

National Interpretation of the International RSPO Principles and Criteria for Gabon

Process Report

By WWF Gabon on behalf of the Gabon NI Steering Committee and Gabon NI
Working Groups

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Introduction

This document summarises the process that was followed in the development of the National Interpretation of the International RSPO Principles and Criteria for Gabon carried out between June 2012 to November 2015, as per the requirements of RSPO.

The process was designed and supervised by a Steering Committee comprising WWF, SIAT, Olam, ANPN, The process importantly involved a wide variety of stakeholders, including Producers (Olam, SIAT), National and International environmental and social NGOs (WWF, WCS, ZSL, Brainforest, IDRC Africa, Centre pour l'ADDE, Croissance Saine Environnement, AGNU, Civisme Verte Association,), the Administration (National Parks (ANPN), Landuse and Climate (Conseil climat/Plan national Affectation des terres), environment (Direction Générale de l'Environnement et de la Protection de la Nature et le Centre National Antipollution), Forests (Direction Générale des Forêts), Rural Development (Direction Générale du Développement), Labour (Inspection Générale du Travail), Aquatic ecosystem (Direction Générale des Ecosystèmes Aquatiques), TERE, Botanical Institute IPHAMETRA (Institut de Pharmacopée et de Médecine Traditionnelle) and other relevant experts in environment, socio-economics and social mapping.

As a result of the process the Gabonese palm oil stakeholders have developed and validated the International RSPO Principles and Criteria with National Interpretation for Gabon as a FULL national Interpretation for approval by RSPO. The NI documentation includes the following:

- RSPO Principles and Criteria for the Production of Sustainable Palm Oil 2013;
- National Interpretation for twenty-eight (28) specific criteria as requested by the RSPO Standards and Certification Standing Committee that the NIs must address;
- List of national and international laws, conventions and treaties applicable to the sustainable production and use of palm oil in Gabon;
- Definitions of smallholders in Gabon, developed as a part of the national interpretation process;
- Specific definitions, for example: Metrics for Lost Time Accident (LTA); Hazardous operation in the local context; temporary workers; migrant workers; special labour policy; contract substitution and decent living wage (as per guidance for NI development under criterion 6.12).

Process, Participation and Timeline

Process summary

In summary, the process to develop Gabon's National Interpretation of RSPO's P&C included the following key steps:

- The process was initiated in 2012 by four **RSPO members** (WWF, ZSL, SIAT, Olam);
- The RSPO members established an overall Gabon NI **Steering Committee** to oversee the development and validation of the Gabon NI;
- An **RSPO Roadshow** was carried-out to build stakeholder capacity regarding RSPO, its requirements and RSPO's national interpretation process (2012);

- A review of the relevant national laws and regulations and international conventions and treaties was completed and a final **Legal Review** (*Revue Légale*) produced in 2012 (and updated in 2015);
 - Four **technical Working Groups** were created. The WGs held a series of workshops and meetings over the period 2012-2014:
 1. HCV / Biodiversity;
 2. Pesticides and Best Agricultural Practices;
 3. Land Rights and Traditional Rights, and;
 4. Health and Security, Labour.
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- The first “zero” draft for the Gabon NI was developed in 2014;
 - **Public consultation** was carried out both locally and internationally (Dec 2014 – April 2015);
 - The Steering Committee reviewed all comments from the public consultation and made a revised version of the NI (May 2015);
 - The draft Gabon NI (May 2015 version) was sent to RSPO for review. Comments were received back by the Steering Committee and addresses in the subsequent draft;
 - The draft Gabon NI (May 2015 version) and RSPO comments were sent to Proforest (Oxford, UK) to produce a revised version in preparation for the Validation Workshop (Oct 2015);
 - The **Legal Review report was updated** (Nov 2015);
 - The final **Validation Workshop** was held in Libreville (12/13th November 2015) where the Gabonese stakeholders validated criteria by criteria the **Final Gabon NI**;
 - The Gabon NI was translated into a final English version¹, verified as accurate reflection of the Validation Workshop agreements by the Steering Committee and **sent to RSPO for approval** (Dec 2015)..

Initiation

The members of RSPO present in Gabon in 2012, viz Olam, SIAT, ZSL and WWF, committed to a Gabonese National Interpretation process for the RSPO Principles and Criteria. This group designed and managed the overall NI process through a Steering Committee, comprising Olam, SIAT, ANPN and WWF.

The process was officially launched in June 2012 through the holding of an **RSPO Roadshow** in Libreville to which all major stakeholders in the sector were invited. The Roadshow was held on 6 – 7th June 2012 and was co-organized by the Ministry of Agriculture, the Ministry of Environment, and Gabon’s RSPO members. The workshop was facilitated by Proforest.

Seventy four (74) representatives of all key stakeholder groups in Gabon were present at the Roadshow including: civil society organizations, national and regional organizations on pesticide management, palm oil producers, local authorities (from plantation locales), development partners (World Bank, AfDB, AFD), Conservation and agricultural NGOs (WCS, ZSL, Brainforest, Conservation Justice, IDRC Africa, CADDE), key ministries (Forest, Labour, Environment, Agriculture) and the two main national environmental consultancy firms (Ecosphere, TEREAA).

¹ The approved English version will also be made available in french.

Legal Review

A systematic legal review for each RSPO criteria was conducted in 2012 following a legal and institutional review of the sector and discussions with Gabonese legal specialists. Subsequently, the *Legal Review* report was reviewed by the Environmental and Agricultural departments as well as by Gabon's RSPO members. The finalized legal review was presented as part of the RSPO Roadshow in June 2012. This review document was later updated in 2015 to incorporate legislated changes during the intervening period.

Working Groups

The RSPO encourages the countries developing a National Interpretation to develop multi-stakeholders working groups to ensure that the development process is participatory. Therefore, as the central part of the NI process the Steering Committee established four **Technical Working Groups**. Participants voluntarily enrolled themselves in the four working groups. During the RSPO Roadshow June 2012.

The WGs held a series of workshops and meetings over the period 2012-2014:

1. HCV / Biodiversity;
2. Pesticides and Best Agricultural Practices;
3. Land Rights and Traditional Rights, and;
4. Health and Security, Labour.

These working groups were charged with developing national indicators and guidance for their designated sections of the P&C. Each group was to propose indicators of RSPO criteria attractions at its theme for consolidation. So:

- WG1: criteria: 4.2, 4.5, and all criteria of principle 5, 7 and 8;
- WG2 criteria: 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 5.3, 5.5, 5.6, 7.2, 7.4 and 7.7;
- WG3 criteria: 2.2, 2.3, 6.1, 6.2, 6.3, 6.4, 6.10, 6.11, 7.1, 7.5 and 7.6;
- WG4 criteria: 3.1, 4.1, 4.7, 4.8, 6.3, 6.5, 6.6, 6.7, 6.8, 6.9, 6.10 and 6.11

See Annexes for the agendas, minutes and participant lists for all the Working Group meetings. (The Annexes are provided in a separate document submitted with this report).

Brief summary about each of the meetings:

The first meeting was the working group 4: Health and security / Labour law, focused, reviewed and proposed the indicators on: (i) principle 3, the criterion 1; (ii) principle 4 the criteria 1, 7 et 8 et (ii) the principle 6 the criteria 3, 5, 6, 7, 8, 9, 10 et 11.

The second meeting was the working group 2: Pesticides and best agricultural practices; and the working group 3: Land rights and traditional rights reviewed and proposed the indicators: for working group 2 the 14 criteria (4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 5.3, 5.5, 5.6, 7.2, 7.4, 7.7) were reviewed and the working group 3 reviewed 11 criteria (2.2, 2.3, 6.1, 6.2, 6.3, 6.4, 6.10, 6.11, 7.1, 7.5, 7.6).

The third meeting was the working group 1: HCV / Biodiversity, it reviewed and proposed the indicators on the criteria 4.2 to 4.5 and all principle 5, 7 and 8;

And the last meeting was an overall review of the WG outputs by the Steering Committee before submitting the first draft of the NI to the secretariat RSPO.

During the meeting the indicators and proposals of participants were discussed, amended or completed and approved by the working group. When a member disagreed with the group, a time was granted to discuss the disagreement and make a proposal against which it was discussed or completed and approved or rejected.

Meetings of groups 2, 3, 4 and the technical committee as the group 1 meeting held in the Auditorium of the Ministry of Water and Forests (same place as the Roadshow June 2012) due to greater participation.

A wide variety of stakeholders participated in these technical Working groups, including:

- Local NGOs: Brainforest, IDRC Africa, CADDE and Croissance Saine;
- International NGOs: WWF, ZSL and WCS;
- Government: Agence National des Parcs Nationaux, Direction Générale de la Protection de la Nature, Direction Générale des Forêts, Climate Council Climate / National Land Planning department, Direction Général du Developpement Rural and the Labour administration;
- Technical Consultants: TEREA;
- Producers / Operators: Olam and SIAT, and
- Media: Africa N°1, Gabon TV and Gabon Review

The Steering Committee also targeted two other important groups: 1) Smallholder Associations and 2) Supply Chain companies, however these two groups are not represented in Gabon and thus were part of the process.

Public Consultation

The Public consultations was conducted over a five-month period and included three distinct steps:

1. **local website** during the period of 23th December 2014 to 23th February 2015;
2. **RSPO website** from 15th January to 15th March 2015, and
3. **local community meetings** around the plantations of Makouké, Kango, Fougamou and Mandji from 16th April - 29th April 2015.

Post public consultation, a technical review of the Draft Gabon NI RSPO P&Cs was conducted by the Working Groups to incorporate comments and proposals from the public consultations online and the four local workshops with local communities around palm oil plantations. A new draft NI *May 2015 draft version*, incorporating comments and formatting to RSPO requirements took place at an NI Steering Committee meeting 13-15th May 2015.

Information about the public consultation and announcements:

The launched a public consultation in a local website (<http://gabonreview.com/wwfrspo/>), an article (<http://gabonreview.com/blog/huile-de-palme-recueil-davis-sur-les-principes-et-criteres-rspo/>) was written to invite people to comment..

Gabon Ma Terre Mon Droit, a local NGOs platform of claims of rights to land of people was published this link in his Facebook page: <https://www.facebook.com/GMTMD/posts/859910140741030>

Eugène Ndong Ndoutoume, Business and Biodiversity Coordinator WWF Gabon was published in his Facebook page: <https://www.facebook.com/euqs.ndong/posts/767576003297246>;

The association RSE et PED informs CSR in emerging and developing countries, was published the link in his website: <http://www.rse-et-ped.info/huile-de-palme-recueil-davis-sur-ladaption-des-principes-et-criteres-rspo-au-gabon/>

The African Organisation for Standardisation (ARSO) was published this link in his Facebook page (<https://www.facebook.com/AfricanOrganisationforStandardisation/posts/772130896210233?fref=nf>) and the email was addressed each member Working Group NI to share in their network.

And the RSPO website was published the announcement: <http://www.rspo.org/certification/national-interpretations/public-consultations/gabon-national-interpretation-public-consultation>

In addition, further communication about RSPO and the NI process was presented by the members to:

National reflection workshop on the definition of Corporate Social Responsibility(CSR) Standard for the extractive industry in the CEMAC zone - it was an opportunity to promote RSPO and to present a local initiative to have a standard;

On World Environment Day organized by Environmental office (DGEPN), one of the discussions was on land and forest conservancy and the opportunity to present that palm oil development according to the RSPO allows the preservation of forests and natural resources and to promote RSPO and NI process.

RSPO Review

The revised draft Gabon NI RSPO P&Cs (*May 2015 version*) was submitted to the RSPO on 27th May 2015 for comments. RSPO comments were received back by the Gabon NI Steering Committee on 22th July 2015.

Validation Workshop

The National Validation Workshop took place on 12-13th November 2015 at the National Senate Building, Libreville and was facilitated by Proforest. Prior to the Validation Workshop, Proforest reviewed the draft NI document and addressed all the RSPO comments to produce a Validation Workshop version of the NI document.

The two-day Validation Workshop involved some 35 participants comprising the working group members. They were divided into two main groupings: voting members and observers. Both voting members and observers deliberated equally on the NI guidance, criteria by criteria. The Validation Workshop only deliberated the 28 criteria where RSPO requires NIs to give guidance. Voting members were divided into three chambers: environment, social, and production; and the facilitators made sure that there was parity between the chambers – six members per chamber. After participatory debate on each criterion, a vote was held using red and green cards. If all members voted “green” then the guidance for that criterion was adapted. If a red card(s) was/were shown then the member(s) holding the red card(s) was required to say why they do not want to validate the NI guidance and propose an amendment. This was followed by further debate and a repeat vote. This continued until all the 28 criteria had been unanimously adopted.

Submission to RSPO

The Gabon Steering Committee has submitted the following documents to RSPO for approval, in December 2015:

1. Gabon Full National Interpretation of the RSPO P&C in English
2. Smallholder definitions for Gabon
3. Laws, Treaties and Conventions Review
4. NI Process Report (this report)

Timeline

Sample of a table showing the time Line of the process

No	Activity	Year 2012								Year 2013								Year 2014								Year 2015																															
		Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec																					
1	Convening Technical Committee																																																								
2	1st meeting of Technical Committee					X																																																			
3	Revision of the document and development XXX																																																								

4	Review of the Laws Conventions and Treaties		X	X	X	X																																															
5	1st meeting of Technical Committee												X																																								
6	2rd meeting of Technical Committee																																																				
8	3th meeting of Technical Committee																																																				

Annexes

1. Minutes of Steering Committee meetings
2. Minutes of Working Group meetings
3. Roadshow Meeting 2012 Report
4. Minutes of Public Consultation process
5. Comments received on-line
6. Validation Workshop (2015) Report