

# No Deforestation Joint Steering Group (NDJSG)

Call 7 (7 April 2022)

## Meeting notes

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Name	Organisation
Charlotte Opal (CO)	Earthworm
Hendi Hidayat (HH)	GAR
Jenny Walther-Thoss (JWT)	WWF
Lee Kuan-Chun (LKC)	P&G
Marcus Colchester (MC)	FPP
Melissa Thomas (MT)	CI
Patrick Anderson (co-chair) (MC)	FPP
Sander Van Der Ende	SIPEF
Surina Ismail (co-chair) (SI)	IOI
Darren Brown (DB)	HCSA Secretariat
Amir Afham (AAF)	RSPO Secretariat
<b>Absent with apologies:</b>	
Anne Rosenbarger	WRI
David Burns	NWF
Emily Kunen	Nestle
Gemma Tillack	RAN
Grant Rosoman	Greenpeace
Ibrahim Gulagnar	SPKS
Laure D'Astorg	Alliance Forets
Laure Gregoire	Alliance Forets
Mike Senior	Proforest
Petra Meekers	Unilever
Quentin Mounier	OLAM
Sabaruddin	SPKS

No	Item	Action/Decision points
1	<p><b>Review of the NDJSG Call #6 notes</b></p> <p>The NDJSG went through the draft of the previous meeting. No additional comments were received. The notes were approved by the NDJSG.</p> <p>A question was raised regarding RSPO's definition of negotiated agreements which was highlighted in the last meeting's notes. The secretariat responded that there was a delay on its part to provide this to the group as it wanted to align the definition with the currently revised FPIC guidance. As there are further delays to the release of that guidance, the RSPO secretariat will provide this definition after internal consultation with the HRSS unit.</p>	<p><b>[Action point]</b> RSPO secretariat to obtain RSPOs definition of 'negotiated agreements' from the HRSS unit and revert to the NDJSG.</p>
2	<p><b>Discussion of findings</b></p> <p>Findings from the two pieces of work authorised by the NDJSG was briefly presented to the NDJSG. Highlights are as below:</p> <p><b>a. UCI study (The Economic Values of Micro and Small-scale Oil Palm Processing in Central and West Africa)</b></p> <ul style="list-style-type: none"> <li>- 73% of SHs send FFB to artisanal mills, leading to low OER with 41 % of these mills having an OER of below 15%.</li> <li>- Smallholders can benefit from RSPO certification, but there are stumbling blocks that need to be resolved such as high certification and implementation costs, lack of infrastructure, illiteracy etc.</li> <li>- Support and funding for community development must be considered within the HFC procedure</li> <li>- Procedures should leverage on national programs/ initiatives that look at forest conservation holistically, rather than focus on a particular sector.</li> </ul> <p><b>b. Elevate questionnaire analysis and responses</b></p> <ul style="list-style-type: none"> <li>- Within HFCCs, communities are afforded rights to make decisions on land usage on paper, however these rights are more often not respected.</li> <li>- 80% of respondents agree forests to be used for both conservation &amp; economic development, 100% agreeing a balance of these elements can be found.</li> <li>- 69% agree that RSPO should develop adapted procedures for HFCCs</li> </ul>	

	<ul style="list-style-type: none"> <li>- 100% agree that companies should be involved in development by communities for both technical &amp; financial assistance.</li> <li>- 71% agree that buyers with NDPE commitments will accept palm oil from HFCCs (assuming procedures are developed). 90% of those that answered 'yes' think that buyers should accept this PO while 67% of those that answered 'no', had the same opinion as well.</li> </ul> <p>A member of the NDJSG raised concern regarding the low response of the questionnaire. RSPO only received 35 responses from a total of 175 stakeholders identified (20% response rate). It was proposed that the RSPO to allow a 2<sup>nd</sup> round of the questionnaire for increased responses.</p> <p>It was highlighted that one important finding within the UCI study was on inclusion of national programs which were not focusing on a single sector. The NDJSG should identify and include these organisations as part of consultation during development of the procedure.</p>	<p><b>[Action point]</b> RSPO secretariat to internally discuss the possibility of a 2<sup>nd</sup> round of the questionnaire and provide a proposal to the NDJSG.</p>
<p><b>3</b></p>	<p><b>HCSA Legacy case findings [For Info]</b> CO briefed the results of the HCSA legacy case procedures; a process where 'legacy cases' meeting the eligibility requirements are submitted to HCSA to be accorded special consideration, allowing development with the intent to ensure obligations to communities are met while conservation outcomes are maximised.</p> <p>Since it started accepting submissions in May 2019, the HCSA have received four (4) applications. From those submissions, 2 were withdrawn &amp; 1 was rejected in the info gathering and eligibility stage, while 1 was rejected after consideration by the HCSA Legacy Task Force.</p>	
<p><b>4</b></p>	<p><b>Revisit HFC Legacy case eligibility criteria</b> Secretariat shared the response by the SSC &amp; BHCVWG wrt to the request sent by the NDJSG to the respective groups on items below:</p> <ul style="list-style-type: none"> <li>i. <b>SSC</b> - Enforcing the external commitments of RSPO members within the eligibility criteria (i.e., consider commitments pre-dating RSPOs cut-off date of Nov 2005 (HCV) and 15 Nov 2018 (HCS) respectively.)</li> <li>ii. <b>BHCVWG</b> - Whether existing or new RSPO members with liability under the RaCP will be eligible to use the HFC procedure.</li> </ul>	

	<p>The SSC decided that RSPO does cannot impose requirement beyond what has been asked by the P&amp;C 2018, however must acknowledge these commitments where available.</p> <p>The BHCVWG decided that those with liabilities can be eligible to use the HFC procedure subject to the approval of the RaCP concept note.</p> <p>Point 3 under the “company activity” section of the criteria was revised as below:</p> <p><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 November 2018)<sup>2,3</sup>”</i></p> <p><sup>2</sup> <i>Where land clearing is conducted without the assessments as prescribed, the Remediation and Compensation Procedure (RaCP) applies. Eligibility for this procedure is subject upon the approval of the RaCP concept note.</i></p> <p><sup>3</sup> <i>RSPO members with voluntary no deforestation commitments earlier than 15 November 2018 are expected to comply with their prior commitments. Non-compliance to these commitments shall be addressed by the governance process of the respective organisations/standards (if any).</i></p> <p>NDJSG members requested time for them to consult with their respective sectors/caucus for approval. NDJSG agreed that all members would revert with their decision within 2 weeks.</p>	<p><b>[Action point]</b> NDJSG members to consult with their respective sectors/caucus and revert with their agreement/objection within 2 weeks.</p>
5	<p><b>NDJSG Workplan FY2023 (Jul 22-June 23)</b></p> <p>The secretariat informed the group that they were currently planning for next FY’s budget, and that this would be a good time for the group to propose activities to be included in the group’s workplan so the secretariat can include it in the budget.</p> <p>Due to time limitations, it was agreed that NDSJG members would send in proposed activities within 2 weeks to the RSPO secretariat. The secretariat added that it would set aside some funds for the NDJSG regardless, but it would be more efficient and reduce the risk the need to request for additional</p>	<p><b>[Action point]</b> NDJSG members to propose activities for next FY’s budgeting.</p>

<p>6</p>	<p><b>AOB</b></p> <p><b>a. Next NDJSG meeting</b>  Due to the difficulty of finding suitable dates for NDJSG meetings, the Secretariat proposed to set tentative dates in advance for the next 4 NDJSG meetings. A meeting frequency of once every quarter was proposed, with the next meetings targeted in July 22, Oct 22, Jan 23 and April 23.</p> <p>A concern was raised that the proposed frequency would be too much due to existing work obligations of members outside the NDJSG. The secretariat added this was more for easier planning for both members and the secretariat and was not set in stone. If there was a need to change the dates or cancel, this could be done closer to the proposed dates. The secretariat to send out a poll for the next meeting sometime in July 22.</p> <p><b>b. Vacant seats within NDJSG</b>  The presented the vacant seats which need to be filled as below:</p> <ul style="list-style-type: none"> <li>- Alternate grower (RSPO) x2</li> <li>- Alternate CGM (RSPO) x1</li> <li>- Substantive NGO (HCSA) x1</li> <li>- Alternate Commodity user (HCSA) x1</li> </ul>	<p><b>[Action point]</b> Secretariat to send a poll to NDJSG members for the next meeting.</p> <p><b>[Action point]</b> NDJSG members and both secretariats to reach out to their networks to fill the vacant positions.</p>
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