

# Review of outputs from RSPO Working Groups and Taskforces

RSPO P&C Review Phase 1

March 2012



NO.	PRINCIPLES AND CRITERIA	INDICATORS	COMMENTS/ISSUES	WORKING GROUP / TASKFORCE
<b>1</b>	<b>Commitment to transparency</b>			
<b>1.1</b>	Oil palm growers and millers provide adequate information to other stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages & forms to allow for effective participation in decision making.	Records of requests and responses must be maintained.		
<b>1.2</b>	Management documents are publicly available, except where this is prevented by commercial confidentiality or where disclosure of information would result in negative environmental or social outcomes.	<p>This concerns management documents relating to environmental, social and legal issues that are relevant to compliance with RSPO Criteria. Documents that must be publicly available include, but are not necessarily limited to:</p> <ul style="list-style-type: none"> <li>• Land titles/user rights (criterion 2.2).</li> <li>• Health and safety plan (4.7).</li> <li>• Plans and impact assessments relating to environmental and social impacts (5.1, 6.1, 7.1, 7.3).</li> <li>• Pollution prevention plans (5.6).</li> <li>• Details of complaints and grievances (6.3).</li> <li>• Negotiation procedures (6.4).</li> <li>• Continuous improvement plan (8.1).</li> </ul>		
<b>2</b>	<b>Compliance with applicable laws and regulations</b>			
<b>2.1</b>	There is compliance with all applicable local, national and ratified international laws and regulations.	<ul style="list-style-type: none"> <li>• Evidence of compliance with relevant legal requirements.</li> <li>• A documented system, which includes written information on legal requirements.</li> </ul>		

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		<ul style="list-style-type: none"> <li>• A mechanism for ensuring that they are implemented.</li> <li>• A system for tracking any changes in the law.</li> <li>• The systems used should be appropriate to the scale of the organisation</li> </ul>		
2.2	The right to use the land can be demonstrated, and is not legitimately contested by local communities with demonstrable rights.	<ul style="list-style-type: none"> <li>• Documents showing legal ownership or lease, history of land tenure and the actual legal use of the land.</li> <li>• Evidence that legal boundaries are clearly demarcated and visibly maintained.</li> <li>• Where there are, or have been, disputes, additional proof of legal acquisition of title and that fair compensation has been made to previous owners and occupants; and that these have been accepted with free prior and informed consent.</li> <li>• Absence of significant land conflict, unless requirements for acceptable conflict resolution processes (criteria 6.3 and 6.4) are implemented and accepted by the parties involved.</li> </ul>		
2.3	Use of the land for oil palm does not diminish the legal rights, or customary rights, of other users, without their free, prior and informed consent.	<ul style="list-style-type: none"> <li>• Maps of an appropriate scale showing extent of recognised customary rights (criteria 2.3, 7.5 and 7.6)</li> <li>• Copies of negotiated agreements detailing process of consent (criteria 2.3, 7.5 and 7.6)</li> </ul>		
3	<b>Commitment to long-term economic and financial viability</b>			
3.1	There is an implemented management plan that aims to achieve long-term economic and financial viability.	<ul style="list-style-type: none"> <li>• A documented business or management plan (minimum 3 years).</li> <li>• Annual replanting programme, where applicable, projected for a minimum of 5 years with yearly review</li> </ul>		

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4	<b>Use of appropriate best practices by growers and millers</b>			
4.1	Operating procedures are appropriately documented and consistently implemented and monitored.	<ul style="list-style-type: none"> <li>• Standard Operating Procedures for estates and mills are documented</li> <li>• A mechanism to check consistent implementation of procedures is in place.</li> </ul> <p>Records of monitoring &amp; the actions taken are maintained.</p>	<p><b>Additional indicator for all supply chain operators wishing to comply with EU-RED requirements:</b></p> <p>shall have a documentation management system. The system shall as a minimum contain all necessary documentation / evidence in relation to the claims they make or rely on. The documentation/evidence shall be kept for a minimum of 5 years</p>	EU-RED: RSPO-RED requirements 2.3
			Plantation and mill management should use the guidance on good practice wherever applicable including that for POME management.	GHGWG2
4.2	Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.	<ul style="list-style-type: none"> <li>• Records of fertilizer inputs are maintained.</li> <li>• Evidence of periodic tissue and soil sampling to monitor changes in nutrient status.</li> <li>• A nutrient recycling strategy should be in place.</li> </ul>		
4.3	Practices minimise and control erosion and degradation of soils.	<ul style="list-style-type: none"> <li>• Maps of fragile soils must be available.</li> <li>• A management strategy should exist for plantings on slopes above a certain limit (needs to be soil and climate specific).</li> <li>• Presence of road maintenance programme.</li> <li>• Subsidence of peat soils should be minimised under an effective and documented water management programme.</li> <li>• A management strategy should be in place for other fragile and problem soils (e.g. sandy, low organic matter, acid sulfate soils)</li> </ul>	<p>NIs need to define specific information on appropriate management of peat as part of “appropriate performance thresholds” (current text in P&amp;C says “should refer to national guidance”)</p>	NPP
			NIs need to have details on peat depth	TFS
			Plantations on peat should be managed at least to the standard set out in the guidance on best management practices (especially water management, fire avoidance, fertiser use and vegetation cover).	GHGWG2

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4.4	Practices maintain the quality and availability of surface and ground water.	<ul style="list-style-type: none"> <li>• An implemented water management plan.</li> <li>• Protection of water courses and wetlands, including maintaining and restoring appropriate riparian buffer zones.</li> <li>• Monitoring of effluent BOD.</li> <li>• Monitoring of mill water use per tonne of FFB .</li> </ul>		
4.5	Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.	<ul style="list-style-type: none"> <li>• An IPM plan is documented and current.</li> <li>• Monitoring extent of IPM implementation including training.</li> <li>• Monitoring of pesticide toxicity units (a.i./LD 50 per tonne of FFB or per hectare).</li> </ul> <p>Due to problems in the accuracy of measurement, monitoring of pesticide toxicity is not applicable to smallholders.</p>		
4.6	Agrochemicals are used in a way that does not endanger health or the environment. There is no prophylactic use of pesticides, except in specific situations identified in national Best Practice guidelines. Where agrochemicals are used that are categorised as World Health Organisation Type 1A or 1B, or are listed by the Stockholm or Rotterdam Conventions, growers are actively seeking to identify alternatives, and this is documented.	<ul style="list-style-type: none"> <li>• Justification of all agrochemical use.</li> <li>• Records of pesticide use (including active ingredients used, area treated, amount applied per ha and number of applications).</li> <li>• Documentary evidence that use of chemicals categorised as World Health Organisation Type 1A or 1B, or listed by the Stockholm or Rotterdam Conventions, and paraquat, is reduced and/or eliminated.</li> <li>• Use of selective products that are specific to the target pest, weed or disease and which have minimal effect on non-target species should be used where available. However, measures to avoid the development of resistance (such as pesticide rotations) are applied.</li> </ul>	Identify safe and cost effective alternatives to replace chemicals that are categorised as World Health Organisation Type 1A or 1B, or listed by the Stockholm or Rotterdam Conventions, and paraquat.	TFS

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4.6		<ul style="list-style-type: none"> <li>• Chemicals should only be applied by qualified persons who have received the necessary training and should always be applied in accordance with the product label. Appropriate safety equipment must be provided and used. All precautions attached to the products should be properly observed, applied, and understood by workers. Also see criterion 4.7 on health and safety.</li> <li>• Storage of all chemicals as prescribed in FAO or GIFAP Code of Practice (see Annex 1). All chemical containers must be properly disposed of and not used for other purposes (see criterion 5.3).</li> <li>• Application of pesticides by proven methods that minimise risk and impacts. Pesticides are applied aurally only where there is a documented justification.</li> <li>• Proper disposal of waste material, according to procedures that are fully understood by workers and managers. Also see criterion 5.3 on waste disposal.</li> <li>• Specific annual medical surveillance for pesticide operators, and documented action to eliminate adverse effects.</li> <li>• No work with pesticides for pregnant and breast-feeding women</li> </ul>	<ul style="list-style-type: none"> <li>• TOXICITY: See p. 185 for table on toxicity of most commonly used herbicides. "Of the nine substances 2,4-D and paraquat are classified by WHO as being more hazardous (Class II - moderately hazardous) than dicamba, fluzifop-butyl and glufosinate-ammonium (Class III - slightly hazardous). These, in turn, are more hazardous than diuron, fluroxypyr, glyphosate and metsulfuron-methyl (Class U - unlikely to present acute hazard in normal use). Of significance some of the substances, while of differing class designations, exert their effect through a similar mode of action. This may offer possibilities for substitution."</li> <li>• COST-EFFECTIVENESS: as key determining factor on deciding which weed control methods to use. Manual approaches considered less cost-effective. However, whilst mechanical weeding, increasing palm density, covering ground with sheeting and grazing by livestock considered more cost-effective, few producers use these methods. Recommended to find out why the uptake of these is limited.</li> </ul> <p>ELIMINATION:</p> <ul style="list-style-type: none"> <li>• Glyphosate: examples to reduce included use of a tractor mounted slasher to manage weed growth on paths; no other weed management measures were deemed necessary and the approach was considered quicker, more effective, less labour intensive and therefore more cost effective than the use of glyphosate.</li> <li>• 2,4-D: use of tractor and slasher enabled a producer to eliminate use of 2,4-D; again this was considered faster and more cost effective than use of the chemical</li> </ul>	CABI report

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			<ul style="list-style-type: none"> <li>• Paraquat: elimination through substitution with less toxic herbicide, glyphosate; new approach safer, less damaging to environment, more cost-effective.</li> <li>• In general: replacement of paraquat and 2,4-D by less hazardous herbicides glyphosate, fluroxypyr and metsulfuron, manual weeding and application of mulch effective. "The cases highlighted above suggest that considerable potential may exist for broader adoption of the same approach by other producers and lead to similar benefits." and "Producers should be made aware of [...] the various possibilities highlighted [here]".</li> </ul> <p>HANDLING: Improvements needed in maintaining employee knowledge &amp; skills and enhancement of quality of information materials. Improvements in maintenance of application equipment needed.</p>	

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4.7	An occupational health and safety plan is documented, effectively communicated and implemented.	<p>The health and safety plan covers the following:</p> <ul style="list-style-type: none"> <li>• A health and safety policy, which is implemented and monitored.</li> <li>• All operations where health and safety is an issue have been risk assessed and procedures and actions are documented and implemented to address the identified issues. All precautions attached to products should be properly observed and applied to the workers.</li> <li>• All workers involved in the operations have been adequately trained in safe working practices (see also criterion 4.8). Adequate and appropriate protective equipment should be available to labourers at the place of work to cover all potentially</li> <li>• Hazardous operations, such as pesticide application, land preparation, harvesting and, if it is used, burning.</li> <li>• The responsible person should be identified. There are records of regular meetings between the responsible person and workers where concerns of all parties about health, safety and welfare are discussed. Records detailing the occurrence and issues raised should be kept.</li> </ul>		



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4.7		<ul style="list-style-type: none"> <li>• Accident and emergency procedures should exist and instructions should be clearly understood by all workers. Accident procedures should be available in the appropriate language of the workforce. Assigned operatives trained in First Aid should be present in both field and other operations and first aid equipment should be available at worksites. Records should be kept of all accidents and periodically reviewed. Workers should be covered by accident insurance.</li> <li>• Recording of occupational injuries. Suggested calculation: Lost Time Accident (LTA) rate (either specify acceptable maximum, or demonstrate downward trend).</li> </ul>		
4.8	All staff, workers, smallholders and contractors are appropriately trained.	<ul style="list-style-type: none"> <li>• A formal training programme that includes regular assessment of training needs and documentation of the programme.</li> <li>• Records of training for each employee are kept.</li> <li>• The training programme should be appropriate to the scale of the organisation.</li> </ul>		
5	<b>Environmental responsibility and conservation of natural resources and biodiversity</b>			
5.1	Aspects of plantation and mill management, including replanting, that have environmental impacts are identified, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continuous improvement.	<ul style="list-style-type: none"> <li>• Documented impact assessment.</li> <li>• Where the identification of impacts requires changes in current practices, in order to mitigate negative effects, a timetable for change should be developed.</li> </ul>		

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5.2	<p>The status of rare, threatened or endangered species and high conservation value habitats, if any, that exist in the plantation or that could be affected by plantation or mill management, shall be identified and their conservation taken into account in management plans and operations.</p>	<p>Information should be collated that includes both the planted area itself and relevant wider landscape-level considerations (such as wildlife corridors). This information should cover:</p> <ul style="list-style-type: none"> <li>• Presence of protected areas that could be significantly affected by the grower or miller.</li> <li>• Conservation status (e.g. IUCN status), legal protection, population status and habitat requirements of rare, threatened, or endangered species, that could be significantly affected by the grower or miller.</li> <li>• Identification of high conservation value habitats, such as rare and threatened ecosystems, that could be significantly affected by the grower or miller.</li> <li>• If rare, threatened or endangered species, or high conservation value habitats, are present, appropriate measures for management planning and operations will include: <ul style="list-style-type: none"> <li>• Ensuring that any legal requirements relating to the protection of the species or habitat are met.</li> <li>• Avoiding damage to and deterioration of applicable habitats.</li> <li>• Controlling any illegal or inappropriate hunting, fishing or collecting activities; and developing responsible measures to resolve human-wildlife conflicts (e.g., incursions by elephants).</li> </ul> </li> </ul>		
5.3	<p>Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.</p>	<ul style="list-style-type: none"> <li>• Documented identification of all waste products and sources of pollution</li> <li>• Safe disposal of pesticide containers.</li> <li>• Having identified wastes, a waste management and disposal plan must be developed and implemented, to avoid or reduce pollution.</li> </ul>		

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5.4	Efficiency of energy use and use of renewable energy is maximised.	<ul style="list-style-type: none"> <li>• Monitoring of renewable energy use per tonne of CPO or palm product in the mill.</li> <li>• Monitoring of direct fossil fuel use per ton of CPO (or FFB where the grower has no mill).</li> </ul>		
5.5	Plans to reduce pollution and emissions, including greenhouse gases, are developed, implemented and monitored.	<ul style="list-style-type: none"> <li>• An assessment of all polluting activities must be conducted, including gaseous emissions, particulate/soot emissions and effluent (see also criterion 4.4).</li> <li>• Significant pollutants and emissions must be identified and plans to reduce them implemented.</li> <li>• A monitoring system must be in place for these significant pollutants which goes beyond national compliance.</li> <li>• The treatment methodology for POME is recorded.</li> <li>• Note: RSPO needs to address all issues relating to Greenhouse Gas emissions, as set out in the Preamble to this document.</li> </ul>	The RSPO P&C should continue to require monitoring and also require reporting of information on GHG emissions resulting from palm oil production. PalmGHG (developed via consensus, field tested, peer reviewed) or an equivalent should be used to provide a common framework.	GHGWG2
5.6			<p><b>Additional criterion for all producers wishing to comply with EU-RED requirements (see RSPO-RED requirements: 2.1.v): One of the following options must be used for calculation of GHG values:</b></p> <p>(a) Use of a default value specified in Annex V of EU-RED, which complies with the 35% greenhouse gas reduction criterion specified in EU-RED (and the 50% greenhouse gas reduction criterion from</p>	EU-RED

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			<p>1 January 2017).</p> <p>Or (b) Use of actual greenhouse gas values to calculate total greenhouse gas savings according to the EU-RED methodology. .</p> <p>Or (c) Until 31 March 2013, palm oil can be claimed to be in compliance with the EU-RED greenhouse gas criterion if there is evidence that the palm oil mill was in operation on or before 23 January 2008.</p>	
<b>6 Responsible consideration of employees and of individuals and communities affected by growers and mills</b>				
<b>6.1</b>	<p>Aspects of plantation and mill management, including replanting, that have social impacts are identified in a participatory way, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continuous improvement.</p>	<ul style="list-style-type: none"> <li>• A documented social impact assessment including records of meetings.</li> <li>• Evidence that the assessment has been done with the participation of affected parties.</li> </ul> <p>Participation in this context means that affected parties are able to express their views through their own representative institutions, or freely chosen spokespersons, during the identification of impacts, reviewing findings and plans for mitigation, and monitoring the success of implemented plans.</p> <ul style="list-style-type: none"> <li>• A timetable with responsibilities for mitigation and monitoring, reviewed and updated as necessary, in those cases where the assessment has concluded that changes should be made to current practices.</li> <li>• Particular attention paid to the impacts of outgrower schemes (where the plantation includes such a scheme).</li> </ul>	<p>Definition of “participatory” in relation to carrying out the SIA</p>	<p>NPP</p>

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6.2	There are open and transparent methods for communication and consultation between growers and/or millers, local communities and other affected or interested parties.	<ul style="list-style-type: none"> <li>• Documented consultation and communication procedures.</li> <li>• A nominated management official responsible for these issues.</li> <li>• Maintenance of a list of stakeholders, records of all communication and records of actions taken in response to input from stakeholders.</li> </ul>		
6.3	There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all parties.	<ul style="list-style-type: none"> <li>• The system resolves disputes in an effective, timely and appropriate manner.</li> <li>• Documentation of both the process by which a dispute was resolved and the outcome.</li> <li>• The system is open to any affected parties.</li> </ul>		
6.4	Any negotiations concerning compensation for loss of legal or customary rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.	<ul style="list-style-type: none"> <li>• Establishment of a procedure for identifying legal and customary rights and a procedure for identifying people entitled to compensation.</li> <li>• A procedure for calculating and distributing fair compensation (monetary or otherwise) is established and implemented. This takes into account gender differences in the power to claim rights, ownership and access to land; differences of transmigrants and long-established communities; differences in ethnic groups' proof of legal versus communal ownership of land.</li> <li>• The process and outcome of any negotiated agreements and compensation claims is documented and made publicly available.</li> </ul>		

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6.5	Pay and conditions for employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages.	<ul style="list-style-type: none"> <li>• Documentation of pay and conditions.</li> <li>• Labour laws, union agreements or direct contracts of employment detailing payments and conditions of employment (e.g., working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc) are available in the languages understood by the workers or explained carefully to them by a management official.</li> <li>• Growers and millers provide adequate housing, water supplies, medical, educational and welfare amenities to national standard or above, where no such public facilities are available or accessible (not applicable to smallholders).</li> </ul>		
6.6	The employer respects the right of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel.	<ul style="list-style-type: none"> <li>• A published statement in local languages recognizing freedom of association.</li> <li>• Documented minutes of meetings with main trade unions or workers representatives.</li> </ul>		
6.7	Children are not employed or exploited. Work by children is acceptable on family farms, under adult supervision, and when not interfering with education programmes. Children are not exposed to hazardous working conditions.	Documentary evidence that minimum age requirement is met.		

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6.8	Any form of discrimination based on race, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, or age, is prohibited.	<ul style="list-style-type: none"> <li>• A publicly available equal opportunities policy including identification of relevant/affected groups in the local environment.</li> <li>• Evidence that employees and groups including migrant workers have not been discriminated against.</li> </ul>		
6.9	A policy to prevent sexual harassment and all other forms of violence against women and to protect their reproductive rights is developed and applied.	<ul style="list-style-type: none"> <li>• A policy on sexual harassment and violence and records of implementation.</li> <li>• A specific grievance mechanism is established.</li> </ul>		
6.10	Growers and mills deal fairly and transparently with smallholders and other local businesses.	<ul style="list-style-type: none"> <li>• Current and past prices paid for FFB shall be publicly available.</li> <li>• Pricing mechanisms for FFB and inputs/services shall be documented (where these are under the control of the mill or plantation).</li> <li>• Evidence shall be available that all parties understand the contractual agreements they enter into, and that contracts are fair, legal and transparent.</li> <li>• Agreed payments shall be made in a timely manner.</li> </ul>		
6.11	Growers and millers contribute to local sustainable development wherever appropriate.	<ul style="list-style-type: none"> <li>• Demonstrable contributions to local development that are based on the results of consultation with local communities.</li> </ul>		

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7	<b>Responsible development of new plantings</b>			
7.1	<p>New issues relevant to P7</p> <p>A comprehensive and participatory independent social and environmental impact assessment is undertaken prior to establishing new plantings or operations, or expanding existing ones, and the results incorporated into planning, management and operations.</p>	<ul style="list-style-type: none"> <li>Independent impact assessment, undertaken through a participatory methodology including external stakeholder groups.</li> <li>Appropriate management planning and operational procedures.</li> <li>Where the development includes an outgrower scheme, the impacts of the scheme and the implications of the way it is managed should be given particular attention.</li> </ul>	<p>Need for clear definition of “New Planting” within P&amp;C text as per NPP Detailed Flow Chart Document – “Notes under Activities 1: Impact Assessments”</p> <p>To specify applicability to scheme smallholders</p> <p>Incorporate consistency of cut off for applicability of P7 to independent smallholders, which says – “Smallholder groups whose members plan to expand their aggregate holdings by less than 500 ha. in any one year must develop a simplified SEIA (7.1, 7.2 and 7.4) and must observe 7.3, 7.4 and 7.6. Details of expansion plans should be detailed in group business plans”, and “Smallholder groups whose members plan to expand their aggregate holdings by more than 500 ha in any one year must comply with all criteria in principle 7”.</p> <p><b>Additional criterion for all operators wishing to comply with EU-RED requirements:</b> There must be evidence that the land was under palm oil production in January 2008</p> <p><b>Additional criterion for all operators wishing to comply with EU-RED requirements:</b> There is evidence that the land was not a wetlands in January 2008. In case the land was a wetlands in January 2008, there is evidence that the production of palm oil has not changed the nature and the status of the wetlands.</p>	<p>NPP</p> <p>NPP</p> <p>TFS</p> <p>EU-RED: RSPO-RED requirements 2.1.i</p> <p>EU-RED: RSPO-RED requirements 2.1.iii</p>



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			<p>Additional criterion for all operators wishing to comply with EU-RED requirements: There is evidence that the land was not a peatland in January 2008. In case the land was a peatland, there is evidence that the production of palm oil does not involve drainage of previously undrained soil. This means that for peatland that was partially drained in January 2008 a subsequent deeper drainage, affecting soil that was not already fully drained, would constitute a breach of the criterion.</p>	<p>EU-RED: RSPO-RED requirements 2.1.iv</p>
			<p>The RSPO P&amp;C should require new operations (plantations and mills) to be designed to decrease GHG emissions.</p>	<p>GHGWG2</p>
			<p>Total carbon emissions (above and below ground) from expansion should not result in a carbon debt greater than that which can be paid back in the period of one rotation over the whole management unit. Several members of the group strongly urged for a date of January 2012 for calculating the baseline value for the carbon stock debt analysis but consensus was not reached. It was suggested that it would be useful to check on the ISPO requirement. Guidance 1: Expansion of plantations should be on low C stock ('degraded') land (ie avoiding peat, areas with high biomass etc) or on land which is in current intensive agricultural or plantation use.</p>	<p>GHGWG2</p>
			<p>☐ Guidance 2: Low C-stock/degraded land: A definition needs to be developed – this could be based on the carbon in a mature plantation or the time averaged figure. This can be averaged over the whole expansion area (ie the average of oil</p>	

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			palm, riparian areas, forest set-aside etc).	
			To achieve this for mills they should incorporate low emission management (eg better management of POME, efficient boilers etc).	GHGWG2
			There should be reporting on approaches used.	GHGWG2
7.2	Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations.	<ul style="list-style-type: none"> <li>• Soil suitability maps or soil surveys adequate to establish the long-term suitability of land for oil palm cultivation should be available.</li> <li>• Topographic information adequate to guide the planning of drainage and irrigation systems, roads and other infrastructure should be available.</li> </ul>		
7.3	New plantings since November 2005, have not replaced primary forest or any area required to maintain or enhance one or more High Conservation Values.	<ul style="list-style-type: none"> <li>• An HCV assessment, including stakeholder consultation, is conducted prior to any conversion.</li> <li>• Dates of land preparation and commencement are recorded</li> </ul>	Need for consistency of cut-off date for “new planting” (i.e. the P&C says one date, yet the NPP says another date)	NPP
			Need for HCV toolkit for oil palm which also needs to be country specific i.e. as a NI Inclusion of where good practice information and resources are available for conducting RSPO required HCV assessments	NPP
			National Interpretation will provide guidance on whether and how the RSPO required HCV assessment can be combined and carried out, taking into account national laws and procedures.	NPP
			Text to clarify that HVC assessment does not need to be duplicated prior to certification audit if conducted under NPP and that HCV assessment	NPP

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			carried out for the New Planting Procedure shall be recognized at point of certification	
			<p>Specific timelines for compensation of HCV areas converted:</p> <ul style="list-style-type: none"> <li>• Nov. 2005 to end Nov. 2007 – companies required to compensate for lost</li> <li>• HCV areas as a result of land clearance</li> <li>• From Dec. 2007 to end Dec. 2009 – companies required to compensate the total area cleared without prior HCV assessment.</li> <li>• From Jan. 2010 onwards – companies required to compensate for the total area cleared plus a multiplier.</li> </ul>	CTF
			Reviews and updates of the compensation mechanism will coincide with the review of the P&C	CTF
			<p>Land acquisitions are also liable for HCV compensation:</p> <ul style="list-style-type: none"> <li>• If land has been previously cleared (and/or planted) for a commercial purpose, the company that acquires the land will be required to bear the responsibility for rectifying noncompliances (since end Nov. 2005).</li> </ul> <p>If cleared (and/or planted) in a non-commercial manner (by local communities or smallholders), the company will not be subject to compensation for non-compliances prior to ownership.</p>	CTF
			On compensation based on HCV:	CTF

NO.	PRINCIPLES AND CRITERIA	INDICATORS	COMMENTS/ISSUES	WORKING GROUP / TASKFORCE
			<ul style="list-style-type: none"> <li>There will be flexibility in the application of in-situ and/or ex-situ compensation for HCVs 1 to 3.</li> </ul> <p>Compensation actions for HCVs 4 to 6 will be applied locally as a priority and through dialogue with affected parties.</p>	
			<p>Additional indicator for all operators wishing to comply with EU-RED requirements: There is evidence that the land is not designated for nature protection purposes by law or by the relevant competent authority. There is evidence that the land is not designated for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature, subject to the recognition of these organisations as outlined in Article 18(4) of the EU-RED.</p>	EU-RED: RSPO-RED Requirements 2.1.ii
7.4	Extensive planting on steep terrain, and/or on marginal and fragile soils, is avoided.	<ul style="list-style-type: none"> <li>Maps identifying marginal and fragile soils, including excessive gradients and peat soils, should be available.</li> <li>Where limited planting on fragile and marginal soils is proposed, plans shall be developed and implemented to protect them without incurring adverse impacts.</li> </ul>	<p>NIs need to define specific information on “marginal soils”, “fragile soils” (current text in P&amp;C says “should consider”)</p>	NPP
			<p>NIs need to define specific information on appropriate management of peat (current text in P&amp;C says “should consider”)</p>	NPP

NO.	PRINCIPLES AND CRITERIA	INDICATORS	COMMENTS/ISSUES	WORKING GROUP / TASKFORCE
7.5	No new plantings are established on local peoples' land without their free, prior and informed consent, dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions	Refer to criteria 2.2, 2.3, 6.2, 6.4 and 7.6 for indicators and guidance on compliance.	Definition of "local peoples' land" required	NPP
7.6	Local people are compensated for any agreed land acquisitions and relinquishment of rights, subject to their free, prior and informed consent and negotiated agreements.	<ul style="list-style-type: none"> <li>• Documented identification and assessment of legal and customary rights.</li> <li>• Establishment of a system for identifying people entitled to compensation.</li> <li>• Establishment of a system for calculating and distributing fair compensation (monetary or otherwise).</li> <li>• Communities that have lost access and rights to land for plantation expansion are given opportunities to benefit from plantation development.</li> <li>• The process and outcome of any compensation claims should be documented and made publicly available.</li> <li>• This activity should be integrated with the SEIA required by 7.1.</li> </ul>		
7.7	Use of fire in the preparation of new plantings is avoided other than in specific situations, as identified in the ASEAN guidelines or other regional best practice.	<ul style="list-style-type: none"> <li>• No evidence of land preparation by burning.</li> <li>• Documented assessment where fire has been used for preparing land for planting.</li> <li>• Evidence of approval of controlled burning as specified in ASEAN guidelines or other regional best practice.</li> <li>• This activity should be integrated with the SEIA required by 7.1.</li> </ul>		

NO.	PRINCIPLES AND CRITERIA	INDICATORS	COMMENTS/ISSUES	WORKING GROUP / TASKFORCE
<b>8</b>	<b>Commitment to continuous improvement in key areas of activity</b>			
<b>8.1</b>	Growers and millers regularly monitor and review their activities and develop and implement action plans that allow demonstrable continuous improvement in key operations.	<p>The action plan for continual improvement should be based on a consideration of the main social and environmental impacts and opportunities of the grower/mill, and should include a range of indicators covered by these principles and criteria. As a minimum, these must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>• Reduction in use of certain chemicals (criterion 4.6).</li> <li>• Environmental impacts (criterion 5.1).</li> <li>• Waste reduction (criterion 5.3).</li> <li>• Pollution and emissions (criterion 5.6).</li> <li>• Social impacts (6.1).</li> </ul>	The RSPO P&C should continue to require the development and implementation of a plan to reduce GHG emissions identified in their existing operations. The plan should include reported timebound targets for implementing the measures in the plan. There should be regular reporting on progress.	GHG WG2
<b>9</b>	<b>General comments to Principles &amp; Criteria</b>			
<b>9.1</b>			<p>It is expected that elements of the NPP will later on be included within the RSPO P&amp;C during the upcoming review in 2012</p> <p>There is a need to standardize text during P&amp;C review in NPP and relevant sections in the P&amp;C.</p> <p>NI to clarify differences between meeting legally required assessments and additional RSPO required assessments.</p> <p>NI of NPP required</p> <p>Consideration should be given to allowing more flexibility in the timing for smallholders and small</p>	<p>NPP</p> <p>NPP</p> <p>NPP</p> <p>NPP</p> <p>GHG WG2</p>

NO.	PRINCIPLES AND CRITERIA	INDICATORS	COMMENTS/ISSUES	WORKING GROUP / TASKFORCE
			<p>companies to implement changes recognising their more limited resources and capacity.</p> <p>Re category of smallholders: The distinction between ‘scheme smallholders’ and ‘independent smallholders’ is not always easy to make. The Task Force on Smallholders recognises that NIWGs will need to look in detail at how this distinction applies in their country and provide comprehensive lists of which types of smallholders best fit which category, and RSPO to allow flexibility in the way this distinction is applied in national interpretations to ensure that the typology does not exclude or disadvantage smallholders in some countries.</p>	TFS
<b>10</b>	<b>Chain of custody</b>			
<b>10.1</b>			<p>RSPO Chain of Custody Standard: 6, Module D; CPO Mills - Segregation. It has been recommended that this needs to be referenced or acknowledged in the P&amp;C</p> <p>RSPO Chain of Custody Standard: 6, Module E; CPO Mills - Mass Balance. It has been recommended that this needs to be referenced or acknowledged in the P&amp;C</p> <p>A note/criterion that: Facilities shall use a RSPO supply chain system which follows physical oil through the supply chain (Identity Preserved, Segregated or Mass Balance). The RSPO Book &amp;</p>	<p>T&amp;T: RSPO Supply Chain Certification Standard</p> <p>T&amp;T: RSPO Supply Chain Certification Standard</p> <p>EU-RED: RSPO-RED Requirements 2.2.4.i</p>

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			Claim option is not allowed under EU-RED requirements.	
			Reference to the RSPO-IT System (RSPO transaction registration system for certified palm oil products)	EU-RED: RSPO-RED Requirements, Annex 1
<b>11</b>	<b>Definitions in P&amp;C</b>			
<b>11.1</b>			<p>Update definitions to make consistent with currently used definitions of smallholders to include distinction between ‘scheme smallholders’ and ‘independent smallholders’ as contained within “Generic Guidance for Independent Smallholders”</p> <ul style="list-style-type: none"> <li>Independent smallholders: “independent smallholders while very varied in their situations are characterised by their: freedom to choose how to use their lands, which crops to plant and how to manage them; being self-organised, self-managed and self-financed; and by not being</li> </ul>	TFS



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			<p>contractually bound to any particular mill or any particular association. They may, however, receive support or extension services from government agencies.”</p> <p>Scheme smallholders: “Scheme smallholders, while also very diverse, are characterised as smallholders who are structurally bound by contract, by a credit agreement or by planning to a particular mill. Scheme smallholders are often not free to choose which crop they develop, are supervised in their planting and crop management techniques, and are often organised, supervised or directly managed by the managers of the mill, estate or scheme to which they are structurally linked.”</p>	
			<p>On “medium growers”: The Task Force has also identified an intermediate category of grower who have holdings larger than 50 hectares but who do not own a mill and who thus produce Fresh Fruit Bunches and not crude palm oil. The Task Force has referred to such growers as ‘medium growers’. To date there are no generic provisions in the RSPO system to allow for the certification of such growers unless they choose to be certified along with the mills that they sell to. It is not yet clear if there is a demand from such growers for RSPO certification but in Malaysia independent growers with holdings of between 40 ha. and 500 ha. are referred to as ‘small growers’ and provisions for their certification are included in the November 2010 National Interpretation for Malaysia.</p>	TFS

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			Definition of “land preparation” (Occurs in Indicators and Guidance of C 4.7, C 7.2 and C 7.7)	NPP