

MINUTES OF MEETING JURISDICTION WORKING GROUP MEETING #17 (VIRTUAL)

Date : 18 May 2023 (Thursday) 7:00 pm to 8:40 pm (MYT)

<u>Attendance:</u>	<u>Absent with Apologies</u>
<p><u>Members and alternates</u></p> <ol style="list-style-type: none"> 1. Sander van den Ende (SIPEF)* 2. Chin Kai Xiang (Bunge) 3. Lim Sian Choo (Bumitama) 4. Silvia Irawan (Kaleka)* 5. Maria Amparo (CISPS) 6. Jon Hixson (YUM) 7. Marcus Colchester (FPP) 8. Melissa Thomas (CI) 9. Max Donysius (WWF Malaysia) 10. Alfre Yee (LKSS) 11. Eleanor Spencer (ZSL) 12. Daniel Liew (RSPO) 	<ol style="list-style-type: none"> 1. Quentin Meunier (Olam) 2. Tom Lomax (FPP) 3. Eza Nurain Abdullah (Sime Darby) 4. Rauf Prasadjo (Unilever) 5. Tri Padukan Purba (Rainforest Alliance) 6. Glyn Davies (WWF Malaysia)** 7. Rob Nicholls (Musim Mas) 8. Lee Kuan Chun (P&G) 9. Paul Wolvekamp (Bothends) 10. Aprilianto Nugroho (Sinarmas)

*Co-chairs of JWG

**Special consultant

Agenda

Jurisdictional Working Group
Meeting Date - 18 May 2023
Venue - Zoom video conference

Item	Time (MYT)	Duration (minutes)	Agenda	Remarks
1 - Admin matters	1900 - 1905	5	1.1 - Opening and welcome	Andrew Silvia Maria
	1905 - 1910	5	1.2 - RSPO Antitrust Guidelines, Conflict of Interests Declaration, and Chatham House Rules 1.3 - Acceptance of minutes - JWG meeting #16 - Mar23	
2 - Updates and discussions	1910 - 1930	20	2.1 - Projects updates by the Secretariat	
	1930 - 1945	15	2.2 - JA pilot update - Sabah	
	1945 - 2000	15	2.3 - JA pilot update - Seruyan	
	2000 - 2015	15	2.4 - JA pilot update - Ecuador	
3 - Other JWG matters	2015 - 2030	15	3.1 - JWG membership matters - co-chair vacancy	
	2030 - 2040	10	3.2 - Any other business	

Minutes of Meeting:

Item	Description	Action / Remark
<p>1.1</p>	<p>Opening and welcome new members</p> <p>The meeting started at 7:06 pm Malaysian time.</p> <p>Newly joined members joining the meeting for the first time, representing smallholders and NGOs, introduced themselves to the group.</p> <p>RSPO Antitrust Guidelines, Conflict of Interests Declaration and Chatham House Rules</p>	
<p>1.2</p>	<p>There was no question regarding the guidelines and the rules. And no conflict was declared.</p>	
<p>1.3</p>	<p>Acceptance of minutes – JWG Meeting #16</p> <p>Minutes of the JWG Meeting #16 was adopted by members.</p>	<p>The Secretariat to share latest draft of JA strategy paper.</p>
<p>2.1</p>	<p>Project updates by the Secretariat</p> <p><u>HCV-HCS jurisdictional screening tool</u> Members were informed that the latest proposal has incorporated important points from the ToR prepared by the Secretariat and that contracting process would start in the absence of any major critical feedback from members.</p> <p>Tentative work timeline of the project was also shared with members, beginning in June till end of 2023.</p> <p>There was NO major critical feedback brought up during the meeting.</p> <p><u>JE RSPO membership</u> The Secretariat is in the process of engaging consultant to review if existing membership structure works for JE and how should JE membership be structured if it doesn't. The consultant is also expected to provide recommendation of a JE membership model and study the impacts on existing structure.</p> <p>The Secretariat assured members that the ToR for the engagement will be shared with members for feedback once it has been finalised internally.</p> <p>Involvement of govt in JE and the issue of accountability is one of the main issues to be reviewed by the consultant.</p>	<p>Secretariat to share JE consultant ToR</p>

<p>2.4 Ecuador pilot updates</p>	<p>The Secretariat pointed out that the initial plan of having a JE membership model to be tabled at GA 2023 is unlikely, due to internal delays. However, the consultant should be able to come up with a draft model by Q3 2023.</p> <p><u>RaCP for JA study</u></p> <p>The interview process has been completed and the Secretariat is reviewing the draft report. Some important findings were discussed during the meeting – meaning of “<i>potential liability</i>”, prioritisation of <i>on-site compensation</i> for JA and who should be responsible for <i>liabilities of smallholders</i>.</p> <p>On the question of smallholders’ liabilities, a member commented that the procedures are unclear under RSPO. However, under MSPO, government is clearly responsible for the liabilities if smallholders.</p> <p>Governmental transition during the pandemic affected the engagement of ministries and slowed the JA process.</p> <p>But there were still progress with Pro Amazonia which started working with smallholder certification and Conservation International renewed support in Ecuador.</p> <p>CISPS, the Ecuador pilot JE, resumed working in January 2023 and developed an updated action plan.</p> <p>The pilot was getting more private sectors (DANEC) to be involved, to take up the lag in govt involvement and to cushion the blow of another government change in upcoming election.</p> <p>While processes like FPIC, HCV-HCS mapping are ongoing, the biggest challenge for Ecuador pilot is the engagement of government as they are face with another potential change in government, another delay is expected.</p> <p>CISPS feels that there is a need to replicate the JE model down at the municipality level to reinforce the capacity to help smallholders integrate into the jurisdictional approach initiative.</p> <p>To questions from members, the Ecuador pilot representative informed that the funding for CISPS would finish by the end of 2023 and efforts are being made for new funding beyond 2023. And Conservation International has recently join the pilot effort with new funding.</p> <p>The rep also shared that the mapping conducted in was not in accordance to the HCVN method. The maps have however been reviewed by Proforest which was of the opinion that it could be made to adhere to HCVN method with some adjustment.</p>	
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<p>2.2 Sabah pilot updates</p>	<p>The Sabah JE has activated six working groups that work on Climate / Environment, FPIC, Legal, Labour, M&E and Smallholders</p> <p>The Sabah pilot has established a separate legal entity (a private limited company) to govern the operations of the JE. It has also established the Facilitated Land Application Process guidance and the Sabah FPIC Guide.</p> <p>The rep stressed the need for recognition of pilot progress through the Stepwise Approach which would help to alleviate some of its challenges like sustaining interests of govt and funders.</p> <p>Explaining the need to sustain govt leadership and interests, another rep of Sabah pilot explained that govt needed to be able to see some rewards for the pain that they have to put up with e.g. sharing control with private entities and civil societies and zoning no-go areas, enacting unpopular laws. Recognition could be in the form of positive PR that could eventually lead to material rewards.</p> <p>A member noted that the involvement of Government in Sabah was very encouraging, while sustaining the companies' engagement was proving the challenge in Seruyan. He reminded the group that it was agreed in earlier JWG meeting that RSPO would send a letter to companies in the Seruyan areas to encourage more involvement from them in the Seruyan JA initiatives.</p> <p>On the issue of JA promotion, the member suggested that we should plan for another JA session in RT 2023, with more media coverage.</p>	<p>Secretariat to send letter to RSPO Producer members in Seruyan encouraging them to get involved in the JA, JE and working groups.</p> <p>Secretariat to help plan agenda and budget for JA session at RT 2023.</p>
<p>2.3 Seruyan pilot updates</p>	<p>The pilot rep shared the history of the Seruyan pilot which started in 2015 and explained that the process sustained due to the positive impacts of smallholders certification program, which led to the continued interests and supports from stakeholders for the JA initiatives.</p> <p>After eight years of working on JA, the Seruyan district government has issued eight regulations that incorporated RSPO P&C and brought to district level.</p> <p>The regulations cover conflict registration and handling, HCV-HCS, producers data collections. Other ongoing regulations development includes land rights, labour standards and fire prevention.</p>	

	<p>The multi stakeholders working group of Seruyan pilot is currently in the process of designing the structure of their JE and discussing with some medium and small scale companies to gauge their interests in being part of the process.</p> <p>Associations are formed to be the umbrella organisation to handle the certification of smallholders within Seruyan.</p> <p>The Seruyan pilot has received a grant from SECO to support the work on HCV-HCS mapping, women and children and other social issues and also smallholders.</p> <p>The rep explained that to overcome the problem of high turnover of govt officials, the Seruyan pilot would work with as many officials as possible so that there would always be someone to continue the work and that those who leaves would carry with them the knowledge and interests of JA to other relevant agencies.</p>	
<p>3.1</p> <p>JWG co-chair vacancy</p> <p>3.2</p> <p>Any other business</p>	<p>Only one nomination received. The same person was also endorsed by the NGO caucus of the JWG There was no objection to the nomination from JWG members present at the meeting.</p> <p>A member and the Secretariat suggested that an email is to be sent out to all absent members at this meeting to inform them of the decision reached and record objections, if any.</p> <p>The Secretariat reached out to potential entity to represent smallholders (rest of world) but have not received any response.</p> <p>Members were informed that the Secretariat and Kaleka are planning to organise a physical workshop to bring all three pilots together for sharing of learnings and discussion.</p> <p>The workshop is tentatively planned for August 2023, in Indonesia.</p> <p>A member asked about the limitation of grower size (>500 ha) to be part of a group certification and the impact on interests of growers in joining JA certification. It was explained that the size limit applies to existing management unit certification system but JA certification should be subjected to different rules when the certification system is ready. Also, the size limit could be revised as RSPO reviews its support to medium growers.</p>	<p>Email sent on 22 May 2023, no objection recorded, new-co chair confirmed</p> <p>Secretariat to follow up.</p> <p>To put as a standing matter for further discussions – size limit, supports and impact on JA certification</p>

	The meeting ended at 9:08 pm	