

MINUTES OF MEETING
JURISDICTION WORKING GROUP MEETING #13 (VIRTUAL)

Date : 03 October 2022 (Monday) 8:00 pm to 9:30 pm (MYT)

<p><u>Attendance:</u> <u>Members and alternates</u></p> <ol style="list-style-type: none"> 1. John Watts (INOBU) 2. Rob Nicholls (Musim Mas) 3. Maria Amparo (Ecuador CISPS) 4. Lee Kuan Chun (P&G) 5. Sander van den Ende (SIPEF) 6. Marcus Colchester (FPP) 7. Glyn Davies (WWF Malaysia) 8. Lim Sian Choo (Bumitama) 9. Jon Hixson (YUM) 10. Chin Kai Xiang (Bunge) 11. Daniel Liew (RSPO) 	<p><u>Absent with Apologies</u></p> <ol style="list-style-type: none"> 1. Rauf Prasodjo (Unilever) 2. Paul Wolvekamp (Bothends) 3. Wahyu Wijayanti (Sinarmas) 4. Putra Agung (Rainforest Alliance) 5. Quentin Meunier (Olam) 6. Tom Lomax (FPP) 7. Alagendran Maniam (Sime Darby) 8. Javin Tan (RSPO)
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Agenda

Jurisdictional Working Group
Meeting Agenda - 03 Oct 2022
Venue - video conferencing

Item	Time (MYT)	Duration (minutes)	Agenda	P.I.C
1 - JWG - admin matters	2000 - 2005	5	1.1 - Opening	
	2005 - 2010	5	1.2 - RSPO Antitrust Guidelines, Conflict of Interests Declaration, and Chatham House Rules 1.3 - Acceptance of minutes - JWG meeting #12 - Jan22	
2 - JWG - updates	2010 - 2020	10	2.1 - JA pilots updates - Seruyan, Sabah and Ecuador	
	2020 - 2035	15	2.2 - JA-BHCV subgroup activities update	
	2035 - 2045	10	2.3 - JE membership category study - updates	
	2045 - 2100	15	2.4 - JWG membership - inactive members and Glyn's retirement	
3 - Next steps	2100 - 2125	25	3.1 - JWG workplan discussion	
	2125 - 2130	5	3.3 - Any other business	

Minutes of Meeting:

Item	Description	Action
<p>1.1 1.2</p>	<p>Opening Antitrust guidelines, Conflict of interests declaration and Chatham House Rule</p> <p>The meeting started at 8:05 pm Malaysian time, with the co-chair welcoming JWG members present.</p> <p>The Secretariat highlighted that this meeting is to update members on the happenings of JWG, since the last meeting in Jan 2022.</p> <p>All members agreed with the RSPO antitrust guidelines and Chatham House Rules, and declared that there was no conflict of interests.</p>	
<p>1.3</p>	<p>Minutes – JWG meeting #12</p> <p>The minutes was found to be in breach of the Chatham House Rules. The Secretariat would re-work it and share with members for adoption at later date</p>	
<p>2.1</p>	<p>JA pilots updates</p> <p><u>Seruyan</u> In 2020-21, working groups in the Seruyan pilot (Kotawaringin Barat, working in parallel) have been restructured and meeting more regularly.</p> <p>The pilot has already moved on to Step 2 of the Stepwise Approach for many topics including FPIC, HCV-HCS, LUCA etc</p> <p>There is no jurisdictional entity (JE) yet in the pilot. Only jurisdictional working groups and secretariat were set up. The absence of JE was due to lack of clarity on membership class for JE relating to large producers.</p> <p>The pilot has only set up JE for smallholders, based on the FELDA model. The JE for smallholders is an independent organisation under Indonesian law with government involvement on the board but not in operations.</p> <p>The Seruyan pilot envisioned having different JEs for smallholders and large producers, to which different RSPO standards applies. On this note, the Secretariat later explained that it is possible to have only one JE covering the entire jurisdiction but the JE could have multiple certificates covering different areas within the jurisdiction.</p> <p>The Seruyan pilot is looking for formal recognition of its status as a RSPO pilot and where they have progressed in terms of the Stepwise approach.</p>	

<p>Kotawaringin Barat status as JA pilot or otherwise is still unclear, despite having worked alongside Seruyan since the beginning</p> <p>The Secretariat explained that Seruyan, Sabah and Ecuador has been recognised as official RSPO JA pilot, despite the absence of official document from RSPO formally stating as such. The official status of Seruyan and Sabah came from the fact that the initiatives were announce in official RSPO events.</p> <p>The Seruyan pilot also recommended the Secretariat to set up a system for recognising the progress of JA pilots along the Stepwise approach</p> <p><u>Sabah</u> Sabah is putting through a draft enactment for jurisdictional certification within the state. It is moving but will take time and depends on political situations in Sabah.</p> <p>The six working groups in the Sabah pilot had been restructured and given specific issues to deal with, namely land title of smallholders; forced, migrant and child labour; HCV plan</p> <p>The Sabah pilot still lacking sustained and reliable funding model for running the JE. It is now still relying on grants from NGO and big companies.</p> <p><u>Ecuador</u> In 2021, new govt came into power, third one since the start of the JA initiative in Ecuador.</p> <p>The pilot team spent months updating the new authorities including ministries of Agriculture and Environment which are part of CISPS, the JE for Ecuador pilot. Approval was given to CISPS to continues its activities.</p> <p>Conservation International (CI) and USAID joined CISPS to help smallholders join certification initiatives in the Amazon.</p> <p>CISPS planned to review the applicability of the HCV/HCS data which was done three years ago.</p> <p>Environmental permits of smallholders were also being reviewed</p> <p>There are regulations in Ecuador that govern public-private partnership. CISPS is in the process of getting consultation from the Attorney General's office on how JE is going to continue to function.</p>	<p>The Secretariat to look into the status of Kotawaringin Barat</p> <p>The Secretariat to check the need for formal documentation of status of pilots</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>The Ecuador pilot team reiterated that the reaction from the Agri and Env ministries had been slow but they are definitely onboard.</p> <p>The pilot team also confirmed that this renewed JA efforts with the new Ecuador administration was still intended to cover the whole country with initial focus on the Amazonian region</p> <p>Co-chair suggested the Secretariat to have a “scorecard” system where pilots progress can be monitored and gaps identified. And JWG could assist in closing those gaps and solve problems faced by pilots</p> <p>Co-chair suggested to put in specific criteria based on the JA piloting framework document. Scoring to be conducted based on those criteria. The “scorecard” would be used to help discussion in the next JWG meeting #14 on 27 Nov 2022.</p> <p>2.2 JA-BHCV subgroup activities updates</p> <p><u>Jurisdictional HCV mapping</u> The Secretariat updated members on discussion with HCVN regarding developing a jurisdiction HCV screening tool and quality assurance process</p> <p>The Secretariat had a call with HCVN on 30 Sep 22. Summary as follow : Review of HCV at pilot site would not invalidate existing data HCV review process would not follow current ALS system Public consultation is possible during development process of the tool Requested for detailed breakdown of development steps, including related time and costs</p> <p><u>RaCP study in JA context</u> The Secretariat updated that there has been no interests / no response yet from organisations directly contacted for the study The Secretariat will initiate open tender procedures on RSPO website</p> <p>2.3 JE membership category study updates</p> <p>The Secretariat updated members with conclusions reached by Swiss law firm that was engaged by RSPO to conduct the study.</p> <p>The Secretariat also shared the tentative treatment JE membership classifications, which are to be discussed further with the lawyer on feasibility</p> <p>See Annex1 for details</p> <p>The potential changes in RSPO Statutes and other documents, that come with lawyer’s advice on the membership classification of JE, would need to be approved by RSPO members in general assembly.</p>	
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

<p>2.4 JWG membership – retirement and inactive members</p>	<p>Co-chair requested that there be follow-up report from the lawyer regarding the proposed treatment of JE membership.</p> <p>The follow-up report should be available for discussion in the next JWG meeting #14 on 27 Nov 22</p> <p>It was discussed among members that even though certain jurisdictions might be occupied by predominantly growers of different sizes, but there would still be involvement of non-growers like NGOs, government units etc that give multi stakeholders characteristics to JE and would therefore not fit the “grower” sector.</p> <p>Members felt that there are differences among them in terms of definition of a JE. But in spite of that, it was agreed that the sector of “grower” would not fit JE and a new sector is needed. The lawyer should provide follow-up advice for further actions by JWG and subsequently by the GA.</p> <p>It was also agreed that including the proposed new sector on RSPO Board of Governors is premature for now, due to the minimal number of JA pilots now.</p> <p>Retirement of co-chair and member from E-NGO Replacement needed a new co-chair and as member from E-NGO sector Member replacement should be someone capable of bringing information about Sabah pilot to the working group</p> <p>Replacement for co-chair from the JA pilot was informally proposed, to be formally voted on in the next JWG meeting.</p> <p>The Secretariat is contacting three inactive members identified to seek further info on their continued interests to be in the JWG</p> <p>The Secretariat would call for participation in the JWG on RSPO website for the still vacant sector of smallholders and financial institution</p> <p>A member commented that should include middle size grower as well.</p>	<p>The Secretariat to get follow-up report from Holenstein Brusa</p> <p>Co-chair to formally nominate member replacement in time for new member to join the next JWG meeting #14</p> <p>Update mid Oct22 – new rep nominated by two of the organisation. Yet to hear from one more.</p>
--------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>3.1</p>	<p>JWG workplan discussion</p> <p>The Secretariat showed a list of issues that the JWG is tasked to resolve in order to achieve the main goal of the JWG which is to produce certification system and documents for the jurisdictional approach.</p> <p>The issues are HCV-HCS mapping methodology for JA RaCP for JA Membership category for jurisdictional entity (JE) Treatment of non-compliance – JE and individual JE members PalmTrace for JA ACOP reporting for JA Stepwise approach – 1 and 2 - progress verification SOP</p> <p>The Secretariat pointed out that the target of the next JWG meeting is to find the path to solving these issues and to come up with a definite timeline for it</p> <p>Members requested to add “certification system” to the list</p> <p>Members to work on estimating timeline for items listed, circulated among members and to be discussed in the next JWG meeting</p>	
<p>3.2</p>	<p>Any other business</p> <p>A member pointed to the costs of the HCVN proposal. The Secretariat replied that the JA-BHCV subgroup would make a final decision on whether the proposed HCVN screening tool is necessary in JA. If affirmative, we would then initiate the negotiation process with HCVN.</p> <p>The meeting ended at 9:38 pm Malaysian time.</p>	