

**MINUTES OF MEETING  
RSPO CTF2 Call (13 April 2022)****Attendance:**

<b><u>Members and Alternates</u></b> <ol style="list-style-type: none"><li>1. Harjinder Kler (HUTAN)</li><li>2. Lee Swee Yin (SDP)</li><li>3. Ambang Wijaya (GAR)</li><li>4. Cahyo Nugroho (FFI)</li><li>5. Eleanor Spencer (ZSL)</li><li>6. Fanny Roussel (SIPEF)</li><li>7. Kalindi Lorenzo (Planting Naturals)</li><li>8. Lanash Thanda (SEPA)</li><li>9. Lim Sian Choo (Bumitama)</li><li>10. Mahendra Primajati (FFI)</li><li>11. Martin Mach (Bumitama)</li><li>12. Michelle Desilets (OLT)</li><li>13. Octyanto Bagus (WWF)</li><li>14. Olivier Tichit (Musim Mas)</li><li>15. Syahrial Anhar (Wilmar)</li><li>16. Vivi Anita (Musim Mas)</li></ol> <b><u>Absent with apologies</u></b> <ol style="list-style-type: none"><li>1. Anne Rosenbarger (WRI)</li><li>2. Arnina Hussin (SDP)</li><li>3. Benjamin Loh (WWF)</li><li>4. Bukti Bagja (WRI)</li><li>5. Chin Sing Yun (Wilmar)</li><li>6. Gotz Martin (GAR)</li><li>7. Quentin Meunier (Olam)</li></ol>	<b><u>RSPO Secretariat</u></b> <p>Khing Su Li Kaw Kar Mun</p>
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No.	Details	Action
<b>Wider group session</b>		
1	<p><b><u>Confirmation of previous minutes of meetings</u></b></p> <ul style="list-style-type: none"> <li>• The Secretariat presented the minutes of meetings for 22 March 2022 (Day 1) and 23 March 2022 (Day 2).</li> </ul> <p><b>a. Day 1</b></p> <ul style="list-style-type: none"> <li>• In regards to Item 2b (conservation compensation), a point was made by the member to ensure careful consideration when splitting the HCVs 1 to 6, i.e. HCVs 1 to 3 (environmental component) and HCVs 4 to 6 (social component).</li> <li>• The Secretariat informed that the formation of a subgroup to test the draft revised templates of concept note and compensation plan (Item 2b) would be initiated after the finalization of the discussion with the subgroup of social liability.</li> <li>• In regards to Item 3d on human rights defender, member pointed out that a footnote should be added to state that the definition and procedure were yet to be drawn out and implemented. The Secretariat noted on this feedback and responded that Leena Ghosh, the new head of human rights unit would be looking at this matter further down the road.</li> </ul> <p><b>b. Day 2</b></p> <ul style="list-style-type: none"> <li>• In regards to Item 3 on project portfolio approach for small liability, member inquired about the definition of small liability and what would be the threshold. The Secretariat responded that those were also the terms for the subgroup to come up with.</li> <li>• Both minutes of meetings for Day 1 and Day 2 were confirmed and seconded by the members.</li> </ul>	
2a	<p><b><u>Rewording suggestion on two criteria in RaCP: knowledge-based and equitable</u></b></p> <p><b>Knowledge-based</b></p> <ul style="list-style-type: none"> <li>• In the current RaCP document, knowledge-based was defined as, based on sound scientific and/or traditional knowledge with results widely disseminated and communicated to stakeholders and partners in a transparent and timely manner.</li> <li>• The Secretariat provided a recap on the need of rewording the current definition of knowledge-based as there were confusions about how should knowledge-based be addressed in compensation project.</li> <li>• The Secretariat reviewed all the documents for RaCP, including the Annex 6 (project criterion) and reworded the definition as following: Compensation project design, location selection and implementation informed by sound scientific, national regulations, and/or traditional ecological knowledge to maximize conservation outcomes (including wider landscape considerations). The results or findings are documented and communicated to stakeholders and partners in a</li> </ul>	

	<p>transparent and timely manner for feedback and adaptive project management. In cases where there is little existing scientific evidence there should be a ‘clear knowledge-based rationale’ and provision for ‘a robust research and monitoring programme from which the findings will be made publicly available’ to inform future conservation efforts.</p> <p>Feedback from members:</p> <ul style="list-style-type: none"> <li>● Suggested to put a footnote to link to Annex 6, where one could find further description on that document.</li> <li>● The reworded definition provided more indication, however, expressed concern on the sentence where stated ‘results will be made publicly available’, as information in relation to a project inside an estate was sensitive to be shared publicly. The Secretariat proposed to insert a clause on the disclosure of sensitive commercial information related to estate.</li> <li>● Amended the grammatical mistake in the definition.</li> <li>● Amended ‘maximize’ conservation outcomes to ‘optimize’ conservation outcomes.</li> <li>● Amended ‘little’ existing scientific evidence to ‘limited’ existing scientific evidence.</li> <li>● There was confusion of the ‘national regulations’ in the definition and the Secretariat deleted that term from the definition to avoid further confusion by the users.             <ul style="list-style-type: none"> <li>○ Concern was raised in response to the deletion of ‘national regulations’ from the definition.</li> <li>○ The Secretariat responded that the reference to the ‘national regulations’ was captured in Annex 6. Also, the Secretariat mentioned that there were caveats of the sentences in Annex 6, e.g., the national legal requirement should be evaluated on a case-by-case basis. The reference to legal arrangements would be addressed in the equitable section.</li> </ul> </li> <li>● The final version of the definition of knowledge-based: Compensation project design, location selection and implementation is informed by sound scientific and/or traditional ecological knowledge to optimize conservation outcomes (including wider landscape considerations). The result or findings are documented and communicated to stakeholders and partners in a transparent and timely manner for feedback and adaptive project management. In case where there is limited existing scientific evidence there should be a ‘clear knowledge-based rationale’ and provision for ‘a robust research and monitoring programme from which the findings will be made publicly available*’ to inform future conservation efforts.</li> </ul> <p>* To insert a clause on the disclosure of sensitive commercial information related to estate.</p>	<p>The Secretariat to add footnote. The Secretariat to insert a clause.</p>
<p>2b</p>	<p><b><u>Rewording suggestion on two criteria in RaCP: knowledge-based and equitable</u></b></p>	

	<p><b>Equitable</b></p> <ul style="list-style-type: none"> <li>• The current wording of equitable in RaCP document was defined as, through engaging and involving affected stakeholders in project planning, decision making and implementation, fair and balanced sharing responsibilities and rewards, and through respect for legal and customary arrangements.</li> <li>• There were concerns raised by members for the current definition of equitable was not being clear on governance, the engagement process, dispute mechanism for parties to seek redress and etc.</li> <li>• Hence, the Secretariat presented the reworded suggestion of the definition to address the concerns raised - engaging and involving affected stakeholders in project planning, decision making and implementation; ensuring fair and balanced sharing of responsibilities and rewards; and respecting legal and customary arrangements (including FPIC and local communities’ own representative institutions). In the context of compensation, equity is further considered to ensure that the use of the land for compensation areas does not diminish the legal, customary or user rights of other users without their free, prior and informed consent. All relevant information and documents are made available in appropriate form and languages and that there is mutually agreed and documented dispute-resolution process and procedures for seeking redress.</li> </ul> <p>Feedback from members:</p> <ul style="list-style-type: none"> <li>• Suggested to add ‘/benefits’ behind the word rewards, i.e. ‘...ensuring fair and balanced responsibilities and rewards/benefits...’</li> <li>• Sought clarification whether there was a difference between process and procedure. The Secretariat referred to the P&amp;C 2018, Principle 4 and only the word ‘procedure’ was used. Hence, the Secretariat would align the sentence (...there is a mutually agreed and documented dispute-resolution procedure...) to the P&amp;C 2018 to prevent confusion among the users.</li> <li>• The final version of the definition of equitable: Engaging and involving affected stakeholders in project planning, decision making and implementation; ensuring fair and balanced sharing of responsibilities and rewards/benefits; and respecting legal and customary arrangements (including FPIC and local communities’ own representative institutions). In the context of compensation, equity is further considered to ensure that the use of the land for compensation areas does not diminish the legal, customary or user rights of other users without their free, prior and informed consent. All relevant information and documents are made available in appropriate form and languages and that there is a mutually agreed and documented dispute-resolution procedure for seeking redress.</li> </ul>	
3	<p><b><u>Follow up on volunteers for the subgroup with JWG on jurisdictional RSPO requirements</u></b></p>	

	<ul style="list-style-type: none"> <li>• The Secretariat presented the feedback provided by the JWG in response to the questions raised by the CTF2 members:             <ul style="list-style-type: none"> <li>○ Focus of work – was the expectation of the members on developing technical content only, or there was expectation also for the members to be involved in governance and negotiations with stakeholders (including officials, land users, etc)                 <ul style="list-style-type: none"> <li>→ At this stage, the focus was more on technical content only – however in developing such, there may be need to consult the relevant stakeholders.</li> </ul> </li> <li>○ Was there a minimum number for participants in the subgroup?                 <ul style="list-style-type: none"> <li>→ There was no limit set – for efficiency and to ensure we got sufficient technical expertise; the suggestion was that the subgroup should not be larger than 10 members. (Note: Currently, the volunteers from JWG were Marcus Colchester, John Watts, Lee Kuan Chun, Glyn Davies, Sander Van den Ende and Rob Nicholls.) So ideally, we would like to have at most 4 volunteers to sit in the subgroup.</li> </ul> </li> <li>○ On the point of developing drafts of RSPO requirements, did we have an outline / framework to work on further development, or were we starting from scratch?                 <ul style="list-style-type: none"> <li>→ We were pretty much starting from scratch guided by existing procedures we had (RSPO RaCP and/or HCV/HCS requirements).</li> </ul> </li> <li>○ For the jurisdictional HCV/HCS mapping, was the expectation for the subgroup to develop the process from start to finish? If not, would appreciate the assistance to provide a bit more specifics on the expected level of input from the subgroup required.                 <ul style="list-style-type: none"> <li>→ Depending on the agreement within the subgroup, as much as we could try to leverage the existing RSPO system for such, we were to discuss (or develop) the expectation from the start to finish.</li> </ul> </li> <li>○ On the point of HCV/HCS mapping, there was mention of pilot projects. Was there any technical documentation capturing the process / method of mapping?                 <ul style="list-style-type: none"> <li>→ We did not have such available on hand by JWG, but requests could be sent to our pilot projects for such (Sabah, Seruyan and Ecuador). The Secretariat would come back on this.</li> </ul> </li> <li>○ Timeline                 <ul style="list-style-type: none"> <li>→ Timeline was actually six (6) months, and there was a typo in September 2023. The timeline was meant to be April to September 2022. The timeline would be adjusted depending on the success in getting the subgroup established.</li> </ul> </li> </ul> </li> </ul> <p>Feedback from members:</p> <ul style="list-style-type: none"> <li>• Since there were already representatives in the JWG subgroup, member was suggesting that the respective representatives could refer to the BHCVWG / CTF2 members internally (in the same organization), then the BHCVWG / CTF2 members could bring forth and discuss in the BHCVWG / CTF2 meeting.</li> <li>• Concern was raised whether the representative in the jurisdictional subgroup was distant enough to provide unbiased comments.</li> </ul>	
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	<ul style="list-style-type: none"> <li>• Member provided clarification that the JWG needed feedback from the BHCVWG / CTF2 to fit into the jurisdictional approach and put into the documentation. Hence, the JWG requested the formation of subgroup with the BHCVWG / CTF2.             <ul style="list-style-type: none"> <li>○ The Secretariat agreed with the clarification provided and added on that specific inputs / feedback from the BHCVWG / CTF2 were needed on developing the requirements related to HCV/HCS mapping and RaCP.</li> </ul> </li> <li>• Expressed concern on two people from the same organization to sit in the same working group.             <ul style="list-style-type: none"> <li>○ The Secretariat responded that, currently, the jurisdictional subgroup was trying to develop the requirements from scratch, therefore, they need people who could wear different hats (play different roles), rather than to have one person to juggle the different hats / roles in developing the requirements for jurisdictional approach. Also, clarified that the discussion on specific items would be easier at the subgroups level, however, any drafts / outlines that were developed, would need to be brought back to the wider group for further discussions / comments / approval.</li> </ul> </li> <li>• The volunteered / nominated members:             <ul style="list-style-type: none"> <li>○ Bumitama (Lim Sian Choo) volunteered as representative from BHCVWG to sit in the JWG subgroup.</li> <li>○ OLT (Michelle Desilets) volunteered to be on the subgroup, however, inquired whether any other NGO representatives who were not on this call meeting that could be approached to take on this seat instead.</li> <li>○ ZSL (Eleanor Spencer) was nominated.</li> <li>○ The Secretariat would approach ZSL to seek for her availability to join the subgroup. And the Secretariat would update OLT accordingly.</li> </ul> </li> </ul>	<p>The Secretariat to email ZSL and feedback OLT.</p>
<p><b>Subgroup discussions</b></p>		
<p>4</p>	<p><b><u>Social liability subgroup (Planting Naturals and SEPA)</u></b></p> <ul style="list-style-type: none"> <li>• The Secretariat provided a quick recap on the previous discussion (4 April 2022) on social liability:             <ul style="list-style-type: none"> <li>○ Subgroup member provided comprehensive feedback in stating that there were inconsistencies in request for different levels of information throughout different RaCP documents.</li> <li>○ There was issue that the language used in terms of how the requirements were worded in a way that was not neutral. The language was phrased in such that it was a leading question, for example, one of the wordings in Annex 2 Disclosure was to demonstrate that growers did not have outstanding social liability.</li> <li>○ Another issue picked up was that the lack of clarity on what would be the next step if the growers could not provide evidence to support the information provided.</li> </ul> </li> <li>• The Secretariat informed that the initial mapping of all the RaCP documents was done and would continue to work on the mapping and come back to the subgroup members with the actual gaps and how the statements could be reframed.</li> </ul>	<p>The Secretariat to continue on this task and feedback to the subgroup members.</p>

	<ul style="list-style-type: none"> <li>● The Secretariat presented the flow chart that captured the RaCP process, starting from social liability disclosure, LUCA, concept note and compensation plan, and ending with implementation and monitoring.             <ul style="list-style-type: none"> <li>○ In this flow chart, discussion points from the previous call meeting (4 April 2022) were captured.</li> <li>○ In the Section 3 of disclosure, there was lack of a step of social liability determination, while growers were asked to determine their social liability already. Additionally, the submitted information was unable to be verified as the disclosure process involved only the growers’ side and there was no reviewing process established.</li> <li>○ As the growers were asked to determine the social liability in Section 3 of disclosure, there might be a confusion of which one to refer to or how to triangulate the information because the LUCA template of 2017 contained a portion of social liability as well.</li> <li>○ Information on social liability was repeated at the stage of remediation plan in LUCA, even if there was no social liability.</li> </ul> </li> <li>● The proposed next steps based on previous call:             <ul style="list-style-type: none"> <li>○ The language used in the RaCP documents would need to be corrected.</li> <li>○ The Section 3 of the disclosure could be restructured by establishing a screening checklist to help growers to identify the impacts had occurred and deriving clearer evidence listing that the growers would need to submit.</li> <li>○ The establishment of desktop verification for social liability disclosure with the intention to align with the LUCA process where desktop verification was established to review the LUCA documentations and also not to overcomplicate the process. The information submitted on the social liability disclosure would be reviewed by the independent reviewer. The Secretariat asked for inputs from the subgroup members on who would be the reviewers and what sort of qualifications.</li> <li>○ A repository would need to be built to start tracking the flow of information and capturing the information with other stages accordingly.</li> </ul> </li> </ul> <p>Feedback from the subgroup members:</p> <ul style="list-style-type: none"> <li>● Subgroup member pointed out that the current maps under the RaCP – LUCA had no indication of villages. This piece of information would be able to obtain from the HCV assessment provided the HCV assessor had captured it. With this information, specific issues that were on the ground, i.e. the social liability of a company could be picked up and provided an overview of the project area. This information would be essential for desktop verification.</li> <li>● Suggested to have social HCV experts who had field experience in conducting HCV assessment to conduct the independent review of social liability submitted by companies.</li> </ul>	
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	<ul style="list-style-type: none"> <li>○ In this line of thinking, this would be similar to the Secretariat called out to the GIS and remote sensing specialists to conduct LUCA to verify the land use change.</li> <li>● The Secretariat posed a question to the subgroup member on whether the people who were trained in doing social impact would be able to conduct desktop verification for social liability (no involvement of field verification), rather than confining to social HCV experts. The intention of the question was based on the fact that there was limited pool of social HCV experts.             <ul style="list-style-type: none"> <li>○ Subgroup member responded that those who were trained to conduct Social Impact Assessment (SIA) should be able to do the desktop verification.</li> </ul> </li> <li>● Subgroup member asked whether the Secretariat would be looking the social liability disclosure in the same manner as the environmental aspect.             <ul style="list-style-type: none"> <li>○ The Secretariat shared how was the checking process of information submitted by the growers in the past:                 <ol style="list-style-type: none"> <li>i. Generally, grower would submit the social liability disclosure note along with the documentations, e.g. HCV assessment report, EIA and/or SIA report. The Secretariat would first start off to look at the disclosure note and refer to the HCV report of the stakeholder consultation section. Although this section contained social information after the oil palm planting, it would give an overview of whether there were still pending concerns raised by the local communities and the concerns were resolved by the grower or otherwise. This step enabled the Secretariat to identify potential HCV issues and triangulate the responses from the company and verify the information at the disclosure level.</li> <li>ii. If the Secretariat could not get any substantial information from the HCV report, then the Secretariat would proceed to check with the EIA and/or SIA report on the land legality or the customary rights, on the subject whether there was mutually agreement given to the company by the local communities for oil palm plantation, any grievances in place and etc. The Secretariat would also be looking at the maps in HCV / EIA / SIA reports to ensure the same management unit was referred in the documents submitted.</li> </ol> </li> </ul> </li> <li>● From the Secretariat point of view, there was a need to have a formal process of desktop verification on the submitted documentations of social liability. Otherwise, these submitted documents would only fulfill the purpose of submission and without being properly verified until there was grievance or complaint lodged later in the process. So, the current idea could be having (1) the Secretariat to check the completeness of documents submitted and (2) independent reviewers to check on the technicality. However, the Secretariat highlighted that part (2) would incur additional costs to pay for this expertise.</li> </ul>	
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	<ul style="list-style-type: none"> <li>• For agreement, the Secretariat asked the subgroup members whether this desktop verification process for social liability disclosure was in need to be established.             <ul style="list-style-type: none"> <li>○ The subgroup members expressed agreement to this statement.</li> </ul> </li> <li>• Subgroup member pointed out that during the development of desktop verification for the environmental aspects, different scenarios were thrown in and came up with different steps forward. So, it would be probably the same process for the establishment of verification process for this social aspect. Also, shared some of the foreseen situations where local communities were relocated from an area which was gazetted as a forest reserve, local communities were not allowed to go back to their villages as it was converted into an oil palm plantation after logging took place, loss of water catchment and etc.</li> <li>• Asked when would this process take off if the desktop verification was done by the Secretariat first.             <ul style="list-style-type: none"> <li>○ The Secretariat responded that it would be for the revised RaCP. But for now, testing would need to be started and this was also the reason why the draft of internal guidance for Secretariat staff to check social liability documentations was developed, rather than to outsource to independent reviewers. Testing could be started at the Secretariat level with the compensation team and then formalized the process better in RaCP version 2.</li> </ul> </li> <li>• The agreed next steps:             <ul style="list-style-type: none"> <li>○ The Secretariat would provide more information and granularity of this discussion to the subgroup members.</li> <li>○ The Secretariat would work on the screening checklist and the comparison and the revision of the templates.</li> </ul> </li> </ul>	<p>The Secretariat to follow up.</p>
5	<p><b><u>Project portfolio subgroup (SDP, GAR, SIPEF, Wilmar, SEPA)</u></b></p> <ul style="list-style-type: none"> <li>• The call meeting was rescheduled as the subgroup members had other urgent commitments popped up.</li> <li>• The Secretariat would follow up with proposed dates and times via email to reschedule this meeting.</li> </ul>	<p>The Secretariat to email the subgroup members.</p>
6	<p>End of meeting</p>	