

MINUTES OF MEETING JURISDICTION WORKING GROUP MEETING #15 (VIRTUAL)

Date : 27 January 2023 (Friday) 4:00 pm to 6:00 pm (MYT)

<u>Attendance:</u>	<u>Absent with Apologies</u>
<p><u>Members and alternates</u></p> <ol style="list-style-type: none"> 1. John Watts (Kaleka)* 2. Rob Nicholls (Musim Mas) 3. Lee Kuan Chun (P&G) 4. Sander van den Ende (SIPEF)* 5. Marcus Colchester (FPP) 6. Glyn Davies (WWF Malaysia)** 7. Chin Kai Xiang (Bunge) 8. Paul Wolvekamp (Bothends) 9. Melissa Thomas (CI) 10. Eleanor Spencer (ZSL) - JA-BHCV subgroup 11. Daniel Liew (RSPO) 	<ol style="list-style-type: none"> 1. Aprilianto Nugroho (Sinarmas) 2. Quentin Meunier (Olam) 3. Tom Lomax (FPP) 4. Eza Nurain Abdullah (Sime Darby) 5. Maria Amparo (Ecuador CISPS) 6. Jon Hixson (YUM) 7. Lim Sian Choo (Bumitama) 8. Rauf Prasodjo (Unilever) 9. Tri Padukan Purba (Rainforest Alliance)

*Co-chairs of JWG

**Special consultant

Agenda

Jurisdictional Working Group
Meeting Date - 27 January 2023
Venue - Zoom video conference

Item	Time (MYT)	Duration (minutes)	Agenda	Remarks
1 - Admin matters	1600 - 1605	5	1.1 - Opening	BHCV to join meeting BHCV to join meeting
	1605 - 1610	5	1.2 - RSPO Antitrust Guidelines, Conflict of Interests Declaration, and Chatham House Rules 1.3 - Acceptance of minutes - JWG meeting #14 - Nov22	
2 - Discussion and updates	1610 - 1630	20	2.1 - RaCP for JA study	
	1630 - 1700	30	2.2 - HCVN-HCSA proposal	
	1700 - 1710	10	2.3 - JE membership in RSPO	
3 - Other JWG matters	1710 - 1740	30	2.4 - JA strategy paper for BoG	
	1740 - 1750	10	3.1 - JWG membership updates	
	1750 - 1800	10	3.2 - Any other business	

Minutes of Meeting:

Item	Description	Action
<p>1.1 1.3</p>	<p>Opening Acceptance of minutes – JWG Meeting #14</p> <p>The meeting started at 4:16 pm Malaysian time.</p> <p>2 new members who recently joined the JWG as Substantive and Alternate members, representing E-NGO, gave a brief introduction.</p> <p>Minutes of the JWG Meeting #14 was adopted by members.</p>	
<p>2.2</p>	<p>HCVN-HCSA proposal</p> <p>Special consultant briefed members on the visit by HCVN and HCSA to Sabah to attend the technical presentation of state-wide HCV assessment.</p> <p>The bio-diversity indicators for the whole of Sabah were pooled together by the Sabah Forestry Dept, covering HCV 1-2-3. HCVN and HCSA had constructive discussion about the data with relevant personnel and the special consultant didn't think there is any issue at a technical level.</p> <p>HCVN and HCSA should now work out how to carry out their assessment with these available data, using a risk-based approach.</p> <p>A member representing social NGO pointed out that it is important to ensure that HCV 4-5-6 are also considered in the assessment and how they would be further drilled down from screening level. Without it, the social NGO group felt that they might not be able to approve the proposal</p> <p>Regarding customary land rights and how it is going to be addressed, the special consultant explained that there are technical issues to be resolved and sensitivities in collecting the relevant data, but agreed that it is one of the HCV issues that has to be dealt with by the state.</p> <p>It was also pointed out that, due to the scale of JA, a risk-based approach is needed from HCVN to focus limited resources of jurisdictions.</p> <p>Co-chair further pointed out that HCV-HCS are responsibilities upwardly delegated to jurisdiction to implement. Of that only HCV 1-2-3 are possible to implement at jurisdictional level, HCV 4-5-6 would remain responsibilities of growers to implement at management unit level</p> <p>Special consultant reiterated the need to get HCVN and HCSA feedback on their Sabah visit and the Secretariat mentioned that a terms of reference would be prepared to document concerns of members before development work begins.</p>	<p>The Secretariat to check with HCVN status and updates of the Sabah review report</p>

<p>2.1 RaCP for JA study</p>	<p>A member reminded that in further development of “finer grain” approach, social elements like smallholders and community rights are not to be left out.</p> <p>Co-chair highlighted the incongruence between RSPO standards and government policies e.g. no deforestation. Is RSPO willing to be flexible with its standards to accommodate govt policies ? For example, if the state has set aside forest area for protection, is development allowed elsewhere ?</p> <p>The group also discussed on authority of RSPO JA over other non-oil palm developments in HCV-HCS areas identified within a jurisdiction. The understanding is that RSPO should only have authority over oil palm development, and it is govt’s decision to enforce other non-oil palm development.</p> <p>The group also agreed that land use change (non-oil palm to palm and vice versa) and the question of RSPO’s authority need to be further discussed.</p> <p>On the point of non-mandatory status of the proposed methodology on JE, a member asked what then would be used to gauge the acceptability of the alternative.</p> <p>It was explained that HCV-HCS assessment is to be carried out by govt of a jurisdiction, the proposed methodology is to provide recommendations of basic requirements that has to be addressed in the assessment process, but the govt would not necessary be using the HCVN tool. It was agreed that those basic requirements have to be made explicit so that the data quality can be clearly assessed.</p> <p>A member pointed out that the proposed methodology should be a way to assess risks and prioritise within the landscape. Based on the risks profile, further information needs to be collected not only for HCV 4-5-6 but for HCV1-2-3 as well.</p> <p>The Secretariat clarified that the proposed methodology is to conduct the assessment not just based on risk but also the probability as well. More field work would be required for high-risk high probability areas.</p> <p>A member highlighted that social requirements of HCSA should be included in the proposed methodology.</p> <p>The Secretariat updated the working group that the consultants are almost ready to start work on the study, pending RSPO internal contracting process.</p>	
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	<p>On the review of RaCP after P&C 2018, it was clarified that the review is completed and adopted by the BHCV working group, together with some recommendations in the report. The issue was that the recommendations have not been followed up on. It was agreed that the review report of RaCP (P&C 2018), should be shared with the current consultant to provide additional information for their work now in JA perspective.</p> <p>For this RaCP for JA study, a member reminded that in addition to environmental liabilities, social liabilities need to be considered as well.</p> <p>2.3 JE membership in RSPO</p> <p>The Secretariat updated the group that it is working with lawyer to redraft RSPO documents, namely RSPO Statutes, Membership Rules and Code of Conduct for Members, to reflect the inclusion of JE as new type of member.</p> <p>Co-chair explained the rationale for this action point for the benefit of new members.</p> <p>A member highlighted the representation of government in JE and the need for special attention to deal with this by RSPO. It was also reminded that partly due to govt involvement in JE that it was decided to not allocate BoG representation to JE for the time being.</p> <p>2.4 JA strategy paper for BoG</p> <p>It was pointed out that the strategy paper, in its current version, did not have information on resources needed for the action points. It was agreed that where accurate information on resources needed is available, it would be included in the strategy paper.</p> <p>Co-chair explained that the strategy paper was to expedite completion of action points that are required towards a complete certification system document for JA, within the next two years. Secondly, it is to better communicate RSPO JA and the progress so far to RSPO members, the Secretariat and to external stakeholders</p> <p>A member shared feedback from the Seruyan pilot regarding interactions with RSPO</p> <ul style="list-style-type: none"> i) Better sharing of information between RSPO and themselves e.g. P&C review ii) More supportive advisory engagement from RSPO iii) Letter from RSPO to grower members in JA pilots areas to encourage their support to the pilots 	<p>Secretariat to include costs information to the strategy paper, where available.</p>
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<p>3.1 JWG membership updates</p> <p>3.2 Any other business</p>	<p>It was pointed out that there needs to be better coordination between RSPO offices in Malaysia and Indonesia in engaging members in JA activities and other program activities.</p> <p>A Secretariat staff from RSPO Indonesia office was suggested as the right person to be involved more in JWG discussions, for better coordination and outreach.</p> <p>It was also suggested to have a face-to-face meeting between JWG and relevant person in the Secretariat to discuss coordination of different RSPO units in relation to the work plan in the strategy paper.</p> <p>It was agreed by the group that final feedback by members should be received by 3 Feb 2023. Finalised draft at JWG level to be shared with JD for further input in the week of 6 Feb 2023.</p> <p>New JWG member (alternate) representing Environmental NGO was introduced and admitted to the group at the beginning of the meeting.</p> <p>On the potential new member (substantive) for smallholder (Malaysia), a member updated there was positive interests from the candidate but need further follow up from the Secretariat.</p> <p>No update was available regarding potential member from the financial sector.</p> <p><u>Other non-RSPO JA landscape initiatives</u> A member mentioned that there were about 20 or 25 other jurisdictional initiatives in Indonesia that overlapped with oil palm landscapes. It was suggested that we need to engage them for 2-way information sharing with them.</p> <p>Another member added that there are a lot of landscape initiatives in Indonesia but they might not be interested in certifying their practices (beyond certification).</p>	<p>The Secretariat to consider JA resources allocation between Malaysia and Indonesia offices</p> <p>To plan a physical meeting in KL btw JWG and the Secretariat, in Mar/Apr 2023</p> <p>Draft was shared with JD on 10 Feb 2023.</p> <p>The Secretariat emailed invitation to said potential member on 16 Feb 2023</p> <p>To close the case for the search for financial sector for now</p>
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	<p>Engaging these other landscape initiatives could potentially help avoid duplication of work required and synergise better with RSPO JA pilots, but prioritising resources is needed.</p> <p>A member offered to help link up JWG and RSPO with the landscape projects of his organisation.</p> <p>The Secretariat pointed out that while RSPO is open to engagement with other landscape initiatives, we would need to prioritise resources for the development work of RSPO own JA project.</p> <p><u>Surat Thani</u> Question was asked about updates from Surat Thani regarding its potential as another RSPO JA pilot.</p> <p>The Secretariat updated that there was no new development from ST, after their study tour to Seruyan and attending RT 2022. No approach has been made to RSPO on their next work plan. It was added that the ST government focus is more on smallholders certification.</p> <p>The meeting adjourned at 6:02 pm Malaysian time.</p>	<p>The Secretariat to follow up RSPO Thailand office</p>