



# RSPO

Roundtable on Sustainable Palm Oil



## CAMEROON NATIONAL INTERPRETATION

OF THE RSPO PRINCIPLES AND CRITERIA FOR  
THE PRODUCTION OF SUSTAINABLE PALM OIL  
2018

Endorsed by the RSPO Board of Governors on 22 November 2021





PREAMBLE

Sustainable palm oil production comprises legal, economically viable, environmentally appropriate and socially beneficial management and operations. This is delivered through the application of a set of stringent Principles and Criteria (P&C) and the accompanying Indicators and Guidance.

The first set of Principles and Criteria, Indicators and Guidance (2007 RSPO P&C) has been applied since November 2007. They were subject to trial implementation from November 2005 to November 2007 and, in a number of countries, to a subsequent process of National Interpretation (NI). After five (5) years of application by RSPO members, the 2007 RSPO P&C were reviewed in 2012–2013, leading to the 2013 RSPO P&C. After a further five (5) years of application, they were reviewed and revised in 2017–2018 by the RSPO Principles and Criteria Review Task Force.

The objective of each review and revision is to improve the relevance and effectiveness of the P&C for RSPO members and achieve the shared vision and mission of making sustainable palm oil the norm. More specifically, the most recent revision sought to align the P&C with the RSPO Theory of Change (ToC) and increase accessibility by making them more relevant and practical.

The review process went beyond ISEAL best practices, including two (2) public consultation periods of 60 days each and 17 physical consultation workshops in 10 countries around the world, as well as six (6) physical Task Force meetings. This process resulted in the production of the revised and restructured RSPO Principles and Criteria for Sustainable Palm Oil Production (2018 RSPO P&C).

In line with ISEAL best practices, the 2018 RSPO P&C will be completely reviewed again after five (5) years, following adoption by the General Assembly (GA) of the RSPO.

The RSPO and its members recognise, support and commit to following the United Nations Universal Declaration of Human Rights [<http://www.un.org/en/documents/udhr>] and the International Labour Organization (ILO)'s Declaration on Fundamental Principles and Rights at Work [<http://www.ilo.org/declaration/lang-en/index.htm>].

The 2018 RSPO P&C defines Indicators for each Criterion and further Guidance where useful. Indicators are specific pieces of objective evidence that shall (must) be in place to demonstrate or verify that the Criterion is being met, i.e., they constitute the normative part of the standard together with the Principles, Criteria and definitions. Guidance consists of useful information to help the unit of certification and auditor understand what the Criterion and/or Indicators mean in practice, to indicate good practice and practices that should be followed. Guidance constitutes the informative part of the standard.

A separate standard has been developed for independent smallholders—the RSPO Independent Smallholder (ISH) Standard.

The 2018 RSPO P&C has been in effect since its adoption by the RSPO 15th General Assembly (GA15) on 15 November 2018. As stated in Section 9 of the RSPO Standard Operating Procedures (SOP) for Standard Setting, National Interpretations (NIs) must be revised to be fully consistent with the 2018 RSPO P&C within 12 months of the date of adoption (i.e., by 15 November 2019). Certificate holders must be fully compliant with the new version of an NI within one (1) year of it being endorsed by the Board of Governors (BoG).


In countries where NIs are not updated by 15 November 2019, the 2018 RSPO P&C will be effective until the NI has been updated.

The NI process in Cameroon started in November 2019, and this document represents the final version of the new NI. In countries without NIs and/or in cases where members have conducted a Local Interpretation applicable to their own operations, the 2018 RSPO P&C is effective immediately after adoption (15 November 2018) and shall be used for any new certification activities after the adoption date. Existing certified entities can continue to be certified after the date of adoption and before the completion of any relevant NI, by conducting a maximum of one further Annual Surveillance Assessment (ASA) against the 2013 RSPO P&C (or their current NI), but shall demonstrate compliance to the new 2018 RSPO P&C at the following ASA.

Criterion 7.12 requires that new land clearing after 15 November 2018 (i.e., adoption of the P&C at GA15) must be preceded by an HCV-HCS assessment. The Task Force recognises that there is an array of scenarios, in which HCV assessments have previously been undertaken and have been approved or are in the process of approval. Annex 5 shows how the new requirements apply in different scenarios of existing and new certifications, with and without new land clearing.

Necessary revisions shall be made to other RSPO normative documents and guidance to ensure consistency with the wording of the 2018 RSPO P&C and, in that context, please take note of the disclaimer and procedural note for the Supply Chain requirements for mills, in Criterion 3.8, at the end of Principle 3. Annex 1 provides the definitions of the technical terms used in this standard. Annex 2 contains the additional generic guidance. Key international laws and conventions applicable to the production of palm oil are set out in Annex 3. This document identifies critical (C) Indicators proposed by the RSPO Principles and Criteria Review Task Force and endorsed by the RSPO BoG on 12 October 2018.

The English version of the 2018 RSPO P&C shall always prevail in case of any discrepancy or inconsistency between the English version and other translated versions.

**IMPORTANT NOTE:** When you see the  symbol in the Criteria, please refer to additional guidance in Annex 2.

# INTRODUCTION TO THE CAMEROON RSPO P&C NATIONAL INTERPRETATION

Palm oil is one of the raw materials contributing to Cameroon's economic growth. Production is mainly intended for domestic consumption; thus, the development of the sector in Cameroon remains largely regulated within the limits of national laws with little attention paid to the sustainability of the sector. The lack of a sustainability standard can impact the country's ambition due to growing global pressure to ensure that palm oil production meets social, environmental, and economic standards. Since 2013, Cameroon has been engaged in the development of a national strategy for sustainable palm oil. Although not yet officially approved by the government, other regional commitments have been awarded such as those of the Africa Palm Oil Initiative (APOI) with the development of national guiding principles.

Therefore, with the ambitions of the government and the desire of large industrial palm oil producers such as SOCAPALM and SAFACAM to become RSPO certified, it becomes imperative for Cameroon to ensure that the principles and criteria of the RSPO (the globally recognised standard for measuring the sustainability of palm oil production) are adaptable to the local context. The national interpretation will allow Cameroon to contextualise this global standard to adapt it to the national context.

Indeed, in Cameroon, certain details concerning land titles and the price of fresh fruit bunches (FFB), which is fixed by the State, as well as the concession agreements must be taken into account for the adaptation of certain specific indicators where palm oil certification is concerned. For example, while it is the State that grants concessions to investors, the investor will in turn have to identify areas of activity with the populations and obtain consent for the implementation of projects. Investors are also expected to identify the populations neighbouring their concession(s), inform them and decide with them, on the elements of co-management in the common areas.

Through the members of the RSPO (WWF, SOCAPALM and SAFACAM – the latter two being under the Socfin group), Cameroon is committed to the national interpretation of the RSPO global standard.

The NI process in Cameroon included the following key steps:

**1. A legal and institutional review of the palm oil sector** was conducted in 2019 in consultation with specialists in Cameroonian law. A list of national laws and regulations, as well as international legal instruments relevant for sustainable palm oil development in Cameroon can be found in Annexes 3b and 3c.

# INTRODUCTION TO THE CAMEROON RSPO P&C NATIONAL INTERPRETATION

## **2. Establishment and physical meetings of the NIWG**

Through RSPO members (WWF, SOCAPALM, and SAFACAM), Cameroon engaged in the national interpretation of the RSPO global standard and began the process in 2019. The National Interpretation Working Group (NIWG) is composed of two sectors: the private sector and the non-governmental organisation (NGO) sector. The private sector includes private sector companies who are active in the palm oil value chain, including industrial growers, supply chain companies and representatives of smallholder growers. The NGO sector comprises national members of international social and environmental NGOs as well as local civil society organisation (CSO) representatives.

Due in particular to the COVID-19 health crisis, the timetable was disrupted, and the process was fully started with the first physical meeting of the NIWG held in Douala, Cameroon, from 15 to 17 December 2020.

In the context of the work done during and after the first meeting of the NIWG, the second physical meeting aimed to continue the development and interpretation of the content of the NI document. The meeting took place in Douala from 16 to 18 February 2021.

Following this second meeting, the NIWG was able to consolidate the work to arrive at the first version of the National Interpretation (NI) to be sent for public consultation.

## **3. Public consultation**

The Public Consultation is part of the National Interpretation (NI) process for the adoption of the Principles and Criteria of the 2018 RSPO standard. This exercise aims to gather the views of all palm oil producers and traders, environmental and social NGOs, government entities, various experts, and other stakeholders, on the interpretations proposed during the NI process for Cameroon of the 2018 P&C standard.

### Online public consultation

According to RSPO procedures, a public comment period of at least 60 days is required to allow members of the public at the national, regional, and international levels to judge the proposed national indicators and to submit their observations and comments. RSPO members in Cameroon have published the proposed IN indicators with the aim of allowing the public to express a free and impartial opinion on their relevance. This consultation period initially ran from 19 April 2021 to 18 June 2021 but was extended until 30 July 2021.

# INTRODUCTION TO THE CAMEROON RSPO P&C NATIONAL INTERPRETATION

## Local public consultations

In addition, four (4) days of consultation workshops were conducted with communities in the areas of activity, with a total of 248 participants.

The working group thus worked on the text of the NI considering the comments raised by the various parties who expressed themselves during the public consultations.

## **4. NIWG virtual meetings**

The NIWG first met to agree on a rescheduling of the last phase of the process, which suffered from delays due to the COVID-19 situation, and after obtaining authorisation for the extension of the process until 31 December 2021, resumed its work virtually.

Following the comments received during the public consultations, the NIWG first met in technical sub-groups in virtual meetings to address the main points of their sections before meeting as a full group via a virtual meeting on 6 November 2021. In addition, the NIWG used other virtual work tools, such as feedback forms, to review proposed changes between the various virtual meetings. During the sessions, the various thematic groups and members of the NIWG identified, discussed and validated proposals for national RSPO indicators.

## **5. Third Physical Meeting of the NIWG and Validation Meeting**

A final working meeting was held between 13 and 15 December 2021 in Yaoundé where the members met to discuss the last points to be resolved. They also agreed their smallholder definitions for Cameroon.

Finally, the NI validation meeting was held on 15 December, with the presence of all NIWG members to validate the final text. The National Interpretation was validated during this session. Following the validation workshop, the validated National Interpretation was translated into English before being sent to the RSPO for approval. The RSPO Board of Governors endorsed this NI on 5 April 2022.

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Acronym	Meaning
AFI	Accountability Framework Initiative
ALS	Assessor Licensing Scheme
ASA	Annual Surveillance Assessments
ASEAN	Association of Southeast Asian Nations
BHCVWG	Biodiversity & High Conservation Value Working Group
BMPs	Best Management Practices
BOD	Biochemical Oxygen Demand
BoG	Board of Governors
CABI	Centre for Agriculture and Biosciences International
CB	Certification Body
CBA	Collective Bargaining Agreement
CBD	Convention on Biological Diversity
CPO	Crude Palm Oil
CSO	Civil Society Organisation
DfID	Department for International Development (UK government)
DLW	Decent Living Wage
EFB	Empty Fruit Bunches
FAO	Food and Agriculture Organization
FFB	Fresh Fruit Bunch
FPIC	Free, Prior and Informed Consent

Acronym	Meaning
FSC	Forest Stewardship Council
GA	General Assembly
GHG	Greenhouse Gas
GLWC	Global Living Wage Coalition
H&S	Health and Safety
HCS	High Carbon Stock
HCSA	High Carbon Stock Approach
HCV	High Conservation Value
HCVRN	High Conservation Value Resource Network
HFCC	High Forest Cover Country
HFCL	High Forest Cover Landscape
HGU	Hak Guna Usaha
HRC	Human Rights Commission
HRD	Human Rights Defender
ICS	Internal Control System
IDS	Institute of Development Studies
IFC	International Finance Corporation
IFL	Intact Forest Landscape
ILO	International Labour Organization
IP	Identity Preserved

Acronym	Meaning
IPCC	Intergovernmental Panel on Climate Change
IPM	Integrated Pest Management
ISO	International Organization for Standardization
IUCN	International Union for Conservation of Nature
JCC	Joint Consultative Committee
KBA	Key Biodiversity Area
KPI	Key Performance Indicator
LTA	Lost Time Accident
LUCA	Land Use Change Analysis
MB	Mass Balance
NDJSG	No Deforestation Joint Steering Group
NGO	Non-Governmental Organisation
NI	National Interpretation
OER	Oil Extraction Rate
QMS	Quality Management System
P&C	RSPO Principles and Criteria (i.e. this document)
PK	Palm Kernel
PLWG	Peatland Working Group
PO	Palm Oil
POME	Palm Oil Mill Effluent

Acronym	Meaning
PPE	Personal Protective Equipment
RaCP	Remediation and Compensation Procedure
REDD	Reducing Emissions from Deforestation and Forest Degradation
RISS	RSPO Independent Smallholder Standard
RSPO	Roundtable on Sustainable Palm Oil
RTE	Rare, Threatened or Endangered
SCCS	RSPO Supply Chain Certification Standard
SDGs	Sustainable Development Goal
SEIA	Social and Environmental Impact Assessment
SHIG	Smallholder Interim Group
SLAPP	Strategic Lawsuits against Public Participation
SOP	Standard Operating Procedure
ToC	Theory of Change
UN	United Nations

## 1. SCOPE

The RSPO Principles and Criteria (RSPO P&C) is applicable to palm oil production worldwide. The RSPO P&C cover the most significant environmental and social impacts of palm oil production and the immediate inputs to production, such as seed, chemicals and water, and social impacts related to on-farm labour and community relations.

The RSPO P&C apply to all production level companies, i.e., all mills, who do not fall under the definition of independent mill as outlined in the RSPO Supply Chain Certification Standard (SCCS); and to all growers, who do not meet the definition of independent smallholder or the applicability requirements as outlined in the 2019 RSPO Independent Smallholder (ISH) Standard, and therefore, cannot apply the RSPO ISH Standard. These are referred to as the unit of certification throughout this document.

The unit of certification is responsible for the certification of related Scheme Smallholders and outgrowers within three years of obtaining its own certificate (see Section 4.1.3 of the 2017 RSPO Certification Systems). Guidance for the implementation of the 2018 RSPO P&C for scheme smallholders and outgrowers will be developed.

The RSPO P&C apply to existing plantings, and also planning, siting, development, expansion, as well as new plantings.

Where RSPO standards differ from local laws, the higher/stricter of the two shall always prevail and NIs are required to develop a list of applicable laws (see Section 9 of the RSPO SOP for Standard Setting 2017).

Compliance with the RSPO P&C and all requirements as outlined in associated documents is required in order for certification to be awarded. Any non-conformities may result in suspension or loss of certification (see Section 4.9 of the 2017 RSPO Certification Systems). Compliance must be demonstrated with the normative part of the P&C, i.e., the Principles, Criteria and Indicators. Non-conformities are raised at Indicator-level by auditors. The informative part (i.e., Annex 2 Guidance) is there to help with the implementation of Indicators, but is not normative, nor can non-conformities be raised against this section.

## Role of each standard element:

Team	Explanation	RSPO Standard Setting document	Category
<b>Principle</b>	Fundamental statements about a desired outcome	A fundamental statement about a desired outcome, often providing greater detail about the objectives.	Normative
<b>Criteria</b>	What implementation of the principle looks like – the pre- conditions/a means of judging whether or not a Principle has been fulfilled	The conditions that need to be met in order to fulfil a Principle. Criteria add meaning and operability to a Principle without themselves being direct measures of performance.	Normative
<b>Indicator</b>	Variable to measure the implementation (positive or negative)	The measurable states, which allow the assessment of whether or not associated Criteria, are being met. Indicators convey a single, meaningful message or piece of information.	Normative
<b>Guidance</b>	Additional information that assists with the understanding, implementation and auditing of the requirement (i.e. the Indicator)	Guidance consists of useful information to help the unit of certification and auditor understand what the Criterion and/or Indicators mean in practice, to indicate good practice, and practices that should be followed.	Informative
<b>Procedural Note</b>	Exceptional measure to allow mention of pending developments	A note in the standard only to be used where a methodology or element of the standard is still under development to clarify terms, conditions and procedure prior to the said methodology or element being finalised.	Informative

## Role of Definitions

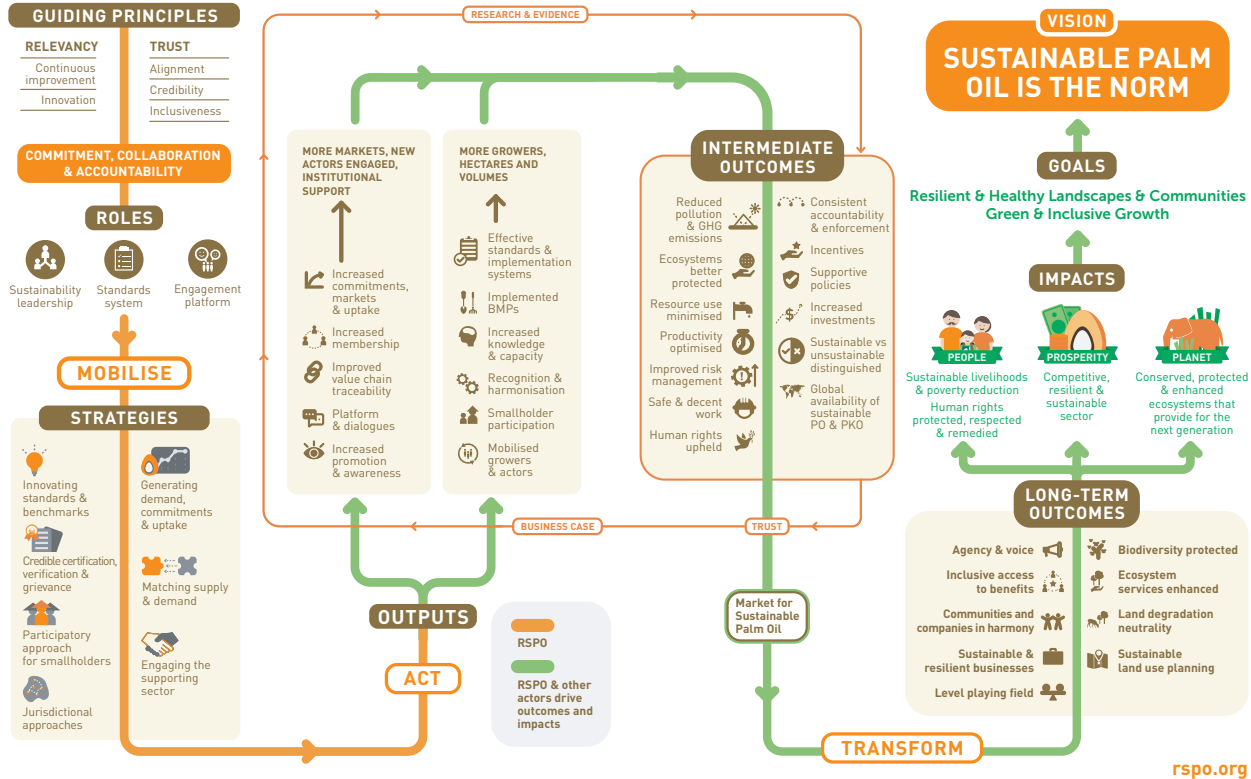
Throughout the standard, some terms carry a specific RSPO definition, which is provided in Annex 1 – Definitions section of this standard. These definitions are binding elements of the Criteria and Indicators.

## 2. RSPO VISION AND THE THEORY OF CHANGE (TOC)



The RSPO Theory of Change (ToC) is a roadmap that demonstrates how RSPO will achieve its vision of making sustainable palm oil the norm. With the support of its members, partners and other actors, RSPO will implement key strategies and activities to trigger the transformation of the palm oil sector. These strategies are intended to bring about direct outputs in the form of increased adoption of the RSPO standards, greater transparency and inclusivity in the RSPO system, increased market uptake of sustainable palm oil, and an improved enabling environment. Over time, these outputs will lead to outcomes that are expected to improve the quality of life of oil palm farmers, create a more prosperous palm oil industry, and enable us to better conserve our planet and its resources. When the ToC is fully realised, it delivers change where it matters most – on the ground; a space where oil palm, the environment, and local communities can co-exist in harmony. It also provides a framework to monitor, evaluate and report on the effects of applying the RSPO P&C. More details on the RSPO ToC are available here: <https://rspo.org/about/impacts/theory-of-change>.

# THEORY OF CHANGE RSPO'S ROADMAP FOR SUSTAINABLE PALM OIL





Effective implementation and more growers' uptake of the P&C lead to the intermediate outcomes:

- Resource use minimisation (soil, water, energy), input use reduction – reduced costs
- Reduced pollution (water, air, greenhouse gas (GHG))
- Improved risk management – management plans and assessments
- Ecosystems better protected
- Productivity optimised
- Land and use rights respected
- Safe and decent work for all community members

The process for change at RSPO is characterised by a progression of “**Mobilise, Act and Transform**”. This is the backbone of the RSPO ToC and underpinned by the concept of shared responsibility and accountability for results.

**Commitment:** All the actors commit to their contribution to transforming markets.

**Collaboration:** Recognising the need to work together and making that happen: transformation of markets cannot happen without collaboration.

**Accountability:** Commitment and collaboration are to be fulfilled with a shared responsibility for impact. The expectation of partners and members is that they commit to participate and there is mutual and agreed accountability for results.

## 3. OUTCOME FOCUS

The core objectives of the 2018 RSPO P&C review include:

- Incorporating elements of impacts;
- Making it more relevant and practical particularly by making it metricated (measurable);
- Incorporating elements of impacts as prescribed by the ToC.

It is important to keep in mind that it is simply not feasible or meaningful to propose indicator level, specific measurable outcomes due to many technical and political challenges. From research and experience with other standards, these include:

- Attribution – achieving outcomes is based on a wide range of actions and context, often out of the control of the grower (weather, market forces, pests);
- Defining globally relevant outcomes;
- Favour larger, more resourced growers potentially demotivating small and medium size growers;
- Costs and burden for data reporting systems and management.

However, outcome focused P&C can still be achieved, by showing very explicitly the links between the set of Criteria and the intended outcomes. Furthermore, a requirement for reporting to RSPO has been included into the Management Principle under Criterion 3.2 for continuous improvement.

This will provide RSPO with information on the results of the implementation of the P&C. This requirement refers to a small set of strategic metrics, directly related to the P&C and aligned with the ToC and RSPO organisational Key Performance Indicators (KPIs). The resulting reporting will be anonymised for analysis, marketing and impact assessment.

The selection criteria for these metrics included:

- Value added to growers;
- Link to P&C requirements;
- Key ToC outcomes;
- Those already required for measuring, monitoring and/or reporting.



## 4. STRUCTURE OF THE RSPO P&C

The RSPO P&C are organised into three impact areas according to the RSPO ToC.



**Impact Goal PROSPERITY:**  
Competitive, resilient and sustainable sector

- Principle 1. **Behave ethically and transparently**
- Principle 2. **Operate legally and respect rights**
- Principle 3. **Optimise productivity, efficiency, positive impacts and resilience**



**Impact Goal PEOPLE:**  
Sustainable livelihoods and poverty reduction

- Principle 4. **Respect community and human rights and deliver benefits**
- Principle 5. **Support smallholder inclusion**
- Principle 6. **Respect workers' rights and conditions**



**Impact Goal PLANET:**  
Conserved, protected and enhanced ecosystems that provide for the next generation

- Principle 7. **Protect, conserve and enhance ecosystems and the environment**

Impact Area ToC	Objectives ToC	Principle of Theme
<p><b>PROSPERITY</b> Impact Goal: Competitive, resilient and sustainable sector</p>	<p>A sustainable, competitive, and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where oil palm is grown. Effective planning and management system address economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&amp;C, and supports continuous improvement toward sustainable palm oil.</p>	<ol style="list-style-type: none"> <li>1. Behave ethically and transparently</li> <li>2. Operate legally and respect rights</li> <li>3. Optimise productivity, efficiency, positive impacts and resilience</li> </ol>
<p><b>PEOPLE</b> Impact Goal: Sustainable livelihoods and poverty reduction</p>	<p>Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfill their potential in work and community with dignity and equality and in a healthy working and living environment.</p>	<ol style="list-style-type: none"> <li>4. Respect community and human rights and deliver benefits</li> <li>5. Support smallholder inclusion</li> <li>6. Respect workers' rights and conditions</li> </ol>
<p><b>PLANET</b> Impact Goal: Conserved, protected and enhanced ecosystems that provide for the next generation</p>	<p>Impact Goal: Conserved, protected, and enhanced ecosystems that provide for the next generation. Ecosystems and their services are protected, restored, and resilient, including through sustainable consumption and production and sustainable management of natural resources [sustainably manage forests, combat desertification, halt and reverse and degradation, halt biodiversity loss (SDG 15)]. Climate change is addressed through continuous GHG reductions and air and water pollution are controlled.</p>	<ol style="list-style-type: none"> <li>7. Protect, conserve and enhance ecosystems and the environment</li> </ol>

## Preamble

### 4. STRUCTURE OF THE RSPO P&C



	Criteria Topic	2018 P&C Criterion No	2013 P&C Criterion No	
PROSPERITY	1.	Information and public availability	1.1	1.1 / 1.2 / 6.10
		Communication and consultation	1.1	6.2
		Commitment to ethical conduct	1.2	1.3 / 6.10
	2.	Legal compliance	2.1	2.1 / 6.10
		Third party contractors legal	2.2	n.a.
		Third party FBB legally sourced	2.3	n.a.
	3.	Long term plan and economic viability	3.1	3.1
		Continuous Improvement & Reporting	3.2	8.1
		Standard Operating Procedures	3.3	4.1
		SEIA and Plans	3.4	5.1 / 6.1 / 7.1
		System for managing human resources	3.5	n.a.
		Occupational Health and Safety Plan	3.6	4.7 (part)
		Training	3.7	4.8
PEOPLE	4.	Human Rights	4.1	6.13
		Complaints and Grievances	4.2	6.3
		Contribution to local sustainable development	4.3	6.11 (part)
		Land use & FPIC	4.4 & 4.5	2.3 / 7.5
		Land Use : Compensation	4.6 & 4.7	6.4 / 7.6
		Land Use : Conflict	4.8	2.2
	5.	Fair and transparent dealings with SH	5.1	6.1
		Improved SH livelihoods	5.2	6.11 (part)
	6.	No discrimination	6.1	6.8
		Pay and working conditions	6.2	6
		Freedom of association	6.3	6.6
		No child labour	6.4	6.7
		No harassment	6.5	6.9
No forced or trafficked labour		6.6	6.12	
Safe working environment		6.7	4.7 (part)	
PLANET	7.	Effective Integrated Pest Management	7.1	4.5
		Pesticide Use	7.2	4.6
		Waste management	7.3	5.3
		Soil health fertility	7.4	4.2 / 7.2
		Soil conservation (erosion and degradation)	7.5	4.3 & 7.4 (parts)
		Soil survey and topographic information	7.6	4.3 & 7.2
		Peat	7.7	4.3 & 7.4 (parts)
		Water quality and quantity	7.8	4.4
		Energy Use	7.9	5.4
		Pollution and GHGs	7.10	5.6 / 7.8
		Fire	7.11	5.5 / 7.7
HCV and HCS	7.12	5.5 / 7.3		

## Link to Theory of Change - Intermediate outcomes

Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management, Cross cutting
Improved Risk Management, Cross cutting
Improved Risk Management
Improved Risk Management
Improved Risk Management, Safe and Decent work
Improved Risk Management, Safe and Decent work
Human rights upheld
Human rights upheld
Human rights upheld
Human rights upheld
Human rights upheld
Inclusive access, communities
Inclusive access, SH
Inclusive access, SH
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Safe and decent work
Resource use, pollution, productivity
Resource use minimised, pollution
Resource use minimised, pollution
Productivity optimised, Ecosystems
Reduced pollution
Ecosystem protected, Resource use minimised, Reduced pollution
Pollution, ecosystems
Resource use, pollution, ecosystems
Resource use minimised, pollution
Reduced pollution
Reduced pollution
Ecosystems protected



# PROSPERITY: COMPETITIVE, RESILIENT AND SUSTAINABLE SECTOR



## Objectives and outcomes

A sustainable, competitive, and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where palm oil is grown. An effective planning and management system addresses economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&C, and supports continuous improvement toward sustainable palm oil.

### Principle 1

**Behave ethically and transparently**

### Principle 2

**Operate legally and respect rights**



### Principle 3

**Optimise productivity, efficiency, positive impacts and resilience**

## Principle 1

# BEHAVE ETHICALLY AND TRANSPARENTLY



Drive ethical business behaviour, build trust and transparency with stakeholders to ensure strong and healthy relationships.


Criteria	Indicator	ToC Outcomes
1.1 The unit of certification provides adequate information to relevant stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages and forms to allow for effective participation in decision making. 	1.1.1 <b>(C)</b> Management documents that are specified in the RSPO P&C are made publicly available.	Improved risk management
	1.1.2 Information is provided in the official language used in the area in which the unit of certification is located and accessible to relevant stakeholders.	
	1.1.3 <b>(C)</b> Records of requests for information and responses are maintained.	
	1.1.4 <b>(C)</b> Consultation and communication procedures are documented, disclosed, implemented, made available, and explained to all relevant stakeholders by a nominated management official.	
	1.1.5 There is a current list of contact and details of stakeholders and their nominated representatives.	
1.2 The unit of certification commits to ethical conduct in all business operations and transactions. 	1.2.1 A policy for ethical conduct is in place and implemented in all business operations and transactions, including recruitment and contracts.	Improved risk management
	1.2.2 A system is in place to monitor compliance and the implementation of the policy and overall ethical business practice.	

Principle 2

# OPERATE LEGALLY AND RESPECT RIGHTS

Implement legal requirements as the basic principle of operation in any jurisdiction.

Criteria	Indicator	ToC Outcomes
2.1  There is compliance with all applicable local, national, and ratified international laws and regulations.	2.1.1 <b>(C)</b> The unit of certification complies with applicable legal requirements.	Improved risk management
	2.1.2 A documented system for ensuring legal compliance is in place. This system has a means to track changes to the law and also includes listing and evidence of legal due diligence of all contracted third parties, recruitment agencies, service providers and labour contractors.	
	2.1.3 Legal or authorised boundaries are clearly demarcated and visibly maintained, and there is no planting beyond these legal or authorised boundaries.	
2.2  All contractors providing operational services and supplying labour, and Fresh Fruit Bunch (FFB) suppliers, comply with legal requirements.	2.2.1 A list of contracted parties is maintained.	Improved risk management; Human rights upheld; Safe and decent work
	2.2.2 All contracts, including those for FFB supply, contain specific clauses on meeting applicable legal requirements, and this can be demonstrated by the third party.	
	2.2.3 All contracts, including those for FFB supply, contain clauses disallowing child, forced and trafficked labour. Where young workers are employed, the contracts include a clause for their protection.	



Criteria	Indicator	ToC Outcomes
<p>2.3 All FFB supplies from outside the unit of certification are from legal sources.</p> 	<p>2.3.1 <b>(C)</b> For all directly sourced FFB, the mill requires:</p> <ul style="list-style-type: none"> <li>• Information on geo-location of FFB origins;</li> <li>• Proof of the ownership status or the right/claim to the land by the grower/smallholder, signed by the chief of the concerned village and two leaders designated by the village council;</li> <li>• Where applicable, valid planting/operating/trading licence, or is part of a cooperative that allows the buying and selling of FFB.</li> </ul> <p>2.3.2 For all indirectly sourced FFB, the unit of certification obtains from the collection centres, agents or other intermediaries, the evidence is as listed in Indicator 2.3.1.</p> <p><b>PROCEDURAL NOTE:</b> For the Implementation Procedure for 2.3.2, refer to Annex 4.</p>	<p>Improved risk management</p>





### Principle 3

# OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE


Implementing plans, procedures and systems for continuous enhancement.


Criteria	Indicator	ToC Outcomes
3.1 There is an implemented management plan for the unit of certification that aims to achieve long-term economic and financial viability. 	3.1.1 <b>(C)</b> A business or management plan (minimum three (3) years) is documented that includes, where applicable, a jointly developed business case for scheme smallholders.	Improved risk management; Productivity optimised
	3.1.2 An annual replanting programme projected for a minimum of five years with yearly review, is available.	
	3.1.3 The unit of certification holds management reviews at planned intervals appropriate to the scale and nature of the activities undertaken.	
3.2 The unit of certification regularly monitors and reviews their economic, social and environmental performance and develops and implements action plans that allow demonstrable continuous improvement in key operations. 	3.2.1 <b>(C)</b> The action plan for continuous improvement is implemented, based on consideration of the main social and environmental impacts and opportunities of the unit of certification.	Improved risk management
	3.2.2 As part of the monitoring and continuous improvement process, annual reports are submitted to the RSPO Secretariat using the RSPO metrics template.	

Criteria	Indicator	ToC Outcomes
3.3 Operating procedures are appropriately documented, consistently implemented and monitored. 	3.3.1 <b>(C)</b> Standard Operating Procedures (SOPs) for the unit of certification are in place. 3.3.2 A mechanism to check consistent implementation of procedures is in place. 3.3.3 Records of monitoring and any actions taken are maintained and available.	Improved risk management
3.4 A comprehensive Social and Environmental Impact Assessment (SEIA) is undertaken prior to new plantings or operations, and a social and environmental management and monitoring plan is implemented and regularly updated in ongoing operations. 	3.4.1 <b>(C)</b> In new plantings or operations including mills, an independent SEIA, undertaken through a participatory methodology involving the affected stakeholders, and including the impacts of any smallholder/outgrower scheme is documented. A copy of the executive summary of the SEIA and Environmental and Social Management Plan is deposited at the Town Hall. 3.4.2 For the unit of certification, an SEIA, or an environmental and social impact audit is available and social and environmental management and monitoring plans have been developed with the participation of affected stakeholders. 3.4.3 <b>(C)</b> The social and environmental management and monitoring plan is implemented, reviewed and updated regularly in a participatory way.	Improved risk management; Human rights upheld

### Principle 3

## OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Criteria	Indicator	ToC Outcomes
3.5 A system for managing human resources is in place.	3.5.1 Employment procedures for recruitment, selection, hiring, promotion, retirement and termination are documented and made available to the workers and their representatives.  3.5.2 Employment procedures are implemented and records are maintained. If necessary, there are calls for applications favouring the recruitment of local residents with equal competence.	Improved risk management; Safe and decent work
3.6 An occupational health and safety (H&S) plan is documented, effectively communicated and implemented. 	3.6.1 <b>(C)</b> All operations are risk assessed to identify H&S issues. Mitigation plans and procedures are documented and implemented.  3.6.2 <b>(C)</b> The effectiveness of the H&S plan in addressing health and safety risks to people is monitored.	Improved risk management; Safe and decent work

Criteria	Indicator	ToC Outcomes
3.7	<p>All staff, workers, Scheme Smallholders, outgrowers, and contract workers are appropriately trained.</p> 	<p>3.7.1 <b>(C)</b> A documented programme that provides training is in place, which is accessible to all staff, workers, scheme smallholders, outgrowers and subcontractors, taking into account gender-specific needs, and which covers applicable aspects of the RSPO P&amp;C, in a form they understand, and which includes assessments of training.</p> <p>3.7.2 Records of training are maintained, where appropriate, on an individual basis.</p> <p>3.7.3 Appropriate training is provided for personnel carrying out the tasks critical to the effective implementation of the Supply Chain Certification Standard (SCCS). Training is specific and relevant to the task(s) performed.</p>

# SUPPLY CHAIN REQUIREMENTS FOR MILLS



**This chapter was endorsed by the RSPO Board of Governors on 1 February 2020.**

The following section stipulates the requirements for mills which are identified as complying with the Identity Preserved (IP) Module and Mass Balance (MB) Module.

For independent mills that are only required to obtain RSPO Supply Chain Certification, compliance with modules A and/or C of the Supply Chain Certification Standard will be required. All definitions in the Supply Chain Certification Standard apply.

As per RSPO Principles and Criteria, all requirements are classified as Critical Indicators.

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills	<p>3.8.1 Identity Preserved Module</p> <p>A mill is deemed to be Identity Preserved (IP) if the FFB processed by the mill are sourced from plantations/estates that are certified against the RSPO Principles and Criteria (RSPO P&amp;C), or against the Group Certification scheme.</p> <p>Certification for CPO mills is necessary to verify the volumes and sources of certified FFB entering the mill, the implementation of any processing controls (for example, if physical separation is used), and volume sales of RSPO certified products. If a mill processes certified and uncertified FFB without physically separating them, then only Mass Balance Module is applicable.</p>	<b>Improved risk management</b>
	<p>3.8.2 Mass Balance Module</p> <p>A mill is deemed to be Mass Balance (MB) if the mill processes FFB from both RSPO certified and uncertified plantations/estates. A mill may be taking delivery of FFB from uncertified growers, in addition to those from its own and third party certified supply base. In that scenario, the mill can claim only the volume of oil palm products produced from processing of the certified FFB as MB.</p>	<b>Improved risk management</b>

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	<p>3.8.3 The estimated tonnage of CPO and PK products that could potentially be produced by the certified mill shall be recorded by the certification body (CB) in the public summary of the P&amp;C certification report. This figure represents the total volume of certified oil palm product (CPO and PK) that the certified mill is allowed to deliver in a year. The actual tonnage produced shall then be recorded in each subsequent annual surveillance report.</p>	<b>Improved risk management</b>
	<p>3.8.4 The mill shall also meet all registration and reporting requirements for the appropriate supply chain through the RSPO IT platform.</p>	<b>Improved risk management</b>
	<p>3.8.5 Documented procedures</p> <p>The mill shall have written procedures and/or work instructions or equivalent to ensure the implementation of all elements of the applicable supply chain model specified. This shall include at minimum the following:</p> <ul style="list-style-type: none"> <li>a) Complete and up to date procedures covering the implementation of all elements of the supply chain model requirements.</li> <li>b) Complete and up to date records and reports that demonstrate compliance with the supply chain model requirements (including training records).</li> </ul>	<b>Improved risk management</b>

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	<ul style="list-style-type: none"> <li>c) Identification of the role of the person having overall responsibility for and authority over the implementation of these requirements and compliance with all applicable requirements. This person shall be able to demonstrate awareness of the mill's procedures for the implementation of this standard.</li> <li>d) The mill shall have documented procedures for receiving and processing certified and non-certified FFBs including ensuring no contamination in the IP mill.</li> </ul>	
	3.8.6 Internal Audit <ul style="list-style-type: none"> <li>i) The mill shall have a written procedure to conduct an annual internal audit to determine whether the mill:               <ul style="list-style-type: none"> <li>(a) conforms to the requirements in the RSPO Supply Chain requirements for mills and the RSPO Rules on Market Communications and Claims.</li> <li>(b) effectively implements and maintains the standard requirements within its organisation.</li> </ul> </li> <li>ii) Any non-conformities found as part of the internal audit shall be issued and required corrective action. The outcomes of the internal audits and all actions taken to correct non-conformities shall be subject to management review at least annually. The mill shall maintain the internal audit records and reports.</li> </ul>	<b>Improved risk management</b>



Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.7 Purchasing and Goods in <ul style="list-style-type: none"> <li>i) The mill shall verify and document the tonnage and sources of certified and the tonnage of non-certified FFBs received.</li> <li>ii) The mill shall inform the CB immediately if there is a projected overproduction of certified volume.</li> <li>iii) The mill shall have a mechanism in place for handling of non-conforming FFB and/or documents</li> </ul>	<b>Improved risk management</b>
	3.8.8 Sales and Goods Out <p>The supplying mill shall ensure that the following minimum information for RSPO certified products is made available in document form. The information shall be complete and can be presented either on a single document or across a range of documents issued for RSPO certified oil palm products (for example, delivery notes, shipping documents and specification documentation):</p> <ul style="list-style-type: none"> <li>a) The name and address of the buyer;</li> <li>b) The name and address of the seller;</li> <li>c) The loading or shipment / delivery date;</li> <li>d) The date on which the documents were issued;</li> <li>e) RSPO certificate number;</li> <li>f) A description of the product, including the applicable supply chain model (Identity Preserved or Mass Balance or the approved abbreviations);</li> </ul>	<b>Improved risk management</b>

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	g) The quantity of the products delivered; h) Any related transport documentation; i) A unique identification number.	
	3.8.9 Outsourcing Activities  (i) The mill shall not outsource its milling activities. In cases where the mill outsources activities to independent third parties (e.g. subcontractors for storage, transport or other outsourced activities), the mill holding the certificate shall ensure that the independent third party complies with relevant requirements of this RSPO Supply Chain Certification.	<b>Improved risk management</b>

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	(ii) The mill shall ensure the following: <ul style="list-style-type: none"> <li>a) The mill has legal ownership of all input material to be included in outsourced processes</li> <li>b) The mill has an agreement or contract covering the outsourced process with each contractor through a signed and enforceable agreement with the contractor. The onus is on the mill to ensure that certification body (CB) has access to the outsourcing contractor or operation if an audit is deemed necessary.</li> <li>c) The mill has a documented control system with explicit procedures for the outsourced process which is communicated to the relevant contractor.</li> <li>(d) The mill shall furthermore ensure (e.g. through contractual arrangements) that independent third parties engaged provide relevant access for duly accredited CBs to their respective operations, systems, and all information, when this is announced in advance.</li> </ul>	
	3.8.10 The mill shall record the names and contact details of all contractors used for the physical handling of RSPO certified oil palm products.	<b>Improved risk management</b>
	3.8.11 The mill shall inform its CB in advance prior to conduct of its next audit of the names and contact details of any new contractor used for the physical handling of RSPO certified oil palm products.	<b>Improved risk management</b>

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.12 Record keeping <ul style="list-style-type: none"> <li>i) The mill shall maintain accurate, complete, up-to-date and accessible records and reports covering all aspects of this RSPO Supply Chain Certification Standard requirements.</li> <li>ii) Retention times for all records and reports shall be a minimum of two (2) years and shall comply with relevant legal and regulatory requirements and be able to confirm the certified status of raw materials or products held in stock.</li> <li>iii) For Identity Preserved Module, the mill shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis.</li> <li>iv) For Mass Balance Module, the mill:               <ul style="list-style-type: none"> <li>a) shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis and / or three-monthly basis.</li> <li>b) All volumes of certified CPO and PK that are delivered are deducted from the material accounting system according to conversion ratios stated by RSPO.</li> <li>c) The mill can only deliver Mass Balance sales from a positive stock. Positive stock can include product ordered for delivery within three (3) months. However, a mill is allowed to sell short (i.e. product can be sold before it is in stock.)</li> </ul> </li> </ul>	<b>Improved risk management</b>

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.13 Extraction Rate  The oil extraction rate(OER) and the kernel extraction rate (KER) shall be applied to provide a reliable estimate of the amount of certified CPO and PK from the associated inputs. Mill shall determine and set their own extraction rates based upon past experience, documented and applied it consistently.	<b>Improved risk management</b>
	3.8.14 Extraction rates shall be updated periodically to ensure accuracy against actual performance or industry average if appropriate.	<b>Improved risk management</b>
	3.8.15 Processing  For Identity Preserved Module, the mill shall assure and verify through documented procedures and record keeping that the RSPO certified oil palm product is kept separated from non-certified oil palm products, including during transport and storage to strive for 100% separation.	<b>Improved risk management</b>

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.16 Registration of Transactions <ul style="list-style-type: none"> <li>i) Shipping Announcement in the RSPO IT platform shall be carried out by the mills when RSPO certified products are sold as certified to refineries, crushers, and traders not more than three months after dispatch with the dispatch date being the Bill of Lading or the dispatch documentation date.</li> <li>ii) Remove: RSPO certified volumes sold under different scheme or as conventional, or in case of underproduction, loss or damage shall be removed in the RSPO IT platform.</li> </ul>	<b>Improved risk management</b>
	3.8.17 Claims <p>The mill shall only make claims regarding the production of RSPO certified oil that are in compliance with the RSPO Rules on Market Communications and Claims.</p>	<b>Improved risk management</b>

# PEOPLE: SUSTAINABLE LIVELIHOODS AND POVERTY REDUCTION



## Objectives and outcomes

Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of a sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfil their potential in work and community with dignity and equality, and in a healthy working and living environment.

### Principle 4

**Respect community and human rights and deliver benefits**

### Principle 5

**Support smallholder inclusion**



### Principle 6

**Respect workers' rights and conditions**



## Principle 4

# RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Respect community rights, provide equal opportunities, maximise benefits from engagement and ensure remediation where needed.


Criteria	Indicator	ToC Outcomes
4.1 The unit of certification respects human rights, which includes respecting the rights of Human Rights Defenders. 	4.1.1 <b>(C)</b> A policy to respect human rights, including prohibiting retaliation against Human Rights Defenders (HRDs), is documented and communicated to all levels of the workforce, operations, supply chain and local communities, and prohibits intimidation and harassment by the unit of certification and contracted services, including contracted security forces	Human rights upheld
	4.1.2 The unit of certification does not instigate violence or use any form of harassment, including the use of mercenaries and paramilitaries in their operations.	
4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties. 	4.2.1 <b>(C)</b> The mutually agreed system, open to all affected parties, resolves disputes in an effective, timely and appropriate manner, ensuring anonymity of complainants, HRDs, community spokespersons and whistleblowers, where requested, without the risk of reprisal or intimidation and follows the RSPO policy on respect for HRDs.	Human rights upheld
	4.2.2 Procedures are in place to ensure that the system is understood by the affected parties, including illiterate parties.	



Criteria	Indicator	ToC Outcomes
4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties. (Continued) 	4.2.3 The unit of certification keeps parties to a grievance informed of its progress, including against the agreed timeframe and the outcome is available and communicated to relevant stakeholders.  4.2.4 The conflict resolution mechanism includes the option of access to independent legal and technical advice, the ability for complainants to choose individuals or groups to support them and/or act as observers, as well as the option of a third-party mediator.	Human rights upheld
4.3 The unit of certification contributes to local sustainable development as agreed by local communities. 	4.3.1 Contributions to community development that are based on the results of consultation with local communities are demonstrated.	Human rights upheld

## Principle 4

# RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS


Criteria	Indicator	ToC Outcomes
4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their Free, Prior and Informed Consent. 	<p>4.4.1 <b>(C)</b> Documents showing legal ownership or lease, or authorised use of customary land authorised by customary landowners through a Free, Prior and Informed Consent (FPIC) process. Documents related to the history of land tenure and the actual legal or customary use of the land are available.</p> <p>4.4.2 Copies of documents evidencing agreement-making processes and negotiated agreements detailing the FPIC process are available and include:</p> <ul style="list-style-type: none"><li>a) Evidence that a plan has been developed through consultation and discussion in good faith with all affected groups in the communities, with particular assurance that vulnerable, minorities and gender groups are consulted, and that information has been provided to all affected groups, including information on the steps that are taken to involve them in decision making;</li><li>b) Evidence that the unit of certification has respected communities' decisions to give or withhold their consent to the operation at the time that these decisions were taken;</li></ul>	Human rights upheld


Criteria	Indicator	ToC Outcomes
4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their FPIC. (Continued)	<p data-bbox="523 277 1214 426">c) Evidence that the legal, economic, environmental and social implications of permitting operations on their land have been understood and accepted by affected communities, including the implications for the legal status of their land at the expiry of the unit of certification's title, concession or lease on the land.</p> <p data-bbox="459 460 1214 609">4.4.3 <b>(C)</b> Maps of an appropriate scale showing the extent of recognised legal, customary or user rights, and resources of social, economic and cultural significance are developed through participatory mapping involving affected parties (including neighbouring communities, where applicable, and relevant authorities).</p> <p data-bbox="459 642 1214 762">4.4.4 All relevant information is available in appropriate forms and in the official language used in the area in which the unit of certification is located, including assessments of impacts, proposed benefit sharing, and legal arrangements.</p> <p data-bbox="459 796 1214 885">4.4.5 <b>(C)</b> Evidence is available to show that communities are represented through institutions or representatives of their own choosing, including by legal counsel if they so choose.</p> <p data-bbox="459 919 1214 978">4.4.6 There is evidence that the implementation of the agreements negotiated through FPIC is annually reviewed in consultation with affected parties.</p>	Human rights upheld



## Principle 4


# RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicator	ToC Outcomes
<p>4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions.</p> 	<p>4.5.1 <b>(C)</b> Documents showing identification and assessment of demonstrable legal, customary and user rights are made available to all affected communities.</p> <p>4.5.2 <b>(C)</b> FPIC is obtained for all oil palm development through a comprehensive process, including in particular, full respect for their legal and customary rights to the territories, lands and resources via local communities' own representative institutions, with all the relevant information and documents made available, with option of resourced access to independent advice through a documented, long-term and two-way process of consultation and negotiation.</p> <p>4.5.3 Evidence is available that affected local peoples understand they have the right to say 'no' to operations planned on their lands before and during initial discussions, during the stage of information gathering and associated consultations, during negotiations, and up until an agreement with the unit of certification is signed and ratified by these local peoples. Negotiated agreements are non-coercive and entered into voluntarily and carried out prior to new operations.</p> <p>4.5.4 To ensure local food and water security as part of the FPIC process, participatory SEIA and participatory land-use planning with local peoples, the full range of food and water provisioning options are considered. There is transparency of the land allocation process.</p>	<p>Human rights upheld</p>

Criteria	Indicator	ToC Outcomes
<p>4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions. (Continued)</p> 	<p>4.5.5 Evidence is available that the affected communities and rights holders have had the option to access information and advice, that is independent of the project proponent, concerning the legal, economic, environmental and social implications of the proposed operations on their lands.</p> <p>4.5.6 Evidence is available that the communities (or their representatives) gave consent to the initial planning phases of the operations prior to the issuance of a new concession or land title to the operator.</p> <p>4.5.7 New lands will not be acquired for plantations and mills after 15 November 2018 as a result of recent (2005 or later) expropriations in the national interest without consent (eminent domain), except in cases of smallholders benefitting from agrarian reform or anti-drug programmes.</p> <p>4.5.8 <b>(C)</b> New lands are not acquired in areas inhabited by communities in voluntary isolation.</p>	<p>Human rights upheld</p>

## Principle 4

# RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS


Criteria	Indicator	ToC Outcomes
4.6 Any negotiations concerning compensation for loss of legal, customary or user 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.  	4.6.1 <b>(C)</b> A mutually agreed procedure for identifying legal, customary or user rights, and a procedure for identifying people entitled to compensation, is in place.	Human rights upheld
	4.6.2 <b>(C)</b> A mutually agreed procedure for calculating and distributing fair and gender-equal compensation (monetary or otherwise) is established and implemented, monitored and evaluated in a participatory way, and corrective actions taken as a result of this evaluation.	
	4.6.3 Evidence is available that equal opportunities are provided to the vulnerable sections of local populations and indigenous people to hold land titles for small holdings.	
	4.6.4 The process and outcomes of any negotiated agreements, compensation and payments are documented, with evidence of the participation of affected parties, and made publicly available to them.	
4.7 Where it can be demonstrated that local peoples have legal, customary or user rights, they are compensated for any agreed land acquisitions and relinquishment of rights, subject to their FPIC and negotiated agreements.	4.7.1 <b>(C)</b> A mutually agreed procedure for identifying people entitled to compensation is in place.	Human rights upheld
	4.7.2 <b>(C)</b> A mutually agreed procedure for calculating and distributing fair compensation (monetary or otherwise) is in place and documented and made available to affected parties.	
	4.7.3 Communities that have lost access and rights to land for plantation expansion are given opportunities to benefit from plantation development.	

Criteria	Indicator	ToC Outcomes
<p>4.8 The right to use the land is demonstrated and is not legitimately contested by local people who can demonstrate that they have legal, customary, or user rights.</p>	<p>4.8.1 Where there are or have been disputes, proof of legal acquisition of title and evidence that mutually agreed compensation has been made to all people who held legal, customary, or user rights at the time of acquisition is available and provided to parties to a dispute, and that any compensation was accepted following a documented process of FPIC.</p> <p>4.8.2 <b>(C)</b> Land conflict is not present in the area of the unit of certification. Where land conflict exists, acceptable conflict resolution processes (see Criteria 4.2 and 4.6) are implemented and accepted by the parties involved. In the case of newly acquired plantations, the unit of certification addresses any unresolved conflict through appropriate conflict resolution mechanisms.</p> <p>4.8.3 Where there is evidence of acquisition through dispossession or forced abandonment of customary and user rights prior to the current operations, and there remain parties with demonstrable customary and land use rights, these claims will be settled using the relevant requirements (Indicators 4.4.2, 4.4.3 and 4.4.4).</p> <p>4.8.4 For any conflict or dispute over the land, the extent of the disputed area is mapped out in a participatory way with the involvement of affected parties (including the vulnerable sections of neighbouring communities and indigenous people where applicable).</p>	<p>Human rights upheld</p>



Principle 5

# SUPPORT SMALLHOLDER INCLUSION

Include smallholders in the RSPO supply chain and improve their livelihood through fair and transparent partnership.


Criteria	Indicator	ToC Outcomes
5.1 The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses. 	5.1.1 Current and previous period prices paid for FFB are publicly available and accessible by smallholders.	Inclusive access to benefits
	5.1.2 <b>(C)</b> Evidence is available that the unit of certification regularly explains the FFB pricing to smallholders.	
	5.1.3 <b>(C)</b> Fair pricing, including premium pricing, when applicable, is agreed with smallholders in the supply base and documented.	
	5.1.4 <b>(C)</b> Evidence is available that all parties, including women and independent representative organisations assisting smallholders where requested, are involved in decision-making processes and understand the contracts. These include those involving finance, loans/credits, and repayments through FFB price reductions for replanting and/or other support mechanisms where applicable.	
	5.1.5 Contracts are fair, legal and transparent and have an agreed timeframe.	
	5.1.6 <b>(C)</b> Agreed payments are made in a timely manner and receipts specifying price, weight, deductions and amount paid are given.	



Criteria	Indicator	ToC Outcomes
5.1 The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses. (Continued) 	5.1.7 Weighing equipment is verified by an independent third party on a regular basis (this can be government).  5.1.8 The unit of certification supports independent smallholders with certification, where applicable, ensuring mutual agreements between the unit of certification and the smallholders on who runs the internal control system (ICS), who holds the certificates, and who holds and sells the certified material.  5.1.9 <b>(C)</b> The unit of certification has a grievance mechanism for smallholders and all grievances raised are dealt with in a timely manner.	Inclusive access to benefits
5.2 The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chains. 	5.2.1 The unit of certification consults with interested smallholders (irrespective of type), including women or other partners in their supply base, to assess their needs for support to improve their livelihoods and their interest in RSPO certification.  5.2.2 The unit of certification develops and implements livelihood improvement programmes, including at least capacity building to enhance productivity, quality, organisational and managerial competencies, and specific elements of RSPO certification (including the RSPO Standard for Independent Smallholder).  <b>PROCEDURAL NOTE:</b> The RSPO has recently developed a separate standard for independent smallholders and the Cameroon NI Working Group has decided to make it applicable to all independent smallholders in Cameroon.	Inclusive access to benefits

## Principle 5


### SUPPORT SMALLHOLDER INCLUSION

Criteria	Indicator	ToC Outcomes
5.2 The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chains. (Continued) 	5.2.3 Where applicable, the unit of certification provides support to smallholders to promote legality of Fresh Fruit Bunch (FFB) production. 5.2.4 <b>(C)</b> Evidence exists that the unit of certification trains scheme smallholders on pesticide handling. 5.2.5 The unit of certification regularly reviews and publicly reports on the progress of the smallholder support programme.	Inclusive access to benefits

## Principle 6



# RESPECT WORKERS' RIGHTS AND CONDITIONS


Protect workers' rights and ensure safe and decent working conditions.

Criteria	Indicator	ToC Outcomes
6.1 Any form of discrimination is prohibited. 	<p>6.1.1 <b>(C)</b> A publicly available non-discrimination and equal opportunity policy is implemented in such a way to prevent discrimination based on ethnic origin, caste, national origin, religion, disability, gender, sexual orientation, gender identity, union membership, political affiliation or age.</p> <p>6.1.2 <b>(C)</b> Evidence is provided that workers and groups including vulnerable sections of local communities, indigenous people, women, and migrant workers have not been discriminated against. Evidence includes migrant workers' non-payment of recruitment fees.</p> <p>PROCEDURAL NOTE: When recruiting, the rights and needs of persons with disabilities and vulnerable persons must be taken into account.</p> <p>6.1.3 The unit of certification demonstrates that recruitment selection, hiring, and access to training and promotion are based on skills, capabilities, qualities and medical fitness necessary for the jobs available.</p> <p>6.1.4 Pregnancy testing is not conducted as a discriminatory measure and is only permissible when it is legally mandated. Alternative equivalent employment is offered for pregnant women.</p>	Human rights upheld; Safe and decent work

## Principle 6


# RESPECT WORKERS' RIGHTS AND CONDITIONS


Criteria	Indicator	ToC Outcomes
6.1 Any form of discrimination is prohibited. (Continued) 	6.1.5 <b>(C)</b> A gender committee is in place specifically to raise awareness, identify and address issues of concern, and identify opportunities and improvements for women.	Human rights upheld; Safe and decent work
	6.1.6 There is evidence of equal pay for the same work scope.	
6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). 	6.2.1 <b>(C)</b> Applicable labour laws, union and/or other collective agreements and documentation of pay and conditions are available to the workers in the official languages used in the area in which the unit of certification is located, and explained to them in a language they understand.	Human rights upheld; Safe and decent work
	6.2.2 <b>(C)</b> Employment contracts and related documents detailing payments and conditions of employment (e.g. regular working hours, deductions, overtime, sick leave, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc. in compliance with national legal requirements) and payroll documents give accurate information on compensation for all work performed, including work done by family members. Remuneration must be based on the position held and length of service must be taken into account for the evolution of the level of the salary step.	

Criteria	Indicator	ToC Outcomes
<p>6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). (Continued)</p> 	<p>6.2.3 <b>(C)</b> There is evidence of legal compliance for regular working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice and other legal labour requirements.</p> <p>6.2.4 <b>(C)</b> The unit of certification provides adequate housing, sanitation facilities, drinking water supplies, electricity, medical, educational and welfare amenities to national standards or above, where no such public facilities are available or accessible. National laws, or in their absence the ILO Guidance on Workers’ Housing Recommendation No. 115, are used. In the case of acquisitions of non-certified units, a plan is developed detailing the upgrade of infrastructure. A reasonable time (five (5) years) is allowed to upgrade the infrastructure.</p> <p>6.2.5 The unit of certification makes efforts to improve workers’ access to adequate, sufficient and affordable food.</p> <p>6.2.6 A Decent Living Wage (DLW) is paid to all workers, including those on piece rate/quotas, for whom the calculation is based on achievable quotas during regular work hours.</p> <p><b>PROCEDURAL NOTE:</b> The RSPO Labour Task Force will prepare guidance on the DLW implementation, including details on how to calculate a DLW, expected for 2019. The RSPO Secretariat will endeavour to carry out DLW country benchmarks for palm oil producing countries in which RSPO members operate and for which no Global Living Wage Coalition (GLWC) benchmarks exist.</p>	<p>Human rights upheld; Safe and decent work</p>

**Principle 6**


**RESPECT WORKERS' RIGHTS AND CONDITIONS**

Criteria	Indicator	ToC Outcomes
<p>6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). (Continued)</p> 	<p><b>STATEMENT FROM THE RSPO STANDARDS STANDING COMMITTEE REGARDING INDICATOR 6.2.6 ON DECENT LIVING WAGE (Endorsed by the RSPO BoG on 7 November 2019)</b></p> <p>With reference to the procedural note of Indicator 6.2.6, the RSPO has published a guidance on the DLW calculation in June 2019. The RSPO Secretariat will endeavour to carry out DLW country benchmarks for palm oil producing countries in which RSPO members operate and for which no Global Living Wage Coalition (GLWC) benchmarks exist.</p> <p><i>Where a GLWC living wage standard (benchmark), or one that fulfils the basic requirements of the RSPO-endorsed living wage methodology, has been established in the country or region of operation, the same should be used as benchmarks.</i></p> <p>In the absence of such benchmarks, RSPO will collaborate with the GLWC and/or local experts on developing oil palm industry benchmarks. These benchmarks will be developed in collaboration and consultation with relevant stakeholders such as palm oil industry members, workers' union, authorities and/or relevant organisations.</p>	<p>Human rights upheld; Safe and decent work</p>


Criteria	Indicator	ToC Outcomes
<p>6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). (Continued)</p> 	<p>For countries where no living wage standard is established, until such time that an RSPO endorsed benchmark for the country is in place, national minimum wages shall be paid to all workers. In addition to the payment of minimum wages, the Unit of Certification (UoC) shall conduct an assessment of the prevailing wages and in-kind benefits provided to workers in the Unit of Certification, aligned with the RSPO Guidance for Implementing a Decent Living Wage.</p> <p>Once these benchmarks are available, this procedural note is no longer applicable. The unit of certification shall have an implementation plan towards the payment of a DLW with specific targets, and a phased implementation process, which includes:</p> <ul style="list-style-type: none"> <li>• Updated assessment on prevailing wages and in-kind benefits.</li> <li>• Annual progress on the implementation of living wages.</li> <li>• Where a minimum wage, based on the equivalent of baskets of goods, is stipulated in the Collective Bargaining Agreements (CBAs), this should be used as the foundation for the gradual implementation of the living wage payment.</li> <li>• The unit of certification may choose to implement the living wage payment in a specific section as a pilot project; the pilot will then be evaluated and adapted before eventual scale up of the living wage implementation.</li> </ul> <p>6.2.7 Permanent, full-time employment is used for all core work performed by the unit of certification. Casual, temporary and day labour is limited to jobs that are temporary or seasonal.</p>	<p>Human rights upheld; Safe and decent work</p>

## Principle 6

# RESPECT WORKERS' RIGHTS AND CONDITIONS


Criteria	Indicator	ToC Outcomes
6.3 The unit of certification respects the rights 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. 	<p>6.3.1 <b>(C)</b> A published statement recognising freedom of association and right to collective bargaining in the official language used in the area in which the unit of certification is located is available and is explained to all workers in languages that they understand, and is demonstrably implemented.</p> <p>6.3.2 Minutes of meetings between the unit of certification with trade unions or workers representatives, who are freely elected, are documented in the official language used in the area in which the unit of certification is located and made available upon request.</p> <p>6.3.3 Management does not interfere with the formation or operation of registered unions/labour organisations or associations, or other freely elected representatives for all workers, including migrant and contract workers.</p>	Human rights upheld; Safe and decent work




Criteria	Indicator	ToC Outcomes
6.4 Children are not employed or exploited. 	6.4.1 A formal policy for the protection of children, including prohibition of child labour and remediation, is in place and included into service contracts and supplier agreements.  6.4.2 <b>(C)</b> There is evidence that minimum age requirements are met. Personnel files show that all workers are above the national minimum age or above company policy minimum age, whichever is higher. There is a documented age screening verification procedure.  6.4.3 <b>(C)</b> Young persons may be employed only for non-hazardous work, with protective restrictions in place for that work.  6.4.4 The unit of certification demonstrates communication about its ‘no child labour’ policy and the negative effects of child labour, and promotes child protection to supervisors and other key staff, smallholders, FFB suppliers and communities where workers live.	Human rights upheld; Safe and decent work

## Principle 6

# RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicator	ToC Outcomes
6.5  There is no harassment or abuse in the workplace, and reproductive rights are protected.	<p>6.5.1 <b>(C)</b> A policy to prevent sexual and all other forms of harassment and violence is implemented and communicated to all levels of the workforce.</p> <p>6.5.2 <b>(C)</b> A policy to protect the reproductive rights of all, especially of women, is implemented and communicated to all levels of the workforce.</p> <p>6.5.3 Management has assessed the needs of new mothers, in consultation with the new mothers, and actions are taken to address the needs that have been identified.</p> <p>6.5.4 A grievance mechanism, which respects anonymity and protects complainants where requested, is established, implemented and communicated to all levels of the workforce.</p>	Human rights upheld; Safe and decent work

Criteria	Indicator	ToC Outcomes
6.6	<p data-bbox="188 288 435 339">No forms of forced or trafficked labour are used.</p> 	<p data-bbox="1233 288 1433 339">Human rights upheld; Safe and decent work</p>
	<p data-bbox="459 288 1050 311">6.6.1 <b>(C)</b> All work is voluntary and the following are prohibited:</p> <ul data-bbox="528 316 1126 619" style="list-style-type: none"> <li>• Retention of identity documents or passports or international vaccinations cards;</li> <li>• Payment of recruitment fees by the job seeker;</li> <li>• Contract substitution;</li> <li>• Involuntary overtime;</li> <li>• Lack of freedom of workers to resign;</li> <li>• Penalty for termination of employment;</li> <li>• Debt bondage;</li> <li>• Withholding of wages;</li> <li>• The suppression of the right to annual leave.</li> </ul> <p data-bbox="459 658 1190 708">6.6.2 <b>(C)</b> Where temporary or migrant workers are employed, a specific labour policy and procedures are established and implemented.</p>	

## Principle 6

### RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicator	ToC Outcomes
6.7 The Unit of Certification ensures that the working environment under its control is safe and without undue risk to health.	<p>6.7.1 <b>(C)</b> The responsible person(s) for H&amp;S is identified. There are records of regular meetings between the responsible person(s) and workers. Concerns of all parties about health, safety and welfare are discussed at these meetings, and any issues raised are recorded.</p> <p>6.7.2 Accident and emergency procedures are in place and instructions are clearly understood by all workers. Accident procedures are available in the official language used in the area in which the unit of certification is located. Assigned operatives trained in first aid are present in both field and other operations, and first aid equipment is available at worksites. Records of all accidents are kept and periodically reviewed.</p>	Safe and decent work

Criteria	Indicator	ToC Outcomes
6.7	<p>The unit of certification ensures that the working environment under its control is safe and without undue risk to health.</p>	Safe and decent work
	<p>6.7.3 <b>(C)</b> Workers use appropriate personal protective equipment (PPE), which is provided free of charge to all workers at the place of work to cover all potentially hazardous operations, such as pesticide application, machine operations, land preparation, and harvesting. Sanitation facilities for those applying pesticides are available, so that workers can change out of PPE, wash and put on their personal clothing.</p>	
	<p>6.7.4 <b>(C)</b> All workers are provided with medical care and covered by accident insurance. Costs incurred from work-related incidents leading to injury or sickness are covered in accordance with national law or by the unit of certification where national law does not offer protection.</p>	
	<p>6.7.5 Occupational injuries are recorded using Lost Time Accident (LTA).</p>	

# PLANET: CONSERVED, PROTECTED AND ENHANCED ECOSYSTEMS THAT PROVIDE FOR THE NEXT GENERATION



## Objectives and outcomes

Ecosystems and their services are protected, restored and resilient, supported by sustainable consumption and production, and sustainable management of natural resources (in line with SDG 15 – sustainably manage forests, combat desertification, halt and reverse land degradation, halt biodiversity loss). Climate change is addressed through continuous GHG reductions; air and water pollution are controlled. There is greater resilience in our food and fibre production. The water and air are cleaner, and carbon is drawn out of the air to regenerate soils for current and future generations. Inputs decrease while yields are maintained, or even improved.


### Principle 7

**Protect, conserve and enhance ecosystems and the environment**

## Principle 7


# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Protect the environment, conserve biodiversity and ensure sustainable management of natural resources.


Criteria	Indicator	ToC Outcomes
7.1 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques. 	7.1.1 <b>(C)</b> IPM plans are implemented and monitored to ensure effective pest control.  7.1.2 Species referenced in the Global Invasive Species Database and CABl.org are not to be used in managed areas, unless plans to prevent and monitor their spread are implemented. The unit of certification sets up a control mechanism for invasive species, for example for mucuna spp, aumania spp, etc.  7.1.3 There is no use of fire for pest control unless in exceptional circumstances, i.e., where no other effective methods exist, and with prior approval of government authorities.	Reduced pollution; Resource use minimised; Productivity optimised

## Principle 7

# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT


Criteria	Indicator	ToC Outcomes
7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. 	<p>7.2.1 <b>(C)</b> Justification of all pesticides used is demonstrated. Selective products (pesticides approved by the State of Cameroon) and application methods that are specific to the target pest, weed or disease are prioritised.</p> <p>7.2.2 <b>(C)</b> Records of pesticides use (including active ingredients used and their LD50, area treated, amount of active ingredients applied per ha and number of applications) are made available by the unit of certification.</p> <p>7.2.3 <b>(C)</b> Any use of pesticides is minimised as part of a plan, eliminated where possible, in accordance with IPM plans.</p> <p>7.2.4 There is no prophylactic use of pesticides, unless in exceptional circumstances, as identified in national best practice guidelines.</p>	Reduced pollution; Resource use minimised;





Criteria	Indicator	ToC Outcomes
<p>7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment.</p> 	<p>7.2.5 Pesticides that are categorised as World Health Organization Class 1A or 1B, or that are listed by the Stockholm or Rotterdam Conventions, and paraquat, are not used, unless in exceptional circumstances, as validated by a due diligence process, or when authorised by government authorities for pest outbreaks.</p> <p>The due diligence refers to:</p> <ol style="list-style-type: none"> <li>Judgment of the threat and verify why this is a major threat.</li> <li>Why there is no other alternative that can be used.</li> <li>Which process was applied to verify why there is no other less hazardous alternative.</li> <li>What is the process to limit the negative impacts of the application.</li> <li>Estimation of the timescale of the application and the steps taken to limit application to the specific outbreak.</li> </ol> <p>7.2.6 <b>(C)</b> Pesticides are only handled, used or applied by persons who have completed the necessary training and are always applied in accordance with the product label. All precautions attached to the products are properly observed, applied, and understood by workers (see Criterion 3.6). Personnel applying pesticides must show evidence of regular updates on the knowledge about the activity they carry out.</p>	<p>Reduced pollution; Resource use minimised;</p>

## Principle 7



# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT


Criteria	Indicator	ToC Outcomes
7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. (Continued) 	7.2.7 <b>(C)</b> Storage of all pesticides is in accordance with recognised best practices.	Reduced pollution; Resource use minimised;
	7.2.8 All pesticide containers are properly disposed of and/or handled responsibly and may not be reused for the same purpose nor, for example, for mixing.	
	7.2.9 <b>(C)</b> Aerial spraying of pesticides is prohibited, unless in exceptional circumstances where no other viable alternatives are available. This requires prior government authority approval. All relevant information is provided to affected local communities at least 48 hours prior to application of aerial spraying.	
	7.2.10 <b>(C)</b> Specific annual medical surveillance for pesticide operators, and documented action to treat related health conditions, is demonstrated.	
	7.2.11 <b>(C)</b> No work with pesticides is undertaken by persons under the age of 18, pregnant or breastfeeding women or other people that have medical restrictions and they are offered alternative equivalent work.	

Criteria	Indicator	ToC Outcomes
7.3 Waste is reduced, recycled, reused and disposed of in an environmentally and socially responsible manner. 	7.3.1 A waste management plan, which includes reduction, recycling, reusing, and disposal based on toxicity and hazardous characteristics, is documented and implemented.	Reduced pollution; Resource use minimised;
	7.3.2 Proper disposal of waste material, according to procedures that are fully understood by workers and managers, is demonstrated.	
	7.3.3 The unit of certification does not use open fire for waste disposal.	
7.4 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield. 	7.4.1 Good agricultural practices, as contained in SOPs, are followed to manage soil fertility to optimise yield and minimise environmental impacts.	Reduced pollution; Resource use minimised; Productivity optimised
	7.4.2 Periodic tissue and soil sampling is carried out to monitor and manage changes in soil fertility and plant health.	
	7.4.3 A nutrient recycling strategy is in place, which includes the recycling of Empty Fruit Bunches (EFB), Palm Oil Mill Effluent (POME), palm residues and optimal use of inorganic fertilisers.	
	7.4.4 Records of fertiliser inputs are maintained.	

## Principle 7


# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT


Criteria	Indicator	ToC Outcomes
7.5 Practices minimise and control erosion and degradation of soils. 	7.5.1 Practices minimise and control erosion and degradation of soils. 7.5.2 There is no extensive replanting of oil palm on steep terrain. 7.5.3 There is no new planting of oil palm on steep terrain.	Ecosystems protected; Reduced pollution; Productivity optimised
7.6 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. 	7.6.1 <b>(C)</b> To demonstrate the long-term suitability of land for oil palm cultivation, soil maps or soil surveys identifying marginal and fragile soils, including steep terrain, are taken into account in plans and operations. 7.6.2 Extensive planting on marginal and fragile soils is avoided or, if necessary, done in accordance with the soil management plan for best practices. 7.6.3 Soil surveys and topographic information guide the planning of drainage and irrigation systems, roads and other infrastructure.	Ecosystems protected; Resource use minimised; Reduced population

Criteria	Indicator	ToC Outcomes
<p>7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly.</p> 	<p>7.7.1 <b>(C)</b> There is no new planting on peat regardless of depth after 15 November 2018 in existing and new development areas.</p> <p>7.7.2 Areas of peat within the managed areas are inventoried, documented and reported (effective 15 November 2018) to the RSPO Secretariat.</p> <p><b>PROCEDURAL NOTE:</b> Maps and other documentation of peat soils are provided, prepared and shared in line with the RSPO Peatland Working Group (PLWG) audit guidance (see Procedural Note for 7.7.5 below).</p> <p>7.7.3 <b>(C)</b> Subsidence of peat is monitored, documented and minimised.</p> <p>7.7.4 <b>(C)</b> A documented water and ground cover management programme is in place.</p> <p>7.7.5 <b>(C)</b> For plantations planted on peat, drainability assessments are conducted following the RSPO Drainability Assessment Procedure, or other RSPO recognised methods, at least five (5) years prior to replanting. The assessment result is used to set the timeframe for future replanting, and for phasing out of oil palm cultivation at least 40 years, or two cycles, whichever is greater, before reaching the natural gravity drainability limit for peat. When oil palm is phased out, it is replaced with crops suitable for a higher water table (paludiculture) or rehabilitated with natural vegetation.</p>	<p>Ecosystems protected; Reduced pollution; Productivity optimised</p>

## Principle 7




# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicator	ToC Outcomes
7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued) 	<p>7.7.6 <b>(C)</b> All existing plantings on peat are managed according to the 'RSPO Manual on Best Management Practices (BMPs) for Existing Oil Palm Cultivation on Peat' version 2 (2018) and associated audit guidance.</p> <p>7.7.7 <b>(C)</b> All areas of unplanted and set-aside peatlands in the managed area (regardless of depth) are protected as "peatland conservation areas"; new drainage, road building and power lines by the unit of certification on peat soils are prohibited; peatlands are managed in accordance with the 'RSPO BMPs for Management and Rehabilitation of Natural Vegetation Associated with Oil Palm Cultivation on Peat' version 2 (2018) and associated audit guidance.</p>	Ecosystems protected; Reduced pollution; Productivity optimised

Criteria	Indicator	ToC Outcomes
<p>7.8 Practices maintain the quality and availability of surface and groundwater.</p> 	<p>7.8.1 A water management plan is in place and implemented to promote more efficient use and continued availability of water sources, and to avoid negative impacts on other users in the catchment. The plan addresses the following:</p> <ul style="list-style-type: none"> <li>a) The unit of certification does not restrict access to clean water or contribute to pollution of water used by communities.</li> <li>b) Workers have adequate access to clean water.</li> <li>c) Depending on the agroecological zones, set up a guide for interpreting the results of water analyses (Ph) by an accredited body.</li> </ul> <p>7.8.2 <b>(C)</b> Water courses and wetlands are protected, including maintaining and restoring appropriate riparian and other buffer zones in line with the 'RSPO Manual on BMPs for the Management and Rehabilitation of Riparian Reserves' (April 2017).</p> <p>7.8.3 Mill effluent is treated to be in compliance with national regulations. Discharge quality of mill effluent, especially Biochemical Oxygen Demand (BOD), is regularly monitored.</p> <p>7.8.4 Mill water use per tonne of FFB is monitored and recorded.</p>	<p>Ecosystems protected; Reduced pollution; Resource use minimised</p>

## Principle 7

# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicator	ToC Outcomes
7.9 Efficiency of fossil fuel use and the use of renewable energy is optimised. 	7.9.1 A plan for improving efficiency of the use of fossil fuels and to optimise renewable energy is in place, monitored and reported.	Ecosystems protected; Reduced pollution; Resource use minimised
7.10 Plans to reduce pollution and emissions, including greenhouse gases (GHG), are developed, implemented and monitored and new developments are designed to minimise GHG emissions. 	7.10.1 <b>(C)</b> GHG emissions are identified and assessed for the unit of certification. Plans to reduce or minimise them are implemented, monitored through the Palm GHG calculator and publicly reported.	Reduced pollution
	7.10.2 <b>(C)</b> Starting 2014, the carbon stock of the proposed development area and major potential sources of emissions that may result directly from the development are estimated and a plan to minimise them is prepared and implemented (following the RSPO GHG Assessment Procedure for New Development).	
	7.10.3 <b>(C)</b> Other significant pollutants are identified and plans to reduce or minimise them are implemented and monitored.	
7.11 Fire is not used for preparing land and is prevented in the managed area. 	7.11.1 <b>(C)</b> Land for new planting or replanting is not prepared by burning.	Ecosystems protected; Reduced pollution;
	7.11.2 The unit of certification establishes fire prevention and control measures for the areas directly managed by the unit of certification.	
	7.11.3 The unit of certification engages with adjacent stakeholders on fire prevention and control measures.	



### **PROCEDURAL NOTE for 7.12**

The 2018 RSPO P&C include new requirements to ensure the effective contribution of RSPO to halting deforestation. This will be achieved by incorporating the High Carbon Stock Approach (HCSA) Toolkit in the revised standard.

The RSPO ToC also commits RSPO to balancing sustainable livelihoods and poverty reduction with the need to conserve, protect and enhance ecosystems.


High Forest Cover Countries (HFCCs) urgently require economic opportunities that enable communities to choose their own development path, while providing socio-economic benefits and safeguards.


Adapted procedures will be developed to support the sustainable development of palm oil by indigenous peoples and local communities with legal or customary rights. These will apply in specific HFCCs, and within those, in High Forest Cover Landscapes (HFCLs).

The development of these procedures will be guided by a No Deforestation Joint Steering Group (NDJSG) of RSPO and HCSA members. In HFCCs, RSPO will work through national and local participatory processes with governments, communities and other stakeholders to develop these procedures. A timeframe for these activities is stipulated in the Terms of Reference for the NDJSG and publicly available.

## Principle 7


# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicator	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced.</p> 	<p>7.12.1 <b>(C)</b> Land clearing since November 2005 has not damaged primary forest or any area required to protect or enhance HCVs. Land clearing since 15 November 2018 has not damaged HCVs or HCS forests.</p> <p>A historic Land Use Change Analysis (LUCA) is conducted prior to any new land clearing, in accordance with the RSPO LUCA guidance document.</p> <p>7.12.2 <b>(C)</b> HCVs and HCS forests and other conservation areas are identified as follows:</p> <ul style="list-style-type: none"><li>a) For existing plantations with an HCV assessment conducted by an RSPO-approved assessor and no new land clearing after 15 November 2018, the current HCV assessment of those plantations remains valid.</li><li>b) Any new land clearing (in existing plantations or new plantings) after 15 November 2018 is preceded by an HCV-HCS assessment, using the HCSA Toolkit and the HCV-HCSA Assessment Manual. This will include stakeholder consultation and take into account wider landscape-level considerations.</li></ul> <p><b>PROCEDURAL NOTE for 7.12.2:</b> For details of transitional measures, refer to Annex 5: RSPO transition from HCV assessments to HCV-HCSA assessments.</p>	<p>Ecosystems protected;</p>

Criteria	Indicator	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced. (Continued)</p> 	<p>7.12.3 <b>(C)</b> In High Forest Cover Landscapes (HFCLs) within HFCCs, a specific procedure will apply for legacy cases and development by indigenous peoples and local communities with legal or customary rights, taking into consideration regional and national multi-stakeholder processes. Until this procedure is developed and endorsed, 7.12.2 applies.</p> <p><b>PROCEDURAL NOTE for 7.12.3:</b> There should be demonstrable benefits to the local community; clear recognition of legal and customary lands based on participatory land use planning; and development should be proportional to the needs of the local community, with a balance between conservation and development. This procedure will also cover planting on previous or abandoned agricultural land/plantations. All other P&amp;C requirements apply, including FPIC and HCV requirements.</p> <p>7.12.4 <b>(C)</b> Where HCVs and HCS forests after 15 November 2018, peatland and other conservation areas have been identified, they are protected and/or enhanced. An integrated management plan to protect and/or enhance HCVs, HCS forests, peatland and other conservation areas is developed, implemented and adapted where necessary, and contains monitoring requirements. The integrated management plan is reviewed at least once every five (5) years. The integrated management plan is developed in consultation with relevant stakeholders and includes the directly managed area and any relevant wider landscape level considerations (where these are identified).</p>	<p>Ecosystems protected;</p>

## Principle 7

# PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicator	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced. (Continued)</p> 	<p>7.12.5 Where rights of local communities have been identified in HCV areas and HCS forest after 15 November 2018, peatland and other conservation areas, there is no reduction of these rights without evidence of a negotiated agreement, obtained through FPIC, to encourage their involvement in the maintenance and management of these conservation areas.</p> <p>7.12.6 All rare, threatened or endangered (RTE) species are protected, whether or not they are identified in an HCV assessment. A programme to regularly educate the workforce about the status of RTE species is in place. Appropriate disciplinary measures are taken and documented in accordance with company rules and national law if any individual working for the company is found to have captured, harmed, collected, traded, possessed, or killed these species.</p> <p>7.12.7 The status of HCVs and HCS forests after 15 November 2018, other natural ecosystems, peatland conservation areas and RTE species is monitored. Outcomes of this monitoring are fed back into the management plan.</p> <p>7.12.8 <b>(C)</b> Where there has been land clearing without prior HCV assessment since November 2005, or without prior HCV-HCSA assessment since 15 November 2018, the Remediation and Compensation Procedure (RaCP) applies.</p>	Ecosystems protected;

## ANNEX 1: DEFINITIONS

The definitions list below includes definitions from the P&C 2013 and new terms that were identified in the 2017/2018 P&C Review process.

Term	Definition	Source
<b>Carbon neutrality</b>	<p>Carbon neutrality refers to achieving net zero GHG emissions by balancing a measured amount of carbon dioxide equivalent (CO<sub>2</sub>e) emissions released with an equivalent amount sequestered or offset.</p> <p>(The term "climate neutral" reflects the broader inclusiveness of other greenhouse gases in addition to carbon dioxide in climate change. The terms are used interchangeably.)</p>	2018 P&C Review
<b>Child</b>	The term child applies to all persons under the age of 18.	Minimum Age Convention, 1973 (No. 138) - ILO Worst Forms of Child Labour Convention, 1999 (No. 182) - ILO
<b>Child labour</b>	<p>Child labour is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. The term applies to:</p> <ul style="list-style-type: none"> <li>• All children under 18 involved in the “worst forms of child labour” (as per ILO Convention No. 182);</li> <li>• All children aged under 12 taking part in economic activity; and</li> <li>• All 12 to 14-year-olds engaged in more than light work.</li> </ul>	Minimum Age Convention, 1973 (No. 138) - ILO

## DEFINITIONS

Term	Definition	Source
<b>Child labour (Continued)</b>	<p>The ILO defines light work as work that is not likely to be harmful to children’s health or development and not likely to be detrimental to their attendance at school or vocational training.</p> <p>Those under 18 years old should not engage in hazardous work that might jeopardise their physical, mental or moral well-being, either because of its nature or the conditions under which it is carried out. For young workers above the legal minimum age but below 18, there should be restrictions on hours of work and overtime; working at dangerous heights; with dangerous machinery, equipment and tools; transport of heavy loads; exposure to hazardous substances or processes; and difficult conditions such as night work at night.</p>	ILO Minimum Age Convention, 1973 (No. 138)
<b>Contract substitution</b>	The practice of substituting or changing the terms of employment to which the worker originally agreed, either in writing or verbally, which results in worse conditions or less benefits. Changes to the employment agreement or contract are prohibited unless these changes are made to meet local law and provide equal or better terms.	<a href="#">ILO Report</a> to the Committee examining alleged non-compliance by Qatar of Forced Labour Convention 29; paragraph 9
<b>Contract worker</b>	Contract worker refers to persons engaged in temporary work, or work for a specific period of time. It also refers to workers who are not employed directly by the company, but employed by a contractor or consultant with whom the company has a direct contract.	<a href="#">ILO, Non-Standard Forms of Employment</a>

Term	Definition	Source
<b>Core work</b>	<p>The primary area or activity that a company was founded to do or focuses on in its business operations. Core work pertains to work that is essential and desirable to the growth of the organisation.</p> <p>All agricultural and milling activities are considered core work, e.g. planting, harvesting, fertilising, maintenance; FFB sorting and grading; machine-technical maintenance; and machine operation.</p>	2018 P&C Review
<b>Debt bondage</b>	The status or condition of debt bondage when their labour, or the labour of a third party under their control, is demanded as repayment of a loan or of money given in advance, and the value of their labour is not applied towards the liquidation of the debt or the length of the service is not limited and/or the nature of the service is not defined.	<u>UN GA Human Rights Council: Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences. July 2016.</u>
<b>Decent living wage</b>	The remuneration received by a worker, for work performed on regular hours, in a particular place sufficient to afford a decent standard of living for the worker and her or his family.	Adapted from GLWC.
<b>Deforestation</b>	<p>Loss of natural forest as a result of:</p> <ul style="list-style-type: none"> <li>i) conversion to agriculture or other non-forest land use;</li> <li>ii) conversion to a plantation forest; or</li> <li>iii) severe and sustained degradation.</li> </ul>	Draft Accountability Framework Initiative (AFI) (July 2018). Refer to the latest AFI definition.

## DEFINITIONS

Term	Definition	Source
<b>Due diligence</b>	A risk management process implemented by a company to identify, prevent, mitigate, and account for how it addresses environmental and social risks and impacts in its operations, supply chains, and investments.	Draft AFI (July 2018). Always refer to latest AFI definition
<b>Eminent domain and expropriation</b>	Eminent domain is the statutory power of governments to expropriate private property for public use or in the national interest, usually with the payment of compensation according to rates defined by law. Expropriation implies divesting persons of their property without requiring their agreement or consent.	2018 P&C Review
<b>Extensive replanting on steep terrain</b>	Any individual, contiguous planted area on steep terrain (>25 degrees) greater than 25 ha within the replanting area.	2013 P&C, Annex 2, NI Guidance
<b>Facilitation payment</b>	Bribes paid to facilitate routine government action <sup>[1]</sup> . A common example is where a government official is given money or goods to perform (or speed up the performance of) an existing duty <sup>[2]</sup> .	<sup>[1]</sup> <a href="#">UK Bribery Act 2010 Guidance</a> <sup>[2]</sup> <a href="#">UK Serious Fraud Office Bribery Act Guidance</a>
<b>Family farm</b>	A farm operated and mostly owned by a family, for the growing of oil palm, sometimes along with subsistence production of other crops, and where the family provides the majority of the labour used. Such farms provide the principal source of income, and the planted area of oil palm is below 50 ha in size. Work by children is acceptable on family farms, under adult supervision; when not interfering with education programmes; when children are part of the family and when they are not exposed to hazardous working conditions.	P&C 2013



Term	Definition	Source
<b>Food security</b>	Food security is achieved when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. Four dimensions of food security are commonly identified: food availability, food access, utilisation and stability.	FAO World Food Summit, 1996. See <a href="#">FAO Policy Brief Issue 2</a> , June 2006 for further detail.
<b>Forced labour</b>	All work or service that is exacted from any person under the menace of any penalty and for which said person has not offered him or herself voluntarily.  This definition consists of three (3) elements: <ol style="list-style-type: none"> <li>1. Work or service refers to all types of work occurring in any activity, industry or sector, including the informal economy.</li> <li>2. Menace of any penalty refers to a wide range of penalties used to compel someone to work.</li> <li>3. Involuntariness: The terms “offered voluntarily” refer to the free and informed consent of a worker to take a job and his or her freedom to leave at any time. This is not the case for example when an employer or recruiter makes false promises so that a worker takes a job he or she would not otherwise have accepted.</li> </ol>	<a href="#">ILO Forced Labour Definition Convention, 1930 (No. 29)</a> ILO, <a href="#">Forced Labour Convention, 1930 (No. 29)</a> ILO, <a href="#">Protocol of 2014 to the Forced Labour Convention, 1930 (P029)</a> ILO, <a href="#">Abolition of Forced Labour Convention, 1957 (No. 105)</a> ILO, <a href="#">Forced Labour Recommendation 2014 (No. 203)</a>
<b>Fragile soil</b>	A soil that is susceptible to degradation (reduction in fertility) when disturbed. A soil is particularly fragile if the degradation rapidly leads to an unacceptably low level of fertility or if it is irreversible using economically feasible management inputs. (See also definition for ‘marginal soil’).	2018 P&C Review
<b>Gender equal</b>	This refers to the equal rights, responsibilities and opportunities of women and men, and girls and boys.	<a href="#">UN Women, OSAGI Gender Mainstreaming - Concepts and definitions.</a>

## DEFINITIONS

Term	Definition	Source
<b>Greenhouse gas</b>	<p>Greenhouse gases (GHGs) are those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and emit radiation at specific wavelengths within the spectrum of thermal infrared radiation emitted by the Earth's surface, the atmosphere itself, and by clouds.</p> <p>GHGs are measured in terms of their global warming potential – the impact a GHG has on the atmosphere expressed in the equivalent amount of carbon dioxide CO<sub>2</sub> (CO<sub>2</sub>e). Greenhouse gases regulated by the Kyoto Protocol include: carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxides (N<sub>2</sub>O), Hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulphur hexafluoride (SF<sub>3</sub>).</p>	Intergovernmental Panel on Climate Change (IPCC) Data Distribution Centre
<b>Hazardous work</b>	<p>Hazardous work is work performed in hazardous conditions; or “in the most hazardous sectors and occupations, such as agriculture, construction, mining, or ship-breaking, or where working relationships or conditions create particular risks, such as exposure to hazardous agents, such as chemical substances or radiation, or in the informal economy.” (<a href="https://www.ilo.org/safework/areasofwork/hazardous-work/lang--en/index.htm">https://www.ilo.org/safework/areasofwork/hazardous-work/lang--en/index.htm</a>).</p> <p>Hazardous work is also defined as “any work which is likely to jeopardise children’s physical, mental or moral health, safety or morals” and which “should not be done by anyone under the age of 18.” (<a href="https://www.ilo.org/ipec/facts/LOconventionsonchildlabour/lang--en/index.htm">https://www.ilo.org/ipec/facts/LOconventionsonchildlabour/lang--en/index.htm</a>).</p>	Article 3 (d) of ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182)
<b>High Carbon Stock forest</b>	Forests that have been identified using the High Carbon Stock Approach (HCSA) Toolkit.	HCSA website <a href="http://www.highcarbonstock.org">www.highcarbonstock.org</a>

Term	Definition	Source
<b>High Forest Cover Country (HFCC)</b>	Countries defined as having >60% forest cover (based on recent, trusted REDD+ and national data); <1% oil palm cover; a deforestation trajectory that is historically low but increasing or constant; and a known frontier area for oil palm or where major areas have been allocated for development.	RSPO No Deforestation consultancy: HFCC Proforest, 2018
<b>High Forest Cover Landscape (HFCL)</b>	Landscapes having >80% forest cover. Landscape as defined under HCSA Toolkit (Module 5): “The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (b) selecting a unit size that encompasses the plantation concession and a buffer of the surrounding area (e.g. 50,000 ha or 100,000 ha); or (c) using a radius of 5 km from the area of interest (for instance, the planned concession).”	HCSA Toolkit (v2)
<b>High Conservation Value (HCV) areas:</b>	<p>The areas necessary to maintain or enhance one or more High Conservation Values (HCVs):</p> <p><b>HCV 1 – Species diversity;</b> Concentrations of biological diversity including endemic species, and rare, threatened or endangered (RTE) species, that are significant at global, regional or national levels.</p> <p><b>HCV 2 – Landscape-level ecosystems, ecosystem mosaics and Intact Forest Landscapes (IFL);</b> Large landscape-level ecosystems, ecosystem mosaics and IFL that are significant at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.</p>	High Conservation Value Network (HCVRN) Common Guidance for Identification of HCVs 2017

## DEFINITIONS

Term	Definition	Source
<b>High Conservation Value (HCV) areas: (Continued)</b>	<p><b>HCV 3 – Ecosystems and habitats;</b> RTE ecosystems, habitats or refugia.</p> <p><b>HCV 4 – Ecosystem services;</b> Basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.</p> <p><b>HCV 5 – Community needs;</b> Sites and resources fundamental for satisfying the basic necessities of local communities or Indigenous Peoples (for livelihoods, health, nutrition, water, etc.), identified through engagement with these communities or Indigenous Peoples.</p> <p><b>HCV 6 – Cultural values;</b> Sites, resources, habitats and landscapes of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or Indigenous Peoples, identified through engagement with these local communities or Indigenous Peoples.</p>	High Conservation Value Network (HCVRN) Common Guidance for Identification of HCVs 2017
<b>Human Rights Defenders (HRD)</b>	Individuals, groups and associations who promote and protect universally recognised human rights and contribute to the effective elimination of all forms of violations of human rights and fundamental freedoms of individuals and peoples. This definition includes Environmental HRD, whistleblowers, complainants and community spokespersons. This definition does not include those individuals who commit or propagate violence.	RSPO policy on the protection of HRD, Whistleblowers, Complainants and Community Spokesmen (endorsed by BoG on 24 Sept 2018)
<b>Independent Smallholder</b>	All smallholder farmers that are not considered to be scheme smallholders [see definition for Scheme Smallholder] are considered independent smallholder farmers.	Smallholder Interim Group (SHIG)

Term	Definition	Source
<b>Indigenous Peoples</b>	<p>Indigenous Peoples are inheritors and practitioners of unique cultures and ways of relating to people and the environment. They have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live. Despite their cultural differences, Indigenous Peoples from around the world share common problems related to the protection of their rights as distinct peoples.</p> <p>Indigenous Peoples have sought recognition of their identities, way of life and their right to traditional lands, territories and natural resources for years, yet throughout history, their rights have always been violated. Indigenous Peoples today are arguably among the most disadvantaged and vulnerable groups of people in the world. The international community now recognises that special measures are required to protect their rights and maintain their distinct cultures and way of life.</p>	UNDESA, Division for Inclusive Social Development, Indigenous Peoples
<b>In good faith</b>	The principle of good faith implies that the parties make every effort to reach an agreement, conduct genuine and constructive negotiations, avoid unjustified delays in negotiations, respect agreements concluded and applied in good faith, and give sufficient time to discuss and settle collective disputes. In the case of multinational enterprises, such companies should not threaten to transfer the whole or part of an operating unit from the country concerned in order to unfairly influence negotiations.	ILO Q&As on business and collective bargaining

## DEFINITIONS

Term	Definition	Source
<b>Integrated Pest Management (IPM)</b>	IPM is the careful consideration of all available pest control techniques and subsequent integration of appropriate measures that discourage the development of pest populations and keep pesticides and other interventions to levels that are economically justified and reduce or minimise risks to human health and the environment. IPM emphasises the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms.	P&C 2013 FAO 2013 <a href="http://www.fao.org/agriculture/crops/thematicitemap/theme/pests/ipm/en/">http://www.fao.org/agriculture/crops/thematicitemap/theme/pests/ipm/en/</a>
<b>Intimidation and harassment</b>	Intimidation and harassment include loss of income due to/resulting in organisational restrictions, threats of dismissal from employment, restrictions on travel, restrictions to the environment in which the HRDs operate, deliberate obstruction to holding of meetings between HRDs, and hostility within the community the HRDs lives as claims may be seen to jeopardise the community's honour and culture (this may especially be the case with women HRDs). More serious measures include character assassination of HRDs, discrediting, defamation campaigns, arbitrary use of security forces, surveillance, SLAPP suits (Strategic Lawsuits against Public Participation) due to his or her work and/or in the course of his/her activities, threats of physical violence and death threats. Special attention is needed to avoid gender-specific violence such as rape or threats of sexual violence used to silence women.	P&C Review 2018
<b>ISO standards</b>	Standards developed by the International Organization for Standardization.	2013 P&C ISO: <a href="http://www.iso.org">www.iso.org</a>
<b>Land clearing</b>	Conversion of land from one land use to another. Clearing actively managed oil palm plantation to replant oil palm is not considered land clearing. Within existing certified units, clearing of less than 10 ha is not considered new land clearing.	2018 P&C Review

Term	Definition	Source
<b>Landscape</b>	A geographical mosaic composed of interacting ecosystems resulting from the influence of geological, topographical, soil, climatic, biotic and human interactions in a given area.	IUCN <a href="https://www.iucn.org/downloads/en_iucn_glossary_definitions.pdf">https://www.iucn.org/downloads/en_iucn_glossary_definitions.pdf</a>
<b>Landscape level</b>	The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (b) selecting a unit size that encompasses the plantation concession and a buffer of the surrounding area (e.g. 50,000 ha or 100,000 ha); or (c) using a radius of 5 km from the area of interest (i.e. planned concession boundaries).	HCV-HCSA Assessment Manual 2017
<b>Livelihood</b>	<p>A person or a group's way of making a living, from their environment or in the economy, including how they provide for their basic needs and assure themselves and following generations secure access to food, clean water, health, education, housing and the materials needed for their life and comfort, either through their own direct use of natural resources or through exchange, barter, trade or engagement in the market.</p> <p>A livelihood includes not just access to resources but the knowledge and institutions that make this possible, such as time for community participation and integration, personal, local or traditional ecological knowledge, skills, endowments and practices, the assets that are intrinsic to that way of making a living (e.g. farms, fields, pastures, crops, stock, natural resources, tools, machinery and intangible cultural properties) and their position in the legal, political and social fabric of society.</p>	2013 P&C

## DEFINITIONS

Term	Definition	Source
<b>Livelihood (Continued)</b>	<p>The risk of livelihood failure determines the level of vulnerability of a person or a group to income, food, health and nutritional insecurity. Therefore, livelihoods are secure when they have secure ownership of, or access to, resources and income earning activities, including reserves and assets, to offset risks, ease shocks and meet contingencies.</p> <p>(Compiled from various definitions of livelihoods from the Department for International Development (DFID), Institute of Development Studies (IDS), FAO and academic texts from: <a href="http://www.fao.org/docrep/X0051T/X0051t05.htm">http://www.fao.org/docrep/X0051T/X0051t05.htm</a>).</p>	2013 P&C
<b>Managed area</b>	The land containing oil palm and associated land uses such as infrastructure (e.g. roads), riparian zones and conservation set-asides.	2018 P&C Review
<b>Management documents</b>	Management documents are documented information and evidence to interact with the RSPO P&C. It shall be in the form of manual, working procedures, report and records that subject to be audited and reviewed periodically.	ISO 9001 QMS – <a href="https://advisera.com">https://advisera.com</a>
<b>Marginal soil</b>	<p>A soil that is unlikely to produce acceptable economic returns for the proposed crop at reasonable projections of crop value and costs of amelioration. Degraded soils are not marginal soils if their amelioration and resulting productivity is cost effective.</p> <p>(See also definition for 'fragile soil'.)</p>	2018 P&C Review
<b>Migrant worker</b>	A person who migrates from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant for employment. Migrants are defined as those who cross international boundaries for the purposes of employment, and do not include those workers who move within a country for the purposes of employment.	2013 P&C



Term	Definition	Source
<b>Natural ecosystems</b>	All land with natural, native vegetation, including but not limited to native forests, riparian vegetation, natural wetlands, peatlands, grasslands, savannahs, and prairies.	2018 P&C Review
<b>New planting</b>	Planned or proposed planting on land not previously cultivated with oil palm.	NPP 2015
<b>Non-hazardous work</b>	See definition for hazardous work.	
<b>Operations</b>	All activities planned and/or undertaken by the management unit within the boundaries of the palm oil mill and its supply base.	2013 P&C
<b>Other conservation areas</b>	Areas (in addition to HCV, HCS forests and peatland conservation areas) that are required to be conserved by the RSPO P&C (such as riparian areas and steep slopes) and other areas allocated by the unit of certification.	2018 P&C Review
<b>Outgrowers</b>	Farmers where the sale of FFB is exclusively contracted to the unit of certification. Outgrowers may be smallholders.	2013 P&C
<b>Peat</b>	A soil with cumulative organic layer(s) comprising more than half of the upper 80 cm or 100 cm of the soil surface containing 35% or more of organic matter (35% or more Loss on Ignition) or 18% or more organic carbon. Note for the management of existing plantations in Malaysia and Indonesia, a narrower definition has been used, based on national regulations: namely soil with an organic layer of more than 50% in the top 100 cm containing more than 65% organic matter.	PLWG2 July 2018 Derived from FAO and USDA definition for histosols (organic soils) (FAO 1998, 2006/7; USDA 2014)
<b>Pesticide</b>	Substances or a mixture of substances intended for preventing, destroying, repelling or mitigating any pest. Pesticides are categorised into four main constituent chemicals: herbicides, fungicides, insecticides and bactericides.	2013 P&C

## DEFINITIONS

Term	Definition	Source
<b>Plan</b>	A time-bound and detailed scheme, programme, or method for achieving objective(s) and desired outcome(s). Plans shall have clear targets with timelines for delivery, actions to be taken and a process for monitoring progress, adapting plans to changing circumstances and reporting. Plans shall also include the identification of named individuals or positions responsible for the delivery of the plan. There shall be evidence that sufficient resources are available to carry out the plan and the plan is implemented in full.	2013 P&C
<b>Plantation</b>	The land on which oil palm is grown. (See also definition for 'managed area'.)	2018 P&C Review
<b>Prophylactic</b>	A treatment or course of action applied as a preventive measure.	2013 P&C
<b>Rare, threatened or endangered (RTE) species</b>	Species as defined by the High Conservation Value Resource Network (HCVRN).	HCVRN Common Guidance for the Identification of HCVs
<b>Recruitment fees</b>	Recruitment fees pertain to costs and expenses associated with the recruitment and hiring of the worker, i.e. recruiter and agent service fees, documents processing, employer-required skills and medical testing, training, documentation, visa, work permits, transportation (from sending country to point of entry, and return), administrative and overhead costs.	<a href="#">Dhaka Principles</a> and ILO 181.
<b>Restore</b>	Returning degraded or converted areas within a plantation to a semi-natural state.	2013 P&C

Term	Definition	Source
<b>Rights</b>	<p>Rights are legal, social, or ethical principles of freedom or entitlement, in accordance with the International Bill of Rights, and other relevant international human rights instruments including the UN Declaration on the Rights of Indigenous Peoples, UN Guiding Principles on Business and Human Rights, The Global Compact for Safe, Orderly and Regular Migration.</p> <ol style="list-style-type: none"> <li>1. Customary rights: Patterns of long-standing community land and resource usage in accordance with Indigenous Peoples’ customary laws, values, customs and traditions, including seasonal or cyclical use rather than formal legal title to land and resources issued by the State.</li> <li>2. Legal rights: Rights given to individual(s), entities and others through applicable local, national or ratified international laws and regulations.</li> <li>3. User rights: Rights for the use of land and resources that can be defined by local custom, mutual agreements, or prescribed by other entities holding access rights.</li> <li>4. Demonstrable rights: Indigenous Peoples, local communities and users may have informal or customary rights in land that are not registered or recognised by the government or national laws. Demonstrable rights are distinguished from spurious claims by direct engagement with local communities, so they have adequate opportunities to justify their claims, and are best ascertained through participatory mapping with the involvement of neighbouring communities.</li> </ol>	<p>P&amp;C 2013</p> <p>UN Refugees &amp; Migrants, Global Compact for Safe, Orderly and Regular Migration, 2018</p> <p>World Bank Operational Policy 4.10</p> <p>From FSC Principles &amp; Criteria</p>

## DEFINITIONS

Term	Definition	Source
<b>Risk assessment</b>	<p>A systematic process of identifying and evaluating the potential risks that may be involved in a projected activity or undertaking.</p> <p>It enables a weighing up of whether enough precautions are in place or whether more should be done to prevent harm to those at risk, including workers and members of the public.</p>	Adapted from ILO, a 5 step guide for employers, workers and their representatives on conducting workplace risk assessments, 2014
<b>Scheme Smallholder</b>	<p>Farmers, landowners or their delegates that <u>do not</u> have the:</p> <ul style="list-style-type: none"> <li>• Enforceable decision-making power on the operation of the land and production practices; and/or</li> <li>• Freedom to choose how they utilise their lands, type of crops to plant, and how they manage them (whether and how they organise, manage and finance the land).</li> </ul> <p>(See also smallholder and Independent Smallholder).</p>	SHIG
<b>Significant pollutant</b>	Chemical or biological substances that have a substantial adverse impact on water, air or land quality, including POME, sewage, and other wastewater, sediment, fertiliser, pesticides, fuels and oil, and air pollutants, as guided by national regulations and international standards.	2018 P&C Review
<b>Site</b>	A single functional unit of an organisation or a combination of units situated at one locality, which is geographically distinct from other units.	2017 RSPO SCCS

Term	Definition	Source
<b>Smallholder</b>	<p>Farmers growing oil palm, sometimes in conjunction with subsistence agriculture/ commercial production of other crops, where family is used and provides the majority of labour and where the farm provides the main source of income and where the area sown with oil palm is usually less than 50 ha.</p> <p><b>Scheme Smallholder:</b> Farmers, landowners or their delegates that <u>do not</u> have the:</p> <ul style="list-style-type: none"> <li>• Enforceable decision-making power on the operation of the land and production practices; and/or</li> <li>• Freedom to choose how they utilise their lands, type of crops to plant, and how they manage them (whether and how they organise, manage and finance the land).</li> </ul> <p><b>Independent Smallholder:</b> All smallholder farmers that are not considered to be scheme smallholders [see definition for Scheme Smallholders] are considered independent smallholder farmers.</p>	SHIG
<b>Social and Environmental Impact Assessment (SEIA)</b>	An analysis and planning process to be carried out prior to new plantings or operations. This process incorporates relevant environmental and social data, as well as stakeholder consultations, in order to identify potential impacts (both direct and indirect) and to determine whether these impacts can be satisfactorily addressed, in which case the proponent also defines specific actions to minimise and mitigate potential negative impacts.	2018 P&C Review
<b>Stakeholders</b>	An individual or group with a legitimate and/or demonstrable interest in, or who is directly affected by, the activities of an organisation and the consequences of those activities.	2013 P&C

## DEFINITIONS

Term	Definition	Source
<b>Steep terrain</b>	Areas above 25 degrees or based on a National Interpretation (NI) process.	2013 P&C Annex 2 Guidance NI
<b>Trafficked labour</b>	Trafficked labour is a form of exploitation that results from the recruitment, transport, transfer, harbouring, and receipt of individuals to perform labour or services through the use of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits.	The UN Palermo Protocols to Prevent, Suppress and Punish Trafficking in Persons.
<b>Transmigrant</b>	A person who migrates from one part of the country to another with a view to being employed otherwise than on his own account.	2013 P&C
<b>Undue influence</b>	The exertion by a third party of any kind of control such that a person signs a contract or other agreement which, absent the influence of the third party, he would not have signed.	2013 P&C
<b>Unit of certification</b>	The unit of certification shall be the mill and its supply base and shall include both directly managed land (and estates) and scheme smallholders and outgrowers, where estates have been legally established with proportions of lands allocated to each.	RSPO Certification Systems 2017
<b>Voluntary isolation</b>	Indigenous Peoples in voluntary isolation are Indigenous Peoples or segments of Indigenous Peoples who do not maintain sustained contacts with the majority non-indigenous population, and who generally reject any type of contact with persons not part of their own people. They may also be peoples or segments of peoples previously contacted and who, after intermittent contact with the non-indigenous societies, have returned to a situation of isolation and break the relations of contact that they may have had with those societies. In line with the principle of FPIC, RSPO prohibits oil palm expansion in these peoples' territories.	Inter-American Commission on Human Rights, Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas, 2013

Term	Definition	Source
<b>Vulnerable groups</b>	Any group or sector of society that is at higher risk of being subjected to social exclusion, discriminatory practices, violence, natural or environmental disaster, or economic hardship than other groups, such as indigenous peoples, ethnic minorities, migrants, disabled people, the homeless, isolated elderly people, women and children.	2018 P&C Review
<b>Water security</b>	The capacity of a population to safeguard sustainable access to adequate quantities of acceptable quality water for sustaining livelihoods, human well-being, and socio-economic development; for ensuring protection against water-borne pollution and water-related disasters; and for preserving ecosystems in a climate of peace and political stability.	UN Water, Water Security Infographic
<b>Whistleblower</b>	Individuals who are employees or former employees who report on illegal, irregular, dangerous or unethical practices or actions by employers that contravened the RSPO Code of Conduct and related key documents, and who may potentially be at risk of reprisal. This includes individuals who are outside the traditional employee-employer relationship, such as contract workers, temporary workers, consultants, contractors, trainees/interns, volunteers, student workers and former employees.	RSPO policy on the protection of HRD, Whistleblowers, Complainants and Community Spokesmen (endorsed by BoG on 24th Sept 2018)
<b>Worker</b>	Men and women, migrants, transmigrants, contract workers, casual workers and employees from all levels of the organisation.	P&C Review 2018
<b>Workforce</b>	The total number of workers employed by the management unit either directly or indirectly. This includes contract workers and consultants.	P&C 2013

## DEFINITIONS

Term	Definition	Source
<b>Young person</b>	Young workers are aged 15, or above the minimum age of employment, but under the age of 18. According to the ILO, “these workers are considered ‘children’ even where they may legally perform certain jobs.”	Minimum Age Convention, 1973 (No. 138) - ILO (Article 3)  Safety and Health in Agriculture Convention, 2001 (No. 184) - ILO (Article16)



## ANNEX 2: GUIDANCE

### Principle 1: Behave ethically and transparently

Criterion (new)	Guidance
1.1	<p>This concerns management documents relating to environmental, social and legal issues that are relevant to compliance with RSPO Criteria.</p> <p>Management documents comprise the results of FPIC processes, SEIAs, Human Rights Policies including a policy on protection of HRDs/whistleblowers, social programmes avoiding or mitigating negative social impact, social programmes advancing livelihoods, figures of gender distribution within all workers categorised by management, administrative staff and workers (both permanent casual workers and piece rate workers), partnership programmes for independent smallholders, education and health in the communities.</p> <p>The auditors will comment on the adequacy of each of the documents listed in the public summary of the assessment report.</p> <p>Examples of commercially confidential information include financial data such as costs and income, and details relating to customers and/or suppliers. Data that affects personal privacy should also be confidential.</p> <p>Ongoing disputes (within or outside of a legal mechanism) can be considered as confidential information where disclosure could result in potential negative outcomes for all parties involved. However, affected stakeholders and those seeking resolution to conflict should have access to relevant information.</p>

## Criterion (new)

## Guidance

### 1.1 (Continued)

Examples of information where disclosure could result in potential negative environmental or social outcomes include information on sites of rare species where disclosure could increase the risk of hunting or capture for trade, or sacred sites which a community wishes to maintain as private. The unit of certification should ensure that sufficient objective evidence exists to demonstrate that the level of measuring and monitoring of the management plan and information is appropriate and made available.

For 1.1.5: Applicable data privacy laws should be considered in the gathering, storage, use and distribution and publication of personal information.

The following documents should be available at the unit of certification (but not necessarily limited to) upon request:

- Land titles/user rights (Criterion 4.4)
- Occupational health and safety plans (Criterion 3.6)
- Plans and impact assessments relating to environmental and social impacts (Criterion 3.4)
- HCV and HCS documentation (Criterion 7.12)
- Pollution prevention and reduction plans (Criterion 7.10)
- Details of complaints and grievances (Criterion 4.2)
- Negotiation procedures (Criterion 4.6)
- Continuous improvement plans (Criterion 3.2)
- Public summary of certification assessment report
- Human Rights Policy (Criterion 4.1)

The documents concerned here should include those relating to the status of the unit of certification (private company, privatised company, or public enterprise).

Making documents publicly available should include placing them on the unit of certification's website or placing hard copies at the office of the town hall in which the unit of certification is located, as well as posting them in all neighbouring chiefdoms.

## Criterion (new)

## Guidance

1.2

All levels of the operations will include contractors (e.g. those involved in security).

The policy should include as a minimum:

- A respect for fair conduct of business
- A prohibition of all forms of corruption, bribery and fraudulent use of funds and resources
- A proper disclosure of information in accordance with applicable regulations and accepted industry practices

The policy should be set within the framework of the UN Convention Against Corruption, in particular Article 12.

The policy should cover elements such as bribery, facilitation payments, guidance and procedure for gifts and hospitality, disclosure of political contributions, guidelines for charitable donations and sponsorships, respect for fair conduct of business, proper disclosure of information in accordance with applicable regulations and accepted industry practices, and compliance with existing anti-corruption legislation.

Commitment to company ethical policies is incorporated in all service contracts. There are due diligence procedures in place for the selection and contracting of recruitment agencies and labour intermediaries or suppliers. Unethical conduct includes charging fees to workers, recovering cost of recruitment and transportation against workers' wages, and receiving gifts and commissions from labour intermediaries or suppliers.

**Some laws pertaining to ethical behaviour in Cameroon include:**

- Law No. 98/013 of 14 July 1998 (Anti-Competition Law), especially Article 2 on the prohibition of practices that have the effect of preventing, distorting or restricting significantly the performance of competition
- Law No. 2016/007 of 12 July 2016 (Cameroon Penal Code), especially Article 134 that punishes all acts of corruption either active or passive by any public official; and Article 135 covering conflict of interest and insider trading.

## Principle 2: Operate legally and respect rights

Criterion (new)	Guidance
2.1	<p>Implementing all legal requirements is an essential baseline requirement for all growers whatever their location or size. Relevant legislation includes but not limited to regulations governing land tenure and land-use rights, labour, agricultural practices (e.g. chemical use), environment (e.g. wildlife laws, pollution, environmental management and forestry laws), storage, transportation and processing practices. It also includes laws made pursuant to a country's obligations under international laws or conventions (e.g. the Convention on Biological Diversity (CBD), ILO Core Conventions, UN Guiding Principles on Business and Human Rights, African Charter on Human and Peoples' Rights, and the United Nation Declaration on the Rights of Indigenous Peoples). Furthermore, where countries have provisions to respect customary law, these will be taken into account.</p> <p>Key international laws and conventions are set out in Annex 1.</p> <p>Contradictions and inconsistencies should be identified, and solutions suggested. Evidence should be incorporated as part of the implementation of Criterion 2.3.</p> <p>See Indicator 4.4.1 for requirements on legal ownership or lease and authorised use of customary lands.</p> <p>For Indicator 2.1.2: A 'documented system for ensuring legal compliance' can take the form of physical or virtual filing cabinet of applicable laws, regulations and rules with elements of how these laws are interpreted and followed in the running of the operations.</p> <p>For Indicator 2.1.3: The legal limits of the unit of certification should be marked, georeferenced and communicated to all stakeholders. Regarding the plantations of local residents, the georeferencing of the plots simply reviews the taking of the GPS points of the said plots.</p>

Criterion (new)	Guidance
2.1 (Continued)	<p><b>Regulatory context in Cameroon:</b></p> <p>Annexes 3b and 3c constitute a list of laws and regulations applicable in Cameroon, while Annex 3a presents a list of International Treaties.</p> <p>Some major laws relevant to the oil palm sector in Cameroon include but not limited to:</p> <ul style="list-style-type: none"> <li>• Ordinance No. 74/1 of 6 July 1974 establishing the rules governing land tenure</li> <li>• Ordinance No. 74/2 establishing the rules governing state lands</li> <li>• Ordinance No. 74/3 establishing expropriation procedures for public purposes, including the terms for expropriation</li> <li>• Law No. 80/21 of 14 July 1980 to amend the provisions of Ordinance No. 74/1 of 6 July 1974 to lay down the land tenure system</li> <li>• Decree No. 76/165 of 27 April establishing the conditions for obtaining land titles</li> <li>• Decree No. 76/166 of 27 April 1976 establishing the terms and conditions for the management of national lands</li> <li>• Decree No. 76/167 of 27 April 1976 establishing the terms and conditions for the management of private property of the state</li> <li>• Decree No. 2005/481 of December 2005 completing and supplementing the requirements for obtaining land titles in Cameroon</li> <li>• Law No. 96/12 of 5 August 1996 on the Framework Law on Environmental Management</li> <li>• Law No. 2002/4 of 19 April 2002 on the Investment Charter of the Republic of Cameroon</li> <li>• Law No. 2004/020 of 22 July 2004 to amend certain provisions of Law No. 2002/4 of 19 April 2002 to institute the Investment Charter of the Republic of Cameroon</li> <li>• Law No. 2019/004 of 25 April 2019 framework bill governing social economy in Cameroon</li> <li>• Law No. 2011/008 of 6 May 2011 on the Framework Law on Land-use Planning and Sustainable Development</li> </ul>

Criterion (new)	Guidance
2.1 (Continued)	<p>All palm oil-related operations should respect national laws and regulations pertaining but not limited to those regulating land tenure and use-rights of land, labour, agricultural and phytosanitary practices (e.g. use of chemicals), the environment (e.g. laws on the protection of forests, wildlife, soil, water, air, and environmental management), storage, transportation and processing procedures.</p> <ul style="list-style-type: none"> <li>• Article 46 of Cameroon’s 1996 Constitution states that international conventions and treaties duly signed by Cameroon are part of the national legal framework and override national laws. This criterion therefore includes international conventions that have been signed and ratified by Cameroon (as listed in Annexes 3b and 3c).</li> </ul> <p>All palm oil producers and mills should keep a publicly available registry of laws applicable (see also Principle 1) to their activities, and how the company/operation is in compliance. This registry should include a system of continuous screening of all new laws, regulations and policies.</p>
2.2	<p>Contracted parties include:</p> <ul style="list-style-type: none"> <li>• Temporary employment, whereby workers are engaged only for a specific period of time, which includes fixed-term, project- or task-based contracts, and seasonal or casual work, including day labour.</li> <li>• Short-term contracts; renewable contract.</li> <li>• Fixed-term projects or task-based contracts are contractual employment arrangements between one employer and one employee characterised by a limited duration or a pre-specified event to end the contract.</li> <li>• Casual work is the engagement of workers on a very short term or on an occasional and intermittent basis, often for a specific number of hours, days or weeks, in return for a wage set by the terms of the daily or periodic work agreement. Casual work is a prominent feature of informal wage employment in low-income developing countries, but it has also emerged more recently in industrialised economies, particularly in jobs associated with the “on-demand” or “gig economy”. (<a href="https://www.ilo.org/global/topics/non-standard-employment/WCMS_534826/lang-en/index.htm">https://www.ilo.org/global/topics/non-standard-employment/WCMS_534826/lang-en/index.htm</a>).</li> </ul>

Criterion (new)	Guidance
2.2 (Continued)	<p>For Indicator 2.2.1:</p> <ul style="list-style-type: none"> <li>• Decree No. 93/572/PM of 15 July 1993 specifying the conditions for the opening of a temporary employment enterprise</li> <li>• Decree No. 93/577/PM of 15 July 1993 laying down the conditions of employment of temporary, casual and seasonal workers</li> </ul> <p>For Indicator 2.2.2:</p> <p>The Cameroon Labour Code of 1992 establishes specific provisions to govern the code of sub-contractors (Sections 48 – 51). See also:</p> <ul style="list-style-type: none"> <li>• 2010 law on the promotion of small and medium-sized enterprises in Cameroon (SME Law)</li> <li>• OHADA Uniform Act on Cooperatives</li> </ul>
2.3	<p>For consideration of FFB legality, NIs should also consider commonly accepted local practices and customs that are generally accepted to be on a par with legal standing or accepted by authorities (e.g. native courts).</p> <p>For Indicator 2.3.1:</p> <p>Proof of legality may include the certificate of abandonment of customary rights (this document is used to apply for land titles and is therefore already recognised), and in cases of customary/inherited land, a document signed by the chief and the applicant's neighbours, plus the minutes of the meeting from the identification of plots law of 2010 on the promotion of small and medium-sized enterprises in Cameroon (law on SMEs).</p>

## Criterion (new)

## Guidance

### 2.3 (Continued)

OHADA Uniform Act on Cooperatives

The village planters' cooperatives in the case where oil palm is a group of farmers who join a cooperative and deliver their schemes under the aegis of the latter (in order to benefit from assistance, delivery premiums and other benefits).

Cooperatives are not intended here to buy directly the regimes on the field or from the planters. As a result, palm planters' cooperatives are not considered to be cooperatives that operate in a regulated sector like cooperatives operating in the field of finance.

For the legality of the cooperative's activities, the legal documents required are:

- The registration receipt or approval, the list of members, the statutes, and the Minutes (or any other documents) of the general meeting that designates the manager or directors of the cooperative.
- The certificate of exploitation signed by the village chief concerned and two leaders designated by the village council.

#### **Regulatory context in Cameroon:**

- Law No. 92/006 of 14 August 1992 on Cooperative Societies and Joint Initiative Groups
- Decree No. 92/455/PM of 23 November 1992 laying down the procedures for the application of Law No. 92/006 of 14 August 1992 on cooperative societies and joint initiative groups
- Decree No. 2006/0762/PM of 9 June 2006 to amend and supplement certain provisions of Decree No. 92/455/PM of 23 November 1992 to lay down the procedures for the application of Law No. 92/006 of 14 April 1992 on cooperative societies and joint initiative groups
- OHADA Uniform Act on Cooperatives, adopted on 15 December 2010 in Lomé



### Principle 3: Optimise productivity, efficiency, positive impacts and resilience

Criterion (new)	Guidance
3.1	<p>Whilst it is recognised that long-term profitability is also affected by factors outside their direct control, top management should be able to demonstrate attention to economic and financial viability through long-term management planning.</p> <p>For plantations on peat, a longer time frame for the projection of the annual replanting programme is needed per Criterion 7.7.</p> <p>The unit of certification should have a system to improve practices in line with new information and techniques. For smallholder schemes, the scheme management should be expected to provide their members with information on significant improvements. This Criterion is not applicable to independent smallholders.</p> <p>The business or management plan should contain:</p> <ol style="list-style-type: none"> <li>1. Attention to quality of planting materials</li> <li>2. Crop projection = Fresh Fruit Bunches (FFB) yield trends</li> <li>3. Mill extraction rates = Oil Extraction Rate (OER) trends</li> <li>4. Cost of production = cost per tonne of Crude Palm Oil (CPO) trends</li> <li>5. Forecast prices</li> <li>6. Financial indicators</li> </ol> <p>Suggested calculation: Trends in 3-year running over the last decade (FFB trends may need to allow for low yield during major replanting programmes). Consideration of smallholders should be inherent in all management planning where applicable (see also Principle 5). For scheme smallholders, the content of the business plan may vary from that suggested.</p>

## Criterion (new)

## Guidance

3.1 (Continued)

Where the specific financial details are not known, an estimate of these amounts or structures for defining those estimates will be made clear within the contract.

Management reviews (Indicator 3.1.3) should include:

1. Results of internal audits
2. Customer feedback
3. Process performance and product conformity
4. Status of preventive and corrective actions
5. Follow-up actions from management reviews
6. Changes that could affect the management system
7. Recommendations for improvement

3.2

For the action plans for continuous improvement, indicators may include but not limited to:

1. Optimising the yield of the supply base
2. Reduction in use of pesticides (Criterion 7.2)
3. Environmental impacts (Criteria 3.4, 7.6 and 7.7)
4. Waste reduction (Criterion 7.3)
5. Pollution and greenhouse gas (GHG) emissions (Criterion 7.10)
6. Impacts on communities, workers and smallholders (Principle 6)
7. Integrated management of HCV-HCS, peatland and other conservation areas (Criteria 7.7 and 7.12)
8. Integrated management plan for palm pests and diseases

Criterion (new)	Guidance
3.2 (Continued)	<p>Where applicable, review should include scheme smallholders.</p> <p>The unit of certification should have a system to improve practices in line with new information and techniques, and a mechanism for disseminating this information throughout the workforce. For smallholders, there should be systematic guidance and training for continuous improvement.</p>
3.3	<p>Mechanisms to check implementation could include documentation of management systems and internal control procedures (see Criterion 2.1).</p> <p>SOP and documentation for mills should include relevant supply chain requirements (see SCCS section under Principle 3).</p> <p>The unit of certification, while working with third party suppliers of FFB on traceability and legality, should use the opportunity to distribute suitable information on BMPs.</p> <p>The unit of certification should have a person designated and trained to ensure that control mechanisms are implemented.</p>

## Criterion (new)

## Guidance

3.4

The terms of reference of the SEIA should be defined. Ideally, the SEIA should be carried out by accredited independent experts, in order to ensure an objective process. The assessment (SEIA) should include but not limited to:

1. Assessment of the impacts of all major planned activities, including land clearing, planting, replanting, pesticide and fertiliser use, mill operations, roads, drainage and irrigation systems and other infrastructure
2. Assessment of the impacts on HCVs, biodiversity and RTE species, including beyond concession boundaries and any measures for the conservation and/or enhancement of these
3. Assessment of the potential effects on adjacent natural ecosystems of planned developments, including whether development or expansion will increase pressure on nearby natural ecosystems
4. Identification of watercourses and wetlands and assessment of potential effects on hydrology and land subsidence of planned developments. Measures should be planned and implemented to maintain the quantity, quality and access to water and land resources
5. Baseline soil surveys and topographic information, including the identification of steep terrain, marginal and fragile soils, areas prone to erosion, degradation, subsidence, and flooding
6. Analysis of the type of land to be used (forest, degraded forest, peatlands, cleared land, etc.)
7. Assessment of land ownership and user rights
8. Assessment of current land use patterns
9. Assessment of impacts on people's amenity
10. Assessment of impacts on employment, employment opportunities or from changes of employment terms
11. A cost-benefit analysis on social aspects
12. Assessment of potential social impacts on surrounding communities of a plantation, including an analysis of potential effects on livelihoods, and differential effects on women versus men, ethnic communities, and migrant versus long-term residents
13. Assessment of salient risk of human rights violations
14. Assessment of impacts on all dimensions of food and water security, including the right to adequate food, and monitoring food and water security for affected communities
15. Assessment of activities that may impact air quality or generate significant GHG emissions

**Criterion (new)    Guidance**

3.4 (Continued)

For smallholder schemes, the scheme management has the responsibility to undertake an impact assessment, and to plan and operate in accordance with the results.

Additional information on SEIA can be found in various external sources such as HCSA Toolkit Module 3 and the International Finance Corporation (IFC)'s Guide to Biodiversity for Private Sector: The Social and Environmental Impact Process.

The review of the monitoring and management plan should be done (once every two years) internally or externally.

Management documents may comprise social programmes avoiding or mitigating adverse social impact including human rights, social programmes advancing community livelihoods and gender equality, partnership programmes for independent smallholders, education and health in the communities.

Affected stakeholders are able to express their views through their own representative institutions or freely chosen spokespersons during the identification of impacts, to review findings and plans for mitigation, and monitor the success of implemented plans.

**Cameroon national context**

- Cameroonian environmental law as provided in the 1996 Environmental Management Framework Law.
- The 2013 Decree on Environmental and Social Impact Assessment (ESIA) and the 2016 Ministerial Order requires an ESIA for all projects and this include new plantings or operations.

Criterion (new)	Guidance
3.4 (Continued)	<ul style="list-style-type: none"> <li>• Decrees No. 2013/0171/PM and No. 2013/0172/ PM of 14 February 2013 laying down respectively the conditions for conducting Environmental and Social Impact Assessment (ESIA) and Environmental and Social Audit (ESA), and specifically, in their articles 27(1) and 16(1), provide administrative and technical supervision by competent administrations, and the implementation of the environmental and social management plan (ESMP). The ESMP indicates how the company intends to mitigate the negative impacts of their operations. The minister in charge of environment approves the ESIA and ESMP</li> <li>• Articles 27(3) and 16(3) of the Decrees of 14 February 2013 respectively lay down the terms and conditions for conducting the ESIA and ESA pertaining to the implementation and reporting of the ESMP. Specifically, on (1) the level of implementation (implementation rate) of the environmental and social measures provided for in the ESMP, (2) constraints and difficulties encountered, and (3) suggested prospects for improvement.</li> <li>• Article 28 of Decree No. 2013/0171/PM laying down the terms and conditions for conducting environmental and social impact assessments, which stipulates clauses for the implementation of ESIA, sets out the procedure for reviewing the ESMP, stating that on the basis of a report from the competent administrations, corrective or additional measures may be adopted by the administration in charge of environment after consulting the ICE to take into account the effects not initially or insufficiently appreciated in the environmental assessment. This means that proposals to modify ESMPs, for example during the elaboration of operational plans, must receive the opinion of the ICE and be prescribed by the administration in charge of environment before they are put into execution.</li> <li>• Article 20 of Decree No. 2013/0171/PM of 14 February 2013 on the procedures for ESIA is to the effect that, the ESIA process must include the participation of local communities through consultations and public hearings.</li> <li>• Specifically, for smallholder farms, see also Order No. 0002/MINEPDED of 9 February 2016 defining how to develop terms of reference, content and the list of activities subjected to an environmental impact notice by sector.</li> </ul>

Criterion (new)	Guidance
3.4 (Continued)	<p>For 3.4.3:</p> <p>A summary of the results of the analysis of the implementation of aspects affecting communities is provided. Order No. 0010/MINEP of 3 April 2003 on the organisation and functioning of divisional committees monitoring the implementation of environmental and social management plans provides guidance on the procedure. Section 5.1 states that the committee shall meet three (3) times a year, at the invitation of the Chair, and conduct field visits to monitor the implementation of projects in its areas of competence.</p>
3.5	<p>The Cameroon Labour Code of 14 August 1992 covers every aspect related to hiring, promotion, retirement and termination. Articles 23 – 31 cover all aspects related to hiring while termination is regulated under Articles 32 – 44. Article 32 provides the conditions for suspension of the employment contract while Article 34 focuses on termination and conditions for doing so, for instance, providing a notice by any of the party to the employment contract. The Law equally covers conditions of employment like hours of work (Article 80) or night work (Article 81).</p> <p>Cameroon is equally a party to several International Labour Organization (ILO) conventions, including Convention No. 138 on minimum age, adopted in 1973; Convention No. 182 on the worst forms of child labour, adopted in 1999; Convention No. 29 on forced labour, adopted in 1930; Convention No. 111 on discrimination (employment and occupation), adopted in 1958. Also see different human rights conventions signed and ratified by Cameroon like the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child.</p> <p>For 3.5.1: The unit of certification should notify village chiefs of recruitments and waves of work.</p>

## Criterion (new) Guidance

3.6

Refer to National Law/Regulation or ILO Convention 155 for those countries without national Occupational Safety and Health Law/Regulation at a minimum.

Put in place a H&S committee (H&S Team) in each unit of certification, to be in charge of monitoring, as required by the law (Ministry of Labour and Social Security).

### **Regulatory context in Cameroon:**

- Cameroon Labour Code covers in Articles 95 – 103 issues related to safety and hygiene at work place
- Order No. 16/TLS/DEGRE of 27 May 1969 fixing the nature of work prohibited for women and children
- Decree No. 79/096 of 21 March 1979 related to the modalities on the functioning of occupational health doctor
- Article 29(1) of the Labour Code obliges the Company to draw up the company's internal regulations, which include amongst other aspects rules related to safety and hygiene at work
- Law No. 77/11 of 13 July 1977 related to the compensation, prevention of work-related accidents and professional illness. Article 13 of the law states that every employer who is using products and work technics susceptible to provoke occupational health problems has to formally declare such to the Minister of Labour and Social Security
- Ministerial Order No. 039/MTPS/IMT of 26 November 1984 relating to general measures of hygiene and safety at work place, confers the responsibility of hygiene and safety at workplace on the employer (Article 2.1) while Article 3(1) requires companies involved in activities with special risks susceptible to cause occupational diseases have to officially declare such risks to the minister in charge of labour



## Criterion (new)

## Guidance

3.7

**Training content:**

Workers should be adequately trained on the health and environmental risks of pesticide exposure, recognition of acute and long-term exposure symptoms including the most vulnerable groups (e.g. young workers, pregnant women), ways to minimise exposure to workers and their families, and international and national instruments or regulations that protect workers' health.

The training programme should include productivity and best management practices, and be appropriate to the scale of the organisation. The programme should enable everyone to fulfil their jobs and responsibilities in accordance with documented procedure.

**Training participants:**

Training should be given to all staff and workers, including women smallholders and women plantation workers, within the unit of certification, as well as contract workers.

The unit of certification should demonstrate training activities for scheme smallholders who provide FFB on a contracted basis.

Criterion (new)	Guidance
3.7 (Continued)	<p>Workers on smallholder plots also need adequate training and skills, and this can be achieved through extension activities of the unit of certification that purchase fruit from them, by smallholders’ organisations, or through collaboration with other institutions and organisations.</p> <p>For individual scheme smallholder operations, training records should not be required for their workers, but anyone working on the farm should be adequately trained for the job they are doing.</p> <p>Continuous professional training for employees is a requirement of employers (ref. Articles 2 and 99, Labour Code).</p> <p>Contextualise the training tools for smallholders to facilitate understanding. For this, refer to the tools and training content developed by the RSPO Smallholder Academy.</p> <p>Specifically, for Indicator 3.7.1, the unit of certification shall organise periodic meetings to raise awareness of RSPO.</p>

## Principle 4: Respect community and human rights and deliver benefits

Criterion (new)	Guidance
4.1	<p>All levels of operations will include contractors (e.g. those involved in security). The UN Guiding Principles on Business and Human Rights notes that:</p> <p><i>“The responsibility of business enterprises to respect human rights refers to internationally recognised human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work.”</i></p> <p>The UN Guiding Principles on Business and Human Rights also notes that the responsibility of business enterprises to respect human rights exists independently of nation states’ abilities and/or willingness to fulfil their own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights. (See “The corporate responsibility to respect human rights” in the UN Guiding Principles on Business and Human Rights).</p> <p>The RSPO Human Rights Working Group will provide additional guidance to identify, prevent, mitigate and address human rights issues and impacts.</p> <p>The resulting guide will identify the relevant issues on human rights to all RSPO members.</p> <p>Details on requirements to protect the rights of HRDs, including complainants, whistleblowers and community spokespersons, are set out in the <a href="#">RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons</a>.</p>

## Criterion (new)

## Guidance

### 4.1 (Continued)

#### **Regulatory context in Cameroon:**

- Preamble and Article 65 of the Constitution of Cameroon affirms its attachment to fundamental human rights including the right to freedom of communication, expression, etc.
- Law No. 2004/16 of 22 July 2004 to set up the National Commission on Human Rights and Freedoms
- Law No. 2019 of 19 July 2019 relating to the establishment, organisation and functioning of the Cameroon Human Rights Commission (CHRC)
- Articles 5, 7 and 9(e) of the 1996 Framework Law on Environmental Management
- Sections 26 – 29 of the 1994 Forestry Law
- Article 45 of the Constitution, duly ratified international conventions shall “override” national laws
- Universal Declaration of Human Rights of 10 December 1948
- African Charter on Human and Peoples’ Rights of 27 June 1981
- Law on social communication (freedom of speech and association)
- Criminal Procedure Law
- Labour Code, 1992

The following definitions shall apply for Indicator 4.1.1:

- **Corruption:** Inducement to wrong by improper or unlawful means
- **Bullying:** Any act that is undertaken with the sole aim of influencing, scaring, and causing a person or a community to change their mind and/or not to assert their right

Criterion (new)	Guidance
4.2	<p>Dispute resolution mechanisms should be established through open and consensual agreements with relevant affected parties.</p> <p>Complaints should be dealt with by mechanisms such as Joint Consultative Committees (JCC), with gender representation and, where relevant, migrant worker representation. Grievances may be internal (employees) or external.</p> <p>For scheme and independent smallholders, refer to the current RSPO Guidance Documents for Scheme and Independent Smallholders.</p> <p>Where a resolution is not found mutually, complaints can be brought to the attention of the RSPO Complaints System.</p> <p>Refer to helpful texts for guidance, such as the UN Human Rights Commission (HRC) endorsed ‘Guiding Principles on Business and Human Rights: Implementing the UN “Protect, Respect and Remedy” Framework’, 2011.</p> <p>The 1992 Labour Code spells out the procedure on labour-related disputes and also states that this is within the competence of the judicial system (courts) especially for individual disputes (see Sections 131 – 156).</p> <p>The Labour Code also provides for non-judicial mechanisms for resolution of labour disputes, which include conciliation (Sections 158 – 160) and arbitration (Sections 161 – 165).</p>

## Criterion (new)

## Guidance

4.3

Contributions to local sustainable development should be based on the results of consultation with local communities and should have long-term economic, social and/or environmental benefits. Such consultation should be based on the principles of transparency, openness and participation, and should encourage communities to identify their own priorities and needs, including the different needs of men, women and minority/vulnerable groups.

For 4.3.1:

The unit of certification should put in place a community engagement strategy/guide structured at least as follows:

- The establishment of the annual calendar of bipartite meetings.
- The modalities of joint validation of the agenda.
- The modalities of participatory choice and common validation of social projects (including at least the axes proposed in the guidelines)
- The modalities of monitoring and evaluation of social projects.
- The modalities of joint drafting of meeting reports.
- The modalities of joint validation of meeting reports.

The unit of certification may also seek partnerships from non-governmental organisations (NGOs) and civil society organisations (CSOs) to identify key environmental and/or social issues that are prevalent in the community, and develop and implement solutions to address these issues as part of their contributions to sustainable development.

## Criterion (new)

## Guidance

4.3 (Continued)

Some examples of contributions to local sustainable development could be, but are not limited to:

- a) Poverty reduction
- b) Access to health and wellbeing
- c) Access to quality education
- d) Access to clean water and sanitation
- e) Conservation or restoration of natural resources
- f) Gender equality programmes
- g) Support/enhance/secure food and water security

Where candidates for employment are of equal merit, preference should always be given to members of local communities. Positive discrimination should not be recognised as conflicting with Criterion 6.1

Regulatory context in Cameroon:

The decrees related to procedures for the management of national lands (Decree No. 76-166 of 27 April 1976) provide revenues from the allocation of lands either as concessions or leases are to be distributed with 20% of the revenues to be paid to local communities.

The law of April 2013 (Law No. 213/004 of 18 April 2013) relating to incentives for private investment in Cameroon, provides in Article 4 that any company that during the operation phase and based on the company's size and sector employs at least one citizen or uses local natural resources of 10 – 25% of the value of inputs is eligible to benefit from the incentives provided by the law and which include tax credits (Article 6).

Criterion (new)	Guidance
4.3 (Continued)	<p>More specifically, the following shall be taken into consideration during consultations:</p> <ul style="list-style-type: none"> <li>• Appropriate language</li> <li>• Consensual calendar</li> <li>• A friendly environment is encouraged</li> <li>• Social contracts signed with each community (refer to community development plan)</li> <li>• Implementation of social contract with implementation and monitoring plans</li> </ul>
4.4	<p>All indicators will apply to current operations, but there are exceptions for long- established plantations that may not have records dating back to the time of the decision making, in particular for compliance with Indicators 4.4.2 and 4.4.3.</p> <p>Where there are legal or customary rights over land, the unit of certification should demonstrate that these rights are understood and are not being threatened or reduced. This criterion should be considered in conjunction with Criteria 4.5, 4.6 and 4.7. Where customary rights areas are unclear, these should be established through participatory mapping exercises involving affected parties (including neighbouring communities and local authorities).</p> <p>This criterion allows for negotiated agreements to compensate other users for lost benefits and/or relinquished rights. Negotiated agreements should be non-coercive and entered into voluntarily, carried out prior to new investments or operations, and based on an open sharing of all relevant information. The representation of communities should be transparent and in open communication with other community members.</p> <p>Relevant legal arrangements may include negotiated benefit-sharing agreements, joint venture agreements, legal representation on management boards, restrictions on prior land use, co-management arrangements, smallholder contracts, rental and leasehold arrangements, royalty payments, and the implications of land acquisition and permits for community land tenure, use and access rights.</p>



## Criterion (new)

## Guidance

4.4 (Continued)

Regulatory context in Cameroon:

- Article 12 of Decree No. 76-166 of 27 April 1976 to establish the terms and conditions of management of national lands
- Section 7 of the Land Ordinance No. 2 of 1974
- Decree No. 87-1872 of 16 December 1987 to implement law No. 85-9 of 4 July 1985 related to expropriation
- Land Ordinance No. 2 of 1974 recognises that all those dispossessed of their lands would be duly compensated but this is applicable only for lands expropriated for public interest and for which people hold titles (Section 7)
- The procedures for compensation for expropriation are provided in Decree No. 87-1872 of 16 December 1987 to implement law No. 85-9 of 4 July 1985 to lay down the procedure governing expropriation for public purposes and conditions for compensation
- Article 45 of the Constitution states that international conventions and treaties duly signed by Cameroon are part of the national legal framework and override national laws. Therefore, see the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIPS) adopted in 2007. Article 10 affirms the Principle of FPIC

Within the framework of REDD+, Cameroon through the Ministry of Environment, has elaborated an FPIC guidelines for REDD+ project, which could be made applicable to other sectors, including the palm oil sector.

Participatory mapping in consultation with local communities shall be mandatory in order to identify all existing land uses and land use rights. Participatory mapping shall cover the entire village territory of all concerned villages.

The approach used for the identification of customary rights and the FPIC process shall follow internationally recognised participatory mapping and public consultation methodologies.

Evidence of the choosing of the representatives by the communities themselves should be made available.

Proof of meetings related to monitoring of agreements is available.

Criterion (new)	Guidance
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4.4 (Continued)	<p>For Indicator 4.4.3:</p> <p>As part of the acquisition of old plantations, the unit of certification must ensure that the maps presented by the seller respect the legal limits and the agreements signed with the communities affected, and that the agreements are written and available.</p>
4.5	<p>The unit of certification can, through compliance with RSPO criteria, demonstrate its commitment to support the UN Sustainable Development Goals (especially SDGs 2, 6 and 15).</p> <p>The unit of certification should support the implementation of existing national strategies with regard to food and water security, and not contradict them by any of its business activities.</p> <p>The unit of certification should recognise national and/or international natural disaster risk assessments, strategies and maps in the management plan/strategy for the managed areas. The unit of certification should inform suppliers and communities in the concerned region about natural risks and provide support in case of strong adverse natural and human-made disasters.</p> <p>This activity should be integrated with the SEIA required by Criterion 3.4.</p> <p>Within the FPIC process, measures to balance potential negative impacts on food and water security for local communities should be discussed and agreed between the unit of certification and the local communities. These measures and their proposed implementation features (what, how, how long, recipients, threats and opportunities to implementation) are documented as part of the resource management planning.</p> <p>In cases where the availability, access, quality and stability of food and water is negatively affected by the planned operations, mitigation and relief measures should be agreed.</p>

## Criterion (new)

## Guidance

4.5 (Continued)

Where applicable, in communities resettled in accordance with FPIC, the unit of certification should monitor the food and water security situation through a screening process and, for example, through continuous dialogue, to ensure local food and water security.

Efforts should be made to consider population dynamics. The set of measures is to be reviewed regularly (proposed biannually) to reflect on changes in needs and capacities and the resources available.

The unit of certification should not restrict access to markets for local communities through its operations.

The unit of certification should assess water catchments in order to identify key water risks or shared challenges (see HCV 4). The unit of certification should regularly monitor their operations' impacts on water availability and quality.

Where new plantings are considered to be acceptable, management plans and operations should maintain sacred sites.

Agreements with indigenous peoples, local communities and other stakeholders should be made without coercion or other undue influence (see Guidance for Criterion 4.4). Relevant stakeholders include those affected by or concerned with the new plantings.

Customary and user rights will be demonstrated through participatory user mapping as part of the FPIC process.

FPIC is a guiding principle and should be applied to all RSPO members throughout the supply chain. Refer to RSPO approved FPIC guidance ('FPIC and the RSPO; A Guide for Members', October 2015).

Criterion (new)	Guidance
4.5 (Continued)	<p>For 4.5.6: A typical example of proof of community consent would be the submission of a Memorandum of Understanding, or any other document proving prior agreement.</p> <p>Regulatory context in Cameroon:</p> <ul style="list-style-type: none"> <li>• Section 17 of Ordinance No.1 of 1974</li> <li>• Section 7 of Ordinance No. 2 of 1974</li> <li>• Section 6 of the Forest Law</li> </ul>
4.6 (Continued)	<p>Where there is a conflict on the condition of land use as per land title, the unit of certification should show evidence that necessary action has been taken to resolve the conflict with relevant parties.</p> <p>A mechanism should be in place to resolve any conflict (Criteria 4.2 and 4.6).</p> <p>Where operations overlap with other rights holders, the unit of certification should resolve the issue with the appropriate authorities, consistent with Criteria 4.2 and 4.6.</p> <p>For 4.6.2: Signatures after negotiation of the specifications between the communities and the unit of certification exist. A remuneration procedure is established and implemented, monitored and evaluated in a participatory manner including the complainant, the chiefs, the encroacher, the village leaders and the authority.</p>

Criterion (new)	Guidance
4.6	<p data-bbox="325 288 638 308"><b>Regulatory context in Cameroon:</b></p> <ul data-bbox="325 319 1455 733" style="list-style-type: none"><li data-bbox="325 319 1308 338">• The 1996 Framework Law on Environmental Management provides for public participation in ESIA process</li><li data-bbox="325 349 1455 431">• Section 17 of Ordinance No.1 of 1974 (the founding land law) refers to ‘customary communities and members thereof’ but guarantees them only peaceful occupation and use of lands. Even the guarantee of peaceful occupancy and use is limited to those parts of their lands where ‘human presence and development is evident’</li><li data-bbox="325 442 1388 495">• Section 7 of Ordinance No. 2 of 1974 declares that ‘bona fide owners and occupants of public property may not be dispossessed thereof unless the public interest so requires, and subject to compensation</li><li data-bbox="325 506 1455 588">• Law No. 80-21 of 14 July 1980 to amend certain provisions of ordinance No. 74-1 of July 1974 to establish rules governing land tenure. Section 3(1) of this law provides that “persons affected by expropriation shall be entitled to compensation in cash or in kind under the conditions defined in this law”</li><li data-bbox="325 599 1455 651">• Ministerial Order No. 058/MINAGRI of 13 August 1981 fixes the rate of compensation for the destruction of all cultivated food and cash crops for projects of public interest</li><li data-bbox="325 663 1388 715">• Article 12 of Ordinance No. 74/01 of 6 July 1974 and Decree No. 76-166 of 27 April 1976 to establish the terms and conditions of management of national lands</li><li data-bbox="325 726 782 739">• World Bank directives concerning compensation</li></ul>

## Criterion (new) Guidance

4.7

### **Regulatory context in Cameroon:**

- Law No. 85-09 of 1985 on expropriation for acquisition of land for a public purpose. However, this law needs to be read in conjunction with Ordinance No. 74/01 of 6 July 1974 and especially Article 12 that provides that the Government could expropriate land for public purposes
- Decree No. 76-166 of 27 April 1976 to establish the terms and conditions of management of national lands provide the possibility of the participation of the chief and two village elders in the Land Consultative Board who could articulate the views of their local communities
- Article 12 of Ordinance No. 74/01 of 6 July 1974 and Decree No. 76-166 of 27 April 1976 to establish the terms and conditions of management of national lands
- FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT)

4.8

### **Regulatory context in Cameroon:**

The 1976 Decree, which lays down the conditions for obtaining land certificates (Article 2), provides that the local peoples can only contest their violation of their land rights only in the case of irregular land registration. Article 12 of Ordinance No. 74/01 of 6 July 1974 and Decree No. 76-166 of 27 April 1976 to establish the terms and conditions of management of national lands.

Some of the key international conventions that explicitly recognise this right are:

The International Covenant on Civil and Political Rights, Articles 1 and 27 were interpreted by the Committee of Human Rights as including the commitment of States Parties to protect the socio-economic activities and rights to lands and resources of indigenous and local communities.

The International Covenant on Economic, Social and Cultural Rights contains the same article one (the right of peoples to self-determination and to freely dispose of their wealth and natural resources) as the Covenant bearing on Civil and Political Rights.

## Criterion (new)

## Guidance

4.8 (Continued)

The UN Declaration on the Rights of Indigenous Peoples, Article 26 (2) provides: “Indigenous peoples have the right to lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired”.

The African Charter on Human and Peoples’ Rights, the first two paragraphs of Article 21 shall read as follows:

“1. All peoples shall freely own their wealth and natural resources. This right shall be exercised in the exclusive interest of the people. In no case may a people be deprived. 2. In case of spoliation, the dispossessed people shall have the right to the lawful recovery of its property as well as to an adequate compensation”.

Article 14 of the African Charter on Human and Peoples’ Rights equally confers land right to customary African society. The land lease, permit, concession agreement or other authorisation specifying the rights to the land and any other obligations of the company shall be available.

A map of the concession area and its periphery (extending at least 5 km from the boundaries) shall be available and clearly identify any zones of overlap with village territories and/or any other titles/permits or any other land uses (such as industrial, other permits etc.).

Where there are overlaps with other land uses, documented evidence of negotiated agreements between parties shall be available, and the measures agreed by parties shall be identified and implemented.

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## Principle 5: Support smallholder inclusion

### Criterion (new)

### Guidance

5.1

Fair prices for FFB will be equal to or above the prices as established by government or government endorsed initiatives, where applicable. Where not applicable, the following elements should be considered subject to prevailing commodity prices:

1. Cost incurred by smallholders where applicable (e.g. fertiliser, seeds, pesticides, transport of FFB, land use permit, land ownership fees, land preparation, labour costs and other costs related to FFB production).
2. Unexpected and unpredictable environmental and climate related risk costs including the occurrence of new pests for which treatment is not yet available, climate change effects or extreme weather conditions.

*Source: 2012 FAO Guiding Principles Responsible Contract Farming*

This should also be applied to situations where the unit of certification functions as the group manager for groups certified under group certification. Transactions with smallholders should consider issues such as the role of middlemen, transport and storage of FFB, quality and grading. The need to recycle the nutrients in FFB (see Criterion 7.5) should also be considered; where it is not practicable to recycle wastes to smallholders, compensation for the value of the nutrients exported can be made through the FFB price.

Smallholders should have access to the grievance procedure under Criterion 4.2 if they consider that they are not receiving a fair price for FFB, whether or not middlemen are involved. If the unit of certification requires smallholders to change practices to meet the RSPO P&C, consideration should be given to the costs of such changes, and the possibility of advance payments for FFB can be considered.



Criterion (new)	Guidance
5.1 (Continued)	<p>Weighing equipment should be periodically monitored by an accredited third party (e.g. Hydrac, Foti et Sarl). With regards to the market situation of the palm sector is the aspect of fixing the prices for crude palm oil (see Ministerial Order No. 012 MINDIC-CAB of 31 March 2004).</p> <p>The prices shall be posted at the point of collection/purchase (5.1.1)</p> <p>For Indicator 5.1.2: Evidence should take the form of minutes of meetings with signed attendance sheets. The explanation should include different aspects considered in reaching the price.</p>
5.2	<p>RSPO will develop guidance on smallholder support (a separate RSPO Smallholder Standard is currently under development as of the printing of this standard).</p> <p>The consultation may include collection centres or other parties like representative organisations, where applicable.</p> <p>In particular for scheme smallholders, support programmes are based on long-term relations.</p> <p>When the unit of certification assesses the eligibility of the requested support by independent smallholders, the following factors can be taken into account and are explained to and understood by the smallholders:</p> <ul style="list-style-type: none"> <li>• Expected continued supply of FFB to the mill</li> <li>• Readiness of smallholders to implement the improvement programmes</li> </ul>

Criterion (new)	Guidance
5.2 (Continued)	<p>Specific elements on RSPO certification may include:</p> <ul style="list-style-type: none"> <li>• Socialisation on RSPO</li> <li>• H&amp;S training</li> <li>• FPIC</li> <li>• HCV</li> </ul> <p>The delivery of the support services can include but is not limited to cooperatives, agents, collection centres and representative organisations.</p> <p>Law No. 213/004 of 18 April 2013 fixing the incentives for foreign private investment in the Republic of Cameroon.</p> <p>Section 11 of the Framework Law on social economy in Cameroon.</p> <p>The law on environmental impact assessment and through the environmental and social management plan. The OHADA UA on Cooperatives.</p> <p>Also refer to the RSPO Smallholder Academy.</p> <p>Reporting can be in annual report, published on company website, integrated into Company communication strategy/plan, etc. (5.2.5).</p> <p>For 5.2.5: Feedback should be given to smallholders through meetings, billboards, etc.</p>

## Principle 6: Respect workers' rights and conditions

### Criterion (new)

### Guidance

6.1

The non-discriminatory requirements are applied to all workers, regardless of contractual status.

Examples of compliance can be appropriate documentation (e.g. job advertisements, job descriptions, appraisals, etc.), and/or information obtained via interviews with relevant stakeholders such as affected groups which may include women, local communities, foreign workers and migrant workers, etc.

Notwithstanding national legislation and regulation, medical conditions should not be used in a discriminatory way.

The grievance procedures detailed in Criterion 4.2 apply. Positive discrimination to provide employment and benefits to specific communities is acceptable as part of negotiated agreements.

Examples of evidence for Indicator 6.1.2 could include contract between employer and agency, contract between worker and agency, clear company policy and recruitment procedures, and confirmation by workers and agency that no recruitment fees are charged.

Foreign and migrant workers should not pay anything that a local worker is not required to pay, unless mandated by law. A worker should not be selected for the job on the basis of their capacity to pay.

## Criterion (new)

## Guidance

6.1 (Continued)

This criterion should apply to companies' subsidiaries and their sub-contractors.

The Cameroonian Constitution in its Preamble recognises the right and obligation to work.

The right to work, which also entails a right of non-discrimination, is further elaborated in the 1992 Labour Code. Article 168(2) of the Labour Code punishes any person who commits an act of discrimination tending to affect freedom of association as regards employment.

Article 168(2) of the Labour Code punishes any person who commits an act of discrimination tending to affect freedom of association.

Article 2 of the United Nations Universal Declaration of Human Rights (UDHR) provides that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Equally, Article 23 of the UDHR states that everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment and without any discrimination, has the right to equal pay for equal work.

The International Covenant on Civil and Political Rights (ICCPR) in its Article 22 provides the prohibition of any discrimination

and guarantees to all person equal and effective protection against any ground such as sex, colour, language, religion, political affiliation, or any other opinion of national or social origin, property, birth or other status.

Criterion (new)	Guidance
6.1 (Continued)	<p>Cameroon has equally ratified ILO Conventions No. 100 on equal pay and No. 111 on Discrimination (Employment and Occupation) Convention, 1958.</p> <p>Article 7(c) of the International Covenant on Economic Social and Cultural Rights (ICESCR) propounds for equal opportunities for everyone in their employment.</p> <p>For Indicator 6.1.3: Positive discrimination could be considered in particular contexts. For example, equal employment priority for affected communities.</p>
6.2	<p>Elements in the calculation of a decent standard of living should include food, water, housing, education, healthcare, transport, clothing and other essential needs, including provision for unexpected effects, in accordance with the GLWC methodology.</p> <p>The list of essential needs (that will be considered for the non-food, non-housing element), and the costs/values associated with these elements, will be provided by the RSPO.</p> <p>Where there are industry-established benchmarks of living wage, these can be used as a basis, as long as the elements of the DLW definition or their equivalencies have been considered.</p> <p>For countries where no living wage standard is established, the RSPO-endorsed benchmark should be followed, until such time that a GLWC developed benchmark for the country is in place (see procedural note in Indicator 6.2.6).</p>

## Criterion (new)

## Guidance

6.2

Where a GLWC living wage standard, or one that fulfils the basic requirements of the RSPO-endorsed living wage methodology, has been established in the country or region of operation, this should be used as benchmark. A written policy, committing to payment of a living wage should be in place.

The implementation plan should have specific targets, and a phased-implementation process should be in place, including the following:

- An assessment is conducted to determine prevailing wages and in-kind benefits already being provided to workers
- There is annual progress on the implementation of living wages
- Where a minimum wage, based on equivalent basket of goods, is stipulated in Collective Bargaining Agreements (CBAs), this should be used as the foundation for the gradual implementation of the living wage payment
- The unit of certification may choose to implement the living wage payment in a specific section as a pilot project; the pilot will then be evaluated and adapted before an eventual scale-up of the living wage implementation

Without disrupting the wage distribution, employers can provide more or better in-kind benefits to increase the living standards of their workers, as long as it is agreed upon by the trade union/worker representatives.

There is a minimum wage allowed for the agricultural sector (Guaranteed Interprofessional Minimum Wage (SMIG) by a 2016 Prime Minister's Decree.

Criterion (new)	Guidance
6.2 (Continued)	<p data-bbox="325 288 638 311"><b>Regulatory context in Cameroon:</b></p> <p data-bbox="325 318 1420 370">There is an authorised minimum wage for the agricultural sector (Interprofessional Guaranteed Minimum Wage (SMIG)) enforced by a Prime Ministerial decree 2016.</p> <p data-bbox="325 378 1404 463">The Cameroon Labour Code enacted as Law No. 92/007 of 14 August 1992 provides specific provisions related to both wages and working conditions. The determination of wage is defined in Chapter I of Part IV, whose provisions require, among other things:</p> <ul data-bbox="325 501 1449 797" style="list-style-type: none"><li data-bbox="325 501 1404 554">• Occupational categories and wages applicable to such categories shall be determined through negotiation within the framework of the collective agreements or company agreements provided for in Part III of this law (Article 62).</li><li data-bbox="325 594 1433 647">• The rates of remuneration for piece of work shall be so calculated that it provides a worker of average capacity, working normally, with a wage at least equal to that of the worker engaged in similar work and paid by unit of time (Article 63).</li><li data-bbox="325 687 1449 797">• An employer shall be bound to provide housing for any worker he has transferred in order to perform a contract of employment necessitating the installation of such worker outside his normal place of residence. Such accommodation shall be adequate and correspond to the family status of the worker, and shall satisfy the conditions to be determined by order of the minister in charge of labour issued after consultation with the National Labour Advisory Board (Article 66).</li></ul>

## Criterion (new)

## Guidance

6.2 (Continued)

On working conditions, these are covered in Part V of the Code. Some of the salient conditions are:

- In all agricultural and allied undertakings, the hours of work shall be based on a total of 2400 hours per year, within the maximum limits of 48 hours per week (Article 80(2)).
- Night work in industries shall be prohibited for women and children (Article 82(2)).
- Weekly rest shall be compulsory. It shall consist of at least 24 consecutive hours each week. Such rest shall fall as a rule on Sundays, and under no circumstances be replaced by a compensatory allowance (Article 88).

Collective Bargaining Agreement on agriculture and related activities signed in 2009 and the national collective agreement for processing industries with specific provisions that focus on professional classification, the different salary grades and working conditions, including duration, transfers, leave of absence and leave.

- International Covenant on Economic, Social and Cultural Rights (Article 7)
- ILO Convention 62 on minimum salary package
- ILO Convention 52 on paid leave
- ILO Convention 95 on the protection of salary rights
- ILO Convention 101 on paid leave in agriculture sector
- ILO Convention 99 on minimum wage in agriculture (1951), 13 June 1961

For Indicator 6.2.3:

Evidence of legal compliance could be leave rosters, maternity leave documents, etc.

For Indicator 6.2.4:

Articles 98-103 of the Labour Code lay down the responsibilities of the employer when it comes to the health of employees.



Criterion (new)	Guidance
6.3	<p>The right of staff and workers, including migrant and transmigrant workers and contract workers, to form associations and bargain collectively with the unit of certification should be respected, in accordance with Conventions 87 and 98 of the ILO.</p> <p>Collective bargaining is encouraged to include the terms and conditions relevant to workers' rights, and also the workers and families' rights to access health care, education, nutritious food, safety/protection equipment, energy, and could include a clear mechanism of grievances and remedy.</p> <p>Foreign workers should be encouraged to join unions. Where the right to freedom of association and collective bargaining are restricted under law, the unit of certification publishes a statement that facilitates parallel means of independent and free association and bargaining for all such personnel.</p> <p>Regulatory context in Cameroon:</p> <ul style="list-style-type: none"> <li>• Preamble of the Cameroon Constitution recognises certain rights as fundamental and this includes the freedom of association</li> <li>• Law No. 90/53 of 19 December 1990 relating to freedom of association</li> <li>• Law No. 2020/009 of 20 July 2020 to amend and supplement some provisions of Law No. 90/53 of 19 December 1990 relating to freedom of association</li> <li>• Labour Code recognises the right of workers and employers, without distinction whatsoever, to set up freely and without prior authorisation, trade unions or employers' associations, for the study, defence, promotion and protection of their interests, particularly those of an economic (Articles 3-22)</li> </ul>

Criterion (new)	Guidance
6.3 (Continued)	<ul style="list-style-type: none"> <li>• Article 20 of the Universal Declaration of Human Rights provides the right of freedom of peaceful assembly and association</li> <li>• Article 22(1) of the ICCPR states that “Everyone has the right to associate freely with others, including the right to form and join trade unions for the protection of his interests.” This right is also enshrined in the ILO Convention No. 87 (Freedom of Association and the Protection of the Right to Organize) and Convention 98 (Right to Organize and Collective Bargaining) of the ILO</li> </ul>
6.4	<p>Service contracts and supplier agreements refer to those that the unit of certification enters into and has influence over, rather than for agreements that cover services of infrastructure set up, such as telephone or electricity.</p> <p>The unit of certification should clearly define the minimum working age, together with working hours. Only workers above the minimum school leaving age in the country or who are at least 15 years old may be employed. The minimum age of workers will not be less than stated under national regulations. Any hazardous work should not be done by those under 18, as per ILO Convention 138.</p> <p>Work in family farms, when the farm is contracted to or provides business to another entity, is prohibited. Farm work is only accepted when it is for the family’s own consumption.</p>

Criterion (new)	Guidance
6.4 (Continued)	<p>Child labour is not exacted only by employers, and children do not have to be in an employment relationship with a third-party employer to be in child labour and to suffer its consequences.</p> <p>Age verification documents include a government recognised photographic identification document, where available.</p> <p>Examples of remediation are procedures to assist underage workers found to be working; to ensure the children are taken out of the work site, parents/guardians are informed, medical testing to assess physical and mental health is conducted; and the unit of certification ensures that the children are enrolled in school.</p>
6.5	<p>There should be a clear policy developed in consultation with staff and workers, contract workers and other relevant stakeholders, and the policy should be publicly available. Progress in implementing the policy should be regularly monitored, and the results of monitoring activities should be recorded.</p> <p>These policies should include education for women and awareness of the workforce and sanctions for defaulters or perpetrators. There should be programmes provided for particular issues faced by women, such as violence and sexual harassment in the workplace. This committee, which should include representatives from all areas of work, will consider matters such as training on women's rights, counselling for women affected by violence, child care facilities to be provided by the unit of certification, women to be allowed to breastfeed up to nine months before resuming chemical spraying or usage tasks, and women to be given specific break times to enable effective breastfeeding.</p> <p>For Indicator 6.5.3: The Gender Committee can support the assessment. The Gender Committee should respect parity.</p> <p>Adequate space and paid breaks should be provided to enable mothers with infants 24 months or younger to breastfeed or express and store breast milk with privacy.</p>

## Criterion (new)

## Guidance

6.6

Migrant workers should be legalised, and a separate employment agreement should be drawn up to meet immigration requirements for foreign workers and international standards. Any deductions made should not jeopardise a DLW.

Workers may voluntarily want to have their passports or identity documents held by the management for safekeeping purposes. In such cases, the documents should be returned to the workers upon request. There should be evidence of due diligence in applying this to all sub-contract workers and suppliers.

National guidance should be used on contract substitution.

Workers should enter into employment voluntarily and freely, without the threat of a penalty, and should have the freedom to terminate employment without penalty given reasonable notice or as per agreement. This is in accordance with ILO conventions: Forced Labour Convention, 1930 (No. 29); Protocol of 2014 to the Forced Labour Convention, 1930 (P029); Abolition of Forced Labour Convention, 1957 (No. 105); Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203).

The specific labour policy should include:

- Statement of the non-discriminatory practices
- No contract substitution
- Post-arrival orientation programme to focus especially on language, safety, labour laws, cultural practices, etc.
- Decent housing to be provided in accordance with national law or in their absence ILO Recommendation 115
- Fees related to recruitment and hiring of migrant workers

Criterion (new)	Guidance
6.6	<p>The Labour Code prohibits in Articles 2(3) and (4) forced or compulsory labour and this is defined as any work or service demanded from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.</p> <p>International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990 ICCPR. Article 8(3) (a) of this Convention provides that no person shall be required to perform forced or compulsory labour.</p> <p>ILO Convention on forced labour.</p> <p>Article 7 of ICESCR provides equally that workers shall enjoy a favourable working condition.</p>

## Criterion (new)

## Guidance

6.7

### **Regulatory context in Cameroon:**

- Law No. 92/14 of 7 August 1992 establishing the Labour Code requires that every business executive establish rules of procedure including, among others, integrating requirements for hygiene and safety. Once established, this regulation shall be implemented after its submission for review to staff representatives, if any, and submitted to the labour inspector for his opinion, and according to Article 29(1)(2) of the Labour Code, he may require that certain provisions that are contrary to the laws and regulation in force be removed or revised
- Order No. 039/MTPS/IMT of 26 November 1984 to lay down the general hygiene and security measures on the job site, especially Articles 3, 5, 6, 129 and 130

Lost Time Accident (LTA) metrics shall include the following elements: nature of the accident, accident frequency, accident severity, number of lost days.

Public awareness campaigns on HIV/AIDS and STDs shall be carried out periodically by the company, and it should also implement a vaccination campaign for all their employees and their families.

For Indicator 6.7.2:

Emergency and accident procedures are in place and all workers understand clearly the instructions. The procedures in place are available in the appropriate language for the staff. For migrant workers and vulnerable local communities who do not speak French, the procedures should be explained to them in their own language.

## Principle 7: Protect, conserve and enhance ecosystems and the environment

Criterion (new)	Guidance
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7.1

The unit of certification should apply recognised IPM techniques, incorporating cultural, biological, mechanical and physical methods, to minimise the use of chemicals. Native species should be used in biological control where possible.

In specific cases for the control of pests and diseases by fire, as per regulations, there should be evidence of prior approval of the controlled burning as specified by the relevant authorities in the 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines or regulations in other regions.

### Regulatory context in Cameroon:

In Cameroon, the regulation of pesticides is affirmed in the 1996 Framework Law on Environmental Management. Article 36(2) of this law provides that the relevant administrative authorities shall establish a list of fertilisers, pesticides and other chemical substances whose use shall be authorised or encouraged in agriculture; the authorised quantities; and the terms and conditions for their use.

- Law No. 2003/003 of 21 April 2003 relating to phytosanitary protection, especially Section 21(1) (only phytosanitary products that have been homologated or wholesale has been temporarily authorised may be imported, distributed, packaged or used in Cameroon); and Section 19(1) of the law, which provides that chemical treatments must be effected in compliance with good agricultural practices
- Decree No. 2005/0771/PM of 6 April 2005 on modalities for plant quarantine operations
- Decree No. 2005/0772/PM of 6 April 2005 on the control and registration of phytosanitary products
- Decree No. 2005/0770/PM of 6 April 2005 on modalities for phytosanitary control operations

Criterion (new)	Guidance
7.1 (Continued)	<ul style="list-style-type: none"> <li>• Decree No. 2005/0769/PM of 6 April 2005 on the creation of a Phytosanitary Council</li> <li>• Stockholm Convention on Persistent Organic Pollutants (POPs)</li> <li>• 1998 Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the International Plant Protection Convention of 1997</li> </ul>
7.2	<p>RSPo has identified some examples of alternatives to pesticide and herbicide use, which include those listed in the 'Research Project on Integrated Weed Management Strategies for Oil Palm', CABI, April 2011.</p> <p>Due to problems in the accuracy of measurement, the monitoring of pesticide toxicity is not applicable to independent smallholders.</p> <p>The justification should consider less harmful alternatives and IPM. Justification of the use of such pesticides will be included in the public summary report. Measures to avoid the development of resistance (such as pesticide rotations) should be applied.</p> <p>Due diligence is understood as the process through which enterprises should identify, assess, mitigate, prevent and account for how they verify the emergency use of pesticides that are categorised as World Health Organization Class 1A or 1B, or that are listed by the Stockholm or Rotterdam Conventions, and paraquat, which are banned from use in RSPo, except in very specific situations. The nature and extent of due diligence will be affected by factors such as the size of the area where the pesticides should be applied, the context and location of the application, the nature of products or services, and the severity of actual and potential adverse impacts that will be caused by the use of the high hazardous pesticides.</p>



## Criterion (new)

## Guidance

7.2 (Continued)

The due diligence should refer to:

- a) Judgment of the threat and verification of why this is a major threat
- b) Why there is no other alternative which can be used
- c) Which process was applied to verify that there is no other less hazardous alternative
- d) What the process is to limit the negative impacts of the applications
- e) Estimation of the timescale of the application and which steps are taken to limit the application to a singularity

*Recognised best practice includes storage of all pesticides as prescribed in the 'FAO International Code of Conduct on the distribution and use of pesticides' and its guidelines, and supplemented by relevant industry guidelines in support of the International Code (see Annex 3A).*

**Regulatory context in Cameroon:**

In Cameroon, the regulation of pesticides is affirmed in the 1996 Framework Law on Environmental Management. Article 36(2) of this law provides that the relevant administrative authorities shall establish a list of fertilisers, pesticides and other chemical substances whose use shall be authorised or encouraged in agriculture; the authorised quantities; and the terms and conditions for their use.

In accordance with Law No. 2003/003 of 21 April 2003 relating to phytosanitary protection, especially Section 21(1) (only phytosanitary products that have been homologated or wholesale has been temporarily authorised may be imported, distributed, packaged or used in Cameroon); the unit of certification shall ensure compliance with the annual list of homologated chemical substances in Cameroon.

Criterion (new)	Guidance
7.2 (Continued)	<ul style="list-style-type: none"> <li>• Section 19(1) of Law No. 2003/003 of 21 April 2003 relating to phytosanitary protection provides that chemical treatments must be effected in compliance with good agricultural practices. In this regard, see especially International Code of Conduct on Pesticide Management: Guidelines on Highly Hazardous Pesticides (FAO and WHO, 2016)</li> <li>• Law 2003-007 of 10 July 2003 on the fertiliser sub-sector</li> <li>• Decree No. 2005/0771/PM of 06 April 2005 on modalities for plant quarantine operations</li> <li>• Decree No. 2005/0772/PM of 06 April 2005 on the control and registration of phytosanitary products</li> <li>• Decree No. 2005/0770/PM of 06 April 2005 on modalities for phytosanitary control operations</li> <li>• Decree No. 2005/0769/PM of 06 April 2005 on the creation of a Phytosanitary Council</li> <li>• Stockholm Convention on Persistent Organic Pollutants (POPs)</li> <li>• 1998 Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the International Plant Protection Convention of 1997</li> <li>• More so, the unit of certification shall keep a register of the agro-chemicals purchased, stored and used; it should include the role of the product and proof of authorisation for use in Cameroon</li> <li>• Data Safety Cards must be kept and available</li> <li>• The quantities of pesticides used shall be well-documented and monitored (7.2.2)</li> <li>• There shall be a procedure (SOP) and strategy for the reduction in the use of pesticides (7.2.3)</li> <li>• International Code of Conduct on Pesticide Management: Guidelines on Highly Hazardous Pesticides (FAO and WHO, 2016) (7.2.5 and 7.2.7)</li> <li>• A training programme on pesticide handling and use shall be implemented; and training records should be documented and available (7.2.6)</li> </ul>

Criterion (new)	Guidance
7.2 (Continued)	<ul style="list-style-type: none"> <li>• See also Section 100 of the 1992 Labour Code, which stipulates that (1) Without prejudice to the special measures taken for purposes of hygiene and for the prevention of certain occupational diseases or the protection of certain categories of workers, all workers shall undergo a medical examination prior to engagement; and (2) Workers shall also be subject to medical supervision throughout their career (7.2.10)</li> <li>• Order No. 039/MTPS/IMT of 26 November 1984 to lay down the general hygiene and security measures on the job site, especially Articles 3, 5, 6, 129 and 130 (7.2.10)</li> <li>• Decree No. 93/210/PM of 3 March 1993 laying down the organisation and functioning of the National Health and Safety Committee</li> </ul> <p>The unit of certification educates all its employees and develops procedures (SOPs) for the proper treatment and disposal of waste. This awareness needs to be documented.</p>
7.3	<p>The waste management and disposal plan should include measures for:</p> <ul style="list-style-type: none"> <li>• Improving the efficiency of resource utilisation and recycling potential wastes as nutrients or converting them into value-added products (e.g. through animal feeding programmes).</li> <li>• Appropriate management and disposal of hazardous chemicals and their containers. Surplus chemical containers should be reused, recycled or disposed of in an environmentally and socially responsible way using best available practices (e.g. returned to the vendor or cleaned using a triple rinse method), in such a way that there is no risk of contamination of water sources or risk to human health. The disposal instructions on the manufacturers' labels should be adhered to.</li> </ul> <p>The unit of certification is encouraged to improve the waste management in surrounding neighbourhoods.</p>

## Criterion (new)

## Guidance

### 7.3 (Continued)

Where there are no options for non-toxic and non-hazardous domestic waste collection by local government services, landfills may be required as a solution for disposal.

Where landfills are used, appropriate guidelines should be followed, which include being:

- Only for domestic and household waste, where inorganic waste is minimised.
- Located away from water sources, people and communities, and outside conservation areas.
- Properly covered, with clear demarcation and signage to avoid disturbance.

Regulatory context in Cameroon:

- Article 42 of the 1996 Framework Law on Environmental Management
- Ministerial Order No. 002/MINEPDED of 15 October 2012 laying down specific conditions on the management of industrial wastes (toxic and/or dangerous)
- Decree No. 95/230/PM of 31/04/95 establishing the Inter-Ministerial Commission for Municipal Waste Management in Cameroon (ICMWM)
- Article 3(1) of Ministerial Order No. 002/MINEPDED of 15 October 2012 laying down specific conditions on the management of industrial wastes (toxic and/or dangerous)
- Article 3(1) of Order No. 2012/2809/PM of 26 September 2012 fixing the conditions for sorting, collection, storage, transport, recovery, recycling, treatment and elimination of waste

The unit of certification shall raise awareness of all their employees and develop procedures (SOP) for the appropriate treatment and disposal of waste. This sensitisation should be documented.

### 7.4

Long-term fertility depends on maintaining the structure, organic matter content, nutrient status and microbiological health of the soil. Nutrient efficiency should take account of the age of plantations and soil conditions. The nutrient recycling strategy should include any use of biomass and by-products for energy production and minimise the use of inorganic fertilisers.

Criterion (new)	Guidance
7.4 (Continued)	<ul style="list-style-type: none"> <li>• Article 36(1) and Article 68(1) of the 1996 Framework Law on Environmental Management</li> <li>• Decree No. 2011/2584/PM of 23 August 2011 for the protection of the soil and sub-soil, especially Articles 3, 6, and 9</li> <li>• 1998 Water Law</li> <li>• United Nations Convention to Combat Desertification (UNCCD)</li> <li>• The International Plant Protection Convention (IPPC)</li> <li>• Stockholm Convention on Persistent Organic Pollutants (POPs)</li> <li>• 1998 Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade</li> </ul> <p>For Indicator 7.4.2: Soil sampling shall be conducted following a cycle not exceeding five (5) years. The application of agricultural inputs (including processing by-products) and other organic manures should be documented in a register and monitored in terms of quantities of the inputs, area and dates.</p> <p>Fertility monitoring should be included in the ESMP monitoring. Smallholders must be able to understand and adopt practices in maintaining natural soil fertility. For every pedology (soil) unit, a soil pit and a soil profile sample design will be prepared and agreed during environmental impact assessment, and soil samples will be collected and analysed in a laboratory.</p> <p>Minimum criteria for analysis:</p> <ul style="list-style-type: none"> <li>• Particle size</li> <li>• Soil texture and structure</li> </ul>

## Criterion (new)

## Guidance

### 7.4 (Continued)

- pH
- Chemical and biological indicators of fertility

#### NB:

Pay particular attention to the pedology (soil) units (in the explanatory note) presenting a particular risk in terms of erosion, and operational planning for the hydrology, topography and erosion control.

#### Roads:

Minimise the number of crossings of watercourses by roads; restrict the slopes of roads to a maximum of 10% of the actual alignment of the road (if roads need to be established on slopes of more than 10%, special anti-erosion steps need to be taken).

Design the size of river crossings to allow the unimpeded flow of water in all seasons to avoid problems of flow restrictions and blockages, and plan and manage the flow of water along the roads (pits and drains).

#### Plantation drainage:

A water management plan should be available and implemented. In the case of discharge of drainage water from the plantation, to the extent possible, mitigation measures to help sedimentation and depollution (cleansing) of water shall be set up and regularly maintained.

#### Irrigation:

If necessary, diversify the sources of irrigation water from surface water, in order to avoid the height of the waterbody varying too much, and to ensure that the ecosystem services downstream can always be guaranteed by the body of water.

Criterion (new)	Guidance
7.5	<p>Techniques that minimise soil erosion are well known and should be adopted, where appropriate. These should include practices such as ground cover management, biomass recycling, terracing, and natural regeneration or restoration instead of replanting.</p> <p><b>Regulatory context in Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Article 36(1) and Article 68(1) of the 1996 Framework Law on Environmental Management</li> <li>• Decree No. 2011/2584/PM of 23 August 2011 on the protection of the soil and sub-soil, especially Articles 3, 6, and 9. This decree prohibits all activities that degrade or modify the quality and/or the structure of arable land or contribute to the loss of this land (Article 5) and obliges conformity to national and international norms related to the use of fertilisers, pesticides or any other chemical products (Article 6). The decree also warrants that any intensive use of fertilisers and pesticides or any process that modifies the soil conditions in agriculture are subjected to a regular evaluation of the impact on the environment (Article 9)</li> <li>• United Nations Convention to Combat Desertification (UNCCD)</li> <li>• International Plant Protection Convention (IPPC)</li> <li>• Stockholm Convention on Persistent Organic Pollutants (POPs)</li> <li>• 1998 Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade</li> </ul> <p>RSPO Manual on Best Management Practices (BMPs) for the Management and Rehabilitation of Riparian Reserves.</p>

## Criterion (new)

## Guidance

7.6

These activities can be linked to the SEIA (see Criterion 3.4) but need not be done by independent experts.

Soil suitability maps or soil surveys should be appropriate to the scale of operation and should include information on soil types, topography, hydrology, rooting depth, moisture availability, stoniness and fertility to ensure long-term sustainability of the development.

Soils requiring appropriate practices should be identified (see Criteria 7.6 and 7.7). This information should be used to plan planting programmes, etc.

Measures should be planned to minimise erosion through appropriate use of heavy machinery, terracing on slopes, appropriate road construction, rapid establishment of cover, protection of riverbanks, etc.

Areas located within the plantation perimeters that are considered unsuitable for long-term oil palm cultivation should be delineated in plans and included in operations for conservation or rehabilitation as appropriate (see Criteria 7.6 and 7.7).

Assessing soil suitability is also important for smallholders, particularly where there are significant numbers operating in a particular location.

Information should be collected on soil suitability by the unit of certification if planning to purchase FFB from potential developments of independent smallholders in a particular location. The unit of certification should assess this information and provide information to independent smallholders on soil suitability, and/or in conjunction with relevant government/public institutions and other organisations (including NGOs) provide information in order to assist independent smallholders to grow oil palm sustainably.



Criterion (new)	Guidance
7.6 (Continued)	<p><b>Regulatory context in Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Decree No. 2011/2584/PM of 23 August 2011 on the protection of the soil and sub-soil, especially Articles 3, 6, and 9</li> <li>• 1996 Framework Law on Environmental Management, especially Article 38</li> <li>• Decree No. 2013/171/PM of 14 February 2013 laying down the procedures for carrying out environmental and social impact assessment, especially Articles 3 and 10</li> <li>• Article 17 of the 1994 Forestry law dealing with situations where the creation or maintenance of a permanent forest cover is considered as necessary for soil preservation</li> </ul> <p>A responsible use of pesticides and other agrochemical inputs. There shall be no planting on slopes greater than 20 degrees. For planting on slopes between 9 and 20 degrees, soil conservation measures shall be put in place and the areas should be terraced. Soil conservation measures shall be adapted to the fragility of soils. RSPO Manual on Best Management Practices (BMPs) for the Management and Rehabilitation of Riparian Reserves</p> <p>NB: Pay particular attention to pedology units (soil) (in the explanatory note) presenting a particular risk in terms of erosion, and operational planning of hydrology, topography and erosion control.</p> <p>Roads: minimise the number of river crossings by roads, and limit road gradients to a maximum of 10% for actual road alignment (if roads are to be established on slopes of more than 10 per cent, special erosion control measures must be taken).</p> <p>Design the size of level crossings to allow unhindered flow of water in all seasons to avoid problems of flow restrictions and blockage.</p>

## Criterion (new)

## Guidance

7.7

The unit of certification is encouraged to map the peatlands within the supply base to enable monitoring and promotion of BMPs.

For Indicator 7.7.3: For existing plantings on peat, the water table should be maintained at an average of 50 cm (between 40 cm and 60 cm) below ground surface unless required to be higher by national regulations, measured with groundwater piezometer readings; or an average of 60 cm (between 50 cm and 70 cm) below ground surface as measured in water collection drains, through a network of appropriate water control structures (e.g. weirs, sandbags, etc.) in fields, and watergates at the discharge points of main drains.

For Indicator 7.7.3: Monitoring of subsidence should be undertaken in all drained peat areas in the plantation, including areas adjacent to the plantation where water tables may be impacted by drainage associated with the plantation.

Regulatory context in Cameroon:

- Section 27 of the 1996 Framework Law on Environmental Management
- Convention on Wetlands (the Ramsar Convention)

Criterion (new)	Guidance
7.8	<p>The water management plan should include:</p> <ul style="list-style-type: none"><li>• Consideration of relevant stakeholders, their water use, and water resource availability</li><li>• Taking account of the efficiency of use and renewability of sources</li><li>• Ensuring that the use and management of water by the unit of certification does not result in adverse impacts on other users within the catchment area, including local communities and customary water users</li><li>• Aiming to ensure local communities, workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes</li><li>• Avoiding contamination of surface and ground water through runoff of soil, nutrients or chemicals, or as a result of inadequate disposal of waste including POME.</li></ul> <p>Refer to the ‘RSPO Manual on Best Management Practices (BMPs) for the Management and Rehabilitation of Riparian Reserves’ (October 2019).</p> <p>Where national regulations do not specify mill effluent requirements or discharge quality, these should be defined at NI level.</p> <p>Regulatory context in Cameroon:</p> <ul style="list-style-type: none"><li>• Articles 25-30 of the 1996 law related to environmental management</li><li>• Article 3(1) of the 1998 Water Law that is applicable to both surface and groundwater</li></ul>

## Criterion (new)

## Guidance

7.8 (Continued)

- Decree No. 2001/163/PM of 8 May 2001 regulating protection perimeters around points of abstraction, treatment and storage of portable water
- Decree No. 2001/162/PM of 8 May 2001 laying down the terms for appointing sworn agents to monitor and control water quality
- Decree No. 2001/165/PM of 8 May 2001 specifying the methods of protecting surface water and groundwater against pollution
- Decree No. 2001/164 / PM of 8 May 2001 specifying the terms and conditions for the abstraction of surface water or groundwater for industrial or commercial purposes
- National Marine and Coastal Zone Management Action Plan, 2010
- National Strategy for Sustainable Management of Water and Soil in the Agro-Sylvo-Pastoral Area in Cameroon 2007

Plan and manage the flow of water along roads (pits and drains).

Plantation drainage: A water management plan should be available and implemented. In the case of the discharge of drainage water from the plantation, to the extent possible, mitigation measures to assist in sedimentation and remediation (cleaning) of the water should be put in place and regularly maintained.

Irrigation: If necessary, diversify the sources of surface water irrigation, in order to prevent the height of the water body varies too much, and to ensure that downstream ecosystem services can always be guaranteed by the water body.

Criterion (new)	Guidance
7.9	<p>Renewable energy use per tonne of CPO or palm product in the mill should be monitored and reported.</p> <p>Direct fossil fuel use per tonne of CPO or FFB should be monitored.</p> <p>Energy efficiency should be taken into account in the construction or upgrading of all operations. The unit of certification should assess the direct energy use of its operations, including fuel and electricity, and energy efficiency of its operations. This should include the estimation of fuel use by on-site contract workers, including all transport and machinery operations.</p> <p>The feasibility of collecting and using biogas should be studied where relevant.</p> <p>Sections 64 and 68-70 of the 2011 Law on Electricity.</p>
7.10	<p>The unit of certification should only establish new plantings on mineral soils, in low carbon stock areas, and cultivated areas (including rubber and tree crops), which the current users are willing to develop into oil palm.</p> <p>Plans prepared by the unit of certification should specify the actions to be taken to reduce GHG emissions, including adopting low-emission management practices for both mills (e.g. better management of palm oil mill effluent (POME), efficient boilers, etc.) and plantations (e.g. optimal fertiliser use, energy efficient transportation, good water management, and restoration of peatlands and conservation areas). Reference can be made to the RSPO Compilation of BMPs to Reduce Total Emissions from Palm Oil Production. This criterion covers plantations, mill operations, roads and other infrastructure, including access and perimeter canals and roads.</p>

## Criterion (new)

## Guidance

7.10 (Continued)

### **Regulatory context in Cameroon:**

- Framework Law on Environmental Management (Law No. 96/12 of 5 August 1996), especially Articles 11 and 23
- Decree No. 2011/2582/PM of 23 August 2011 fixing modalities for the protection of the atmosphere
- Montreal Protocol on Substances that Deplete the Ozone Layer (a protocol to the Vienna Convention for the Protection of the Ozone Layer)
- United Nations Framework Convention on Climate Change (UNFCCC) and the 2015 Paris Agreement
- National REDD+ Strategy adopted in 2018

7.11

Extension/training programmes for smallholders may be necessary

### **Regulatory context in Cameroon:**

The 1995 decree on the implementation of the Forest Law of 1994 (decree No. 95/531/PM of 23 August 1995) provides conditions on bush fire and vehemently prohibits late fires while there is a special authorisation for early fires and this is applicable only to grazing areas (Article 6).

Article 8 requires all managed forests must possess a surveillance and fire-fighting system.

The National Action Plan (NAP) approved under the UNCCD provides a strategic framework to promote sustainable land management (SLM) based on five priority areas: participatory land use management, sustainable management of natural resources, restoration of degraded lands and improvement of soil fertility, capacity building, and concerted management of shared resources at the sub-regional level.

The Central Africa Forests Commission (COMIFAC) Convergence Plan also requires member countries to develop mechanisms to combat bush fires.

The use of fire in subsistence agriculture and the livelihoods of local populations is a necessary traditional practice. The management of these fires should be integrated into environmental and social management plans.

Criterion (new)	Guidance
7.12	<p><b>For Indicator 7.12.2</b></p> <p>HCV assessments conducted as part of integrated HCV-HCS assessments, should follow the HCVRN procedures, using HCVRN ALS approved assessors for HCV assessments for new plantings, in line with the current version of the Common Guidance on HCV Identification provided by the HCVRN or national HCV toolkits.</p> <p>NIs of the globally applicable HCV definitions may be used to assist with the implementation of the HCVA. The globally applicable HCV definitions provided in the Common Guidance take precedence in any cases where a conflict is perceived with an NI.</p> <p>Where landscape level HCV and/or HCS maps have been developed, these should be taken into account in project planning, whether or not such maps form part of the government land use plans.</p> <p>Further guidance for the implementation of ‘wider landscape-level considerations’ and other natural ecosystems will be developed by the BHCV WG. This will include reference to Key Biodiversity Areas (KBAs), which are identified under a Global Standard (IUCN 2016) and should be identified through an HCV assessment.</p> <p><b>For Indicator 7.12.4</b></p> <p>Refer to relevant guidance documents on RSPO and HCVRN websites.</p> <p>The integrated management plan should be developed in collaboration with other stakeholders active in that landscape before and during the project implementation. It should be adaptive to changes in HCVs. Evidence of attempted collaboration efforts should be documented and available. Such collaborative plans and areas should include but are not limited to:</p>

## Criterion (new)

## Guidance

### 7.12 (Continued)

- Identifying, protecting and/or enhancing forest connectivity important for biodiversity, ecosystem services, or watershed protection
- Minimising hydrological impacts to the landscape related to or arising from drainage systems and access roads or canals linked to the plantation
- Ensuring that any legal requirements relating to the protection of species or habitats are met
- Avoiding damage to and deterioration of HCV habitats, for example, by ensuring that HCV areas are connected, corridors are conserved, and buffer zones around HCV areas are created
- Protecting and managing other conservation areas including watercourses and wetlands, peatlands, riparian zones, and steep slopes
- Controlling any illegal or inappropriate hunting, fishing or collecting activities, and encroachment
- Developing responsible measures to resolve human-wildlife conflicts (e.g. incursions by elephants)

#### **For Indicator 7.12.5**

Decisions will be made in consultation with the affected communities.

Areas required by affected communities to meet their basic needs, taking into account potential positive and negative changes in livelihoods resulting from the proposed operations, should be identified in consultation with the communities and incorporated into HCV and HCS assessments and management plans.

The unit of certification should consider a variety of land management and tenure options to secure HCV management areas in ways that also secure local peoples' rights and livelihoods. Some areas are best allocated to community management and secured through customary or legal tenures; in other cases, co-management options may be considered.



Criterion (new)	Guidance
7.12 (Continued)	<p>Where communities are asked to relinquish rights so that HCVs can be protected or enhanced by the companies or state agencies, great care needs to be taken to ensure that communities retain access to adequate land and resources to secure their basic needs; all such relinquishment of rights must be subjected to their free, prior and informed consent.</p> <p><b>For Indicator 7.12.7</b></p> <p>Refer to HCVRN Common Guidance for HCV Management and Monitoring document</p> <p><b>Regulatory context in Cameroon:</b></p> <p>The definition of forest as per the 1994 Law on Forestry, Wildlife and Fisheries Regulations could be interpreted to integrate the notion of HCVs and HCS, i.e. “forest means any land covered by vegetation with a predominance of trees, shrubs and other species capable of providing products other than agricultural produce” (Section 2). The Law equally introduces the notion of permanent and non-permanent forests whose only use is for forestry and wildlife habitat (Section 20).</p> <p>Activities like oil palm plantations could be attributed in forested areas, especially primary or any other forest types, but this must be in conformity with the procedures laid down (Article 9 of the 1995 Decree on the Implementation of the Forest Law of 1994)</p>

Criterion (new)	Guidance
7.12 (Continued)	<ul style="list-style-type: none"> <li>• Article 9 of the 1995 Decree on the Implementation of the Forest Law of 1994</li> <li>• Cameroon National Interpretation of the HCV criteria and indicators</li> <li>• Cameroon REDD+ National Strategy</li> <li>• Africa Palm Oil Initiative (APOI) under the framework of the Tropical Forest Alliance (TFA) 2020</li> <li>• Central African Forest Initiative (CAFI)</li> <li>• African Convention on the Conservation of Nature and Natural Resources (or Algiers Convention), 1968</li> <li>• African Convention on the Conservation of Nature and Natural Resources (Revised Version) (or Maputo Convention), 2003</li> <li>• Convention on Biological Diversity</li> <li>• Yaounde Declaration, Summit of the Heads of State of Central Africa on Conservation and Sustainable Management of Tropical Forests, 1999- to protect and sustainably manage forest resources in the Congo Basin</li> <li>• Convention on Migratory Species (CMS)</li> <li>• Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)</li> </ul>

## ANNEX 3: KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Ethical Business Conduct	1.1 1.2 2	United Nations Convention against Corruption (2000)			Article 12	Promoting the development of standards and procedures to safeguard the integrity of private entities, including codes of conduct, for business activities and preventing conflict of interest. Promoting transparency. Ensuring that companies have sufficient internal auditing controls to prevent corruption.
	1.2 2.1 2.2					
Respect for Human Rights	4.1 4.2		Declaration on the Rights of Human Rights Defenders			Contains human rights standards enshrined in other international instruments that are legally binding for the protection of human rights, including HRDs.
	4 5 6					

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4 5 6	<p>Core International Human Rights Treaties:</p> <ul style="list-style-type: none"> <li>- International Covenant on Civil and Political Rights (ICCPR)</li> <li>- International Covenant on Economic, Social and Cultural Rights (ICESCR)</li> <li>- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</li> <li>- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</li> <li>- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)</li> </ul>			All core human rights treaties	Respect for human rights regardless of age, nationality, gender, race, ethnicity, religion, ability, marital status, sexual orientation and gender identity, political opinion or affiliation, etc.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4 5 6	<ul style="list-style-type: none"> <li>- Convention on the Rights of the Child (CRC)</li> <li>- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)</li> <li>- International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)</li> <li>- Convention on the Rights of Persons with Disabilities (CRPD)</li> </ul>			All core human rights treaties	Respect for human rights regardless of age, nationality, gender, race, ethnicity, religion, ability, marital status, sexual orientation and gender identity, political opinion or affiliation, etc.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Just Land Acquisition	4	Indigenous and Tribal Peoples Convention, 1989 (No. 169)			Articles 13-19	Respect and safeguard rights to lands and natural resources traditionally occupied and used; respect for customs of inheritance; no forced removals; compensation for loss and injury.
	4		UN Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007		Articles 25-26	Right to distinctive relationship with land; right to own, use, develop and control their lands, territories and other resources.
	4	UN Convention on Biological Diversity, 1992			Article 10(c)	Protects and encourages customary use of biological resources in accordance with traditional practices.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Public Participation of Affective Communities	4.5			Rio Declaration on Environment and Development (1992) and Agenda 21	Principle 10	Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. Principle 10 combines public participation with public access to information and access to remedial procedures. According to Agenda 21, one of the fundamental principles for the achievement of sustainable development is broad public participation in decision-making. Both Agenda 21 and the Rio Declaration emphasise the importance of the participation of all major groups, and special emphasis has been given, including in legally binding international instruments, to ensure participation in decision-making of those groups that are considered to be politically disadvantaged, such as indigenous peoples and women.
Fair Representation and Participation of Indigenous and Tribal People	4.2 4.4 4.5. 4.6	Indigenous and Tribal Peoples Convention, 1989 (No. 169)- ILO			Art 6-9	Self-representation through institutions; consultations with the objective of achieving agreement or consent; rights to decide their own priorities; retain their own customs and resolve their offences according to customary law (compatible with international laws).

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4.4-4.8		UN Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007		Article 3	Indigenous Peoples have the right to self-determination and to freely pursue their economic, social and cultural development.
	4.4 4.5 4.7		UN Declaration on the Rights of Indigenous Peoples (2007)		Articles 10, 11(2), 19, 28(1), 29(2) and 32(2)	Right to FPIC to any project affecting their lands as expressed through their own representative institutions.



Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4.4 4.5 4.7	International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), International Covenant on Economic, Social and Cultural Rights (ICESCR), Inter-American Human Rights System			UN CERD Committee, UN Committee on Social Culture and Economic Rights, Inter American Commission on Human Rights	FPIC for decisions that may affect indigenous peoples. (This standard has been widely accepted as 'best practice' standard by bodies such as World Commission on Dams, Extractive Industries Review, Forest Stewardship Council, UNDP, CBD, IUCN, WWF).
No Forced Labour	2.2 6.6	Forced Labour Convention, 1930 (No. 29) - ILO			Article 5	No concession to companies shall involve any form of forced or compulsory labour.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.6		Protocol of 2014 to the Forced Labour Convention, 1930- ILO		Articles 1, 2, 4	Provides the measures that should be taken for the avoidance of forced or compulsory labour.
	6.6	Abolition of Forced Labour Convention, 1957 (No. 105)- ILO			Article 1	Not make use of any form of forced or compulsory labour.
Protection of Children	6.4	Minimum Age Convention, 1973 (No. 138)- ILO			Articles 1-9	Abolition of child labour and definition of national minimum age for labour not less than 15-18 years (depending on occupation).
	6.4	Worst Forms of Child Labour Convention, 1999 (No. 182)- ILO			Articles 1-7	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution, suitable methods to monitor and enforce compliance.
	6.4	Minimum Age (Agriculture) Convention, 1921 (No.10)- ILO			Articles 1-2	Applicable to children under the age of 14 outside the hours of attendance in school.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.4	UN Convention on the Rights of the Child (CRC), 1989			Article 32	Right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
	6.4 6.5		UN Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007		Articles 17(2), 21, 22(2)	No exploitation or exposure to hazard or discrimination against indigenous women and children.
Freedom of Association and Collective Bargaining	6.3	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)- ILO			Articles 2-11	Freedom to join organisations, federations and confederations of their own choosing; with freely chosen constitutions and rules; measures to protect the right to organise.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.3	Right to Organise and Collective Bargaining Convention, 1949 (No. 98)- ILO			Articles 1-4	Protection against anti-union acts and measures to dominate unions; establish means for voluntary negotiation of terms and conditions of employment through collective agreements.
	6.3	Rural Workers' Organisations Convention, 1975 (No. 141)- ILO			Articles 2-3	Right of tenants, sharecroppers and smallholders to organise; freedom from association; free from interference and coercion.
	6.3	International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966			Article 8 (1)	The right of everyone to form trade unions and join the trade union of their choice, subject only to the rules of the organisation concerned, for the promotion and protection of their economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others.
	6.3	Collective Bargaining Convention, 1981 (No. 154)- ILO			Articles 1, 2, 3(2), 4, 5, 7, 8	Promotes the right to collective bargaining.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.3	Workers' Representatives Convention, 1971 (No. 135)- ILO			Articles 1-3	Workers' representatives in the undertaking shall enjoy effective protection against any act prejudicial to them, including dismissal, based on their status or activities as a workers' representative or on union membership or participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.
Non-discrimination and Equal Remuneration	6.1	Equal Remuneration Convention, 1951 (No. 100)- ILO			Articles 1-3	Equal remuneration for men and women for work of equal value.
	6.1	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)- ILO			Articles 1-2	Equality of opportunity and treatment in respect to employment and occupation; no discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1		UN Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007		Articles 2, 8(e), 9, 15(2), 16(1), 21(2), 22, 24(1), 29(1), 46(3)	No discrimination based on origin or identity; free to express identity based on custom; special attention to and full protection of the rights of indigenous women.
	6.1	Workers with Family Responsibilities Convention, 1981 (No. 156)- ILO			Articles 1-5, 7-10	No discrimination of any form against a worker, whether male or female with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.
	2.2	Private Employment Agencies Convention, 1997 (No. 181)- ILO			Articles 1, 2, 4- 12	Concerns the protection of workers that are employed with the intention of making the services of these workers available to third parties.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1	Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)- ILO			Articles 1-4	This convention concerns vocational rehabilitation to enable a disabled person to secure, retain and advance in suitable employment, and thereby to further such person's integration or reintegration into society.
	6.1	International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966			Article 7	Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work. Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence.
Elimination of Harassment and Abuse in the Workplace	6.5	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979			General Recommendation 35	of the private sector, including businesses and transnational corporations, in efforts to eradicate all forms of gender-based violence against women; developing protocols and procedures in addressing all forms of gender-based violence that may occur in the workplace or affect women workers, including effective and accessible internal complaints procedures.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Just Employment for Migrants	2.2 6.6	Migration for Employment Convention Revised), 1949 (No. 97)- ILO				Provision of information; no obstacles to travel; provision of healthcare; non-discrimination in employment; accommodation, social security and remuneration; no forced repatriation of legal migrant workers; repatriation of savings.
	6.6	Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)- ILO			Articles 1-12	Respect basic human rights; protect illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labour.
	2.2 6.6	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990			Articles 11; 21; 25; 26	Prevention of slavery; forced and compulsory labour; on confiscation of identity documents; conditions of work and contractual terms; freedom of association and right to join trade unions.



Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Protection of Plantation Workers	6.1	Migration for Employment Convention (Revised), 1949 (No. 97)- ILO			Articles 5-91	Protection of members of families of recruited workers' rights during recruitment and transport; fair employment contracts; abolition of penal sanctions; fair wages and conditions of work; no coercion or obligation to use company stores; adequate accommodation and conditions; maternity protection; compensation for injuries and accidents; freedom of association; right to organise and collective bargaining; proper labour inspection; decent housing and medical care.
	6.2	Right of Association (Agriculture) Convention, 1921 (No. 11)- ILO			Article 1	All those who work in the agricultural sector to be accorded the same rights of association and combination as industrial workers.
	6	Plantations Convention, 1958 (No. 110)- ILO			Articles 1,2,5,7,8, 11,12-15	This convention relates to the rights of workers and their families (including migrant workers) who have been recruited to work on plantations.
Working Time for Workers	6.2	Holidays with Pay (Agriculture) Convention, 1952 (No. 101)- ILO			Articles 1,3,5,7-9	Workers employed in agricultural undertakings and related occupations shall be granted an annual holiday with pay after a period of continuous service with the same employer.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.2	Forty-Hour Week Convention, 1935 (No. 47) - ILO			Article 1	Requires that a member adopts a 40-hour week in a manner that the standard of living is not reduced as a consequence.
Protection of Women's Rights to Work	6.1	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979			Article 11	Right to free choice of profession and employment; the right to promotion, job security and all benefits and conditions of service; and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training; Right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value and in the evaluation of the quality of work.
	6.1	Maternity Protection Convention, 2000 (No. 183)- ILO			Article 9	Prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by national laws or regulations in respect of work.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.5 6.7	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979			Art 11 (f)	The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
	6.5	Maternity Protection Convention, 2000 (No. 183)- ILO			Art 10	A woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child.  These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly.
Protection of Tenants and Share-croppers	4.2			Tenants and Share-croppers Recommendation, 1968 (No. 132)- ILO	Articles 4-8	Fair rents; adequate payment for crops; provisions for well-being; organisation; fair contracts; procedures for the settlement of disputes.
Protection of Smallholders	5	Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)- ILO			Article 4	Alienation with due regard to customary rights; assistance to form cooperatives; tenancy arrangements to secure highest possible living standards.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Health and Safety	3.6 6.7	Safety and Health in Agriculture Convention, 2001 (No. 184)- ILO			Articles 7-21	Carries out risk assessments and adopts preventive and protective measures to ensure health and safety with respect to workplaces, machinery equipment, chemical tools and processors; ensures the dissemination of information, appropriate training, supervision and compliance; special protection for youth and women workers; coverage against occupational health and disease.
	3.6 6.7	Occupational Cancer Convention, 1974 (No. 139)- ILO				Members shall make every effort to have carcinogenic substances and agents to which workers may be exposed in the course of their work replaced by non-carcinogenic substances or agents or by less harmful substances or agents; in the choice of substitute substances or agents account shall be taken of their carcinogenic, toxic and other properties.
	3.6 6.7	Invalidity Insurance (Agriculture) Convention, 1933 (No. 38)- ILO			Articles 1-6, 13, 17, 20, 23	Maintenance of a scheme for invalidity insurance for workers.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1 6.2	Maternity Protection Convention, 2000 (No. 183)- ILO			Articles 2-4	Maternity protection and benefits.
Control or Eliminate the use of Dangerous Chemicals and Pesticides	7.2	Stockholm Convention on Persistent Organic Pollutants, 2001			Articles 1-5	Prohibits and/or eliminates the production and use of chemicals listed in Annex A (e.g. Aldrin, Chlordane PCB); restricts the production and use of chemicals in Annex B (e.g. DDT); reduces or eliminates the release of chemicals listed in Annex C (e.g. hexachlorobenzene).
	7.2	Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 1998			Articles 1, 5, and 6	Curbs the trade of banned and hazardous chemicals and pesticides; develops national procedures for control of their use and trade; lists banned and hazardous chemicals and pesticides.

## KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
			UN Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007		Articles 21(1), 23, 24, 29(3)	Improvement of livelihood and sanitation, health and housing; participate in health delivery; maintain traditional health systems; effective monitoring of health.
		Working Environment (Air, Pollution, Noise and Vibration) Convention, 1977 (No. 148)- ILO			Articles 1-3	Provides measures that should be taken for the prevention and control of, and protection against, occupational hazards in the working environment due to air pollution, noise and vibration.
		Chemicals Convention, 1990 (No. 170)- ILO			Article 2(c), and Part IV	Provides measures to prevent or reduce the incidences of chemically induced illness and injuries at work; and identifies the roles and responsibilities of employers in the context of identification, transfer of chemicals, exposures, operational control, disposal and information dissemination and training.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Right to Food	6.2	International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966			Article 11	Right to adequate standard of living, including right to food.
Environmental Protection	3.4	UN Convention on Biological Diversity, 1992			Article 14	Environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimising such effects and, where appropriate, allow for public participation in such procedures.
Conservation of Biodiversity		UN Convention on Biological Diversity, 1992			Articles 1 – 18	Conservation of biological diversity and the sustainable use of its components.
GHG Emissions	7.10				Articles 1-4	Aims at stabilising atmospheric concentrations of greenhouse gases to avoid dangerous anthropogenic interference, including in agricultural sector.

## ANNEX 3B: APPLICABLE CAMEROON LAW

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 1 : Behave ethically and transparently	1.1	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Article 45 of the Cameroonian Constitution as amended and adopted in 1996</li> <li>• The Act of 19 December 1990 on social communication</li> <li>• 1996 Framework Law on Environmental Management               <ul style="list-style-type: none"> <li>o Article 7(1)</li> <li>o Article 7(2)</li> <li>o Article 9(e)</li> <li>o Article 17(1)</li> </ul> </li> <li>• ESIA Decree 2013</li> <li>• 1994 Forest Act               <ul style="list-style-type: none"> <li>o Sections 26-29 of the Forestry, Wildlife and Fisheries Act 1994</li> </ul> </li> <li>• Article 17 of the Decree implementing the Forest Law of 1995</li> </ul>
	1.2	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Cameroonian Penal Code: Law No. 2016/007 of 12 July 2016 – Articles 134/35</li> <li>• Law No. 98/013 of 14 July 1998 – Article 2</li> <li>• Decree on the organisation and operation of the National Agency for Financial Investigation (NAFI)</li> </ul>



Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 2 : Operate legally and respect rights	2.1	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Article 45 of the Constitution</li> <li>• Article 16(1-2) of the 1994 Forest Law</li> <li>• Article 22(2) of the Decree implementing the Forest Law of 1995</li> </ul>
	2.2	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Article 86 of Cameroon Labour Code</li> <li>• Anti-Trafficking in Persons and Slavery Act (Act No. 2011/024 of 14 December 2011)</li> </ul>
	2.3	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1992 Labour Code provides for the regulation of subcontractors (see Sections 48-51).</li> <li>• Article 48 of the Labour Code</li> <li>• Law on the Promotion of Small and Medium Enterprises in Cameroon (Law on SMEs)</li> <li>• Section 42 et Section 43</li> <li>• Cameroon's Land Law, which includes the Land Ordinance of 1974 and the regulations and rules governing State Lands Ordinance of 1974</li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 3 : Optimise productivity, efficiency, positive impacts and resilience	3.1	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 2013 law on private investment incentives               <ul style="list-style-type: none"> <li>o Section 18(1), (Sections 4-7)</li> <li>o Section 20(1)</li> </ul> </li> <li>• Decree on the organisation and functioning of the agency for the promotion of investments</li> <li>• Decree establishing the organisation and functioning of the Investment Effectiveness Audit Committee               <ul style="list-style-type: none"> <li>o Article 2</li> </ul> </li> </ul>
	3.2 et 3.3	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1996 Framework Law on Environmental Management               <ul style="list-style-type: none"> <li>o Article 17</li> <li>o Article 19(2)</li> </ul> </li> <li>• Ministerial Order 00001 of 8 February 2016               <ul style="list-style-type: none"> <li>o Article 4(IV)</li> </ul> </li> <li>• Decree on the modalities for the realisation of the ESIA of 14 February 2013               <ul style="list-style-type: none"> <li>o Article 10</li> <li>o Articles 27-29</li> </ul> </li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 3 : Optimise productivity, efficiency, positive impacts and resilience	3.4	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Cameroon Environmental Law</li> <li>• 1996 Framework Law on Environmental Management</li> <li>• ESIA Decree, 2013</li> <li>• Ministerial Order, 2016</li> </ul>
	3.5	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Labour Code, 1992 <ul style="list-style-type: none"> <li>o Articles 23-31</li> <li>o Articles 32-44</li> <li>o Article 80 (hours of work)</li> <li>o Article 81 (night work)</li> <li>o Article 86.1 (child labour)</li> </ul> </li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• Minimum Age Convention, 1973 (No. 138)- ILO</li> <li>• Worst Forms of Child Labour Convention, 1999 (No. 182)- ILO</li> <li>• Forced Labour Convention, 1930 (No, 29)- ILO</li> <li>• Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - ILO</li> <li>• International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966</li> <li>• Convention on the Rights of the Child, 1989</li> </ul>

## APPLICABLE CAMEROON LAW

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 3 : Optimise productivity, efficiency, positive impacts and resilience	3.6	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Labour Code, 1992               <ul style="list-style-type: none"> <li>o Article 29(1)</li> <li>o Articles 95-103</li> </ul> </li> <li>• Order No. 16/MTLS/DEGRE of 27 May 1969</li> <li>• Decree No. 79/096 of 21 March 1979</li> <li>• Law No. 77/11 of 13 July 1977 Article 13</li> <li>• Ministerial Order No. 039/MTPS/IMT of 26 November 1984               <ul style="list-style-type: none"> <li>o Article 2.1</li> <li>o Article 3(1)</li> </ul> </li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• Asbestos Convention, 1986 (No. 162)- ILO</li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 4 : Respect community and human rights to deliver benefits	4.1	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Cameroon Constitution <ul style="list-style-type: none"> <li>o Preamble</li> <li>o Article 45</li> </ul> </li> <li>• 1990 law on social communication (freedom of speech and association)</li> <li>• Criminal Procedure Law</li> <li>• 1996 Framework Law on Environmental Management <ul style="list-style-type: none"> <li>o Article 5</li> <li>o Article 9</li> </ul> </li> <li>• Labour Code, 1992</li> </ul> <p><b>International (preamble of Cameroon Constitution):</b></p> <ul style="list-style-type: none"> <li>• Universal Declaration of Human Rights</li> <li>• African Charter on Human and Peoples’ Rights</li> </ul>
	4.2	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Labour Code, 1992 <ul style="list-style-type: none"> <li>o Sections 131-156</li> <li>o Sections 158-160</li> <li>o Sections 161-165</li> </ul> </li> <li>• Consultative Commission on Social Dialogue created by Order No. 067/CAB/PM of 14 July 2014 <ul style="list-style-type: none"> <li>o Article 2</li> </ul> </li> <li>• 1996 Framework Law on Environmental Management</li> <li>• Decree No. 2013/0171/PM of 14 February 2013 <ul style="list-style-type: none"> <li>o Article 20</li> </ul> </li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 4 : Respect community and human rights to deliver benefits	4.3	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Decree related to procedures for the management of national laws (Decree No. 76-166 of 27 April 1976)</li> <li>• Law No. 213/004 of 18 April 2013               <ul style="list-style-type: none"> <li>o Article 4</li> <li>o Article 6</li> <li>o Article 8</li> </ul> </li> </ul>
	4.4	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Land Ordinance No. 1 of 1974</li> <li>• Land Ordinance No. 2 of 1974               <ul style="list-style-type: none"> <li>o Section 7</li> </ul> </li> <li>• Decree No. 76-166 of 27 April 1976               <ul style="list-style-type: none"> <li>o Article 12</li> </ul> </li> <li>• Decree No. 87-1872 of 16 December 1987 implementing Law No. 85-9 of 4 July 1985</li> </ul> <p><b>International (via Article 45 of Cameroon's Constitution):</b></p> <ul style="list-style-type: none"> <li>o UN Declaration on the Rights of Indigenous Peoples (UNDRIP)</li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 4 : Respect community and human rights to deliver benefits	4.6	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1996 Framework Law on Environmental Management</li> <li>• Land Ordinance No. 1 of 1974               <ul style="list-style-type: none"> <li>o Section 17</li> </ul> </li> <li>• Land Ordinance No. 2 of 1974               <ul style="list-style-type: none"> <li>o Section 7</li> </ul> </li> <li>• Forest Law, 1994               <ul style="list-style-type: none"> <li>o Section 6</li> <li>o Section 25(1)</li> </ul> </li> <li>• Law No. 80-21 of 14 July 1980               <ul style="list-style-type: none"> <li>o Section 3(1)</li> <li>o Section 8(1)</li> </ul> </li> <li>• Ministerial Order No. 058/MINAGRI of 13 August 1981</li> </ul>
	4.7	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Law No. 85-09 of 1985 on Expropriation for Acquisition of Land for Public Purposes, and Ordinance No. 74/01 of 6 July 1974               <ul style="list-style-type: none"> <li>o Article 12</li> </ul> </li> <li>• Land Ordinances of 1974</li> <li>• Decree No. 76-166 of 27 April 1976               <ul style="list-style-type: none"> <li>o Article 12</li> </ul> </li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 4 : Respect community and human rights to deliver benefits	4.8	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Land Ordinances of 1974</li> <li>• Decree No. 76-166 of 27 April 1976               <ul style="list-style-type: none"> <li>o Article 2</li> </ul> </li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• International Covenant on Civil and Political Rights (ICCPR), 1966               <ul style="list-style-type: none"> <li>o Articles 1 et 27</li> </ul> </li> <li>• International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966               <ul style="list-style-type: none"> <li>o Article 1</li> </ul> </li> <li>• Déclaration des Nations Unies sur les droits des peuples autochtones,               <ul style="list-style-type: none"> <li>o Paragraphe 26(2)</li> </ul> </li> <li>• African Charter on Human and Peoples' Rights of 26 June 1981               <ul style="list-style-type: none"> <li>o Paragraphes 1 et 2 de l'article 21</li> <li>o Article 14</li> </ul> </li> </ul>
Principle 5 : Support smallholder inclusion	5.1	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Ministerial Order No. 012 MINDIC-CAB of 31 March 2004 – crude palm oil pricing</li> </ul>
	5.2	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• ESIA Decree 2013</li> <li>• Law No. 213/004 of 18 April 2013</li> <li>• Section 11 of the framework law governing the social economy in Cameroon</li> </ul>



Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 6 : Respect workers' rights and conditions	6.1	<p><b><i>Specific to Cameroon:</i></b></p> <ul style="list-style-type: none"> <li>• Cameroon Constitution <ul style="list-style-type: none"> <li>o Preamble</li> </ul> </li> <li>• Labour Code, 1992 <ul style="list-style-type: none"> <li>o Article 168(2)</li> </ul> </li> </ul> <p><b><i>International (by Article 45 of the Constitution):</i></b></p> <ul style="list-style-type: none"> <li>• Universal Declaration of Human Rights (UDHR), 1948 <ul style="list-style-type: none"> <li>o Article 2</li> <li>o Article 23</li> </ul> </li> <li>• International Covenant on Civil and Political Rights (ICCPR), 1966 <ul style="list-style-type: none"> <li>o Article 22</li> </ul> </li> <li>• Equal Remuneration Convention, 1951 (No. 100)- ILO</li> <li>• Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - ILO</li> <li>• International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966 <ul style="list-style-type: none"> <li>o Article 7(c) advocates equal opportunities for all in their employment</li> </ul> </li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 6 : Respect workers' rights and conditions	6.2	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Labour Code, 1992 <ul style="list-style-type: none"> <li>o Part IV, chapitre I: <ul style="list-style-type: none"> <li>■ Article 62</li> <li>■ Article 63</li> <li>■ Article 66</li> </ul> </li> <li>o Part V <ul style="list-style-type: none"> <li>■ Article 80(2)</li> <li>■ Article 82(2)</li> </ul> </li> </ul> </li> <li>• Decree No. 2014/2217 of 24 July 2014</li> <li>• Collective agreement on agriculture and related activities signed in 2009</li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966 <ul style="list-style-type: none"> <li>o Article 7</li> </ul> </li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 6 : Respect workers' rights and conditions	6.3	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Cameroon Constitution <ul style="list-style-type: none"> <li>o Preamble</li> </ul> </li> <li>• Labour Code, 1992</li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• La Universal Declaration of Human Rights of 1948 <ul style="list-style-type: none"> <li>o Article 20</li> </ul> </li> <li>• International Covenant on Civil and Political Rights (ICCPR), 1966 <ul style="list-style-type: none"> <li>o Article 22(1)</li> </ul> </li> <li>• Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)- ILO</li> <li>• Right to Organise and Collective Bargaining Convention, 1949 (No. 98)- ILO</li> </ul>
	6.4	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Labour Code, 1992 <ul style="list-style-type: none"> <li>o Article 86(1)</li> </ul> </li> </ul> <p><b>International :</b></p> <ul style="list-style-type: none"> <li>• Minimum Age Convention, 1973 (No. 138)- ILO</li> <li>• Worst Forms of Child Labour Convention, 1999 (No. 182)- ILO</li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 6 : Respect workers' rights and conditions	6.5	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Penal Code of Cameroon of 2016               <ul style="list-style-type: none"> <li>o Section 301(1)</li> <li>o Article 338</li> </ul> </li> <li>• Labour Code, 1992               <ul style="list-style-type: none"> <li>o Article 84(1)</li> </ul> </li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</li> <li>• Maternity Protection Convention, 1919 (No. 3)- ILO</li> </ul>
	6.6	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Labour Code, 1992               <ul style="list-style-type: none"> <li>o Article 2(3)(4)</li> </ul> </li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• International Covenant on Civil and Political Rights (ICCPR)               <ul style="list-style-type: none"> <li>o Article 8(3)</li> </ul> </li> <li>• Forced Labour Convention, 1930 (No. 29)- ILO</li> <li>• Commission on Economic, Social and Cultural Rights               <ul style="list-style-type: none"> <li>o Article 7</li> </ul> </li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 6 : Respect workers' rights and conditions	6.7	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Labour Code, 1992 <ul style="list-style-type: none"> <li>◦ Article 29(1)(2)</li> </ul> </li> <li>• Ministerial Order No 039/MTPS/IMT of 26 November 1984 <ul style="list-style-type: none"> <li>◦ Article 3</li> <li>◦ Article 6</li> <li>◦ Article 5</li> <li>◦ Article 129-130</li> </ul> </li> </ul>
Principle 7 : Protect, conserve and enhance ecosystems and the environment	7.2	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1996 Framework Law on Environmental Management <ul style="list-style-type: none"> <li>◦ Article 36(2)</li> </ul> </li> <li>• Law No. 2003/003 of 21 April 2003 relating to phytosanitary protection <ul style="list-style-type: none"> <li>◦ Section 21(1)</li> <li>◦ Section 19(1)</li> </ul> </li> <li>• Decree No. 2005/0771/PM of 6 April 2005 on modalities for plant quarantine operations</li> <li>• Decree No. 2005/0772/PM of 6 April 2005 on the control and registration of phytosanitary products</li> <li>• Decree No. 2005/0770/PM of 6 April 2005 on modalities for phytosanitary control operations</li> <li>• Decree No. 2005/0769/PM of 6 April 2005 on the creation of a Phytosanitary Council</li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 7 : Protect, conserve and enhance ecosystems and the environment	7.2 (Continued)	<p><b>International:</b></p> <ul style="list-style-type: none"> <li>• Regulation of 2006 of the Economic and Monetary Community of Central Africa (CEMAC) on the registration of pesticides and fertilisers</li> <li>• Stockholm Convention on Persistent Organic Pollutants (POPs)</li> <li>• Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade</li> <li>• International Plant Protection Convention (IPPC), 1997</li> </ul>
	7.3	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1996 Framework Law on Environmental Management <ul style="list-style-type: none"> <li>o Article 42(1)</li> </ul> </li> <li>• Ministerial Order No. 002/MINEPDED of 15 October 2012 <ul style="list-style-type: none"> <li>o Article 3(1)</li> </ul> </li> <li>• Decree No. 2012/2809/PM of 26 September 2012 fixing the conditions for sorting, collecting, storing, transporting, recovering, recycling, treating and disposing of waste <ul style="list-style-type: none"> <li>o Article 3(1)</li> </ul> </li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 7 : Protect, conserve and enhance ecosystems and the environment	7.5	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1996 Framework Law on Environmental Management <ul style="list-style-type: none"> <li>o Article 36(1)</li> <li>o Article 68(1)</li> </ul> </li> <li>• Decree No. 2011/2584/PM of 23 August 2011 for the protection of the soil and subsoil <ul style="list-style-type: none"> <li>o Article 5</li> <li>o Article 6</li> <li>o Article 9</li> </ul> </li> <li>• Law No. 98-005 of 14 April 1998 on water regime</li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• UN Convention to Combat Desertification (UNCCD)</li> <li>• Stockholm Convention on Persistent Organic Pollutants (POPs)</li> <li>• Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade</li> <li>• International Plant Protection Convention (IPPC), 1997</li> </ul>
	7.6	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1996 Framework Law on Environmental Management <ul style="list-style-type: none"> <li>o Article 38</li> </ul> </li> <li>• Decree No. 2013/171 / PM of 14 February 2013 <ul style="list-style-type: none"> <li>o Article 3</li> <li>o Article 10</li> </ul> </li> <li>• Forest Law, 1994 <ul style="list-style-type: none"> <li>o Article 17</li> </ul> </li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 7 : Protect, conserve and enhance ecosystems and the environment	7.7	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1996 Framework Law on Environmental Management               <ul style="list-style-type: none"> <li>o Section 27</li> </ul> </li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• Ramsar Convention</li> </ul>
	7.8	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1996 Framework Law on Environmental Management               <ul style="list-style-type: none"> <li>o Article 17</li> <li>o Articles 25 and 30</li> </ul> </li> <li>• Law No. 98-005 of 14 April 1998 on water regime               <ul style="list-style-type: none"> <li>o Article 3(1)</li> </ul> </li> </ul>
	7.9	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Law No. 2011/022 of 14 December 2011 governing the electricity sector in Cameroon               <ul style="list-style-type: none"> <li>o Section 1</li> <li>o Section 64</li> <li>o Section 68 and 70</li> </ul> </li> </ul>



Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 7 : Protect, conserve and enhance ecosystems and the environment	7.10	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• 1996 Framework Law on Environmental Management <ul style="list-style-type: none"> <li>o Article 11</li> <li>o Article 23</li> </ul> </li> <li>• Decree No. 2011/2582/PM of 23 August 2011</li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• UN Framework Convention on Climate Change (UNFCCC) <ul style="list-style-type: none"> <li>o Paris Agreement (2015)</li> </ul> </li> </ul>
	7.11	<p><b>Specific to Cameroon:</b></p> <ul style="list-style-type: none"> <li>• Decree No. 95/531/pm of 23 August 1995 <ul style="list-style-type: none"> <li>o Article 6</li> <li>o Article 8</li> </ul> </li> </ul> <p><b>International:</b></p> <ul style="list-style-type: none"> <li>• UN Framework Convention on Climate Change (UNFCCC) <ul style="list-style-type: none"> <li>o National Action Plan</li> </ul> </li> <li>• Central African Forests Commission (COMIFAC) <ul style="list-style-type: none"> <li>o Convergence plan</li> </ul> </li> </ul>

Principle	Criterion	Cameroonian legislative and regulatory texts as well as the texts of international standards adopted by Cameroon in connection with the RSPO
Principle 7 : Protect, conserve and enhance ecosystems and the environment	7.12	<p>Specific to Cameroon:</p> <ul style="list-style-type: none"> <li>• Forestry, Wildlife and Fisheries Act, 1994 <ul style="list-style-type: none"> <li>o Section 2</li> <li>o Section 20</li> </ul> </li> <li>• 1995 Decree on the Application of the Forest Law of 1994 <ul style="list-style-type: none"> <li>o Article 9</li> </ul> </li> </ul> <p>International:</p> <ul style="list-style-type: none"> <li>• Tropical Forest Alliance's (TFA) Africa Palm Oil Initiative (APOI)</li> <li>• African Convention on the Conservation of Nature and Natural Resources</li> <li>• 2003 Maputo Convention on the Conservation of Nature and Natural Resources</li> <li>• Convention on Biological Diversity (CBD)</li> <li>• Conservation and Sustainable Management of Tropical Forests: The Yaoundé Declaration</li> </ul>

# ANNEX 3C: INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

## International soft law instruments relevant for sustainable palm oil development in Cameroon

Key international soft law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
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### Global soft law instruments

UN Declaration on the Rights of Indigenous Peoples, 13 September 2007	Cameroon voted in favour of the declaration	<p>The UNDRIP outlines the rights of indigenous groups to participate in decision making, to self-determine, the rights to compensation if deprived of subsistence and to be free from discrimination.</p> <p>Right to distinctive relationship with land; right to own, use, develop and control their lands, territories and other resources (Articles 25-26).</p> <p>Indigenous peoples have the right to self-determination and to freely pursue their economic, social and cultural development (Article 3).</p> <p>Right to FPIC to any project affecting their lands as expressed through their own representative institutions (Articles 10, 11(2), 19, 28(1), 29(2) and 32(2)).</p> <p>No exploitation or exposure to hazard or discrimination against indigenous women and children (Articles 17(2), 21 and 22(2)).</p>
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## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international soft law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
UN Declaration on the Rights of Indigenous Peoples, 13 September 2007 (Continued)	Cameroon voted in favour of the declaration	<p>No discrimination based on origin or identity; free to express identity based on custom; special attention to and full protection of the rights of indigenous women (Articles 2, 8(e), 9, 15(2), 16(1), 21(2), 22, 24(1), 29(1), 46(3)).</p> <p>Improvement of livelihood and sanitation, health and housing, participate in health delivery; maintain traditional health systems; effective monitoring of health (Articles 21(1), 23, 24, 29(3)).</p>
Rio Declaration on Environment and Development and Agenda 21, 14 June 1992	Cameroon voted in favour of the declaration	<p>Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. Principle 10 combines public participation with public access to information and access to remedial procedures. According to Agenda 21, one of the fundamental principles for the achievement of sustainable development is broad public participation in decision-making. Both Agenda 21 and the Rio Declaration lay emphasis on the importance of the participation of all major groups, and special emphasis has been given, including in legally binding international instruments, to ensure participation in decision-making of those groups that are considered to be politically disadvantaged, such as local communities and indigenous peoples (LCIPs) and women (See Principle 10).</p>

Key international soft law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Tropical Forestry Action Plan, 11 June 1985	Applicable in Cameroon	The stated objective is to tackle the deforestation crisis. The 'development' objective of the Tropical Forest Action Plan (TFAP) has been replaced by the objective for the initiatives promoted by the World Bank and FAO to now address the climate crisis, through reducing emissions caused when forests are destroyed. The initiatives – this time is under the umbrella of REDD (Reducing Emissions from Deforestation and Forest Degradation), landscape REDD and climate-smart agriculture.
Universal Declaration of Human Rights, 10 December 1948	Ascends to by Cameroon	It seeks to guarantee respect for all human rights regardless of age, nationality, gender, race, ethnicity, religion, ability, marital status, sexual orientation and gender identity, political opinion or affiliation, etc., across sectors, including the agricultural sector.
Stockholm Declaration, 16 June 1972	Recognised by Cameroon	General principles on environmental protection.

### Annex 3c

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international soft law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Tenants and Share-croppers Recommendation, 1968 (No. 132)- ILO	Ratification is not required	<p>Fair rents; adequate payment for crops; provisions for well-being; organisation; fair contracts; procedures for the settlement of disputes. To promote a progressive and continuing increase in the well-being of tenants, share-croppers and similar categories of agricultural workers and to assure them the greatest possible degree of stability and security of work and livelihood.</p> <p>Rights of land-owners; workers of all categories should have access to land (Articles 4-8).</p>
The Millennium Development Goals (MDGs) 2000 2030 UN Sustainable Development Agenda, 2015	Ratification is not required	<p>The MDGs have very strong points for socio-economic and environmental protection.</p> <p>The MDGs were intended to induce governments to take concrete actions and improve coordination in support of poverty reduction efforts, but a major gap identified is that agriculture was not specifically mentioned in the MDGs even though most of the world's poor are farmers. However, the 2030 UN Sustainable Development Agenda considers agriculture (including oil palm) in reducing poverty and hunger, and developing more specific targets related to biodiversity impacts, food security and GHG emissions.</p>

Key international soft law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
UN Global Compact- Food and Agriculture Business Principles, 2000	Recognised by the UN General Assembly  Thus, ratification is not required	A voluntary initiative that seeks to advance universal principles on human rights, labour, environment and anti-corruption through the engagement of corporations, in cooperation with civil society and representatives of organised labour.

### Regional and sub-regional soft law instruments

Joint Declaration of Intent on REDD+ in the Congo Basin between Central African and Donor Countries, 7 December 2011	Ratification is not required	<p>Among other things, the declaration recognised the crucial importance of reducing emissions from deforestation and forest degradation as a CCM measure.</p> <p>The need to improve forest governance, address land tenure issues and strengthen institutional capabilities at all levels.</p> <p>All the Central African countries supporting this declaration are prepared to: develop policies, strategies and programmes for sustainable development (green economy), which include “low-carbon” development approaches for all key sectors, including forests, agriculture, energy, mining and transportation; develop REDD+ strategies that address the main drivers of deforestation and forest degradation; pursue land use planning and zoning processes that are participatory and holistic; systematically strengthen and achieve sustainable human and institutional capacities.</p>
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### Annex 3c

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international soft law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Convergence Plan for the Conservation and Sustainable Management of Forest Ecosystems in Central Africa, February 2005 (revised and adopted in July 2014)	Ratification is not required	To promote the joint and sustainable management of the forest resources of the sub-region and a network of protected areas by Central African States for the well-being of the population, and to ensure global balance. Conservation of biological diversity; sustainable development of forest resources; development of alternative activities and poverty reduction; capacity building.
Yaounde Declaration on the Future of Central Africa's Forests, Conference on Sustainable Forest Management in Central Africa, 23 May 2013	Ratification is not required	Land acquisition for extractive and agricultural industries could adversely affect ecosystem services and rural people in the Congo Basin forests if not properly managed.



## International hard law instruments relevant for sustainable palm oil development in Cameroon

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
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### Global hard law instruments

Convention on Biological Diversity (CBD), 5 June 1992	Convention on Biological Diversity, (CBD), 5 June 1992	In line with the general environmental protection, it provides for the conservation of biological diversity and the sustainable use of its components (Articles 1-18); environmental impact assessment of proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimising such effects and, where appropriate, public participation in such procedures (Article 14). The CBD has three objectives one of which is the sustainable use of components of biological diversity. For this reason, to sustain the use of biodiversity, we need an impact assessment for every project that will have negative impact on biodiversity. The convention therefore provides for an environmental impact assessment in that light.
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## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Convention on Biological Diversity (CBD), 5 June 1992 (Continued)	Convention on Biological Diversity, (CBD), 5 June 1992	In relation to palm oil development, ecosystem harbours high biodiversity hotspots some of which accommodate genetic resources that are a common concern for mankind, and is one of the clearly articulated principles of international environmental law. Therefore, in each palm oil development project, there is a need for a careful environmental and social impact assessment so as to ensure that the palm oil development project does not impact on the biodiversity ecosystem, especially where it has to tamper with genetic resources constituting a common concern for mankind. This is clearly highlighted by Principle 7 of the 2018 RSPO P&C, which consecrates the need to protect, conserve and enhance ecosystems and the environment.
UN Framework Convention on Climate Change (UNFCCC), 9 May 1992	Ratified on 19 October 1994	The overall objective of the UNFCCC and its subsequent decisions are to stabilise the atmospheric concentrations of greenhouse gases (GHGs) to avoid “dangerous anthropogenic interference with the climate system by reducing emissions from sources, including the agriculture sector, which is one of the primary drivers of deforestation that causes climate change (Articles 1-4). The UNFCCC negotiations also developed social and environmental safeguards (the Cancun Safeguards) to help address the risks of REDD+ implementation. These safeguards include land rights and compensation and forest protection.

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
UN Framework Convention on Climate Change (UNFCCC), 9 May 1992 (Continued)	Ratified on 19 October 1994	In relation to palm oil development, most ecosystems such as forests and wetlands are natural climate breaks that are also potential sites for oil palm development projects. For this reason, it is imperative that all palm oil development projects are directed away from such natural solutions to climate change for the purpose of sustainability. This is given policy recognition by Principle 7 of the 2018 RSPO P&C, which consecrates the need to protect, conserve and enhance ecosystems and the environment; and Principle 4, which demands the need to respect community and human rights and deliver benefits.
Paris Climate Change Agreement, 15 December 2015	Ratified on 29 July 2016	<p>The agreement has a primary goal to keep global temperature rise this century below 2°C, and to drive efforts to limit temperature increase even further to 1.5°C above preindustrial (Article 17). One of the means to limit temperature increase is avoiding deforestation and forest degradation.</p> <p>Palm oil development projects are highly associated with greenhouse gas (GHG) emissions responsible for global temperature rise or climate change as such palm oil development projects entail forest clearing and carbon emission. The agreement therefore provides the framework for actions to limit temperature increase that may be caused by the establishment of oil palm projects.</p>

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Paris Climate Change Agreement, 15 December 2015 (Continued)	Ratified on 29 July 2016	Thus, there is the urgent need to ensure that palm oil development projects do not result in environmental degradation such as deforestation and forest degradation. This finds support under Principle 7 of the 2018 RSPO P&C, which consecrates the need to protect, conserve and enhance ecosystems and the environment.
Kyoto Protocol to the UN Framework Convention on Climate Change, 11 December 1997	Ratified on 28 August 2002	The Kyoto Protocol (KP), which centres on the implementation of the Clean Development Mechanism (CDM), also aims to mitigate climate change through carbon projects in developing countries. Amongst the CDM projects that have been funded include the development of palm oil projects, some of which have been accused of human rights violations. Since the KP seeks to increase carbon sinks through afforestation and reforestation projects that also deliver social benefits, the KP correlates with the following principles of the 2018 RSPO P&C: Principle 7, which consecrates the need to protect, conserve and enhance ecosystems and the environment; and Principle 4, which demands the need to respect community and human rights and deliver benefits.

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 10 September 1998 (amended in 24 September 2004, 31 October 2008, 24 June 2011, 10 May 2013 and 15 May 2015)	Ratified on 20 May 2002	<p>The convention aims to curb the trade of banned and hazardous chemicals and pesticides; develop national procedures for the control of their use and trade; promote shared responsibility and cooperative efforts among parties in the international trade of certain hazardous chemicals, in order to protect human health and the environment from potential harm and contribute to their environmentally sound use, by facilitating information exchange about their characteristics, by providing for a national decision-making process on their import and export, and by disseminating these decisions to parties (Articles 1, 5, and 6). Palm oil development projects involve the use of chemical inputs that may constitute potential harm to mankind and the environment. The convention therefore provides a framework for action to curb the trade of banned and hazardous chemicals and pesticides in order to protect human health and the environment from potential harm and contribute to their environmentally sound use in that light.</p> <p>In relation to oil palm development projects, the convention’s relevance is articulated in the 2018 RSPO P&amp;C: Principle 7, which consecrates the need to protect, conserve and enhance ecosystems and the environment; and Principle 4, which demands the need to respect community and human rights.</p>

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
International Tropical Timber Agreement, 18 November 1983, 26 January 1994 and 27 January 2006	Signed on 3 February 2007 and ratified on 21 August 2009	<p>It seeks to strengthen the capacity of members to improve forest law enforcement and governance, and address illegal logging and related trade in tropical timber (Article 1(n)); contribute to sustainable development and poverty alleviation (Article 1(c)). Given that palm oil development projects are associated with illegal logging and related trade in tropical timber, especially during the establishment of oil palm plantations, this agreement provides the framework for action to address such illegal logging and related trade in tropical timber.</p> <p>Thus, in relation to palm oil development projects, it is imperative that forest law enforcement and governance are strengthened so as to check against illegal logging and related trade in timber. This finds support under the 2018 RSPO P&amp;C Principle 1, which calls for the need to behave ethically and transparently and which demands for the need to operate legally; and Principle 7, which consecrates the need to protect, conserve and enhance ecosystems and the environment such as forest ecosystems.</p>

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 20 October 2005	Signed on 22 November 2006	The convention urges parties to take measures to protect and promote the diversity of cultural expressions, and impose obligations at both domestic and international levels on parties. Sometimes, palm oil development projects go against the spirit of this convention by encroaching into areas and spaces constituting cultural heritage of LCIPs. This convention therefore provides the framework for measures to protect and promote the diversity of cultural expression from palm oil development projects. Thus, in relation to palm oil development projects, there is the need to guard against the encroachment of oil palm plantations into areas constituting cultural heritage. Thus, the convention serves the purpose of the 2018 RSPO P&C Principle 4, which demands the need to respect community and human rights.
UN Convention against Corruption, 2000, entered into force on 14 December 2005	Ratified on 6 February 2006	This convention sets out to promote the development of standards and procedures to safeguard the integrity of companies and government officials, including codes of conduct for business activities, and prevent conflict of interest, promote transparency, and ensure that companies have sufficient internal auditing controls to prevent corruption in investments. Thus, this convention seeks to promote ethical business conduct. More often, palm oil development projects involve corruption, lack of accountability and unethical business practices that sometimes leaves LCIPs in precarious conditions.

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
UN Convention against Corruption, 2000, entered into force on 14 December 2005 (Continued)	Ratified on 6 February 2006	This convention therefore provides the framework for the necessary actions and procedures to combat corruption, lack of accountability and unethical business practices. As far as palm oil development value chain is concerned, there is the need to promote the development of standards and procedures to promote transparency, and ensure that companies have sufficient internal auditing controls to prevent corruption and ensure transparency. This finds policy relevance under the 2018 RSPO P&C Principle 1, which calls for the need to behave ethically and transparently; Principle 2, which demands for the need to operate legally and respect rights; Principle 3, which calls for the need to optimise productivity, efficiency, positive impacts and resilience; Principle 4, which demands the need to respect community and human rights and deliver benefits; Principle 5, which demands the need to support smallholder inclusion; and Principle 6, which calls for the need to respect workers' rights and conditions.



Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
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Convention for the Safeguarding of the Intangible Cultural Heritage, 17 October 2003

Ratified on 9 October 2012

Along with other international instruments that protect cultural heritage – such as the convention concerning the protection of world cultural and natural heritage – this convention is aimed at safeguarding the uses, representations, expressions, knowledge and techniques that communities, groups and, in some cases, individuals, recognise as an integral part of their cultural heritage. This intangible heritage is found in forms such as oral traditions, performing arts, social practices, rituals, festive events, knowledge and practices concerning nature and the universe, and traditional craftsmanship knowledge and techniques (Article 1). This definition, which is provided in Article 2 of the convention, also comprises the instruments, goods, objects of art and cultural spaces inherent to intangible cultural heritage.

Some of the areas designated for palm oil development projects constitute spaces where some of these intangible heritages are expressed and therefore go against the spirit of this convention by encroaching into areas and spaces constituting cultural heritage of LCIPs and groups. This convention therefore provides the framework for measures to safeguard intangible cultural heritage from palm oil development projects. Thus, in relation to palm oil development projects, there is the need to safeguard intangible cultural heritage from palm oil development projects as highlighted by the 2018 RSPO P&C Principle 4, which demands the need to respect community and human rights.

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Convention to Combat Desertification, (UNCCD) 1992	Ratified on 17 June 1994	<p>The UNCCD basically sets out to combat desertification and in line with the 10-year strategy of the UNCCD (2008-2018) that was adopted in 2007, parties to the convention further specified their goals: “to forge a global partnership to reverse and prevent desertification/land degradation and to mitigate the effects of drought in affected areas in order to support poverty reduction and environmental sustainability”. Thus, the convention in promoting sustainable land management, links environment and development. Degraded and abandoned lands previously occupied by oil palm projects are some of the environmental problems associated with palm oil development. This convention therefore provides the framework for actions to ensure that palm oil development does not result in land degradation and desertification that constitute a problem for mankind and the environment.</p> <p>In relation to palm oil development projects, there is the need to ensure that such projects do not result in land degradation and desertification. This finds support under the following 2018 RSPO P&amp;C principles: Principle 7, which consecrates the need to protect, conserve and enhance ecosystems and the environment; and Principle 4, which demands the need to respect community and human rights.</p>

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
UN Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 14 October 1994	Ratified on 29 May 1997	<p>This convention seeks to combat desertification and mitigate the effects of drought in those countries experiencing serious drought, particularly in Africa, through international cooperation and partnership with a view to achieving sustainable development and implementing long-term integrated strategies that focus simultaneously on improving the productivity of land and the rehabilitation, conservation and sustainable management of land and water resources, leading to improved living conditions. Sometimes, palm oil development projects can result in drought and/or desertification due to degraded, unproductive and abandoned lands previously occupied by palm oil projects. This convention therefore provides the framework for actions to ensure that palm oil development does not result in drought and/or desertification that constitute a problem for mankind and the environment.</p> <p>In relation to palm oil development projects, there is the need to ensure that such projects do not result in drought and/or desertification that constitute a problem for mankind. This finds support under the following 2018 RSPO P&amp;C principles: Principle 7, which consecrates the need to protect, conserve and enhance ecosystems and the environment; and Principle 4, which demands the need to respect community and human rights.</p>

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Montreal Protocol on Substances that Deplete the Ozone Layer, 16 September 1987 (amended on 29 June 1990)	Signed on 8 June 1992	This protocol seeks to protect the ozone layer by phasing out the production of numerous substances that are responsible for ozone depletion. Palm oil development, especially oil palm plantations, involves deforestation and forest degradation, which are responsible for carbon dioxide, one of the gases depleting the ozone layer. Thus, in relation to palm oil development projects, there is the need to ensure that such projects do not lead to the emission of carbon dioxide that depletes the ozone layer. This finds support under Principle 7 of the 2018 RSPO P&C, which consecrates the need to protect, conserve and enhance ecosystems and the environment.
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979	Signed on 6 June 1983 and ratified on 23 August 1994	CEDAW protects women's rights to work such as the right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service, and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training; right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work; right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction (Article 11). Palm oil development projects can be associated with numerous forms of discrimination against women regarding their rights to work as listed above. This convention therefore seeks to eliminate such discrimination.

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979 (Continued)	Signed on 6 June 1983 and ratified on 23 August 1994	Thus, in relation to palm oil development value chain, there is the need to ensure that women’s rights, especially their rights to work are safeguarded. This finds support under the following principles of the 2018 RSPO P&C: Principle 1, which calls for the need to behave ethically and transparently; Principle 2, which demands for the need to operate legally and respect rights; Principle 4, which demands the need to respect community and human rights and deliver benefits; and Principle 6, which calls for the need to respect workers’ rights and conditions.
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 3 March 1973	Signed on 5 June 1981	CITES ensures that no species of wild fauna or flora becomes or remains subject to unsustainable exploitation because of international trade. Palm oil development projects take place in areas containing endangered species of wild fauna or flora and therefore constitute a danger to their conservation. This convention therefore provides the framework for measures to ensure the protection of endangered species of wild fauna or flora. CITES plays an important role in helping to combat international trade in illegal logging that may occur during the development of oil palm plantation and gives varying degrees of protection to plants and wildlife. CITES’s relevance to palm oil development value chain can be inferred from its relevant provisions that seek to ensure the sustainable management and conservation of tropical forest. For instance, the treaty encourages members to strengthen the capacity of members to improve forest law enforcement and governance, and address illegal logging and trade in tropical timber (Articles III and VIII).

### Annex 3c

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 3 March 1973 (Continued)	Signed on 5 June 1981	In relation to palm oil development projects, it would be prudent to direct such projects away from area containing endangered species of wild fauna or flora. This finds support under Principle 7 of the 2018 RSPO P&C, which consecrates the need to protect, conserve and enhance ecosystems and the environment.
Convention Concerning the Protection of World Cultural and Natural Heritage, 16 November 1972	Ratified on 7 December 1982	This convention seeks to protect areas that have been classified as world cultural and natural heritage. Sometimes, palm oil development projects go against the spirit of this convention by encroaching into areas classified as world cultural and natural heritage. This convention therefore provides the framework for measures to protect areas that have been classified as world cultural and natural heritage from palm oil development projects.

Thus, in relation to palm oil development projects, there is the need to guard against the encroachment of oil palm plantations into areas classified as world cultural and natural heritage. Thus, the convention serves the purpose of the 2018 RSPO P&C Principle 4, which demands the need to respect community and human rights.

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
International Covenant on Civil and Political Rights (ICCPR), 1966	Ratified on 27 June 1984	<p>The ICCPR commits member states to protect and respect the civil and political rights of individuals. Palm oil development projects are usually associated with the violation of the civil and political rights of individuals. This convention therefore guarantees the protection of such civil and political rights, which are objects of potential violation by palm oil development projects.</p> <p>Thus, in relation to palm oil development value chain, there is the need to ensure that palm oil development does not violate the civil and political rights of individuals as supported by the 2018 RSPO P&amp;C Principle 1, which calls for the need to behave ethically and transparently; Principle 2, which demands for the need to operate legally and respect rights; Principle 4, which demands the need to respect community and human rights and deliver benefits; and Principle 6, which calls for the need to respect workers' rights and conditions.</p>

### Annex 3c

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966	Ratified on 27 June 1984	The ICESCR commits member states to protect and respect the economic, social and cultural rights of individuals such as the right of everyone to form trade unions and join trade unions of their choice, subject only to the rules of the organisation concerned, for the promotion and protection of their economic and social interests (Article 8(1)); fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work (Article 7); equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence; of the private sector, including businesses and transnational corporations, in efforts to eradicate all forms of gender-based violence against women; developing protocols and procedures addressing all forms of gender-based violence that may occur in the workplace or affect women workers, including effective and accessible internal complaints procedures (Article 7); right to adequate standard of living, including right to food (Article 11). Palm oil development projects are usually associated with the violation of these economic, social and cultural rights of individuals. This convention therefore guarantees the protection of such rights, which are objects of potential violation by palm oil development projects.



Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966 (Continued)	Ratified on 27 June 1984	Thus, in relation to palm oil development value chain, there is the need to ensure that palm oil development does not violate the economic, social and cultural rights of individuals as supported by the 2018 RSPO P&C Principle 1, which calls for the need to behave ethically and transparently; Principle 2, which demands for the need to operate legally and respect rights; Principle 4, which demands the need to respect community and human rights and deliver benefits; and Principle 6, which calls for the need to respect workers’ rights and conditions.
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), 21 December 1965	Signed on 24 June 1971	The ICERD requires Free, Prior and Informed Consent (FPIC) for decisions that may affect indigenous peoples. Most palm oil development projects are usually implemented in violation of the FPIC procedures vis-à-vis LCIPs. This convention therefore provides the framework for measures to respect the rights of LCIPs in the development of palm oil projects.  Thus, in relation to palm oil development projects, there is the need to give effect to the objective of this convention by carrying out the FPIC procedural requirement. This is supported by the 2018 RSPO P&C Principle 1, which calls for the need to behave ethically and transparently; Principle 2, which demands for the need to operate legally and respect rights; and Principle 4, which demands the need to respect community and human rights and deliver benefits.

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat, 2 February 1971 (amended in 1982 and 1987)	Ratified on 20 March 2006	<p>This convention guarantees the conservation and wise use of all wetlands through local and national actions and international cooperation as a contribution towards achieving sustainable development throughout the world, by stemming the progressive encroachment on and loss of wetlands for the benefit of people and wildlife. Palm oil development projects can exert a great deal of pressure on wetland ecosystems through the extension of oil palm plantation and waste from oil mills. Wetlands provide numerous social, ecological, cultural and environmental services. In fact, the importance of wetland ecosystems cannot be overstated. This convention therefore seeks to protect wetland ecosystems that may be encroached upon by oil palm plantations.</p> <p>Thus, in relation to palm oil development projects, there is the need to direct such projects away from wetland ecosystems so as to ensure that wetlands continue to provide services to people and wildlife. This is captured by Principle 7 of the 2018 RSPO P&amp;C, which consecrates the need to protect, conserve and enhance ecosystems and the environment.</p>

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Convention on the Conservation of Migratory Species of Wild Animals (CMS), also known as the Bonn Convention, 6 November 1979	November 1983	<p>The CMS sets out to protect those species of wild animals that migrate across or outside national boundaries.</p> <p>Palm oil development especially the establishment of oil palm plantations can lead to the fragmentation of the habitats of migratory species of wild animals. Thus, this convention seeks to protect such habitats. In relation to palm oil development projects, there is the need to ensure that such projects do not encroach into the habitats of migratory species of wild animals. This finds support under the 2018 RSPO P&amp;C Principle 7, which consecrates the need to protect, conserve and enhance ecosystems and the environment.</p>
Cartagena Protocol on Biosafety to the Convention on Biological Diversity, 29 January 2000	Signed on 9 February 2001 and ratified on 20 February 2003	To ensure the safe handling, transport and use of living modified organisms (LMOs) resulting from modern biotechnology that may have adverse effects on biological diversity, taking also into account risks to human health.

### Annex 3c

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 22 March 1989	Signed on 9 February 2001 and ratified on 10 May 2001	To reduce the movements of hazardous wastes between nations, and specifically to prevent the transfer of hazardous wastes from developed to less developed countries (LDCs). It does not, however, address the movement of radioactive wastes. This convention also intends to minimise the amount and toxicity of wastes generated, to ensure their environmentally sound management as close as possible to the source of generation, and to assist LDCs in environmentally sound management of hazardous and other wastes they generate.
Stockholm Convention on Persistent Organic Pollutants, 22 May 2001	17 May 2004	Control or eliminate the use of dangerous chemicals and pesticides.  Prohibit and/or eliminate the production and use of chemicals listed in Annex A (e.g. Aldrin, Chlordane PCB); restrict the production and use of chemicals in Annex B (e.g. DDT); reduce or eliminate the releases of chemicals listed in Annex C (e.g. hexachlorobenzene) (Articles 1-5).
UN Convention on the Rights of the Child, 20 November 1989	Signed on 25 September 1990 and ratified on 11 Jan 1993	Rights of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development (Article 32).
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)- ILO	4 July 1978	Respect basic human rights; protect illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labour (Articles 1-12).

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Migration for Employment Convention (Revised), 1949 (No. 97)- ILO	3 September 1962	<p>Protection of Plantation Workers</p> <p>Protection of members of families of recruited workers' rights during recruitment and transport; fair employment contracts; abolition of penal sanctions; fair wages and conditions of work; no coercion or obligation to use company stores; adequate accommodation and conditions; maternity protection; compensation for injuries and accidents; freedom of association; right to organise and collective bargaining; proper labour inspection; decent housing and medical care (Articles 5-91).</p>
Forced Labour Convention, 1930 (No. 29)- ILO	7 June 1960	<p>Prohibits the use of force labour in all forms irrespective of the nature of the work or the sector of activity within the shortest possible period.</p> <p>No concession to companies shall involve any form of forced or compulsory labour.</p> <p>Provides the measures that should be taken for the avoidance of forced or compulsory labour.</p>
Abolition of Forced Labour Convention, 1957 (No. 105)- ILO	3 September 1962	Not make use of any form of forced or compulsory labour (Article 1).
Minimum Age Convention, 1973 (No. 138) - ILO	13 August 2001	Abolition of child labour and definition of national minimum

### Annex 3c

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Minimum Age (Agriculture) Convention, 1921 (No. 10)- ILO	25 may 1970	Applicable to children under the age of 14 outside the hours of attendance in school (Articles 1-2).
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)- ILO	13 May 1988	Equality of opportunity and treatment in respect to employment and occupation; no discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin (Articles 1-2).
Equal Remuneration Convention, 1951 (No. 100)- ILO	25 May 1970	Equal remuneration for men and women for work of equal value (Articles 1-3).
Right to Organise and Collective Bargaining Convention, 1949 (No. 98)- ILO	3 September 1962 Ratified on 3 September 1962	Protection against anti-union acts and measures to dominate unions; establish means for voluntary negotiation of terms and conditions of employment through collective agreements (Articles 1-4).
Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - ILO	7 June 1960	Freedom to join organisations, federations and confederations of their own choosing, with freely chosen constitutions and rules; measures to protect the right to organise (Articles 2-11).
Worst Forms of Child Labour Convention, 1999 (No. 182)- ILO	5 June 2002	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution; suitable methods to monitor and enforce compliance (Articles 1-7).
Maternity Protection Convention (Revised), 1952 (No. 103)- ILO	25 May 1970	It offers protection to pregnant women who are workers of palm oil production companies by granting the right to maternity leave.
Right of Association (Agriculture) Convention, 1921 (No. 11)- ILO	7 June 1960	All those who work in the agricultural sector to be accorded the same rights of association and combination as to industrial workers (Article 1).

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Holidays with Pay (Agriculture) Convention, 1952 (No. 101)- ILO	25 may 1970 <b>but denounced</b>	Workers employed in agricultural undertakings and related occupations shall be granted an annual holiday with pay after a period of continuous service with the same employer (Articles 1, 3, 5, 7-9).

### Regional and Sub-regional hard law instruments

Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, 1991 (entered into force one 20 March 1996)	Signed on 1 March 1998 and ratified on 11 July 1994	In the context of palm oil production, this convention seeks to prevent all wastes that may result from the various processes of palm oil production, which may constitute a danger to human health and the environment.
Convention for Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region (Abidjan Convention), 1981	20 August 1984	In the context of palm oil production, this convention seeks to prevent the negative impacts that palm oil development value chain may have on marine environments or water bodies for general environmental and human protection.
Memorandum of Understanding on Strengthening Cooperation and Mutual Support in Conservation of Wild Fauna and Flora between COMIFAC and the Task Force for Cooperative Enforcement Operations on Illegal Trade in Wild Fauna and Flora (The Lusaka Agreement Task Force), 8 September 1994	Ratification is not required	In the context of palm oil development, this memorandum seeks to prevent the negative impacts that palm oil development value chain may have on wildlife and forests due to oil palm expansion.

### Annex 3c

## INTERNATIONAL LEGAL INSTRUMENTS RELEVANT FOR SUSTAINABLE PALM OIL DEVELOPMENT IN CAMEROON

Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
African Convention on the Conservation of Nature and Natural Resources, 17 January 1968 (revised on 11 July 2003)		In the context of palm oil production, this convention seeks to prevent the negative impacts that palm oil development value chain may have on the environments generally.
Treaty on the Conservation and Sustainable Management of Forest Ecosystems in Central Africa and to Establish the Central African Forests Commission (COMIFAC), February 2005		It seeks to protect forest ecosystems from the expansion of oil palm plantations.
African Charter on Human and Peoples' Rights, 1 June 1981	20 June 1989	Intends to promote and protect human rights and basic freedoms in the African continent. It provides a general framework for all human rights abuses across all sectors. It seeks to guarantee respect for human rights regardless of age, nationality, gender, race, ethnicity, religion, ability, marital status, sexual orientation and gender identity, political opinion or affiliation, etc., across sectors. Thus, its relevance in the context of palm oil development in Cameroon, which is associated with numerous human rights abuses.
Agreement on the Conservation of Gorillas and their Habitats, 26 October 2007 (entered into force in June 2008)		Its main objective is to conserve and restore the highly threatened gorilla populations in Central and West Africa through an action plan covering education, research and forest protection.



Key international hard law instruments to which Cameroon is a party applicable to palm oil development	Date of signature/ accession by Cameroon	Their relevance in strengthening the socio-economic and environmental benefits of palm oil development in line with the 2018 RSPO P&C
Regulation No. 17/99/CEMAC-020-CM-03 instituting the CEMAC Investment Charter	Direct application	It creates an enabling environment for business development by reducing administrative procedures and bottlenecks, and provide investors with all information necessary for a rapid processing of the documents required for their activities. Although no specific reference is made to the development of the palm oil sector, palm oil development in Cameroon is indirectly promoted by this regulation. Another inherent weakness of this regulation is its failure to address environmental and social linkages of investments (See items 8 and 10).



## ANNEX 4: IMPLEMENTATION PROCEDURE FOR INDICATOR 2.3.2

Where the unit of certification has smallholder suppliers, for existing RSPO certified mills, the time requirement to fulfil this criterion for all their smallholder suppliers is by 15 November 2023. For mills that are not yet certified/mills going for the first year of certification, the time requirement is three (3) years from the initial point of certification for their smallholder suppliers.

## ANNEX 5: INTERPRETATION OF INDICATOR 7.12.2 AND ANNEX 5

Criterion 7.12 requires that new land clearing after 15 November 2018 (i.e. adoption of the P&C at GA15) must be preceded by an HCV-HCS assessment.

The Task Force recognises that there is an array of scenarios, in which HCV assessments have previously been undertaken and have been approved or are in the process of approval. This Annex shows how the new requirements apply in different scenarios of existing and new certifications, with and without new land clearing.

### NO NEW LAND CLEARING SCENARIOS:

- Existing certified plantations, with valid HCV assessment approved before 15 November 2018
  - o Going for recertification → HCV assessment is acceptable
  - o Replanting → HCV assessment is acceptable
- Existing plantations, not yet certified at 15 November 2018, going for initial certification
  - o Without existing ALS Approved HCV Assessment → New combined HCV-HCS required
  - o With valid ALS approved HCV assessment → ALS Approved Assessment acceptable
    - Where certification is pending, as of 15 November 2018, because it has been held up by RACP or HGU processes, previous approved HCV assessment (RSPO and ALS approved), if they are not older than January 2009<sup>1</sup>, will be accepted.
  - o HCV assessment submitted to ALS but pending approval before 15 November 2018
    - If passes ALS process, then the approved HCV assessment is acceptable;
    - If fails ALS process, new combined HCV-HCS assessment required
  - o Replanting → ALS approved HCV is acceptable.

## INTERPRETATION OF INDICATOR 7.12.2 AND ANNEX 5

### NEW LAND CLEARING SCENARIOS:

- In new plantations and in existing uncertified units, land clearing after 15 November 2018
  - o Without existing HCV assessment
    - New combined HCV-HCS required
  - o HCV assessment conducted, but not yet submitted to ALS before 15 November 2018
    - New combined HCV-HCS required
  - o HCV Assessment submitted to ALS but pending approval before 15 November 2018
    - If passes ALS process, then the approved HCV assessment is acceptable;
    - If fails ALS process, new combined HCV-HCS assessment required
  - o NPP initiated by 15 November 2018 and HCV assessment conducted and passes ALS before 15 November 2018
    - ALS Approved HCV assessment is acceptable
  
- In existing certified plantations (certified before 15 November 2018), with land clearing after 15 November 2018 → New combined HCV-HCS required
  - o If area to be cleared is exclusively pasture, infrastructure, agriculture or monocrop tree plantations which have not been abandoned for more than three years
    - Valid HCV assessment + LUCA to demonstrate that no clearing of native vegetation occurred without prior HCV assessment is acceptable.

<sup>1</sup>The date for first published list of RSPO-approved HCV assessors.

## ANNEX 6: SMALLHOLDERS IN CAMEROON

The National Interpretation Working Group (NIWG) has reviewed the current RSPO's definitions for smallholder, independent and scheme smallholders as defined in the RSPO's new Independent Smallholder (ISH) Standard. The NIWG has agreed on the overall smallholder definition and maintained the definitions for scheme and independent smallholders.

### **SMALLHOLDERS:**

Farmers growing oil palm, sometimes in conjunction with subsistence agriculture/commercial production of other crops, where family is used and provides the majority of labour and where the farm provides the main source of income and where the area sown with oil palm is usually less than 50 ha.

### **Scheme Smallholder:**

Farmers, landowners or their delegates who do not have:

- enforceable decision-making authority over land use and production practices.
- freedom to choose how they use their land, what kind of crops to plant and how they manage it (if and how they organise, manage and finance the land).

### **Independent Smallholder:**

All smallholder farmers who are not considered to be scheme smallholders [see definition of Scheme Smallholders] are considered independent smallholder farmers.

Cameroon has agreed to adopt the RSPO's new Independent Smallholders (ISH) Standard, which sets out the group certification requirements for independent smallholders. The NIWG has also expressed an interest in participating in a national interpretation of the RSPO ISH Standard if financial support is available.

The RSPO is an international non-profit organisation formed in 2004 with the objective to promote the growth and use of sustainable oil palm products through credible global standards and engagement of stakeholders.

[www.rspo.org](http://www.rspo.org)



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