (PCMSO) created to meet the demands presented by the Plan of Environmental Risks (PPRA). Thus, it is foreseen that the undertakings must have the risks analyzed, for each risk there must be protection measurers to the worker and to the environment, as well as periodic medical examinations to verify if risk control is efficient.</p>
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	<p>First Aid should be present in both field and other operations and first aid equipment should be available at worksites. Records should be kept of all accidents and periodically RSPO Principles and Criteria for Sustainable Palm Oil Production. October 2007 Guidance for Principle 4: Use of appropriate best practices by growers and mills 19 Criterion Indicators and Guidance reviewed. Workers should be covered by accident insurance.</p> <ul style="list-style-type: none"> • Recording of occupational injuries. Suggested calculation: Lost Time Accident (LTA) rate (either specify acceptable maximum, or demonstrate downward trend). <p>Guidance: Growers and millers should ensure that the workplaces, machinery, equipment, transport and processes under their control are safe and without undue risk to health. Growers and millers should ensure that the chemical, physical and biological substances and agents under their control are without undue risk to health when appropriate measures are taken. A safe and healthy working environment should be provided for all workers whether they are employees or contractors. The health and safety plan should also reflect guidance in ILO Convention 184 (see Annex 1).</p>	
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	<p>For individual smallholders, a more informal approach to documentation and record keeping is acceptable, provided that working practices for all workers are safe.</p> <p>For national interpretation, all legal requirements together with any local or national guidance on safe working practice in agriculture should be identified and used. It will also be important to identify what constitutes a 'hazardous' operation in the local context.</p>	
<p>Criterion 4.8 All staff, workers, smallholders and contractors are appropriately trained.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • A formal training programme that includes regular assessment of training needs and documentation of the programme. • Records of training for each employee are kept. <p>The training programme should be appropriate to the scale of the organisation.</p> <p>Guidance: Training should be given to all staff and workers by growers and millers to enable them to fulfil their jobs and responsibilities in accordance with documented procedures, and in compliance with the requirements of these principles, criteria and guidance. Contractors should be selected for their ability to fulfil their jobs and responsibilities in accordance with documented procedures, and</p>	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark: The PPRA mentioned in item 4.7 must contain an Annual Training Plan in accordance with the risk identified in each production stage.</p> <p>During the local Plenary Meetings the issue was raised that the suppliers of bunches (small and medium producers) should be trained in techniques of prevention of risks and accidents, besides the technical agronomy assistance they already receive. The</p>

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	<p>in compliance with the requirements of these principles, criteria and guidance.</p> <p>Workers on smallholder plots also need adequate training and skills and this can be achieved through extension activities of growers or mills that purchase fruit from them, by smallholders' organisations, or through collaboration with other institutions and organisations. For smallholders training records should not be required but anyone working on the farm should be adequately trained for the job they are doing. For national interpretation, appropriate occupational training qualifications should be identified.</p>	<p>supply of information to minimize the risk and occurrence of accidents must benefit small and medium producers.</p>
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Principle 5: Environmental Responsibility and conservation of natural resources and biodiversity

Criterion	Indicators and Guidance	National Indicators
<p>Criterion 5.1 Aspects of plantation and mill management, including replanting, that have environmental impacts are identified, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continuous improvement.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Documented impact assessment. • Where the identification of impacts requires changes in current practices, in order to mitigate negative effects, a timetable for change should be developed. <p>Guidance:</p> <p>Environmental impact assessment should cover the following activities, where they are undertaken:</p> <ul style="list-style-type: none"> • Building new roads, processing mills or other infrastructure. • Putting in drainage or irrigation systems. • Replanting or expansion of planting area. • Disposal of mill effluents (see criterion 4.4); • Clearing of remaining natural vegetation. <p>Impact assessment may be a non-restrictive format e.g. ISO 14001 EMS and/or EIA report incorporating elements spelt out in this criterion and raised through stakeholder consultation. Documented management action plans addressing issues raised from the above impact assessment, which is monitored annually. Environmental impacts may be identified on soil and water resources, air quality (see criterion 5.6), biodiversity and ecosystems, and people's</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark:</p> <p>See legislation shown in items 2.2.1.a, c.</p> <p>In some Brazilian states, rural properties must obtain an Environmental Permit from state entities and to get it they must present a Plan of Environmental Control that lists the environmental aspects due to the activity and the measures of environmental control to be implemented so that environmental degradation is reduced to a minimum. With this document, the state gives or refuses the permit to a rural property, for a certain period of time. There are periodic inspections to verify if the control measures stipulated in the document are being adhered to. In the state of Pará where there are</p>

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	<p>amenity (see criterion 6.1 for social impacts), both on and off-site.</p> <p>Stakeholder consultation has a key role in identifying environmental impacts. The inclusion of consultation should result in improved processes to identify impacts and to develop any required mitigation measures. It is important that where activities, techniques or operations change over time, identifications of impacts, and any required mitigation, are updated as necessary.</p> <p>For smallholder schemes, the scheme management has the responsibility to undertake impact assessment and to plan and operate in accordance with the results. Individual smallholders would not be expected to undertake formal impact assessments (unless there is a legal requirement) but should have a good understanding of the potential negative impacts of their activities and appropriate mitigation techniques.</p> <p>National interpretation should consider any national legal requirements together with any other issues that are not required by law but are nevertheless important, e.g. Independent SEIA for replanting may be desirable under specific situations .</p>	<p>large rural undertakings of palm production, the environmental permit is required for properties of more than 1000 hectares or smaller located in areas of great environmental interest. Furthermore, the rural organisations due to Land Reform must have an environmental permit (Resolution CONAM A 289/2001)</p> <p>The same happens with industrial activities, each oil extraction plant must have a permit from the State Environmental Entity.</p> <p>Brazil has an extensive legal structure to guarantee environmental conservation in the country, as can be seen in item 2.2.1.b.</p>
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<p>Criterion 5.2 The status of rare, threatened or endangered species and high conservation value habitats, if any, that exist in the plantation or that could be affected by plantation or mill management, shall be identified and their conservation taken into account in management plans and operations.</p>	<p>Indicators: Information should be collated that includes both the planted area itself and relevant wider landscape-level considerations (such as wildlife corridors). This information should cover:</p> <ul style="list-style-type: none"> • Presence of protected areas that could be significantly affected by the grower or miller. • Conservation status (e.g. IUCN status), legal protection, population status and habitat requirements of rare, threatened, or endangered species, that could be significantly affected by the grower or miller. • Identification of high conservation value habitats, such as rare and threatened ecosystems, that could be significantly affected by the grower or miller. <p>If rare, threatened or endangered species, or high conservation value habitats, are present, appropriate measures for management planning and operations will include:</p> <ul style="list-style-type: none"> • Ensuring that any legal requirements relating to the protection of the species or habitat are met. • Avoiding damage to and deterioration of applicable habitats. • Controlling any illegal or inappropriate hunting, fishing or collecting activities; and developing responsible measures to resolve human-wildlife conflicts (e.g., incursions by 	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Since 1965 Brazil has instituted the Forest Code, which regulates natural protected areas and gives other provisions. In 2000 this Law was improved with the creation of the National System of Conservation Units - SNUC - in order to regulate the protected areas in the national territory.</p> <p>Specifically in the area of the Amazon several studies are systematically conducted in order to identify natural areas of interest for conservation and several Conservation Units have been created to protect them. The NGOs that operate in Pará were invited to the Plenary Meetings of Survey of National Indicators, as per invitations on file with the Certifier.</p>
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	<p>elephants).</p> <p>Guidance: This information gathering should include checking available biological records, and consultation with relevant government departments, research institutes and interested NGOs if appropriate. Depending on the biodiversity values that are present, and the level of available information, some additional field survey work may be required. For individual smallholders, a basic understanding of any applicable species or habitats, together with their conservation needs, will be sufficient. For national interpretation, appropriate sources of information include government or international lists of threatened species ('red data lists'), national wildlife protection legislation, authorities responsible for protected areas and species, or relevant NGOs.</p>	
<p>Criterion 5.3 Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Documented identification of all waste products and sources of pollution • Safe disposal of pesticide containers. • Having identified wastes, a waste management and disposal plan must be developed and implemented, to avoid or reduce pollution. 	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks: Waste is a serious environmental</p>

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	<p>Guidance: The waste management and disposal plan should include measures for:</p> <ul style="list-style-type: none"> • Identifying and monitoring sources of waste and pollution. • 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 disposal of hazardous chemicals and their containers. Surplus chemical containers should be disposed of or cleaned in an environmentally and socially responsible way (e.g. returned to the vendor or cleaned using a triple rinse method), such that there is no risk of contamination of water sources or to human health. The disposal instructions on manufacturer's labels should be adhered to. <p>Smallholders should adopt appropriate measures to dispose of hazardous chemicals and their containers.</p> <p>National interpretation could include, as appropriate: details of relevant national laws or policies, a list of waste types which must be considered, any types of disposal which are not acceptable (e.g. untreated waste water may not be discharged directly into streams or rivers - refer to criterion 4.4), existing best practice guidelines on recycling and reuse of nutrients,</p>	<p>problem in Brazil. Around 88% of Brazilian Municipalities do not adequately discard their residues and there is an effort made by the Federal Government to implant an Integrated National Policy to adequately Manage Solid Residues, as per the project of a law that is in the Federal Senate. There are several Norms of the National Environmental Board (CONAMA Ministry of the Environment) regulating the issue.</p> <p>In the area of the Amazon the problem is even more serious, as with the difficulty of transport of residues to treatment areas (landfills), clandestine and irregular deposits multiply. As the areas are level and are flooded, trash is easily spread and contaminates large areas.</p> <p>In large companies and properties there normally is a Plan of Residue Management and this situation is under control. However, in small and medium properties, as well as in villages and communities spread out in the forest, the situation causes concern.</p>
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	managing effluent ponds, increasing mill extraction efficiency and appropriate disposal of wastes.	The destination of packing of agrochemicals has been much more controlled. There is a Federal Law - Law 7802 dated 11/07/1989 - establishing a standard for storage and final destination of these residues that are considered dangerous.
Criterion 5.4 Efficiency of energy use and use of renewable energy is maximised.	<p>Indicators:</p> <ul style="list-style-type: none"> • Monitoring of renewable energy use per tonne of CPO or palm product in the mill. • Monitoring of direct fossil fuel use per ton of CPO (or FFB where the grower has no mill). <p>Guidance:</p> <p>Growers and mills should assess the direct energy use of their operations, including fuel and electricity, and energy efficiency of their operations. This should include estimation of fuel use by contractors, including all transport and machinery operations. The feasibility of collecting and using biogas should be studied if possible.</p>	<p>National Indicators:</p> <p>International indicators apply to Brazilian reality.</p>
Criterion 5.5 Use of fire for waste disposal and for preparing land for replanting is avoided except in specific situations, as identified in the ASEAN guidelines or other regional best practice.	<p>Indicators:</p> <ul style="list-style-type: none"> • Documented assessment where fire has been used for preparing land for replanting. <p>Guidance:</p> <p>Fire should be used only where an assessment has demonstrated that it is the most effective and least environmentally damaging option for minimising the risk of severe pest and disease</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>In Brazil, each time a rural owner intends to start a fire on his property,</p>

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	<p>outbreaks, and with evidence that fire-use is carefully controlled. Use of fire on peat soils should be avoided.</p> <p>Extension/training programmes for smallholders may be necessary.</p> <p>National interpretation should identify any specific situations where such use of fire may be acceptable, for example through reference to ‘Guidelines for the implementation of the ASEAN policy on zero burning’, or comparable guidelines in other locations.</p>	<p>he must request authorization in advance from the State Environmental Entity.</p> <p>The practice of fire is still quite common to prepare areas for cultivation, especially among small producers, a habit that comes from Indian heritage - “coivara”.</p> <p>Nowadays, very often areas are burnt without authorization from the proper entity.</p> <p>Considering the environmental risk of these fires, in an area where fire can destroy areas of endemic ecological interest, these fires must be avoided and other alternatives to prepare the soil must be studied and implanted.</p>
<p>Criterion 5.6 Plans to reduce pollution and emissions, including greenhouse gases, are developed, implemented and monitored.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • An assessment of all polluting activities must be conducted, including gaseous emissions, particulate/soot emissions and effluent (see also criterion 4.4). <p>Significant pollutants and emissions must be identified and plans to reduce them implemented.</p> <ul style="list-style-type: none"> • A monitoring system must be in place for 	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark: Some issues regarding pollution control are considered in national legislation,</p>

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	<p>these significant pollutants which goes beyond national compliance.</p> <ul style="list-style-type: none"> • The treatment methodology for POME is recorded. <p>Note: RSPO needs to address all issues relating to Greenhouse Gas emissions, as set out in the Preamble to this document.</p>	<p>as per item 2.2.1.c of this Report.</p> <p>CONAMA (National Board of the Environment / Ministry of the Environment) also regulates the matter by means of several Normative Decisions. The industrial units in operation and that have an environmental permit must be in accordance with it.</p>
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Principle 6: Responsibility with collaborators, individuals and communities affected by plantations and mills.

Criterion	Indicators and Guidance	National Indicators
<p>Criterion 6.1 Aspects of plantation and mill management, including replanting, that have social impacts are identified in a participatory way, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continuous improvement.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • A documented social impact assessment including records of meetings. • Evidence that the assessment has been done with the participation of affected parties. <p>Participation in this context means that affected parties 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> <ul style="list-style-type: none"> • A timetable with responsibilities for mitigation and monitoring, reviewed and updated as necessary, in those cases where the assessment has concluded that changes should be made to current practices. • Particular attention paid to the impacts of outgrower schemes (where the plantation includes such a scheme). <p>Guidance: Identification of social impacts should be carried out by the grower with the participation of affected parties, including women and migrant workers as appropriate to the situation. The involvement of independent experts should be</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p>

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	<p>sought where this is considered necessary to ensure that all impacts (both positive and negative) are identified.</p> <p>Potential social impacts may result from activities such as: building new roads, processing mills or other infrastructure; replanting with different crops or expansion of planting area; disposal of mill effluents; clearing of remaining natural vegetation; changes in employee numbers or employment terms.</p> <p>Plantation and mill management may have social impacts (positive or negative) on factors such as:</p> <ul style="list-style-type: none">• Access and use rights.• Economic livelihoods (e.g. paid employment) and working conditions.• Subsistence activities.• Cultural and religious values.• Health and education facilities.• Other community values, resulting from changes such as improved transport /communication or arrival of substantial migrant labour force. <p>Individual smallholders will not be required to conduct formal social impact assessments.</p> <p>As social impacts are particularly dependent on local social conditions, national interpretation should identify the important issues, and methodologies for collecting data and using the results. This should include adequate consideration of the impacts on the</p>	
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	<p>customary or traditional rights of local communities and indigenous people, where these exist (see also criteria 2.3 and 6.4).</p>	
<p>Criterion 6.2 There are open and transparent methods for communication and consultation between growers and/or millers, local communities and other affected or interested parties.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Documented consultation and communication procedures. • A nominated management official responsible for these issues. • Maintenance of a list of stakeholders, records of all communication and records of actions taken in response to input from stakeholders. <p>Guidance: Decisions that the growers or mills are planning to make should be made clear, so that local communities and other interested parties understand the purpose of the communication and/or consultation. Communication and consultation mechanisms should be designed in collaboration with local communities and other affected or interested parties. These should consider the use of existing local mechanisms and languages. Consideration should be given to the existence/formation of a multi-stakeholder forum. Communications should take into account differential access to information of women as compared to men, village leaders as compared to day labourers, new versus established community groups, and different</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark:</p> <p>Some issues regarding handling of agrochemicals are considered in national legislation, as per item 2.2.1.d of this Report.</p> <p>At the plenary meetings the participants pointed out the importance of potentializing means of communication between the companies, the suppliers of bunches and the surrounding communities.</p>

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	<p>ethnic groups. Consideration should be given to involving third parties, such as disinterested community groups, NGOs, or government (or a combination of these), to facilitate smallholder schemes and communities, and others as appropriate, in these communications. For individual smallholders, this criterion does not apply. National interpretation should consider issues such as appropriate levels of consultation and the types of organisations or individuals that should be included.</p>	
<p>Criterion 6.3 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all parties.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • The system resolves disputes in an effective, timely and appropriate manner. • Documentation of both the process by which a dispute was resolved and the outcome. • The system is open to any affected parties. <p>Guidance: Dispute resolution mechanisms should be established through open and consensual agreements with relevant affected parties. Complaints may be dealt with by mechanisms such as Joint Consultative Committees (JCC), with gender representation. Grievances may be internal (employees) or external. For smallholder schemes, the organization or associations will be responsible for this.</p>	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p>

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	<p>Individual smallholders should not be expected to have a documented system, but must be able to show that they respond constructively to any issue or complaint.</p>	
<p>Criterion 6.4 Any negotiations concerning compensation for loss of legal or customary 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>	<p>Indicators:</p> <ul style="list-style-type: none"> • Establishment of a procedure for identifying legal and customary rights and a procedure for identifying people entitled to compensation. • A procedure for calculating and distributing fair compensation (monetary or otherwise) is established and implemented. This takes into account gender differences in the power to claim rights, ownership and access to land; differences of transmigrants and long-established communities; differences in ethnic groups' proof of legal versus communal ownership of land. • The process and outcome of any negotiated agreements and compensation claims is documented and made publicly available. <p>Guidance: This criterion should be considered in conjunction with Criterion 2.3 and the associated guidance.</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>The Brazilian Constitution regulates in detail the right to property, as well as the Civil Code (see items 2.2.1.a and 2.2.2.c).</p> <p>See specific legislation on protection of ethnic and social minorities in item 2.2.2.d.</p> <p>The land issue in Brazil still requires a lot of attention and there are many conflicts and superposition of areas, especially in the Amazon.</p> <p>Indian and free slave communities, however, have been treated in a special manner and the land conflicts that involve these ethnic and minority</p>

		groups receive special attention from the appropriate entities. There are laws that protect these communities and their territories.
<p>Criterion 6.5 Pay and conditions for employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Documentation of pay and conditions. • Labour laws, union agreements or direct contracts of employment detailing payments and conditions of employment (e.g., working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc) are available in the languages understood by the workers or explained carefully to them by a management official. • Growers and millers provide adequate housing, water supplies, medical, educational and welfare amenities to national standard or above, where no such public facilities are available or accessible (not applicable to smallholders). <p>Guidance: Where temporary or migrant workers are employed, a special labour policy should be established. This labour policy would state the non discriminatory practices; no contract substitution; post arrival orientation program to focus especially on language, safety, labour</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks: Brazil has one of the largest and most complete Codes of Labor Laws (CLT) and historically there is a lot of inspection as regards the fulfillment of these laws. More details on the matter may be found in the Legislation mentioned in item 2.2.2.a of this document.</p>

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	<p>laws, cultural practices etc; decent living conditions to be provided. Migrant workers are legalised, and a separate employment agreement should be drawn up to meet immigration requirements for foreign workers, and international standards. Deductions do not jeopardise a decent living wage. Forced labour is not used (see ILO conventions 29 and 105, Annex 1).</p>	
<p>Criterion 6.6 The employer respects the right 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>Indicators:</p> <ul style="list-style-type: none"> • A published statement in local languages recognizing freedom of association. • Documented minutes of meetings with main trade unions or workers representatives. <p>Guidance: The right of employees and contractors to form associations and bargain collectively with their employer should be respected, in accordance with Conventions 87 and 98 of the International Labour Organisation. Labour laws and union agreements or in their absence, direct contracts of employment detailing payments and other conditions, are available in the languages understood by the workers or explained carefully to them by a management official.</p>	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark: Freedom of Union Association is guaranteed by law in Brazil and units are present in most Municipalities (See details in CLT and NR 31).</p>
<p>Criterion 6.7 Children are not employed or</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Documentary evidence that minimum age 	<p>National Indicators:</p>

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<p>exploited. Work by children is acceptable on family farms, under adult supervision, and when not interfering with education programmes. Children are not exposed to hazardous working conditions.</p>	<p>requirement is met.</p> <p>Guidance: Growers and millers should clearly define the minimum working age, together with working hours. Only workers above the minimum school leaving age in the country or who are at least 15 years old may be employed, with the stated exception of family farms. The minimum age of workers will not be less than stated under national regulations. Smallholders should allow work by children only if permitted by national regulations. The minimum age of workers should be not less than 15 years, or the minimum school leaving age, or the minimum age permitted under national regulations, where higher. Smallholders should allow work by children only if permitted by national regulations. <i>[The RSPO Criteria Working Group urges the Executive Board to engage with the Malaysian, Indonesian and Philippines Govts to engage with the problem of stateless persons (especially children and women).]</i></p>	<p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark: See specific legislation on social and ethnic minorities in item 2.2.2.d.</p> <p>There is specific Legislation on the matter related to rural working environment (NR 31, item 2.2.2.b of this Report).</p> <p>In some areas and in certain productive activities the work of children still exists, in spite of the fact that Brazilian Legislation prohibits this practice by means of the Child and Youth Statute and of CLT.</p> <p>The work of children together with their family, to fulfill cultural characteristics, as long as it guarantees the physical and emotional integrity of the child, as well as access and permanence at school, may be tolerated in a special situation. (See Law N° 8069 - dated July 13, 1990 -</p>
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		DOU dated 16/07/90 - Statute of Child and Youth).
<p>Criterion 6.8 Any form of discrimination based on race, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, or age, is prohibited.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • A publicly available equal opportunities policy including identification of relevant/affected groups in the local environment. • Evidence that employees and groups including migrant workers have not been discriminated against. <p>Guidance: The grievance procedures detailed in 6.3 apply. Positive discrimination to provide employment and benefits to specific communities is acceptable as part of negotiated agreements.</p>	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark: The Brazilian Federal Constitution and CLT prohibit discrimination at work. International indicators are applicable to Brazilian reality.</p>
<p>Criterion 6.9 A policy to prevent sexual harassment and all other forms of violence against women and to protect their reproductive rights is developed and applied.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • A policy on sexual harassment and violence and records of implementation. • A specific grievance mechanism is established. <p>Guidance: There should be a clear policy developed in consultation with employees, contractors and other relevant stakeholders, and the policy should be publicly available. Progress in implementing the policy should be regularly</p>	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark: See specific legislation on benefits to working woman in item 2.2.2.d.</p>

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	<p>monitored, and the results of monitoring activities should be recorded.</p> <p>A gender committee specifically to address areas of concern to women may be requested to comply with the criteria. This committee, to have representatives from all areas of work, will consider matters such as; trainings on women's rights, counselling for women affected by violence, child care facilities to be provided by the growers and millers, 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.</p>	
<p>Criterion 6.10 Growers and mills deal fairly and transparently with smallholders and other local businesses.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Current and past prices paid for FFB shall be publicly available. • Pricing mechanisms for FFB and inputs/services shall be documented (where these are under the control of the mill or plantation). • Evidence shall be available that all parties understand the contractual agreements they enter into, and that contracts are fair, legal and transparent. • Agreed payments shall be made in a timely manner. <p>Guidance: Transactions with smallholders should consider</p>	<p>National Indicators: International indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>It should be pointed out that in rural areas in Brazil there is a high rate of illiteracy, especially among small producers, which diminishes their ability to negotiate. Thus, this criterion foreseeing control mechanisms of fair payment must be carefully considered in the Brazilian territory.</p>

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	<p>issues such as the role of middle men, transport and storage of FFB, quality and grading. The need to recycle the nutrients in FFB (under 4.2) should also be considered; where it is not practicable to recycle wastes to smallholders, compensation for the value of the nutrients exported might be made via the FFB price.</p> <p>Smallholders must have access to the grievance procedure under criterion 6.3, if they consider that they are not receiving a fair price for FFB, whether or not middle men are involved.</p> <p>The need for a fair and transparent pricing mechanism is particularly important for outgrowers, who are contractually obliged to sell all FFB to a particular mill. If mills require smallholders to change practices to meet the RSPO criteria, consideration must be given to the costs of such changes, and the possibility of advance payments for FFB could be considered.</p>	
<p>Criterion 6.11 Growers and millers contribute to local sustainable development wherever appropriate.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Demonstrable contributions to local development that are based on the results of consultation with local communities. <p>Guidance:</p> <p>Contributions to local development should be based on the results of consultation with local communities. See also criterion 6.2. Such consultation should be based on the principles of</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark:</p> <p>The area where palm has been</p>

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	<p>transparency, openness and participation, and should encourage communities to identify their own priorities and needs, including the different needs of men and women.</p> <p>Where candidates for employment are of equal merit, preference should always be given to members of local communities. Positive discrimination should not be recognized as conflicting with Criterion 6.8.</p> <p>National interpretation should consider specific parameters or thresholds such as use of local and national goods and services where possible, whether a certain percentage of the plantation's profit/turnover should be used for social development projects, and minimum quotas for local employment.</p>	<p>cultivated and processed in Brazil is characterized by spread out human gatherings without infrastructure and lack of governmental support.</p>
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Principle 7: Responsible development of new cultivation areas

Criterion	Indicators and Guidance	National Indicators
<p>Criterion 7.1 A comprehensive and participatory independent social and environmental impact assessment is undertaken prior to establishing new plantings or operations, or expanding existing ones, and the results incorporated into planning, management and operations.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Independent impact assessment, undertaken through a participatory methodology including external stakeholder groups. • Appropriate management planning and operational procedures. • Where the development includes an outgrower scheme, the impacts of the scheme and the implications of the way it is managed should be given particular attention. <p>Guidance: See also criteria 5.1 and 6.1. The terms of reference should be defined and impact assessment should be carried out by accredited independent experts, in order to ensure an objective process. Both should not be done by the same body. A participatory methodology including external stakeholder groups is essential to the identification of impacts, particularly social impacts. Stakeholders such as local communities, government departments and NGOs should be involved, through the use of interviews and meetings, and by reviewing findings and plans for mitigation. The potential impacts of all major proposed</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p>

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	<p>activities should be assessed prior to development. The assessment should include, in no order of preference, as a minimum:</p> <ul style="list-style-type: none">• Assessment of the impacts of all major planned activities, including planting, mill operations, roads and other infrastructure.• Assessment, including stakeholder consultation, of High Conservation Values (see criterion 7.3) that could be negatively affected.• Assessment of potential effects on adjacent natural ecosystems of planned developments, including whether development or expansion will increase pressure on nearby natural ecosystems.• Identification of watercourses and assessment of potential effects on hydrology by planned developments. Measures should be planned and implemented to maintain the quantity and quality of water resources.• Baseline soil surveys and topographic information, including the identification of marginal and fragile soils, areas prone to erosion and slopes unsuitable for planting.• Analysis of type of land to be used (forest, degraded forest, cleared land).• Analysis of land ownership and user rights.• Analysis of current land use patterns.• Assessment of potential social impact on surrounding communities of a plantation,	
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	<p>including an analysis of differential effect on women versus men, ethnic communities, migrant versus long-term residents. Assessment of above and below ground carbon storage is important but beyond the scope of an EIA.</p> <p>Note: This aspect will be considered by an RSPO Greenhouse Gas Working Group (See Preamble). Plans and field operations should be developed and implemented to incorporate the results of the assessment. One potential outcome of the assessment process is that the development should not proceed, because of the magnitude of potential impacts.</p> <p>For smallholder schemes, the scheme management should do this. For individuals, it does not apply.</p> <p>National interpretation should identify the relevant accreditations for independent experts.</p> <p>National interpretation should consider setting a minimum threshold of the size of new plantings, e.g. 50 ha, above which an SEIA is required.</p> <p>Consider listing unacceptable negative social impacts (e.g., displacement, loss of the food security of local people, etc.) in the national context.</p>	
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<p>Criterion 7.2 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.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Soil suitability maps or soil surveys adequate to establish the long-term suitability of land for oil palm cultivation should be available. • Topographic information adequate to guide the planning of drainage and irrigation systems, roads and other infrastructure should be available. <p>Guidance: These activities may be linked to the SEIA (7.1) but need not be done by independent experts. Soil suitability maps or soil surveys should be appropriate to the scale of operation and should include information on soil types, topography, rooting depth, moisture availability, stoniness, fertility and long-term soil sustainability. Soils unsuitable for planting or those requiring special treatment should be identified. This information should be used to plan 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.</p> <p>Assessing soil suitability is also important for small-scale producers, particularly where there are significant numbers operating in a particular location. Information may be collected and</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark:</p> <p>Brazil has a good cartographic basis for the analysis of agricultural capacity.</p>
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	<p>provided by a smallholder organisation or mill that purchases FFB from individual smallholders.</p> <p>National interpretation should specify the local or national code of practice or other guidelines that should be followed; or set out what 'good practice' constitutes within the local and national context.</p>	
<p>Criterion 7.3 New plantings since November 2005, have not replaced primary forest or any are required to maintain or enhance one or more High Conservation Values.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • An HCV assessment, including stakeholder consultation, is conducted prior to any conversion. • Dates of land preparation and commencement are recorded <p>Guidance: This activity could be integrated with the SEIA required by 7.1. This criterion applies to forests and other vegetation types. This applies irrespective of any changes in land ownership or farm management that have taken place after this date. High Conservation Values (HCVs) may be identified in restricted areas of a landholding, and in such cases new plantings can be planned to allow the HCVs to be maintained or enhanced.</p> <p>The HCV assessment process requires appropriate training and expertise, and must include consultation with local communities, particularly for identifying social HCVs. HCV assessments should be conducted according</p>	<p>International Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remarks:</p> <p>The cultivation and use of manure in small properties must be well planned and monitored.</p> <p>Normally in large areas there is no deforesting due to inspection, but in small areas it often occurs.</p> <p>A system to control deforesting and fires in small and medium properties must be created and maintained.</p>

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	<p>to the National Interpretation of the HCV criteria, or according to the Global HCV Toolkit if a National Interpretation is not available [see Definitions].</p> <p>Development should actively seek to utilise previously cleared and/or degraded land.</p> <p>Plantation development should not put indirect pressure on forests through the use of all available agricultural land in an area.</p> <p>Where landscape level HCV 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.</p> <p>National interpretation should refer to existing national definitions of HCVs (or where these do not exist refer to definitions in the annex) or equivalent landuse/ conservation plans or consider how growers and the audit team can identify High Conservation Values. This may involve collaboration with other bodies. For definition of 'High Conservation Values', see definitions.</p>	<p>Brazilian legislation is quite strict as regards the control of deforesting, as per laws mentioned in item 2.2.1.b of this Report.</p>
<p>Criterion 7.4 Extensive planting on steep terrain, and/or on marginal and fragile soils, is avoided.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Maps identifying marginal and fragile soils, including excessive gradients and peat soils, should be available. • Where limited planting on fragile and marginal soils is proposed, plans shall be developed and implemented to protect them 	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark:</p>

	<p>without incurring adverse impacts.</p> <p>Guidance: This activity may be integrated with the SEIA required by 7.1. Planting on extensive areas of peat soils and other fragile soils should be avoided (see also Criterion 4.3). Adverse impacts may include hydrological risks or significantly increased risks (e.g. fire risk) in areas outside the plantation. (Criterion 5.5). National interpretation should consider including specific controls and thresholds, such as slope limits, listing soil types that on which planting should be avoided (especially peat soils), the proportion of plantation area that can include marginal/fragile soils, and/or definitions of 'extensive', 'marginal' and 'fragile'.</p>	<p>Since 1965 Brazil has a Forest Code that prohibits plantations in areas near waterways, water sources and steep areas (see item 2.2.1.b)</p>
<p>Criterion 7.5 No new plantings are established on local peoples' land without their free, prior and informed consent, 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>	<p>Indicators: Refer to criteria 2.2, 2.3, 6.2, 6.4 and 7.6 for indicators and guidance on compliance.</p> <p>Guidance: This activity should be integrated with the SEIA required by 7.1. 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</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark:</p> <p>See specific legislation on protection of social minorities in item 2.2.2.d.</p>

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	<p>coercion or other undue influence (see guidance for 2.3). Relevant stakeholders include those affected by or concerned with the new plantings.</p>	
<p>Criterion 7.6 Local people are compensated for any agreed land acquisitions and relinquishment of rights, subject to their free, prior and informed consent and negotiated agreements.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Documented identification and assessment of legal and customary rights. • Establishment of a system for identifying people entitled to compensation. • Establishment of a system for calculating and distributing fair compensation (monetary or otherwise). • Communities that have lost access and rights to land for plantation expansion are given opportunities to benefit from plantation development. • The process and outcome of any compensation claims should be documented and made publicly available. • This activity should be integrated with the SEIA required by 7.1. <p>Guidance: Refer also to 2.2, 2.3 and 6.4 and associated guidance. This requirement includes indigenous peoples (see Annex 1).</p>	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p> <p>Remark:</p> <p>See specific legislation on protection of social minorities in item 2.2.2.d.</p>
<p>Criterion 7.7 Use of fire in the preparation of new plantings is avoided other than in specific</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • No evidence of land preparation by burning. • Documented assessment where fire has been used for preparing land for planting. 	<p>National Indicators:</p> <p>Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p>

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<p>situations, as identified in the ASEAN guidelines or other regional best practice.</p>	<ul style="list-style-type: none"> • Evidence of approval of controlled burning as specified in ASEAN guidelines or other regional best practice. • This activity should be integrated with the SEIA required by 7.1. <p>Guidance: Fire should be used only where an assessment has demonstrated that it is the most effective and least environmentally damaging option for minimising the risk of severe pest and disease outbreaks, and with evidence that fire-use is carefully controlled. Extension/training programmes for smallholders may be necessary. National interpretation should identify any specific situations where such use of fire may be acceptable, for example through reference to ‘Guidelines for the implementation of the ASEAN policy on zero burning’, or comparable guidelines in other locations.</p>	<p>Remark:</p> <p>See criteria 5.5, 6.4 and 7.3 of this chart of indicators.</p>
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Principle 8: Commitment with continuous improvement of key areas or activity

Criterion	Indicators and Guidance	National Indicators:
<p>Criterion 8.1 Growers and millers regularly monitor and review their activities and develop and implement action plans that allow demonstrable continuous improvement in key operations.</p>	<p>Indicators: The action plan for continual improvement should be based on a consideration of the main social and environmental impacts and opportunities of the grower/mill, and should include a range of indicators covered by these principles and criteria. As a minimum, these must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> • Reduction in use of certain chemicals (criterion 4.6). • Environmental impacts (criterion 5.1). • Waste reduction (criterion 5.3). • Pollution and emissions (criterion 5.6). • Social impacts (6.1). <p>Guidance: National interpretation should include specific minimum performance thresholds for key indicators (see also criteria 4.2, 4.3, 4.4, and 4.5). Growers 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.</p>	<p>National Indicators: Without proposal of alteration. Plenary meetings consider that international indicators apply to Brazilian reality.</p>