

MINUTES OF MEETING (DRAFT 1)
5th Standard Standing Committee Meeting 2020

Date: 17th February, 2020

Time: 16:00 – 18:00

Venue: Conference Call

ATTENDANCE

Name	Organisation	Constituency
<u>Present:</u>		
1. Lee Kuan Yee (LKY) – Co-Chair	MPOA	Grower (MY)
2. Olivier Tichit (OT) – Co-Chair	Musim Mas	Processor & Trader
3. Jenny Walther (JW)	WWF-Germany	ENGO
4. Lim Sian Choo (LSC)	Bumitama	Grower (INA)
5. Audrey Lee (AL)	Olam Group	Grower (RoW)
6. Paula den Hartog (PdH)	Rainforest Alliance	SNGO
7. Ian Orell (IO)	NBPOL	Smallholder / SHSC
8. Koji Sato (KS)	KAO Cooperation	CGM
<u>From RSPO Secretariat:</u>		
9. Julia Majail (JM)	RSPO Secretariat	
10. Salahudin Yaacob (SY)	RSPO Secretariat	
<u>Absent with apologies:</u>		
1. Anne Rosenbarger (AR)	WRI	ENGO
2. Faryda Lindeman (FL)	NN Investment Partners	Finance Institution

AGENDA

No	Item	PIC
1	Opening and welcome note	LKY
2	Confirmation of previous minutes of meeting <ul style="list-style-type: none"> Action items from previous meeting 	
3	SSC Activity 2020	JM
4	National Interpretation <ul style="list-style-type: none"> Updates Malaysia National Interpretation NI for Approval <ol style="list-style-type: none"> Mexico NI Indonesia NI 	JM
5	Other Documents <ul style="list-style-type: none"> Updates 	JM
6	Inputs for Inter-SC Meeting (6 March 2020)	LKY
7	AOB	

DISCUSSION

No	Description	Remarks																		
1.	Opening and welcome note																			
	<ul style="list-style-type: none"> The Chair welcome the members. She mentioned the purpose of the meeting today is to discuss few topics as outlined in the agenda. 																			
2.	Confirmation of previous minutes of meeting and action items from previous meeting																			
2.1	<p><u>Confirmation of minutes of meeting</u></p> <ul style="list-style-type: none"> The 4th SSC minutes of meeting was proposed to be confirmed by Ms Audrey Lee, and seconded by Jenny Walther. The Chair clarified that the 2nd and 3rd MoM of SSC held on 10th Sept and 27th Sept respectively, were shared online earlier to members for them to review and approve. The deadline to provide comments is on 24th Feb 2020 (Friday). 																			
2.2	<p><u>Items arise from the previous meeting:</u></p> <p><i>2.2.1 Smallholder certification in PNG&SI</i></p> <ul style="list-style-type: none"> IO informed the SSC regarding the limitation with the current PNG & SI NI. An issue emerged with the current NI during the first audit whereby the NI limits certification for SH purely under the RISS and not does give any other options, i.e. certification under the main P&C plantation and its supply base. The PNG&SI NI TF is reconvening to address this and will come back to SHSC. SSC agreed that such matter to be discussed at the SHSC first before it is brought to SSC. 																			
3	SSC Activities for 2020																			
	<ul style="list-style-type: none"> Proposed activities schedules for 2020 was shared to the members. <table border="1" data-bbox="400 1435 858 1709"> <thead> <tr> <th>Date</th> <th>Via</th> </tr> </thead> <tbody> <tr> <td>17 February</td> <td>Con-call</td> </tr> <tr> <td>6 March</td> <td>Physical</td> </tr> <tr> <td>3 April</td> <td>Con-call</td> </tr> <tr> <td>14 May</td> <td>Con-call</td> </tr> <tr> <td>25 June</td> <td>Physical</td> </tr> <tr> <td>13 August</td> <td>Con-call</td> </tr> <tr> <td>7 September</td> <td>Con-call</td> </tr> <tr> <td>13 November</td> <td>Physical</td> </tr> </tbody> </table> <ul style="list-style-type: none"> A half day meeting on 6 March morning is scheduled by the Secretariat with all the other SCs to discuss and align the functions with the other SCs. JW is unable to make it on 6 March. Suggest on 9 March. PdH also unable to make it on 6 March. LSC unable to meet earlier (3, 4 & 5 March) due to earlier commitment. 	Date	Via	17 February	Con-call	6 March	Physical	3 April	Con-call	14 May	Con-call	25 June	Physical	13 August	Con-call	7 September	Con-call	13 November	Physical	
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	<ul style="list-style-type: none"> Any documents that need the BoG endorsement will need to be discussed and decided by the SSC at least 2 weeks before the BoG meeting for timely submission to the BoG. SPOD event in June might change due to date clash with the palm oil related event in SEA. SSC proposed a time for physical meeting to discuss how to ensure our standard setting are continuously up-to-date and following the latest best practice and not just looking at document content and processes only. There are also time the SC might encounter a situation such as blockade etc and how to move forward with the next step in working group, or on MoU, assurance issues etc. Hence, SSC members need to be prepared to be able to drive the process. SSC agreed that there should be a discussion between the Standard SC and the Assurance SC. While Standard SC is to develop the standard, the Assurance SC needs to back up the decision made. <p>Action Point:</p> <p>LSC, JW and JM to propose agenda for these meeting in June. This require good and early preparation.</p> <ul style="list-style-type: none"> JM asked if there is a need to meet up to discuss the SSC ToR and the SSC Governance Structure prior to the 6th March 2020. The SSC has decided to meet on 6th March 2020 afternoon. Calendar appointment will be sent to all to confirm who can attend the meeting. LSC suggested once all the dates is confirmed, a calendar appointment is sent to the SSC members to block these dates. Also to reminds any WG/TF that working on any document for SSC review to take note when the SSC will meet and make sure they plan their time ahead accordingly. All agreed to add an SSC meeting on 2nd October 2020. Monday is not ideal to meet for some members. <p>Action Point:</p> <p>A doodle poll to all members for SSC meeting in 2020.</p>	
4.	National Interpretation	
4.1	<p>Updates</p> <ul style="list-style-type: none"> Updates on current NI progress status was presented. 	
4.2	<p><u>Guidance for Indicator 3.4.1 - MYNI</u></p> <ul style="list-style-type: none"> MYNI TF submitted a request for insertion of additional Guidance to Indicator 3.4.1 for MYNI 2019. Justification for this request is provided. MYNI is requesting for the following paragraph (drawn from MYNI 2014) to be included in the MYNI 2019 Guidance for Criteria 3.4 (page 66-67). <p><i>“For land areas less than 500ha, an internal assessment using selected components of SEIA and HCV assessments can be used. Where such internal assessments identify significant environmentally or socially</i></p>	

	<p><i>sensitive areas of issues (e.g. with medium and high risks), an independent assessment will be undertaken. Notwithstanding, any activities that require an EIA in accordance to the relevant regulations on Environmental Impact Assessments (as specified in Annex 3b of MYNI 2019 for Peninsular Malaysia, Sabah and Sarawak) will require an independent assessment.”</i></p> <p>The SSC viewed that MYNI need to come up with the definition and criteria of medium and high risks to ensure clarity of uses of this NI. SCC would like to add a note in the protocol that this request for amendment for approved NI by the board is not the norm.. The consideration for Malaysia is due to the specific condition for Malaysia and not the rules of the SSC. This recommendation is on stand-alone basis.</p> <ul style="list-style-type: none"> • Secretariat also asking for guidance from the SSC if such request (on amendment to the approved NI) would require re-endorsement from the BoG? SSC will update the BoG about this changes. If the changes is allowed, the document is considered as a revised version with a new date. <p>Decision by SSC: MYNI is to provide the definition and criteria and SSC is to evaluate the definition and criteria given before this can be forwarded to BoG for re-endorsement. Timeline given to MYNI is 2 week time from the date of letter to MYNI.</p>	
<p>4.3</p>	<p>Mexico NI</p> <ol style="list-style-type: none"> a) Date of the document is 2017 and it creates confusion. JM clarified that the WG for Mexico has started since 2017 but then was advised to delay the process considering that the new P&C 2018 is upcoming. b) Many places where wordings run off or missing. See Principle 2 (2.2), 4.1.1, 4.5.7. It could be issue due to template design used and. typo errors reflecting that this NI was completed in a hurry. c) Introduction of many new terms in the Mexico NI without proper definition. d) Sentence re-construction needed and to align it with the generic P&C 2018. e) DLW approved text is not yet inserted in the document and there are additional comments which differ from recommendation of text by SSC. f) There are also many new local terms inserted into the NI document which was lacks explanation or definition and this can create lacks clarity. g) The NI document still have SH document and SCC document listed as unendorsed. This need to be updated as both already been endorsed. <p>Decision by SSC for Mexico NI:</p>	

	<p>Mexico NITF need to provide clarification regarding the timeline in the documents, why there are many meetings in 2017 and prior to the adoption of P&C 2018.</p> <p>Mexico NITF to improve all the comments made above in the Mexico NI document. Proof reading is required to make it at par to the generic P&C document.</p> <p>This document is not ready for approval. Secretariat to assist to improve the document.</p>	
<p>4.5</p>	<p>Indonesia NI</p> <p>a) C. 6.6.1 Contract substitution is prohibited UNLESS if both parties have consented to it. SSC is fine with this.</p> <p>b) C.7.5.3 on new palm oil planting is not conducted on steep terrain and C 6.2.4 “ILO Guidance on Workers” is missing as it is following the government regulations. SSC is in view that this is fine as long as the national regulations is <u>equivalent or better</u> than the national regulation. This is in consideration that the environmental and social laws in Indonesia are sometimes unclear, incomplete and therefore is weaker. SSC suggested to include “<u>as long as the national regulations is equivalent or better</u>” into the Clause.</p> <p>c) C 7.12.3 – on the status of Papua Indonesia seeking if it is fall under HFCC or not. SSC viewed Papua Indonesia is not qualify as HFCC, hence the normal rules of the standard applies (integrated HCV-HCS). AL provided an update on Papua by NDJSG that Papua Indonesia is not listed in HFCC. A Papua case study was submitted through the HCV legacy case but was not accepted by HCSA. Therefore, the normal standard shall applies. It was also mentioned that during the P&C Review discussion, it was made clear that Papua will not be discussed if the BoG does not open up this country definition. The procedural notes is clear.</p> <p>d) 7.7.3 – The NI proposed that no plantation on peatland unless there is government program for national interest. The way it is worded now, it can open up to many new issues. SSC suggested that this be referred to the NDTF to refer to the RaCP on non-corporate land clearance case and use the same wording.</p> <p>e) Bahasa Indonesia will prevail when there is any dispute. Previous version INA NI was approved to be so under that sworn translation. SSC commented that the English P&C Generic 2018 shall prevail because It clearly mentioned, “<i>The English version of this document shall always prevail in case of any discrepancy or inconsistency between the English version and other translated version</i>”. This need to be adhered to.</p>	

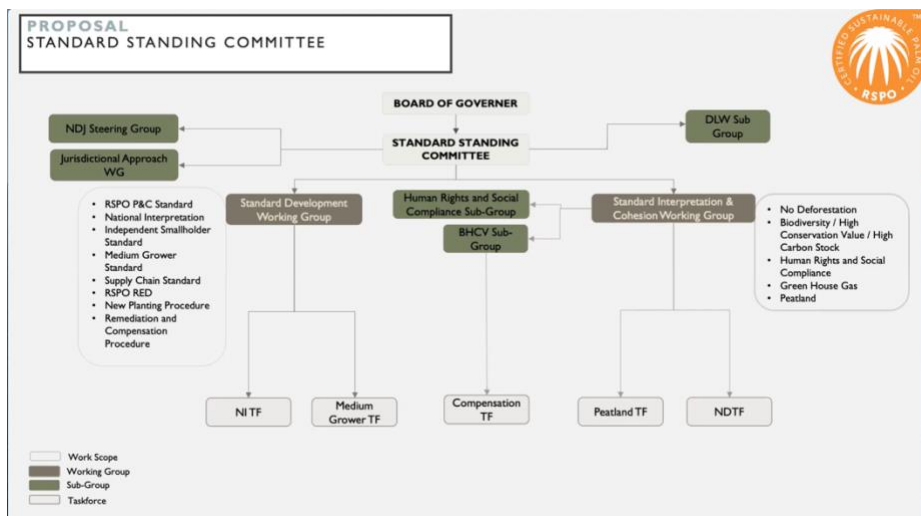
To avoid setting any precedent to other NIs, this request cannot be allowed.

Decision by SSC for Indonesia NI:

INA NI TF need to work and improve the document in accordance to the decision by SSC above.
This document is not ready for approval.

5. Governance Review

- The proposed governance structure for the Standard Standing Committee shared to SSC members.
- The proposal is to have only 2 WG based on the intention to reduce the number of WGs as we have currently. Also to minimize cases of duplication of roles.



- LSC commented that there is need to put a note not to create more WG and provide clarity that members are coming from the 2 WGs.
- DLW sub-group is the subgroup formed recently (to develop the interim measure) and will be providing strategic directions to the overall DLW benchmarking exercise by the NIs.
- Proper description (ToR) of Standard Dev Working Group and Standard Interpretation & Cohesion Working Group would need to be developed.
- The RaCP and NPP should be under the Standard Interpretation & Cohesion WG.
- We should avoid a situation where the two works separately. Need to ensure the effectiveness to work together. If the group is not big enough, we might lose focus. At the same time, if the group is very big and with many sub-groups it may not necessarily functioning well. Whatever happened in the past and now, we should learn from it.

Action Points:

SSC members to provide their written comments and inputs so to ensure the SC is ready for the meeting on the 6th March 2020.
SSC to provide comment latest by Friday, 21st February 2020.

6.	Any Other Business	
	<ul style="list-style-type: none">• No discussion on AOB.	

Meeting ends at 18:00.