

MINUTES OF MEETING
20th SSC Meeting

Time : 1500 - 1800 (MYT)
Date : Tuesday, 26th October 2021
Venue : Zoom Meeting
: <https://zoom.us/j/96526978864> Meeting ID: 965 2697 8864
Passcode: SSC#21st

Attendees:

Name	Initial	Organisation	Representative Category
1. Lee Kuan Yee (Co-Chair)	LKY	MPOA/CLK	Grower (MY)- Substantive
2. Brian Lariche	BL	Humana Child Aid	SNGO - Substantive
3. Ian Orrell	IO	NBPOL	Grower (Smallholder) - Substantive
4. Masui Nobuhiko	MN	KAO Group	CGM - Alternative
5. Sian Choo Lim	SCL	Bumitama Agri	Grower (INA) - Substantive
6. Anne Rosenbarger	AR	WRI	ENGO – Substantive
7. Librian Anggraeni	LA	Musim Mas	P&T – Alternate
8. Sander van den Ende	SvE	SIPEF	Grower (RoW) - Substantive
9. Jenny Walther-Thoss	JW	Sust BioMass	ENGO- Substantive
10. Mohamed Dao	MD	OLAM Group	Grower (RoW) – Alternate
Guest			
1. Julia Majail	JM	RSPO Secretariat	
2. Amir Afham	AA	RSPO Secretariat	
3. Dede Herland	DH	RSPO Secretariat	
4. Khing Su Li	KSL	RSPO Secretariat	
5. Prasad Vijaya Segaran	PVS	RSPO Secretariat	
6. Javin Tan	JT	RSPO Secretariat	
7. Devala Devi Sivaceyon	DDS	RSPO Secretariat	
8. Dr. Gan Lian Tiong	GLT	RSPO Secretariat	
9. Tiur Rumondang	TR	RSPO Secretariat	
Absence with apology:			
1. Olivier Tichit (Co-Chair)	OT	Musim Mas	P&T – Substantive

Agenda:

Time	Item	Agenda	PIC
1500 - 1505	1.0 1.1 1.2	Opening Acceptance of agenda RSPO Antitrust Law RSPO consensus-based decision making	Co-Chairs
1505- 1510	2.0 2.1 2.2	Confirmation of the 20th MoM on 01 Sept 2021 Confirmation of 20 th Minutes of Meeting Matters arising from the previous meetings/ Action Tracker	Co-Chairs
1510 – 1610	3.0 3.1 3.2 3.3 3.4 3.5 3.6 3.7 3.8	For endorsement/approval Nicaragua NI – for BoG endorsement Ecuador NI – for BoG endorsement Sierra Leone NI – for BoG endorsement Cameroon NI – request for time extension to complete NI LI RISS Criteria Drainability Assessment Procedure Ver2.0 Peat BMP Handbook for Independent SH RISS NI Indonesia	JT JT JT JT JT AA/DS AA/DS DH
1610 - 1640	4.0 4.1 4.2 4.3 4.4	For discussion/decision/approval Proposed interim measure for growers to comply with Ind 2.3.2 (the legality of all indirectly sourced FFB) Proposed text for “External ‘No deforestation’ commitments of RSPO members within the HFC Legacy Procedure Eligibility Requirements Proposed interim measure for scheme smallholder on the use of the RSPO HCV ISH approach and tool Proposal to re-establish GHG WG and approval of ToR	JM AA KSL AA/DS
1640 - 1715	5.0 5.1 5.2 5.3 5.4	For updates DLW revised timeline Gaps Analysis P&C/ILO on forced labour/recruitment fees/related costs Women Safety Project Shared Responsibility	AM PVS PVS AS
1715 - 1730	6.0 6.1	Any Other Business SSC Meeting for 2022	JM
1730		END	

DISCUSSION:

No.	Description	Action Points (PIC)
1.0 Opening		
1.1	The Chairs welcomed everyone to the meeting and presented the agenda of the meeting. She also informed that Olivier Tichit has apologized and will not be able to join the meeting today.	
1.2	LKY, AR and JW will have to leave the meeting at 5:00pm for another meeting. BL needs to leave at 3:30pm due to a hospital appointment.	
1.3	The RSPO Antitrust Law and consensus-based decision making was read out to the Committee.	
2.0 Confirmation of the 20th SSC MoM		
2.1	<p><u>Confirmation of Minutes of Meeting</u> The 20th SSC Minutes of Meeting was endorsed subject to the following improvement:</p> <p>Page 3 3.1 Discussion Last para To remove the sentence “RSPO criteria is not advanced compared to other schemes and it simply cannot take in additional sentences.”</p> <p>LSC proposed to accept the minutes and seconded by JW.</p>	
2.2	<p><u>Action Tracker</u> Action tracker updates were provided, and no comments received from SSC.</p>	
3.0 For endorsement /approval		
3.1	<p>Nicaragua NI SSC commented on the following:</p> <p>a) Indicator 2.3.1 – the use of the term “internally sourced FFB”. Need to define what is “internally sourced FFB”. Earlier in the same page, they used the term “directly sourced”. Is there a difference between the two terms?</p> <p>b) Indicator 4.5.3 - “Evidence is available that ‘potentially affected local’ people.” The existing indicator used “affected people”. To drop the word “potentially” as it is broadening/widening the standard.</p>	

	<p>c) Indicator 5.6.1 – “involuntary over time” and also using “forcing the workers to work”. Is it intentional or not? To clarify either to remove or to keep.</p> <p>d) In the Guidance section, words used such as “shall be” or “may be” should be consistent and use the conventional as it is a guidance and not part of the standard (compulsory).</p> <p>e) To check/confirm with the NITF if the NITF accepts the timeline for Ind 2.3.2. (3 years from 15 Nov 2018).</p> <p>Decision: Conditionally approved subject to correction/clarification from NITF to the comments by SSC. Secretariat will be contacting the Nicaragua NITF to resolve the comments and re-submit to SSC for approval via email prior to sending to BoG for endorsement.</p>	
3.2	<p>Ecuador NI</p> <p>a) Comments received from the BoG member:</p> <ul style="list-style-type: none"> i. There is lack participation from indigenous people during the development process of the NI; and ii. NITF rejected requests from stakeholders for late comments. <p>On item (i) above, active participation of organisations representing indigenous people were evident (including CEDENMA represented by Martha Nunez, ECOLEX represented by Manolo Morales and Lourdes Barragan a consultant for FPP). Refer to section 9.2 of the final progress report.</p> <p>On item (ii), the Ecuador NITF (through the consultant) did reject one request to submit a comment late. The requester reported to Francisco Naranjo (Head of LaTAM), who then reaffirmed the requester that comments can still be forwarded. However, after a few follow up with requester, neither the RSPO Secretariat nor the NITF received any comment.</p> <p>SSC commented that it is a decision of the NITF not to process the comment that came in late, hence it met the protocol.</p> <p>b) Slide pg 12 - Indicator 1.2 -The sequence should be that <u>policy</u> first and followed by <u>procedure</u>. To rewrite the sentence “The unit of certification has a documented procedure outlining the ethical conduct policy implemented in all business operations and transactions”.</p> <p>c) Slide Pg. 13 - No need to have verification with national authority as it is an internal matter and no need to add on to the P&C.</p> <p>d) Slide pg. 16 – there is a need to cross check the national law and ensure that it is aligned with the local law and the international law.</p> <p>e) Slide Pg. 17 - the last line is repetitive of the first line. To delete the repetition.</p> <p>f) Slide Pg. 13 – To check/confirm with the NITF if the NITF accepts the timeline for Ind 2.3.2. (3 years from 15 Nov 2018).</p>	

	<p>Decision: Conditionally approved subject to correction/clarification from NITF to the comments by SSC. Secretariat will be contacting the Ecuador NITF to resolve the comments and re-submit to SSC for approval via email prior to sending to BoG for endorsement.</p>	
3.3	<p>Sierra Leone NI</p> <p>a) NITF were asked to provide more definitive wordings and clarification of the intent within the relevant indicators (6.6.1, 7.1.3, and 7.8.1) and should these be normative requirements.</p> <p>b) based on relevant laws, regulations, and guidelines without changes (local interpretation).</p> <p>c) To check/confirm with the NITF if the NITF accepts the timeline for Ind 2.3.2. (3 years from 15 Nov 2018).</p> <p>Decision: Conditionally approved subject to correction/clarification from NITF to the comments by SSC. Secretariat will be contacting the Sierra Leone NITF to resolve the comments and re-submit to SSC for approval via email prior to sending to BoG for endorsement.</p>	
3.4	<p>Cameroon NI – request for time extension to complete the NI</p> <p>Good effort made by the NITF to date including presentation of the first draft NI in an online public consultation. Process then delayed due to scheduling conflicts for physical consultation workshops and field testing, pandemic and on-going RSPO audits of the host company.</p> <p>Cameroon NITF is seeking the approval from the SSC for time extension to complete the NI.</p> <p>Decision: Approved. Time extension given to Cameroon NI until January 2022 (submission date to SSC), for BOG endorsement in February 2022. If Cameroon NITF cannot make it, Cameroon will need to follow the generic P&C.</p>	
3.5	<p>NI LI RISS Criteria</p> <p>Discussion between the co-chairs of SSC and SHSC has led to the following collective agreement:</p> <ol style="list-style-type: none"> 1. The decision to develop the National Interpretation (NI) and/or Local Interpretation (LI) for the RSPO Independent Smallholder Standard (RISS) lies with the RSPO members/stakeholders of the country; 2. An announcement is needed to provide clear guidance around the development process and requirements on both the options of NI or LI; and 	

	<p>3. An announcement is needed to highlight the timeline for submission of request and the conclusion i.e. 24 months (for submission of request) and 36 month (to conclude) of the development of NI or LI.</p> <p>Decision: Approved. The Secretariat will need to draft the announcement for SSC to comment.</p>	
<p>Note: <i>BL left the meeting. Any decision made after this will need BL confirmation before it can be fully approved/endorsed.</i></p>		
<p>3.6</p>	<p>Drainability Assessment Procedure Ver2.0 The Drainability Assessment Procedure Version 2 is to support the implementation of Ind. 7.7.5 which requires plantation on peat to conduct DAP or other recognised methods at least 5 years prior replanting on peat. The DAP Ver.1 was available in June 2019, and Ver.1.1 in Nov 2019.</p> <p>The PLWG is proposing DAP Ver.2 as to provide better clarity to the protocol, which among others is to introduce ‘Grower’s Checklist’ (in DAP Ver.2) to ensure companies submit complete and correct data for the purpose of DA review. This will help both companies and reviewers to reduce the review time.</p> <p>Those who have data based on the DAP Version 1.0, will still be allowed to submit it during the grace period which ends in March 2022.</p> <p>Decision: SSC endorsed DAP Version 2.0 (26 October 2021) with a grace period that ends in March 2022. Socialization through webinar and at least one training in Indonesia and Malaysia to be conducted as soon as possible between January 2022 to March 2022. Clear communication on DAP Ver.2 should be sent out to members as soon as possible and that reviewer will review based on the Ver. 1 for those who have submitted their data based on the DAP Ver.1.</p>	
<p>3.7</p>	<p>RISS NI Indonesia The RISS NI Indonesia document was shared and presented to SHSC with 2 weeks time given to provide feedback. There was no comment or objection received from the SHSC. Secretariat raised a point regarding the discrepancy of the threshold size of SH land in the definition, whereby the RISS INA NI (up to 20ha) and P&C INA NI have followed the generic threshold (up to 50 ha) respectively. This led to a question on how to classify producers having land size between 20ha to 50ha, as the interim definition threshold for Medium Grower is 50 ha to 500 ha.</p> <p>Decision: RISS NITF is requested to provide clarification and recommendation on the following:</p>	

	<ul style="list-style-type: none"> a) To align the threshold of the two documents (RISS NI Indonesia and P&C NI Indonesia) b) To clarify the classification that can be applied to producers having 20ha up to 50 ha. 	
<p>4.0 For discussion and approval</p>		
<p>4.1</p>	<p>Challenges for Growers to comply with Indicator 2.3.1 and 2.3.2 (the legality and traceability of indirectly sourced FFB) Two grower members contacted the Secretariat informing them of challenges to comply with the indicator 2.3.1 and indicator 2.3.2 requirement. Timeline to comply with this requirement will be ending by November 2021.</p> <p>Affected grower members are inquiring if a progressive measure can be given for existing certified units to show compliance towards indicator 2.3.1 and indicator 2.3.2 with supporting data and information on the efforts made.</p> <p>In view of the insufficient data to support this request, it is proposed that strict compliance to ind.2.3.1 and 2.3.2 be adhered to to ensure the credibility of the RSPO standard.</p> <p>It is noted that FFB suppliers' mobility is very high and not permanently fixed, hence it will be difficult to reach 100% compliance. Data needs to be updated continuously. These FFB suppliers are independent and free to choose to whom they wish to sell their FFB. The C19 pandemic travel restriction also has contributed to the inability to collect the information on the ground from the suppliers.</p> <p>Decision: The SSC recognised the difficulty faced by growers to comply with this requirement but at the same time it is a huge issue of credibility, hence changing the standard is not an option. Due to the covid-19 pandemic, the continued attempt to comply with indicators 2.3.1 and 2.3.2 remains while some exceptions may be given with agreed pathway and stages of implementation..</p> <p>The SSC proposed to bring this to the Assurance Standing Committee to discuss/ recommend for a workable and agreed pathway of stage implementation. Justification can be based on:</p> <ul style="list-style-type: none"> a) efforts made by the company to meet the requirement b) involvement of indirect suppliers c) travel restriction due to Covid 19 pandemic <p>SSC was of the view that getting the geo-location of FFB origins is not the issue. Main issue is regarding the status of land ownership. The stepwise approach could include efforts put by companies in supporting the SH in getting their land title.</p> <p>The Assurance Division will propose an interim solution to be approved by ASC and shared to SSC for inputs/comment.</p>	

<p>4.2</p>	<p>Proposed text for “External ‘No deforestation’ commitments of RSPO members within the HFC Legacy Procedure Eligibility Requirements</p> <p>The SSC in its meeting on 1st Sept 2021, have decided that:</p> <ol style="list-style-type: none"> 1. No deforestation commitments of RSPO members outside of the RSPO cut-off date for clearance of HCS forests (15 Nov 2018) is beyond the RSPO and the RSPO Secretariat’s jurisdiction. 2. Non-compliance of companies towards their external voluntary commitments (i.e. commitments earlier than RSPO cut-off dates) should be addressed within the governance process of the respective organisation/standards of which the commitments are made against. 3. The SSC agree with the importance of acknowledging external commitments made by RSPO members which may have earlier cut-off dates, and have proposed the following text within the ‘HFC legacy procedure eligibility requirements’ in replacement of point 3 and 4 of the company activity section: <i>“No land clearing on a corporate level within the area without a prior HCV assessment (after November 2005) or HCV-HCSA assessment (after 15 Nov 2018)”.</i> <p>With footnote:</p> <ol style="list-style-type: none"> 1. Where land clearing is conducted without the assessments as prescribed, the Remediation and Compensation Procedure (RaCP) applies. 2. <ol style="list-style-type: none"> 4. The text is aligned with the P&C 2018 and should cover the concern regarding the difficulties of proving no clearance of HCS in historical land clearings. <p>Decision: SSC approved the amendment by adding the text and footnote. This decision will be forwarded to the BHCVWG and NDJSG.</p>	
<p>4.3</p>	<p>Proposed interim measure for scheme smallholder on the use of the RSPO HCV ISH approach and tool</p> <p>This is an update to the request by SSC to come up with clear communication regarding the HCV ISH tool that has also been made applicable to scheme smallholders in order to comply with the NPP (2021) requirement.</p> <p>Decision To rewrite the second para of the announcement and resend to SSC for approval.</p>	
<p>4.4</p>	<p>Proposal to re-establish GHG WG and approval of ToR</p> <p>There have been requests from members to revamp the current PalmGHG tool methodology. Some of the requests raised are on the emission reduction factors which have not been changed since the initial development and the fixed life cycle of palms (25 years) in PalmGHG.</p>	

	<p>The proposal to reestablish the GHG WG is to guide and answer the question whether an evaluation of the scope of the emission boundary needs to be revised or an expansion of the emission boundary should be considered. Currently, a tool to measure the downstream (refinery) emission from RSPO members is not in place.</p> <p>While recognizing the relevance to harmonize the current RSPO GHG Tool for the members in this industry, it is important to consider the fact that there are already a lot of credible tools available out there. It is important to look beyond RSPO and make it relevant to where the market and politically driven regulation is going in respect to how calculation is done and how emission is reported.</p> <p>It was suggested in the ToR that members must have no conflict of interest when joining as members in the WG.</p> <p>The SSC also raised the commitment on GHG expected to other members beyond grower members as stipulated in the shared responsibility requirement. This needs to be deliberated further by the WG once the methodology is framed which will complement the shared responsibility.</p> <p>Decision: SSC suggested to the Secretariat to gather information whether RSPO really needs to have its own tool or to leverage another credible tool that is already available out there. SSC will decide whether to proceed with this (harmonization of the RSPO PalmGHG Tool and setting up of GHG WG) or not after having that information. SSC also mentioned the need to ensure that the historical data can be used to have a long term trend utilizing the new tool that RSPO will come up with.</p> <p>Dr Gan agreed to lead this information gathering.</p>	
<p>5.0 UPDATES</p>		
<p>5.1</p>	<p>DLW: Works in Progress The new DLW Manager in the RSPO Secretariat, Ms Ayu Melese, recently recruited in October 2021, was introduced to the SSC.</p> <p>An update on the DLW progress to-date was presented including:</p> <ul style="list-style-type: none"> ● Revising DLW Strategy ● Develop timeline ● Discussion with DLW TF ● Start implementation of the strategy <p>SSC requested the DLW TF meeting to be confirmed asap before everyone goes on year end leave.</p>	
<p>Note: <i>LKY informed that she needs to leave the meeting and requested JM to continue facilitating the meeting. All discussion from here onwards are updates and no decision is required.</i></p>		

<p>5.2</p>	<p>Gap Analysis P&C/ILO on forced labour/recruitment fees/related costs SSC was briefed about the recent work done by the HRSS Unit i.e. a comparative analysis between RSPO and ILO standards on key labour rights requirements, specifically on forced labour, recruitment fees and related costs. The need to do this gap analysis came from the engagement meeting between RSPO Secretariat and MPOA in August this year.</p> <p>One of the objectives is to come up with recommendations on how the identified gaps (if any) can be used to strengthen the RSPO Standards and potentially inform the next P&C review.</p> <p>Based on the analysis, there are no fundamental gaps between the ILO and RSPO requirements. The ILO standards apply for all industries whereas the P&C/MYNI is palm oil specific however there are ILO indicators which elaborate further on certain requirements that RSPO can consider including.</p> <p>The full report has been shared with the SSC and the full summary of findings can be found at Part 6 of the report (Summary & Findings)</p> <p>Based on the gaps analysis, RSPO Secretariat will reach out to MYNI and other countries, and to check if there is a need to add to the guidance in the respective Nis.</p>	
<p>5.3</p>	<p>Women Safety Project (WSP) The project is in the developing phase. It is a response from the sector to the allegations against RSPO and the industry on Gender Based Violence and poor safety measures against women in the plantations. Also, it is in line with Goal 4 of the HRWG Strategy which was endorsed by the SSC in March 2021; gender equality, women’s safety and economic empowerment is addressed and promoted.</p> <p>The core group, which is leading the development at the moment are Oxfam, Unilever, Sime Darby and the RSPO Secretariat. A workshop was held on 7 Oct with HRWG members with the objective to generate ideas, identify opportunities and challenges in addressing GBV in the palm oil supply chain, and how to address and improve women’s safety across the palm oil industry.</p> <p>SSC recommended to pilot the project including the small and medium size plantation to test the scalability.</p>	
<p>5.4</p>	<p>Shared Responsibility (SR) Two staff supporting the Unit now, Ashwin Selvaraj (temporary replacement of the Head of SR Unit) and Joyce van Wijk as the SR Manager.</p> <p>Girish Deshpande is the new chair of the SRWG. Two seats are still vacant (B&I and CGM). Seeking advice from SSC if it is acceptable to have 1 chair and to support reaching out B&I and CGM to take part in the WG.</p>	

	Timeline consists of technical documentation, implementation/operational, and Communication & Outreach was presented starting from October 2021 to January 2022.	
5.5	<p>Peat BMP Handbook for Independent Smallholders</p> <p>While RISS 2019 stipulates peat related requirements (criteria 4.4 and 4.5), there is no specific guidance from RSPO for smallholders with existing cultivation on peat and risk assessment involving replanting on peat.</p> <p>The ISH Peat BMP handbooks were developed as an informative guidance to help smallholders with existing cultivation on peat. A total of 7 handbooks has been developed covering:</p> <ul style="list-style-type: none"> ● Introduction to peat ● Water Management (including guidance on conducting a Flood Risk Assessment) ● Fertilizer and nutrient management for peat ● Integrated peat and disease management ● BMP for operation ● Fire prevention ● Case studies of BMP implemented <p>The development of this handbook is done under the guidance of Peatland WG and has gone through public consultation for inputs. English version is available with translation made available in Bahasa Indonesia and Bahasa Malaysia.</p>	
6.0	ANY OTHER BUSINESS	
6.1	<p>SSC Meeting 2022</p> <p>Proposed dates of SSC meetings for Yr 2022 were provided along with the indicative dates of BOG meeting to allow members to indicate if acceptable. The Secretariat will send the dates to all for acceptance.</p>	
6.2	<p>Palm Oil Lead, WWF International – ENGO reps in SSC</p> <p>JW informed that her mandate is ending by the end of 2021 and unsure if the mandate will be continued since there is no Palm Oil Lead in WWF International now. JW will reach out to the ENGO caucus to suggest a way forward.</p>	
6.3	<p>Kao Corporation Resigning from SSC</p> <p>MN informed that Kao Cooperation will be resigning from SSC starting 2022 due to workload/commitment.</p>	

MEETING ENDED AT 1745 MYT