

# RSPO

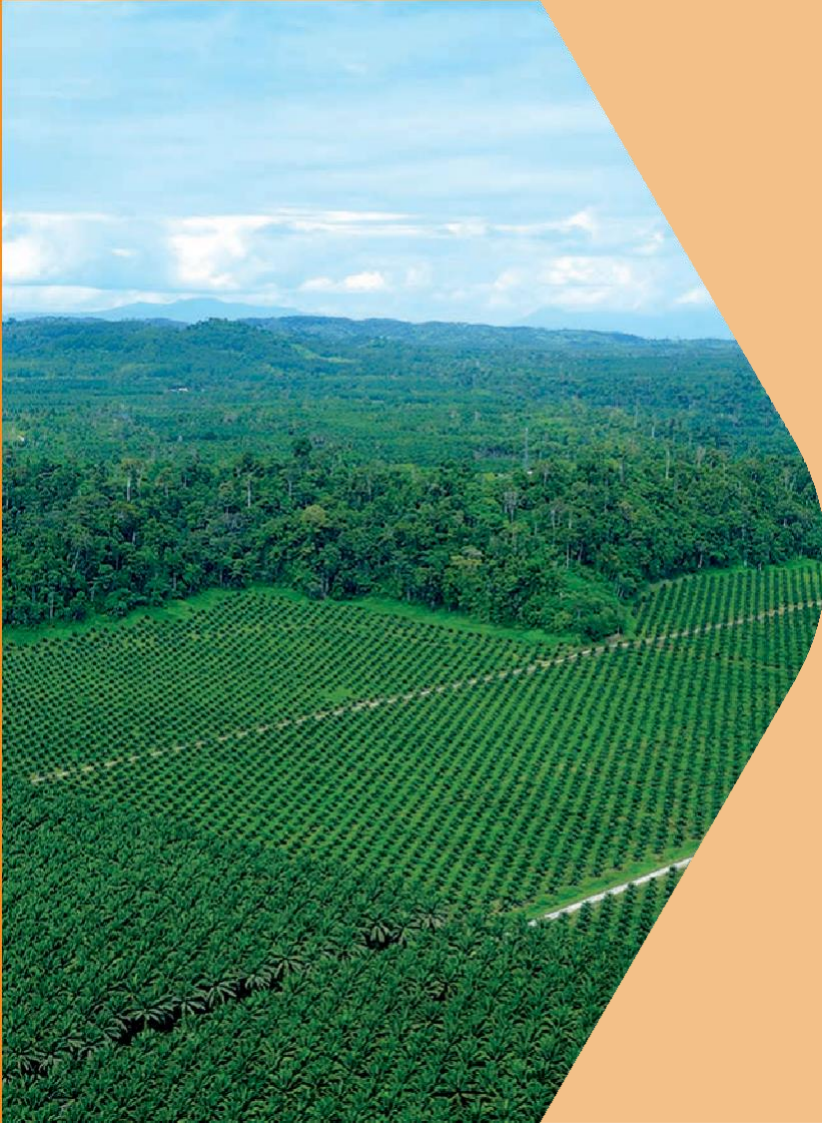
Roundtable on Sustainable Palm Oil



## **NATIONAL INTERPRETATION (NI) OF THE RSPO PRINCIPLES AND CRITERIA 2018 FOR GUATEMALA** for the Production of Sustainable Palm Oil

Developed by the National Working Group through the National Interpretation process and endorsed by the RSPO Board of Governors on the 10<sup>th</sup> June 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 the following set of Principles and Criteria (P&C), and the accompanying Indicators and Guidance.

The first set of P&C, Indicators and Guidance (RSPO P&C 2007) have been applied since November 2007. These had been 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 years of application by RSPO members, RSPO P&C 2007 were reviewed in 2012–2013, leading to the RSPO P&C 2013. After a further five years of application, these 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 in achieving 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 to increase accessibility by making them more relevant and practical.

The review process went beyond ISEAL best practices, including two public consultation periods of 60 days each and 17 physical consultation workshops in 10 countries around the world, as well as 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 (RSPO P&C 2018).

In line with ISEAL best practices, this document (RSPO P&C 2018) will be completely reviewed again after five 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 Organisation (ILO)'s Declaration on Fundamental Principles and Rights at Work [<http://www.ilo.org/declaration/lang-en/index.htm>].

This document (RSPO P&C 2018) 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.

The Independent Smallholders' Standard was approved by RSPO in November 2019.

This document (RSPO P&C 2018) is effective after adoption by the RSPO 15th General Assembly (GA15) on 15 November 2018. As stated in section nine of the RSPO Standard Operating Procedures (SOP) for Standard Setting, NIs must be revised to be fully consistent with the RSPO P&C 2018 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 year of it being endorsed by the Board of Governors (BoG).

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

In countries without NIs and/or in cases where members have conducted a Local Interpretation applicable to their own operations, P&C 2018 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 P&C 2013 (or their current NI), but shall demonstrate compliance to the new RSPO P&C 2018 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 RSPO P&C 2018 and, in that context, please note the disclaimer and procedural note for the Supply Chain requirements for mills at the end of Principle 3.

Annex 1 provides 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. Annex 4 provides the necessary details for the implementation procedure for Indicator 2.3.2. Annex 5. describes the transition from HCV to HCV-HCS assessment. Annex 6. contains the Guatemalan Legal Framework. Annex 7. presents smallholder definitions based on the Guatemalan context. Annex 8. presents practices to protect surface water quality, addressing indicator 7.8.2. Annex 9. includes specific national regulation related to indicator 7.8.2.

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 this document 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.



# NATIONAL INTERPRETATION OF THE RSPO P&C 2018 FOR GUATEMALA

Targeting the implementation of the RSPO P&C 2018, adapting it to the country's legal and regulatory framework for the sustainable production of palm oil in Guatemala, The Fundacion Solidaridad Latinoamericana (Solidaridad) has highlighted the importance of having a National Interpretation (NI) of the standard, thus facilitating the process. With the experience of developing the 2013 RSPO NI for Guatemala, carried out in 2014, the palm sector extended its trust in Solidaridad to facilitate and lead the process in a transparent and neutral manner.

During the course of 2019 Solidaridad held meetings with the palm oil consortium of Guatemala, approving the NI process Work Plan and Budget that then was submitted to the RSPO Latin America (LATAM) executive office. Solidaridad became a ratified member of Technical Secretariat in October 2019. In 2020, under the terms of reference of the RSPO, and after carrying out key actor mapping at a national level, the Technical Secretariat summoned the interested parties to integrate the NI Working Group (NIWG).

The NWG is composed of 26 organisations that include civil society, non-governmental, environmental and social organisations, governmental agencies such as the Ministry of Agriculture, Livestock and Food (MAGA), Ministry of the Environment and Natural Resources (MARN), National Institute of Forests (INAB), National Council of Protected Areas (CONAP), Oil Palm Producers Guild (GREPALMA), Small Producers Cooperative (ADINC), producing and processing companies that

are members of RSPO, relevant experts (RSPO auditors HCV assessors, and conservation specialists), and traders of palm oil and derivatives.

All members of the NIWG were informed about the NI process and their respective roles. Each member signed the code of conduct and were officially designated to the process by their corresponding organisations. The Technical Secretariat identified the national legal framework applicable to relevant environmental, social, production issues, etc., to be reviewed in the group sessions. During the NI process, the RSPO LATAM office was regularly updated on its progress and frequently advised on key issues or milestones.

Guatemala has been under several restrictions due to the COVID-19 pandemic, therefore it was necessary to adapt the work plan of the process and implement an interactive methodology by developing virtual meetings through the digital platform of the Mesoamerican Palm Oil Alliance Programme (MAPA, <https://www.mapa-solidaridad.org/interpretacion-nacional-gt>) hosted by Solidaridad. Relevant RSPO references are available on this web page, as well as NIWG documents, meeting schedules, and a blog spot. The NIWG was divided into three subgroups to maximise time and resources. The groups were created according to the areas of impacts of the P&C RSPO 2018: 1) Prosperity, 2) People and 3) Planet. The president of the NIWG was democratically elected from a list of candidates proposed by the NIWG members. The elected president was briefed on the responsibilities and roles of that position.

The RSPO 2018 NI process was officially launched on May 4th, 2020 on the MAPA platform. RSPO officials Francisco Naranjo, Executive Director of RSPO LATAM and Julia Majail, Director of the Development of the RSPO Standard participated; a total of 38 attendees were registered (66% men, 34% women).

From that point on, the NIWG held working sessions every two weeks to work on criteria guidance and adopting the legal and regulatory framework. Each session was recorded with the participants consent as well as notes on each of the proceedings. Each working group was also familiarised with the RSPO Independent Smallholder Standard (2019), by explaining its structure, scope and objectives. Sessions were also dedicated to discussions of the definitions of Smallholders, Scheme Smallholders and Independent Smallholders, considering the conditions of palm oil producers in the context of the national palm oil sector.

For effective awareness raising during the public consultation period, the RSPO 2018 NI document for Guatemala preliminary draft was disseminated in both Spanish and English for greater outreach. The Technical Secretariat developed a stakeholder map to identify members of the palm oil value chain, academics, government organisations, as well as civil society and financial organisations, in order to invite them to participate in the public consultation. There was a public consultation template to provide and receive feedback and a specific email for this purpose ([palma.guatemala@solidaridadnetwork.org](mailto:palma.guatemala@solidaridadnetwork.org)). Additionally, invitations to participate were posted in social media, national newspapers and other media. A short video clip was produced to explain the process and promote participation. Webinars were conducted to reach interested groups such as communities, producers, local governments, and local NGOs.

To promote the public consultation period on social networks, the Technical Secretariat produced five videos explaining the public consultation process and its importance, which were published on social networks. In addition to the dissemination in digital media, announcements were also prepared and published in the main newspapers of the country, to promote participation in the public

consultation. Virtual forums were held to expand information with grassroots groups, producers, local governments, local NGOs

At the end of the public consultation period, the feedback was gathered and analysed, for incorporation into the NI. After NIWG approval of the document, it was resubmitted to the RSPO Secretariat.

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Acronym	Meaning
AFI	Accountability Framework Initiative
ALS	Assessor Licensing Scheme
ASA	Annual Surveillance Assessments
ASEAN	Association of Southeast Asian Nations
BHCV WG	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 Organisation

Acronym	Meaning
FFB	Fresh Fruit Bunch
FPIC	Free, Prior and Informed Consent
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



Acronym	Meaning
IFL	Intact Forest Landscape
ILO	International Labour Organisation
IP	Identity Preserved
IPCC	Intergovernmental Panel on Climate Change
IPM	Integrated Pest Management
ISO	International Organisation for Standardisation
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
P&C	RSPO Principles and Criteria
PK	Palm Kernel

Acronym	Meaning
PLWG	Peatland Working Group
PO	Palm Oil
POME	Palm Oil Mill Effluent
PPE	Personal Protective Equipment
QMS	Quality Management System
RaCP	Remediation and Compensation Procedure
REDD	Reducing Emissions from Deforestation and Forest Degradation
RSPO	Roundtable on Sustainable Palm Oil
RTE	Rare, Threatened or Endangered
SCCS	RSPO Supply Chain Certification Standard
SDG	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 for sustainable 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, that do not fall under the definition of independent mill as outlined in the RSPO SCC standard); and to all growers, who do not meet the definition of Independent Smallholder or the applicability requirements as outlined in the RSPO Independent Smallholder Standard (2019) and therefore cannot apply the RSPO Smallholder 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 in RSPO Certification Systems 2017). Guidance for implementation of the RSPO P&C 2018 for Scheme Smallholders and outgrowers will be developed.

The RSPO P&C apply to existing plantings, as well as planning, siting, development, expansion and 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 in 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 in RSPO Certification Systems 2017). 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) provides help with implementation of Indicators, but is not normative, nor can non-conformities be raised against this section.

Team	Explanation	RSPO Standard Setting document	Category
Principle	Fundamental statements about a desired outcome	A fundamental statement about a desired outcome, often providing greater detail about the objectives.	Normative
Criteria	What implementation of the Principle looks like – the preconditions or 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
Indicator	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
Guidance	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
Procedural Note	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

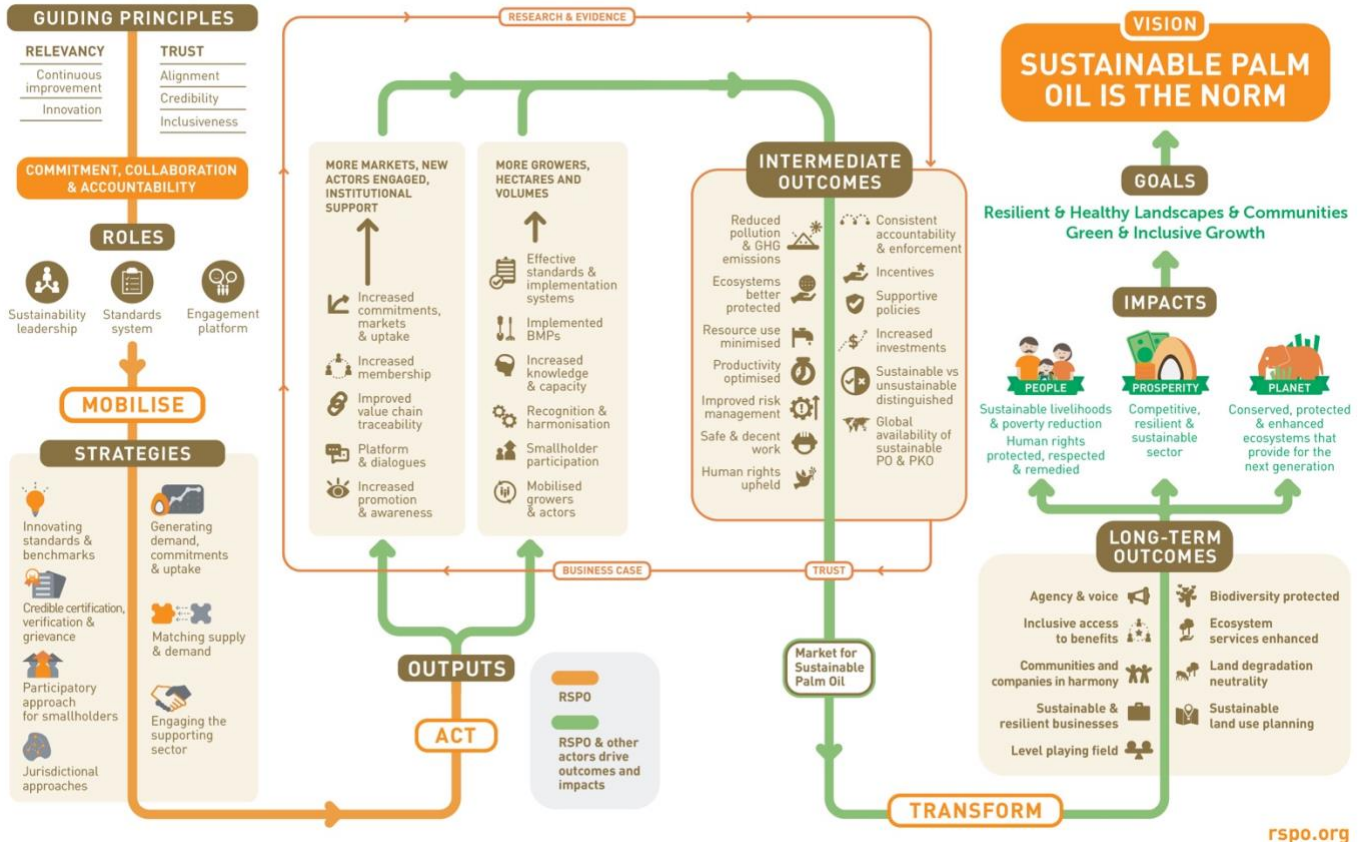
Throughout the standard, some terms carry a specific RSPO definition, which is provided in Annex 1 – Definitions section of this standard. These definitions are binding elements of Criteria and Indicators.

## 2. RSPO VISION AND THEORY OF CHANGE



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 metrical (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 because of 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 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 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>  <b>Impact Goal:</b>  <b>Competitive, resilient and sustainable sector</b></p>	<p>A sustainable, competitive, and resilient palm oil sector ensures and 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 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>  <b>Impact Goal:</b>  <b>Sustainable livelihoods and poverty reduction</b></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 fulfil 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>  <b>Impact Goal:</b>  <b>Conserved, protected and enhanced ecosystems that provide for the next generation</b></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



PROSPERITY



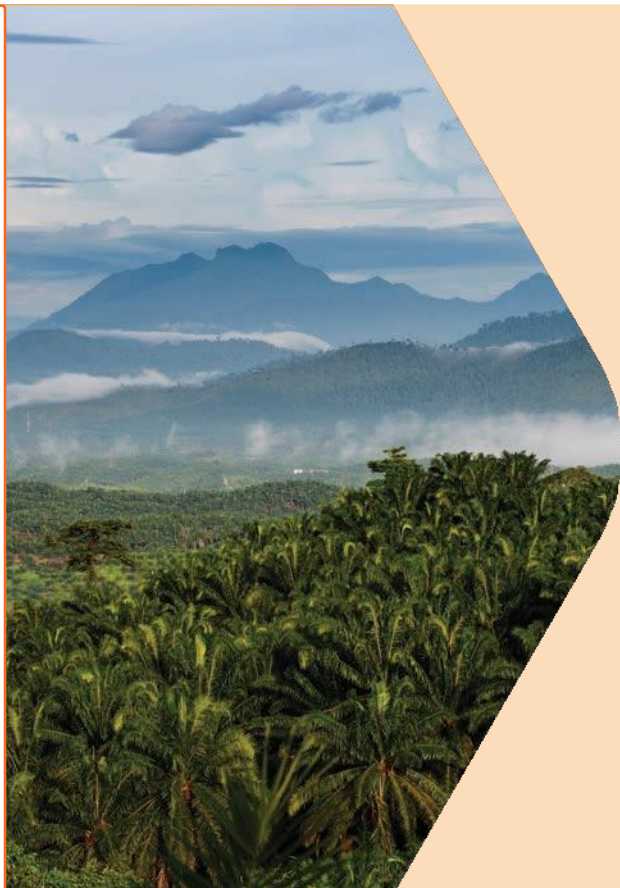
PEOPLE



PLANET

	Criteria Topic	2018 P&C Criterion No	2013 P&C CriterionNo	
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 FFB 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)
	PEOPLE	4.	Training	3.7
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	
		Improved SH livelihoods	5.1	6.1
5.		Pay and working conditions	5.2	6.11 (part)
		No discrimination	6.1	6.8
6.		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	
	Working environment	6.7	4.7 (part)	
	PLANET	7.	Effective Integrated Pest Management	7.1
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, 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 the private sector as well as the livelihoods of communities where oil palm 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	Indicators	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 RSPOP&Care made publicly available.	Improved risk management
	1.1.2 Information is provided in appropriate languages 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 principles of operation in any jurisdiction.



Criteria	Indicators	ToC Outcomes
<p>2.1 There is compliance with all applicable local, national, and ratified international laws and regulations</p> <p><b>i</b></p>	<p>2.1.1 <b>(C)</b> The unit of certification complies with applicable legal requirements.</p> <p>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.</p> <p>2.1.3 Legal or authorised boundaries are clearly demarcated and visibly maintained, and there is no planting beyond these legal or authorised boundaries.</p>	<p><b>Improved risk management</b></p>
<p>2.2 All contractors providing operational services and supplying labour, and Fresh Fruit Bunch (FFB) suppliers, comply with legal requirements</p> <p><b>i</b></p>	<p>2.2.1 A list of contracted parties is maintained.</p> <p>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.</p> <p>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.</p>	<p><b>Improved risk management; Human rights upheld; Safe and decent work</b></p>



Criteria	Indicator	ToC
<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</li> <li>• Where applicable, valid planting/operating/trading license, or is part of a cooperative which 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 centers, agents or other intermediaries, the evidence as listed in Indicator 2.3.1.</p> <p><b>PROCEDURAL NOTE:</b> For Implementation Procedure for 2.3.2 refer to Annex 4.</p>	<p><b>Improved risk management</b></p>

### Principle 3

## OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE



Implement plans, procedures and systems for continuous improvement.

Criteria	Indicators	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 years) is documented that includes, where applicable, a jointly developed business case for Scheme Smallholders. 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.	Improved risk management; Productivity optimised
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. 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.	Improved risk management

Criteria	Indicators	ToC Outcomes
3.3 Operating procedures are appropriately documented, consistently implemented and monitored 	3.3.1 (C) 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.	<b>Improved risk management</b>
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 (C) 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. 3.4.2 For the unit of certification, a SEIA is available and social and environmental management and monitoring plans have been developed with participation of affected stakeholders. 3.4.3 (C) The social and environmental management and monitoring plan is implemented, reviewed and updated regularly in a participatory way.	<b>Improved risk management; Human rights upheld</b>

### Principle 3

## OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Criteria	Indicator	ToC
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.	<b>Improved risk management; Safe and decent work</b>
	3.5.2 Employment procedures are implemented and records are maintained.	
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.	<b>Improved risk management; Safe and decent work</b>
	3.6.2 <b>(C)</b> The effectiveness of the H&S plan to address health and safety risks to people are monitored.	
3.7 All staff, workers, Scheme Smallholders, outgrowers, and contract workers are appropriately trained 	3.7.1 <b>(C)</b> A documented programme that provides training is in place, which is accessible to all staff, workers, Scheme Smallholders and outgrowers, taking into account gender-specific needs, and which covers applicable aspects of the RSPO P&C, in a form they understand, and which includes assessments of training.	<b>Improved risk management; Safe and decent work</b>
	3.7.2 Records of training are maintained, where appropriate on an individual basis.	
	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.	



# 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 definition in Supply Chain Certification Standard applies.

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

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicator	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 3rd 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	Indicator	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	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&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.	<b>Improved risk management</b>
	3.8.4 The mill shall also meet all registration and reporting requirements for the appropriate supply chain through the RSPO IT platform.	<b>Improved risk management</b>
	3.8.5 Documented procedures  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: <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	Indicator	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>

Criteria	Indicator	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.7 Purchasing and Goodsin <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 GoodsOut <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	Indicator	ToC
3.8 Supply Chain Requirements for Mills (Continued)	<ul style="list-style-type: none"> <li>g) The quantity of the products delivered;</li> <li>h) Any related transport documentation;</li> <li>i) A unique identification number.</li> </ul>	
	3.8.9 Outsourcing Activities	<b>Improved risk management</b>
	<ul style="list-style-type: none"> <li>(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.</li> </ul>	

Criteria	Indicator	ToC
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	Indicator	ToC
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.	Improved risk management
	3.8.14 Extraction rates shall be updated periodically to ensure accuracy against actual performance or industry average if appropriate.	Improved risk management
	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.	Improved risk management

## SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicator	ToC
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>	

# 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**





Criteria	Indicator	ToC
<p>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)</p> 	<p>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.</p>	<p><b>Human rights upheld</b></p>
<p>4.3 The unit of certification contributes to local sustainable development as agreed by local communities</p> 	<p>4.3.1 Contributions to community development that are based on the results of consultation with local communities are demonstrated.</p>	<p><b>Human rights upheld</b></p>
<p>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> 	<p>4.4.1 (C) Documents showing legal ownership or lease, or authorised use of customary land authorised by customary landowners through a Free, Prior and Informed (FPIC) process. Documents related to the history of land tenure and the actual legal or customary use of the land are available.</p>	<p><b>Human rights upheld</b></p>

## Principle 4


### RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicator	ToC
<p>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>	<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> <li>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.</li> </ul> <p>4.4.3 <b>(C)</b> Maps of an appropriate scale showing the extent of recognised legal, customary or user rights are developed through participatory mapping involving affected parties (including neighbouring communities where applicable, and relevant authorities).</p>	<p><b>Human rights upheld</b></p>



Criteria	Indicators	ToC Outcomes
<p>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> 	<p>4.4.4 All relevant information is available in appropriate forms and languages, including assessments of impacts, proposed benefit sharing, and legal arrangements.</p> <p>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>4.4.6 There is evidence that implementation of agreements negotiated through FPIC is annually reviewed in consultation with affected parties.</p>	<p><b>Human rights upheld</b></p>
<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 available</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><b>Human rights upheld</b></p>

## Principle 4

### RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS


Criteria	Indicators	ToC Outcomes
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>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>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>	Human rights upheld



Criteria	Indicators	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>4.5.7 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><b>Human rights upheld</b></p>
<p>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.</p> 	<p>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.</p> <p>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.</p> <p>4.6.3 Evidence is available that equal opportunities are provided to both men and women to hold land titles for small holdings.</p>	<p><b>Human rights upheld</b></p>

## Principle 4

### RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicators	ToC Outcomes
<p>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. (Continued)</p> 	<p>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.</p>	<p><b>Human rights upheld</b></p>
<p>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</p>	<p>4.7.1 <b>(C)</b> A mutually agreed procedure for identifying people entitled to compensation is in place.</p> <p>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.</p> <p>4.7.3 Communities that have lost access and rights to land for plantation expansion are given opportunities to benefit from plantation development.</p>	<p><b>Human rights upheld</b></p>



Criteria	Indicators	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 involvement of affected parties (including neighbouring communities where applicable).</p>	<p>Human rights upheld</p>

## Principle 5

# SUPPORT SMALLHOLDER INCLUSION

Include smallholders in RSPO supply chains and improve their livelihoods through fair and transparent partnerships.

Criteria	Indicator	ToC
5.1	<p>The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses.</p>	<b>Inclusive access to benefits</b>
5.1.1	Current and previous period prices paid for FFB are publicly available and accessible by smallholders.	
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	Indicators	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.	<b>Inclusive access to benefits</b>
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 approved the Independent Smallholder Standard in November 2019.	<b>Inclusive access to benefits</b>

## Principle 5


### SUPPORT SMALLHOLDER INCLUSION

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

## Principle 6



# RESPECT WORKERS' RIGHTS AND CONDITIONS

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


Criteria	Indicators	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 local communities, women, and migrant workers have not been discriminated against. Evidence includes migrant workers' non-payment of recruitment fees.</p> <p>6.1.3 The unit of certification demonstrates that recruitment selection, hiring, 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>	<b>Human rights upheld; Safe and decent work</b>

## Principle 6

### RESPECT WORKERS' RIGHTS AND CONDITIONS



Criteria	Indicators	ToC Outcomes
6.1 Any form of discrimination is prohibited. (Continued) 	6.1.5 (C) A gender committee is in place specifically to raise awareness, identify and address issues of concern, as well as opportunities and improvements for women.  6.1.6 There is evidence of equal pay for the same scope of work.	<b>Human rights upheld; Safe and decent work</b>
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 (C) Applicable labour laws, union and/or other collective agreements and documentation of pay and conditions are available to the workers in national languages and explained to them in a language they understand.  6.2.2 (C) 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 performed by family members.  6.2.3 (C) 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.	





Criteria	Indicators	ToC Outcomes
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>6.2.4 <b>(C)</b> The unit of certification provides adequate housing, sanitation facilities, water supplies, 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 (5 years) is allowed to upgrade 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 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 has prepared guidance on the DLW implementation in 2019, including details on how to calculate a DLW. 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>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>	

## Principle 6


### RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicators	ToC Outcomes
<p>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> <p></p>	<p>6.3.1 <b>(C)</b> A published statement recognising freedom of association and right to collective bargaining in national languages 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 national languages 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>	<p><b>Human rights upheld;</b> <b>Safe and decent work</b></p>
<p>6.4 Children are not employed or exploited.</p> <p></p>	<p>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.</p> <p>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.</p>	<p><b>Human rights upheld;</b> <b>Safe and decent work</b></p>

Criteria	Indicator	ToC
6.4	<p>Children are not employed or exploited. (Continued)</p> <p></p> <p>6.4.3 (C) Young persons may be employed only for non-hazardous work, with protective restrictions in place for that work.</p> <p>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.</p>	<p><b>Human rights upheld;</b> <b>Safe and decent work</b></p>
6.5	<p>There is no harassment or abuse in the workplace, and reproductive rights are protected.</p> <p></p> <p>6.5.1 (C) 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 (C) 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 Grievance mechanism, which respects anonymity and protects complainants where requested, is established, implemented and communicated to all levels of the workforce.</p>	<p><b>Human rights upheld;</b> <b>Safe and decent work</b></p>

## Principle 6

### RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicators	ToC Outcomes
6.6 No forms of forced or trafficked labour are used. 	<p>6.6.1 (C) All work is voluntary, and the following are prohibited:</p> <ul style="list-style-type: none"> <li>• Retention of identity documents or passports</li> <li>• Payment of recruitment fees</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> </ul> <p>6.6.2 (C) Where temporary or migrant workers are employed, a specific labour policy and procedures are established and implemented.</p>	<b>Human rights upheld; Safe and decent work</b>
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 (C) 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 appropriate language of the workforce. 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>	<b>Safe and decent work</b>

Criteria	Indicators	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. (Continued)</p> <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 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) metrics.</p>	<b>Safe and decent work</b>

## Impact Goal

# 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 fiber 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	Indicators	ToC Outcomes
7.1 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques. 	7.1.1 (C) IPM plans are implemented and monitored to ensure effective pest control. 7.1.2 Species referenced in the Global Invasive Species Database and CABI.org are not to be used in managed areas, unless plans to prevent and monitor their spread are implemented. 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. (For NI to define process.)	<b>Pollution reduced; Resource use minimised; Productivity optimised</b>
7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. 	7.2.1 (C) Justification of all pesticides used is demonstrated. Selective products and application methods that are specific to the target pest, weed or disease are prioritised. 7.2.2 (C) 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 provided. 7.2.3 (C) Any use of pesticides is minimised as part of a plan, eliminated where possible, in accordance with IPM plans.	<b>Reduced pollution: Resource use minimised</b>

## 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)	<p>7.2.4 There is no prophylactic use of pesticides, unless in exceptional circumstances, as identified in national best practice guidelines.</p> <p>7.2.5 Pesticides that are categorised as World Health Organisation 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> <ul style="list-style-type: none"><li>a) Judgment of the threat and verify why this is a major threat</li><li>b) Why there is no other alternative which can be used</li><li>c) Which process was applied to verify why there is no other less hazardous alternative</li><li>d) What is the process to limit the negative impacts of the application</li><li>e) Estimation of the timescale of the application and steps taken to limit application to the specific outbreak.</li></ul>	<b>Reduced pollution; Resource use minimised</b>






Criteria	Indicators	ToC Outcomes
<p>7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. (Continued)</p> 	<p>7.2.6 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>7.2.7 <b>(C)</b> Storage of all pesticides is in accordance with recognised best practices.</p> <p>7.2.8 All pesticide containers are properly disposed of and/or handled responsibly if used for other purposes.</p> <p>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.</p> <p>7.2.10 <b>(C)</b> Specific annual medical surveillance for pesticide operators, and documented action to treat related health conditions, is demonstrated.</p> <p>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.</p>	<p>Reduced pollution; Resource use minimised</p>

## Principle 7


### PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT



Criteria	Indicators	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.  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.	<b>Reduced pollution; Resource use minimised</b>
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.  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.	

Criteria	Indicator	ToC Outcomes
7.5 Practices minimise and control erosion and degradation of soils. 	7.5.1 <b>(C)</b> Maps identifying marginal and fragile soils, including steep terrain, are available. 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.	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> <b>Productivity optimised</b>
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.	<b>Ecosystems protected;</b> <b>Resource use minimised;</b> <b>Reduced pollution</b>
7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. 	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. 7.7.2 Areas of peat within the managed areas are inventoried, documented and reported (effective from 15 November 2018) to the RSPO Secretariat.  <b>PROCEDURAL NOTE:</b> Maps and other documentation of peat soils are provided, prepared and shared in line with RSPO Peatland Working Group (PLWG) audit guidance (see Procedural Note for 7.7.5 below).	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> <b>Productivity optimised</b>

## Principle 7




### PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT


Criteria	Indicators	ToC Outcomes
7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued)  	7.7.3 <b>(C)</b> Subsidence of peat is monitored, documented and minimised.  7.7.4 <b>(C)</b> A documented water and ground cover management programme is in place.  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 years prior to replanting. The assessment result is used to set the timeframe for future replanting, as well as 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.  <b>PROCEDURAL NOTE:</b> Full details of the RSPO Drainability Assessment Guidelines and related concepts and detailed actions are in the manual currently being fine-tuned/tested by PLWG. A final version should be approved by PLWG in January 2019 and will include additional guidance on the steps to be followed after the decision not to replant as well as implications for other stakeholders, smallholders, local communities and the unit of certification. It is recommended that a further twelve-month methodology trial period is proposed for all related management units (i.e. those with plantations on peat) to utilise the methodology and provide feedback to the PLWG to enable further refinement of procedure as appropriate before January 2020. Units of certification have the option to defer replanting until after the availability of the revised guidelines. Additional guidance on alternative crops and rehabilitation of natural vegetation will be provided by PLWG.	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> <b>Productivity optimised</b>

Criteria	Indicators	ToC Outcomes
<p>7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued)</p> 	<p><b>PROCEDURAL NOTE:</b> PLWG and the Smallholder Interim Group (SHIG) will collaboratively develop guidance for Independent Smallholders (cross links to SHIG and GHG issues).</p> <p>7.7.6 <b>(C)</b> All existing plantings on peat are managed according to the <i>RSPO Manual on Best Management Practices (BMPs) for existing oil palm cultivation on peat</i>, 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 is prohibited; peatlands are managed in accordance with the <i>RSPO BMPs for Management and Rehabilitation of Natural Vegetation Associated with Oil Palm Cultivation on Peat</i>, version 2 (2018) and associated audit guidance.</p>	<p><b>Ecosystems protected;</b>  <b>Reduced pollution;</b>  <b>Productivity optimised</b></p>
<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> </ul>	<p><b>Ecosystems protected;</b>  <b>Reduced pollution; Resource use minimised</b></p>

## Principle 7

### PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicator	ToC Outcomes
7.8 Practices maintain the quality and availability of surface and groundwater. (Continued) 	7.8.2 <b>(C)</b> Watercourses and wetlands are protected, including maintaining and restoring appropriate riparian and other buffer zones in line with <i>RSPO Manual on BMPs for the management and rehabilitation of riparian reserves</i> (2017).	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> Resource use minimised
	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.	
	7.8.4 Mill water use per tonne of FFB is monitored and recorded.	
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.	<b>Ecosystems protected;</b> <b>Reduced pollution;</b> 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.	<b>Reduced pollution</b>
	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 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 implemented and monitored.	

Criteria	Indicator	ToC Outcomes
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. 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.	<b>Ecosystems protected;            Reduced pollution</b>

#### 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
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>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 RSPOLUCA guidance document.</p> <p>7.12.2 <b>(C)</b> HCVs, 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 <i>HCV-HCSA Assessment Manual</i>. This will include stakeholder consultation and take into account wider landscape-level considerations.</li> </ul> <p><b>PROCEDURAL NOTE</b> for 7.12.2: For details of transitional measures, refer to Annex 5: RSPO transition from HCV assessments to HCV-HCSA assessments.</p>	<b>Ecosystems protected</b>



Criteria	Indicators	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</b> for 7.12.3: There should be demonstrable benefits to the local community; clear recognition of legal and customary lands based on participatory land use planning; 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, 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 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><b>Ecosystems protected</b></p>

## Principle 7

### PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	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, 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, encouraging 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 capture, harm, collect, trade, possess or kill these species.</p> <p>7.12.7 The status of HCVs, 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>	<p><b>Ecosystems protected</b></p>

## ANNEX 1: DEFINITIONS

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>	P&C Review 2018
<b>Child</b>	The term child applies to all persons under the age of 18.	ILO Minimum Age Convention, 1973 (138) Worst Forms of Child Labour Convention, 1999 (182)
<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 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> <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>	ILO Minimum Age Convention, 1973 (138)

## Annex 1

### DEFINITIONS

Term	Definition	Source
<b>Child labour</b>	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.	ILO Minimum Age Convention, 1973 (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.	ILO Report to the Committee examining alleged non-compliance by Qatar of Forced Labour
<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.	ILO, Non-Standard Forms of Employment

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>	P&C Review 2018
<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.	UN GA Human Rights Council: Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences. July 2016
<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>	Loss of natural forest as a result of: <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 latest AFI definition
<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

## Annex 1

### DEFINITIONS

Term	Definition	Source
<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.	P&C Review 2018
<b>Extensive replanting on steep terrain</b>	Any individual, contiguous planted area on steep terrain (>25 degrees) greater than 25 ha within the re-planting area.	P&C 2013, 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> UK Bribery Act 2010 Guidance <sup>[2]</sup> UK Serious Fraud Office Bribery Act Guidance
<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
<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 FAO Policy Brief Issue 2, June 2006 for further detail

Term	Definition	Source
<b>Forced labour</b>	<p>All work or service which is exacted from any person under the menace of any penalty and for which said person has not offered himself voluntarily.</p> <p>This definition consists of three elements:</p> <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 in 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>	<p>ILO Forced Labour Definition</p> <p>ILO, Forced Labour Convention, 1930 (No. 29)</p> <p>ILO, Protocol of 2014 to the Forced Labour Convention, 1930 (P029)</p> <p>ILO, Abolition of Forced Labour Convention, 1957 (105)</p> <p>ILO, Forced Labour Recommendation 2014 (203)</p>
<b>Fragile soil</b>	<p>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’)</p>	<p>P&amp;C Review 2018</p>
<b>Gender equal</b>	<p>This refers to the equal rights, responsibilities and opportunities of women and men, and girls and boys.</p>	<p>UN Women, OSAGI Gender Mainstreaming - Concepts and definitions</p>

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>6</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/ipecc/facts/ILConventionsonchildlabour/lang--en/index.htm">https://www.ilo.org/ipecc/facts/ILConventionsonchildlabour/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 (182)



Term	Definition	Source
<b>High Carbon Stock forest</b>	Forests that have been identified using the High Carbon Stock Approach (HCSA) Toolkit	HCSA website www.highcarbonstock.org
<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>HCV1 – 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> <p><b>HCV 3 – Ecosystems and habitats;</b> RTE ecosystems, habitats or refugia.</p>	High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs 2017

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Term	Definition	Source
<b>High Conservation Value (HCV) areas:</b> <b>(Continued)</b>	<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>	<p>High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs 2017</p>
<b>Human Rights Defenders (HRD)</b>	<p>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.</p>	<p>RSPO policy on the protection of HRD, Whistleblowers, Complainants and Community Spokesmen (endorsed by BoG on 24 Sept)</p>
<b>Independent Smallholder</b>	<p>All smallholder farmers that are not considered to be Scheme Smallholders (see definition for Scheme Smallholders) are considered Independent Smallholder farmers.</p>	<p>Smallholder Interim Group (SHIG)</p>

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> <p>Peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, regardless of their legal status, retain some or all of their own social, economic, cultural and political institutions.</p>	<p>UNDESA, Division for Inclusive Social Development, Indigenous Peoples</p> <p><u><a href="#">ILO Convention concerning Indigenous and Tribal peoples in independent countries 1989 (169), ratified by Guatemala in June 13<sup>th</sup>, 1996</a></u></p>
<b>In good faith</b>	<p>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.</p>	<p>ILO Q&amp;As on business and collective bargaining</p>
<b>Integrated Pest Management (IPM)</b>	<p>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>	<p>P&amp;C 2013          FAO 2013 <a href="http://www.fao.org/agriculture/crops/thematicsite/map/theme/pests/ipm/en/">http://www.fao.org/agriculture/crops/thematicsite/map/theme/pests/ipm/en/</a></p>

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Term	Definition	Source
<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, 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 Organisation for Standardization.	P&C 2013 ISO:www.iso.org
<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 <u>not</u> considered new land clearing.	P&C Review 2018
<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/in_iucn_glossary_definitions.pdf">https://www.iucn.org/downloads/in_iucn_glossary_definitions.pdf</a>

Term	Definition	Source
<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's or a group's way of making a living, from their environment or in the economy, including how they provision 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> <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&C 2013

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Term	Definition	Source
<b>Livelihood (Continued)</b>	(Compiled from various definitions of livelihoods from Department for International Development (DfID), Institute of Development Studies (IDS) and 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&C 2013
<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.	P&C Review 2018
<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>	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. (Also see definition for 'fragile soil'.)	P&C Review 2018
<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.	P&C 2013
<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.	P&C Review 2018
<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.	

Term	Definition	Source
<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.	P&C 2013
<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.	P&C Review 2018
<b>Outgrowers</b>	Farmers, where the sale of FFB is exclusively contracted to the unit of certification. Outgrowers may be smallholders.	P&C 2013
<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 Losson Ignition) or 18% or more organic carbon. Note for 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 substituent chemicals: herbicides; fungicides; insecticides and bactericides.	P&C 2013
<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.	P&C 2013
<b>Plantation</b>	The land on which oil palm is grown. (Also see definition for 'managed area'.)	P&C Review 2018

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Term	Definition	Source
<b>Prophylactic</b>	A treatment or course of action applied as a preventive measure.	P&C 2013
<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 workers (i.e. recruiter and agent service fees, documents processing, employer-required skills and medical testing, training, documentation, visa, work permits, transportation from home country to point of entry and back, as well as administrative and overhead costs).	Dhaka Principles and ILO (181)
<b>Restore</b>	Returning degraded or converted areas within a plantation to a semi-natural state.	P&C 2013
<b>Rights</b>	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. <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> </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>



Term	Definition	Source
Rights (Continued)	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.	P&C 2013
	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.	UNRefugees & Migrants, Global Compact for Safe, Orderly and Regular Migration, 2018  World Bank Operational Policy 4.10  From FSC Principles & Criteria
Risk assessment	A systematic process of identifying and evaluating the potential risks that may be involved in a projected activity or undertaking.  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.	Adapted from ILO, A 5 step guide for employers, workers and their representatives on conducting workplace risk assessments, 2014
Scheme Smallholder	Farmers, landowners or their delegates that <u>do not</u> have the: <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> (Also see definitions of Smallholder and Independent Smallholder).	SHIG

Term	Definition	Source
<b>Significant pollutant</b>	Chemical or biological substances which have a substantial adverse impact on water, air or land quality including POME, sewage, and other wastewater, sediment, fertiliser, pesticides, fuels and oil, air pollutants, as guided by national regulations and international standards.	P&C Review 2018
<b>Sit</b>	A single functional unit of an organisation or a combination of units situated at one locality, which is geographically distinct from other units.	RSP0 2017 SCCS Standard
<b>Smallholder</b>	Farmers growing oil palm, sometimes along with subsistence production of other crops, where the family provides the majority of labour and the farm provides the principal source of income and where the planted area of oil palm is usually below 50 ha in size.	P&C 2013
	<p><b>Scheme Smallholder:</b></p> <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>	SHIG
	<p><b>Independent Smallholder:</b></p> <p>All smallholder farmers that are not considered to be Scheme Smallholders (see definition for Scheme Smallholders) are considered Independent Smallholder farmers.</p>	SHIG

Term	Definition	Source
<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.	P&C Review 2018
<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.	P&C 2013
<b>Steep terrain</b>	Areas with slope above 25 degrees or based on a National Interpretation (NI) process.	P&C 2013 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.	P&C 2013
<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.	P&C 2013
<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

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Term	Definition	Source
<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 nonindigenous 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
<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.	P&C Review 2018
<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

Term	Definition	Source
<b>Whistleblower</b>	Individuals who are employees or former employees who report on illegal, irregular, dangerous or unethical practices or actions by employers which contravene 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 24 September, 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
<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.”	ILO Minimum Age Convention, 1973(138), Article 3  ILO Safety and Health in Agriculture Convention, 2001 (184), Article 16

## ANNEX 2: GUIDANCE

### Principle 1: Behave ethically and transparently

#### Criterion (new) Guidance

1.1

1.1.1: This concerns management documents relating to environmental, social and legal issues that are relevant to compliance with RSPO Criteria, which should be available to all stakeholders according to their relevance (1.1.5) and due justification. Access to the documents could be defined in the consultation and communication procedures of the unit of certification (1.1.4).

1.1.2: The management documents should be communicated considering the language and cultural context of the area of influence so that they are understandable, seeking that all interested parties, especially representatives of indigenous peoples and local communities, understand the consultation and communication procedures developed by the unit of certification.

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, piece rate workers), partnership programmes for Independent Smallholders, education and health in the communities.

The auditors will comment on the adequacy of each of the documents listed in the public summary of the audit assessment report.

## 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 (but not necessarily limited to) should be available at the unit of certification 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 & 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)

## Criterion (new) Guidance

1.1

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

The policy should include as a minimum:

- A respect for fair business conduct in accordance with ethical principles.
- 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
- A monitoring and evaluation system with appropriate protocols and tools

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; 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, receiving gifts and commissions from labour intermediaries or suppliers.



## Principle 2: Operate legally and respect rights

### Criterion (new) Guidance

- 2.1 Implementing all legal requirements or applicable legislation is an essential baseline requirement for all growers whatever their location or size. Relevant legislation includes but is not limited to: regulations governing land tenure and land-use rights, labour, agricultural practices (e.g. chemical use), environment (e.g. regulations regarding protected areas and biological diversity, wildlife laws, pollution, environmental management and forestry laws), storage, transportation and processing practices. It also includes requirements or regulations for 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). Furthermore, where countries have provisions to respect customary law, these will be taken into account.
- Key international laws and conventions are set out in Annex 3 and the national legal framework is found in Annex 6.
- Contradictions and inconsistencies should be identified, and solutions suggested. Evidence should be incorporated as part of implementation of Criterion 2.3.
- See Indicator 4.4.1 for requirements on legal ownership or lease and authorised use of customary lands.
- For Indicator 2.1.2:
- A 'documented system for ensuring legal compliance' can take the form of physical or virtual archive of applicable laws, regulations and rules with elements of how these laws are interpreted and followed in the running of the operations
- In relation to 2.1.3, the legal delimitation of the property can occur through the location of landmarks and it should be coordinated and discussed with neighbours; and when these are local communities and/or indigenous peoples, preferably seek support from competent authorities (e.g. municipality or Cadastral Information Registry personnel) and generate, if pertinent, documents that evidence the agreements such as sworn statements, minutes or others.

## Criterion (new) Guidance

2.2

Contracted parties include:

- Temporary employment, whereby workers are engaged only for a specific period of time, includes fixed-term, project- or task-based contracts, as well as seasonal or casual work, including day labour
- Short-term contracts; renewable contracts
- Fixed-term, project, 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
- 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”. ([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))

It is recommended that all contracts with third parties include clauses on the obligation to defend human rights and the prohibition of any type of discrimination.

## Principle 2: Operate legally and respect rights

### Criterion (new) Guidance

2.3

For consideration of FFB legality, the following information should be available:

In the case of individual persons:

1. Copy of the personal identification document
2. Copy of the Unified Tax Registry
3. Copy of documents that support legal land tenure, right to use the land or copy of leasing contracts
4. Geolocation of at least one reference point of the crop production area

In the case of legal entities:

1. Copy of the act of incorporation of the legal entity
2. Copy of the appointment of the legal representative
3. Copy of the personal identification document of the legal representative
4. Copy of the Unified Tax Registry
5. Copy of documents that support legal land tenure, right to use the land or copy of leasing contracts
6. Geolocation of at least one reference point of the crop production area

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

### Criterion (new) Guidance

- 3.1 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.
- For plantations on peat, a longer time frame for the projection of the annual replanting programme is needed per Criterion 7.7.
- 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.
1. The business or management plan should contain:
  2. Attention to quality of planting materials
  3. Harvest/purchasing projections = Fresh Fruit Bunches (FFB) yield trends
  4. Mill extraction rates = Oil Extraction Rate (OER) trends
  5. Cost of production = cost per tonne of Crude Palm Oil (CPO) trends
  6. Price forecasts
  7. Financial indicators
- Suggested calculation: Trends in 3-year running mean over the last decade (FFB trends may need to allow for low yields during major replanting programmes).

## 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 continuous improvement action plan, indicators may include but are not be limited to:

1. Optimising the yield of the supply base
2. Reduction of pesticide use (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 (Criteria 7.7 and 7.12)

Where applicable, review should include Scheme Smallholders.

## Criterion (new) Guidance

### 3.2 (Continued)

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.

The unit of certification could use the aforementioned indicators as communication tools with its stakeholders, if it is considered relevant and complementary to what is established in Criteria 3.4 and 4.3, examples include: company sustainability (economic, environmental and social) reports.

For smallholders, there should be systematic guidance and training for continuous improvement.

### 3.3

Mechanisms to check implementation could include documentation of management systems and internal control procedures (see Criterion 2.1).

The unit of certification, while working with third party suppliers of FFB on traceability and legality, should use such opportunities to distribute suitable information on BMPs.

The 2018 FEDEPALMA SOP preparation manual is a recommended reference:

[http://web.fedepalma.org/sites/default/files/files/Cenipalma/Informe-de-labores-2018/LIBRO-POE-FINAL\\_LOGOS-CONVENIO.pdf](http://web.fedepalma.org/sites/default/files/files/Cenipalma/Informe-de-labores-2018/LIBRO-POE-FINAL_LOGOS-CONVENIO.pdf)

### 3.4

The terms of reference of the SEIA should be defined and communicated to the relevant stakeholders, such as: indigenous peoples and local communities, governing entities, social and environmental NGOs, collaborators and suppliers (see guidance for Criterion 1.1), ensuring a participatory process. Ideally, the SEIA should be carried out by accredited independent experts without conflicts of interest and with appropriate professional skills such as academic training, experience in similar studies and verifiable skills, preferably with knowledge of the cultural context; in order to ensure an objective and transparent process. The SEIA should include, but is not limited to:

1. Assessment of the socio-environmental impacts of all major planned activities, including land clearing, planting, replanting, transportation of fresh fruit from plantations to processing plants, use of water in domestic areas, processing plants and plantations, pesticide and fertiliser use, mill operations, roads, drainage and irrigation systems and other infrastructure
2. Assessment of the impacts on HCVs, biodiversity, conservation areas like protected areas, areas with special protections, RAMSAR areas, and RTE species, including beyond the boundaries of the unit of certification, such

as the broader landscape or at the watershed level, and any measures for the conservation and/or enhancement of these

3. Assessment of the potential effects of planned developments on adjacent natural ecosystems, including whether development or expansion will increase pressure on nearby natural ecosystems, taking as reference the results of the respective HCV and HCS studies and respective management plans
4. Identification of watercourses and wetlands and assessment of potential effects on hydrology and land subsidence of planned developments, considering the broader landscape and integrated watershed management, using national hydrographic maps as support: measures should be planned and implemented to maintain the quantity, quality and access to water and land resources considering the results and management plans of the respective HCV and HCS studies
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 (Criterion 7.6)
6. Analysis of the type of land to be used (forest, degraded forest, peatlands, other crop production, cleared land as pasture) based on the Land Use Change Analysis
7. Assessment of land ownership and user rights

## Criterion (new) Guidance

3.4 (Continued)

8. Assessment of current land-use patterns, can use as reference national tools such as the Guatemala Land Use Maps, publications of the Directorate of Geographical, Strategic and Risk Management Information or the Evaluation Monitoring Centre of CONAP or other publications as the Soil Taxonomy Study.
9. Assessment of impacts on people's amenity, taking as reference the information contained in the Municipal Development Plans, Human Development Report, Publications of the National Institute of Statistics or other official sources of governing entities.
10. Assess impacts on employment, employment opportunities or from changes of employment terms, as well as working conditions and a living wage (principle 6). Can be considered as reference information, any publications of the National Institute of Statistics, the Guatemalan Institute of Social Security, the Ministry of Labour or other related publications.
11. A cost-benefit analysis on social aspects, assessment of the direct and indirect benefits derived from the economic impact of the oil palm productive activities, the social investments of the Unit of certification in the different stakeholders, as well as the benefit of employee associations, in case there's one at the Unit of certification.
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' data (see guidelines for Principle 4 criteria).
13. Assessment of salient risk of human rights violations as addressed in the guidance of criterion 4.1.
14. Assessment of the 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 which 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 as members of Community Development Committee (COCODE), during the identification of impacts, reviewing findings and plans for mitigation, and monitoring the success of implemented plans.

### 3.5

Regarding 3.5.1, it is important that the unit of certification considers the basic requirements and minimum competencies such as experience, training and education for the different procedures.

Regarding 3.5.2, the minimum records for the processes that apply, are those established by the Ministry of Labour and the Guatemalan Institute of Social Security (IGSS).

3.6

The applicable national regulation is the Occupational Safety and Health Regulation and its complementary norms, such as those related to the prevention and control of SAR COV-2 outbreaks.

3.7

The minimum content of the training should consider the topics within the prosperity, people and planet impact areas contained in the RSPO P&C 2018, as well as those that the unit of certification considers relevant for the comprehensive development of its workers to achieve sustainable development.

The training programme should be appropriate to the scale of the unit of certification and 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.

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.

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

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

### Criterion (new) Guidance

- 4.1
- 4.1.1. The Unit of certification will have a Human Rights policy based on the UN Guiding Principles on Business and Human Rights and the RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, other Complainants and Community Spokespersons, as well as current national regulations:
- “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 Organisation’s Declaration on Fundamental Principles and Rights at Work.”*
- The UN Guiding Principles on Business and Human Rights also note 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*).
- The RSPO Human Rights Working Group will provide additional guidance to identify, prevent, mitigate and address human rights issues and impacts.
- The resulting guide will identify the relevant issues on human rights to all RSPO members.
- Details on requirements to protect the rights of HRDs, including complainants, whistleblowers and community spokespersons, are set out in the *RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons*.
- The Human Rights policy is communicated for compliance, at all levels of the organisation, including contractors (e.g. security companies, carriers, service providers) explaining the processes to know and inform that human rights are respected in the practice, through the due diligence processes established by the Unit of certification.
- Carry out due diligences for the hiring of security and private surveillance services, where the non-involvement of people with criminal records, ongoing criminal investigations or other offenses related to crimes against human rights is evaluated.
- 4.1.2. Consider numeral 1.4 of the RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons. Train private security forces, both internal and outsourcing.

## Criterion (new) Guidance

4.2

Dispute resolution mechanisms should be established through open and consensual agreements with relevant affected parties.

Each unit of certification has to implement its own Complaints, Claims and Suggestions handling system. The procedure should be public and known to the interested parties, respecting the criteria 4.2.2, 4.2.3, 4.2.4.

The resolution of disputes should be broad and as an example, Joint Consultative Committees (JCC) can be formed, integrated by of the unit of certification and the affected party, such as workers, community representatives, and defenders of Human Rights. There should be gender representation and, where relevant, migrant worker representation.

Grievances may be internal (employees) or external. In the particular case of complaints about gender violence and harassment, the protocols for complaints and claims should be followed, ensuring the representation of minorities in the JCC, which should be made up of a team sensitive to gender issues. The anonymity of the plaintiffs should be guaranteed when they request it and inform them of the resolution or resolutions that are reached representation of migrant workers. Complaints could be internal (employees) or external. For Scheme and Independent Smallholders, refer to the current RSPO Guidance Documents for Scheme and Independent Smallholders.

Where a resolution is not found mutually, complaints can be brought to the attention of the RSPO Complaints System.

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.

4.3

Voluntary 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.

The unit of certification may also seek partnerships from local authorities, non-governmental organisations (NGOs) and civil society organisations (CSOs) to identify key economic, 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. The unit of certification has documented the contributions it makes to local development.

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
- h) Local emergencies
- i) Institutional strengthening

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

It is recommended that the unit of certification open training processes to aid members of the local communities to apply to different jobs.

## Criterion (new) Guidance

4.4

All indicators will apply to current operations, but there are exceptions for long-established plantations which may not have records dating back to the time of the decision making, in particular for compliance with indicators 4.4.2 y 4.4.3.

The unit of certification should provide documentation of legal ownership, legal tenure, legal use or use of customary lands with the following:

- a) Public deed or certification issued by the general property registry or affidavit of possession after registration with the local municipality.
- b) In the case of leasing, the respective leasing contract, verifying that said property is registered with the municipality.
- c) Documents with legal support that demonstrate the use of customary lands authorised by the customary owners through having practiced FPIC.

4.4 The FPIC is carried out in the event of possible effects on demonstrable legal, use and customary rights. FPIC will be applied following the "Guide of Free, Prior and Informed Consent for members of the RSPO".

4.4.2. Documents evidencing the following:

- a) FPIC process performed.
- b) Agreements made

It is recommended that the unit of certification has a written procedure in case a third-party files a complaint regarding the violation of their legal land rights. This procedure should include mechanisms for seeking agreements (indicators 4.4.2 to 4.4.6 can be a guide) or reaching a judicial resolution (since it is a legal mechanism in the country).

## Criterion (new) Guidance

### 4.4 (Continued)

4.4.3. Adequate scale maps refer to institutionally raised maps that demonstrate their georeferencing and the legal extent of the property. Regarding the right of use such as access to roads, use of bodies of water, etc. for communities or third parties. This is included as a requirement in indicator 4.4.3, which requires participatory mapping involving affected parties (communities and relevant authorities, if necessary).

4.4.4. The unit of certification should have relevant documentation in the appropriate languages, in the social and cultural context, of the groups of the communities consulted (review what is established in the indicators 1.1.2, 1.1.3, 1.1.4, 3.4.1.)

4.4.5. Documents describing the representatives of the affected communities (review indicator 1.1.5)

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 Criterion 4.4.3, 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).

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.

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.

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4.4 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).

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.

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.

It is recommended to review the SESAN National Strategy for the Prevention of Chronic Malnutrition 2016-2020, and the National Strategy for Risk Reduction to Disasters related to Climate Change-CONRED.

This activity should be integrated with the SEIA required by Criterion 3.4.4.

Within the FPIC process, measures to prevent and mitigate 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.



## Criterion (new) Guidance

### 4.5 (Continued)

In cases where the availability, access, quality and stability of food and water is negatively affected by the planned operations, mitigation and relief measures or assistance should be agreed.

Where applicable, in communities resettled or relocated 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 (purchase and sell) for local communities through its operations and thus not harm food security.

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 (HCV 6).

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 individual or collective persons, for example institutions 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

4.6

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.

A mechanism should be in place to resolve any conflict (Criteria 4.2 and 4.6).

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.

4.7

In the event that in the FPIC process, it's identified that compensation is necessary, it is essential to have all the documentation that supports the negotiation process and the compensation agreement reached, with its respective calculation methodology.

4.8

It is recommended that the Unit of certification follow the conflict resolution procedure (criterion 4.2, 4.6, 4.3, 4.4) giving priority to direct dialogue or other alternative means of conflict resolution.

## Principle 5: Support smallholder inclusion

### Criterion (new) Guidance

5.1

The unit of certification should have a system (agreed between both parties) to calculate prices based on FFB production costs plus a percentage of contingencies and profits.

The unit of certification will have a procedure for calculating and publishing (indicating the source of information) FBB prices, which will be available to interested parties in the appropriate languages and national currency.

Other elements to consider to establish the right price are, among others:

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*

When required and the producer requests it, the mill, according to agreements, could provide benefits such as inputs, fertilisers, plants or others that may be paid against delivered FFB, for which, special agreements will be defined, specifying the fees that the producer will pay according to the delivery of FFB. The agreements should be documented.

The mill should provide payment documents with the information on the FFB received indicating the weight, price, deductions and total to pay, with its respective name, number or code that identifies it. In correspondence with fair and transparent prices, the mills will keep the scales calibrated, using mass with traceability to international standards, and they will keep records of their verifications. If there are collection centres, the scales should be validated with the weights of the calibrated scales, government entities may intervene to verify the weighing devices.

To the extent possible, the mill could support small producers in the 5.2 certification process, indicating that they could adhere to the mill certification, at the request of groups of independent small producers, and by mutual agreement, under some guidelines that are indicated or as an independent group, where they make their decisions, but the mill

may be the Group Manager or Group Manager Advisor (as long as there is mutual agreement), see standard of small independent producers - 2019.

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 their practices to meet the RSPO Principles and Criteria, the costs of such changes and the possibility of making advance payments for FFBs should be considered.

## Criterion (new) Guidance

5.2

It is recommended to consult procedures on the RSPO Independent Smallholders Standard, 2019.

5.2.1. The consultation may include collection centres or other parties like representative organisations, where applicable, generating an action plan according to support needs.

In particular for System or Scheme Smallholders, support programmes are based on long term relations.

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:

- Expected continued supply of FFB to the mill
- Readiness of smallholders to implement the improvement programmes

Specific elements on RSPO certification may include:

- Socialisation on RSPO
- H&S training
- FPIC
- HCV

The delivery of the support services can include but is not limited to cooperatives, agents, collection centres and representative organisations.

It is recommended to develop a technical assistance programme with the elements identified through consultation with small producers to improve their livelihoods.

For 5.2.2. the focus is on improving the livelihoods related to the production of fresh palm fruit of small producers in its supply chain.

## Principle 6: Respect workers' rights and conditions

### Criterion (new) Guidance

6.1 The policy should be public and assure that the non-discriminatory requirements are applied to all workers, regardless of contractual status. It includes producers, also regardless of their type.

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.

6.1.3. There is a recruiting, selection and hiring system in place according to the requirements of the job position. To define a job, it is recommended to use these definitions:

- a) Skills: aptitudes and abilities that a person has and that allow them to perform a specific job (e.g. a cutting activity requires skills to handle tools).
- b) Capacities: set of conditions, aptitudes and qualities, mainly of an intellectual nature, that allow the execution of a job or function (e.g. develop analysis of hazards and occupational health and safety risks).
- c) Qualities: characteristics of people, which make it different from one person to another, which are an essential part of the personality (e.g., empathy, honesty, leadership, integrity, respect, among others).

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 human resources agency; contract between worker and human resources agency; clear company policy and recruitment procedures; confirmation by workers and agency that no recruitment fees are charged.

## 6.1 (Continued)

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.

6.1.4. Pregnant women are offered alternative equivalent employment, without affecting their salary or other benefits or conditions. In Guatemala, pregnant women enjoy labour rights supported in the Labour Code and the provisions of the International Labour Organisation —ILO—.

6.1.5. The Gender Committee should be formed in a participatory manner with its regulations or cross-functional operating procedure in operation and it should seek opportunities to promote gender inclusion by building capacities.

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6.2

If the unit of certification uses a contractor as an agency or means of hiring workers, they should be trained ensuring that they comprehend and understand the requirements of RSPO, labour code and their compliance.

The use of contractors should not suppress the contractual relationship between the company and the workers.

Among the elements of a decent standard of living are food, water, home, education, medical services, transport, clothes, and other essentials, reserved for unexpected events, according to the GLWC methodology.

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 RSPO (See RSPO guide for the implementation of Living Wage).

## Criterion (new) Guidance

6.2 (Continued)

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.

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.

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).

Among the provisional measures is that the unit of certification will comply with the legal framework by paying the minimum or basic wage and estimate the prevailing wage following the RSPO guide (RSPO Guide for calculating prevailing wage, 2019). For the implementation of the Living Wage, see the RSPO guide for the implementation of Living Wage.

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 a management plan for an 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.



## Criterion (new) Guidance

- 6.3 In accordance with Conventions 87 and 98 of the ILO, the unit of certification should respect the rights of staff and workers, including migrant and transmigrant workers and contract workers, to get organised and bargain collectively with the unit of certification.
- Workers have the right to a Union Organisation and other forms of organisation, based on the current legal regulations of the country.
- Collective bargaining is encouraged to include terms and conditions relevant to workers' rights and could include a clear mechanism of grievances and remedy.
- 6.4 The certification unit will have a policy to protect children and the prohibition of child labour. Extend and explain this policy to your suppliers.
- 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.
- The unit of certification should clearly define the minimum working age, together with working hours according to the current regulatory framework. 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.
- Work in family farms, when the farm is contracted to or provides business to another entity, is prohibited. Farm work is only accepted from small producers. In this case, the parents or guardians will demonstrate that the minors are not compromising their schooling for work.

## Criterion (new) Guidance

- 6.4 (Continued) 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  
Age verification documents include a government recognised photographic identification document, where available.

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.

- 6.5 The unit of certification should have a clear policy for the prevention of harassment and violence publicly available and developed in consultation with staff and workers, contract workers and other relevant stakeholders. Progress in implementing the policy should be regularly monitored, and the results of monitoring activities should be recorded.
- Similarly, the policy for the protection of reproductive rights will be managed. These policies should include education for women and awareness of the workforce. There should be programmes provided for particular issues faced by women, such as violence and sexual harassment in the workplace. The Gender Committee 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 a minimum of ten months after returning to work and women to be given specific break times to enable effective breastfeeding according to current regulations. The certification unit will provide childcare facilities in compliance with the legal framework. It is recommended to extend the breastfeeding period for an additional 2 months.

For 6.5.3: The Gender Committee can support the assessment of needs.

Adequate (private, clean and comfortable) space and paid breaks should be provided to enable mothers with infants up to 24 months or younger to breastfeed or express and store breast milk with privacy.

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.

In relation to the substitution of the contract, the provisions of the labour code will be applied and in no way will they affect the worker.

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 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

6.7 In relation to the management of prevention and management of epidemics according to their nature, follow the established protocols, (e.g. COVID 19 pandemic).

6.7.5. Accident statistics should be kept

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

### Criterion (new) Guidance

7.1

7.1.1 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. It is recommended to consult the Environmental Guide of the Oil Palm Agroindustry in Guatemala, 2019. See matrix of - Identification and assessment of impacts for oil palm plantations.

7.1.2 Native species should be used in biological control where possible. The prevention strategy established by the IPM includes the monitoring mechanisms of biological controls.

7.1.3 The non-use of fire should be privileged. In exceptional cases for pest control, it will be used with all the necessary preventive measures (art.38 forest law).

7.2

7.2.1, 7.2.2, 7.2.3, 7.2.4. The certification unit has records on the use of pesticides, selective application methods for pest control, following the IPM philosophy and strategy. Does not make prophylactic or preventive use of pesticides.

Due diligence is practiced for the use of pesticides indicated in 7.2.5.

7.2.6 People who apply, handle and use pesticides, receive the corresponding training and have a certificate.

7.2.7 For the storage of all pesticides, best practices are implemented as prescribed in the 'FAO International Code of Conduct on the distribution and use of pesticides' and its guidelines, which is complemented by relevant industry guidelines as a complement to the international code (see Annex 3). See Agrequima's recommendations and the "storage of crop protection products" poster.

7.2.8 Collection plan for empty pesticide containers describing their proper storage, as well as their proper disposal (triple washing, perforation). Empty containers are not used for other purposes.

7.2.9 Aerial spraying is prohibited. If in the future, based on technical evidence there is a need for aerial fumigation (by manned and unmanned ships), it should have justification and documented approval by the governmental authority.

7.3

The waste management and disposal plan should include measures for:

- Carrying out a characterisation of the waste generated both in the mill and farms and develop waste management plans based on this internal characterisation
- 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).
- 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.

The unit of certification is encouraged to improve the waste management in surrounding neighbourhoods.

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

In case the unit of certification uses landfills, the following guidelines should be followed:

- Only for domestic and household waste, where inorganic waste is minimised
- Located away from water sources, people and communities, and outside conservation areas in order not to contribute to negative impacts.
- Make sure that an unauthorised landfill is not being use.

## Criterion (new) Guidance

- 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 for by-products or energy production and should drive to minimise in-organic fertiliser use.
- Soil analysis are carried out with the frequency and methodology of the technical recommendations of the experts from the units of certification. A record and control of soil fertility is kept related to the nutritional plans of the crop.
- 7.5 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 biodiversity conservation actions, natural regeneration and its management, and restoration instead of replanting.
- For the maps requested, it is recommended to refer to the institutional documents on Land Use Capacity to classify the fragile and / or marginal soils of the certification units.
- 7.6 These activities can be linked to the SEIA (see Criterion 3.4) but need not be done by independent experts.
- Regarding the suitability of the soil, the provisions of the Environmental Guide for the palm oil agroindustrial in Guatemala, 2019, regarding land selection activity should be considered.
- 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, actions for biodiversity conservation, rehabilitation, natural regeneration and its management or restoration.

## Criterion (new) Guidance

### 7.6 (Continued)

For the establishment of new plantations, it is advisable to carry out a Land Use Capacity study, to identify the sites suitable for cultivation, as well as the definition of protection and conservation areas.

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

- 7.7 Due to the lack of peat or peat soils in Guatemala, histosol soils are defined as fragile, not suitable for agriculture, in order to carry out the necessary measures for their management and conservation.
- Histosol soils are poorly aerated soils, with water saturation or poorly drained, among its physical characteristics, it has a main profile 80 centimeters deep with an organic matter concentration of 65% or more, without presenting mineral origin.
- For the identification of histosols, the unit of certification should carry out soil analysis at the proposed site to establish the new plantation and thus determine their presence or absence. The report of the presence of organic matter can be attached to the study of Land Use Capacity, checking with the depth assessment.
- The unit of certification will implement this criterion for the histosol soils identified in their properties.
- It is recommended to keep an updated knowledge of the country's soil identification references.

- 7.8 The water management plan should include:
- Consideration of relevant stakeholders, their water use, and water resource availability
  - Taking account of the efficiency of use and its registration in the Inventory of Users of Water Resources of the Ministry of Environment and Natural Resources
  - Contribute to the sustainability / restoration of the water source from the point of view of landscape or integrated watershed management; considering protected areas and special protected areas masters plan and fisheries and wetlands law, participating in watershed committees or other initiatives of governance of water resources, if they exist.
  - 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.
  - Ensuring that within the unit of certification workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes.



## Criterion (new) Guidance

### 7.7.8 (Continued)

- Taking into consideration the coordination or promotion projects that seek to ensure that local communities have access to adequate and clean water for drinking, cooking, bathing and cleaning, this within the contributions to improving the livelihoods of the relevant actors of the socio-environmental impact study plan (criterion 3.4) and contributions to local sustainable development (criterion 4.3)
- 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 in the framework of government agreement 236-2006 that regulates matters related to wastewater and sludge disposal.

For the conservation of water bodies and riparian zones, referred to in 7.8.2, it is recommended to adopt measures that are complementary to those of the 'RSPO Manual on BMPs for the management and rehabilitation of riparian reserves '(April 2017).

- 7.9 Renewable energy use per tonne of CPO or palm product in the mill should be monitored and reported.
- Direct fossil fuel use per tonne of CPO or FFB should be monitored. In the monitoring plan process, baselines of fossil fuel consumption should be established to have a starting point in monitoring the efficiency of their use.
- 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 their operations, including fuel and electricity, and energy efficiency of its operations. This should include estimation of fuel use by on-site contract workers, including all transport and machinery operations.
- The feasibility of collecting and using biogas should be studied where relevant.

## 7.10

To establish new plantations, the unit of certification should comply with the provisions of the RSPO New Plantations Procedure.

Annual plans prepared by the unit of certification should specify actions to be taken to reduce GHG emissions including for example, 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, restoration of histosols and 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.

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## 7.11

The unit of coordination should develop fire prevention and control plans. Prevention and control measures may include the following, but are not limited to:

- Formation of fire brigades. Get support from the competent authority.
- Conduct fire-break rounds in disaster-prone areas.
- Limit the use of fire for operational or work activities.
- Training and awareness activities related to fires.
- Extension activities with neighbouring communities and small producers.

#### **For Indicator 7.12.2**

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, as well as considering the regulations for research and researchers on biological diversity.

NIs of the globally-applicable HCV definitions may be used to assist with 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 a NI.

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 government land use plans.

Further guidance for implementation of 'wider landscape-level considerations' and other natural ecosystems will be developed by the BHCVWG. 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.

#### **For Indicator 7.12.4**

Refer to relevant guidance documents on RSPO and HCVRN websites.

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:

- Identifying, protecting and/or enhancing forest connectivity important for biodiversity, ecosystem services,
- Minimising hydrological impacts to the landscape related to or arising from drainage systems and access roads or canals linked to the plantation

Criterion (new)	Guidance
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7.12 (Continued)

- 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 ~~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 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.

Where communities are asked to relinquish rights so that HCVs can be protected or enhanced by the companies or state agencies, then 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 FPIC.

**For Indicator 7.12.7**

Refer to HCVRN Common Guidance for HCV Management and Monitoring document

## 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)			Art 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	Private Employment Agencies Convention 1997 (181)				Covers protection for workers who are employed through third party and/or private employment agencies.
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.

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## 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		
Respect for Human Rights	4 5 6			United Nations Guiding Principles on Business and Human Rights (2011)	Principles 11-24	Respect human rights, by avoiding and/or mitigating negative impacts regardless of their organisation size, sector of operation or ownership.
	4 5 6	Core International Human Rights Treaties: - International Covenant on Civil and Political Rights (ICCPR) - International Covenant on Economic, Social and Cultural Rights (ICESCR) - International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)			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		
Respect for Human Rights	4 5 6	<ul style="list-style-type: none"> <li>- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)</li> <li>- Convention on the Rights of the Child (CRC)</li> <li>- International Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (ICMRW)</li> <li>- Convention for the Protection of All Persons from Enforced Disappearance (CPED)</li> <li>- Convention on the Rights of Persons with Disabilities (CRPD)</li> </ul>				
Just Land Acquisition	4	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 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 (2007)		Art 25-26	Right to distinctive relationship with land; right to own, use, develop and control their lands, territories and other resources.

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## 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	UN Convention on Biological Diversity (1992)			Art 10(c)	Protect and encourage customary use of biological resources in accordance with traditional practices.
Public Participation of Affective Communities	4.5 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 ensuring participation in decision-making of those groups that are considered to be politically disadvantaged, such as indigenous peoples and women.



Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Fair Representation and Participation of Indigenous and Tribal People	4.2 4.4 4.5 4.6	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 6-9	Self-representation through institutions; consultations with 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).
	4.4-4.8		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 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)		Art 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.
	4.4 4.5 4.7	Convention on the Eliminations of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights, 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 People. (This standard has been widely accepted as 'best practice' standard by bodies such as the World Commission on Dams, Extractive Industries Review, Forest Stewardship Council, UNDP, CBD, IUCN, WWF).

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## 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		
No Forced Labour	2.2 6.6	ILO Convention 29 (1930) Forced Labour	Protocol of 2014 to the Forced Labour Convention 1930		Art 5  Art 1, 2,4	No concession to companies shall involve any form of forced or compulsory labour.  Provides the measures which should be taken for the avoidance of forced or compulsory labour.
	6.6					
	6.6	ILO Convention 105 (1957) Abolition of Forced Labour			Art 1	Not make use of any form of forced or compulsory labour.
Protection of Children	6.4	ILO Convention 138 (1973) Minimum Age			Arts 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	ILO Convention 182 (1999) Worst Forms of Child Labour			Arts 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)			Art 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	Convention on the Rights of the Child (CRC), 1989			Art 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 (2007)		Art 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	ILO Convention 87 (1948) Freedom of Association and Protection of Right to Organise			Art 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.
	6.3	ILO Convention 98 (1949) Right to Organise and Collective Bargaining			Art 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	ILO Convention 141 (1975) Rural Workers' Organisations			Art 2-3	Right of tenants, sharecroppers and smallholders to organise; freedom from association; free from interference and coercion.

### 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		
	6.3	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 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 (154)			Art 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.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Non-discrimination and Equal Remuneration	6.1	ILO Convention 100 (1951) Equal Remuneration			Art 1-3	Equal remuneration for men and women for work of equal value.
	6.1	ILO Convention 111 (1958) Discrimination (Employment and Occupation)			Art 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.
	6.1		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 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 rights of indigenous women.
	6.1	ILO Convention 156 (1981) Workers with Family Responsibility			Art 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.

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## 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		
	2.2	ILO Convention on Private Employment Agencies 1997 (181)			Art 1,2,4-12	Concerns the protection of workers which are employed with the intention of making the services of these workers available to third parties.
	6.1	ILO Convention on Vocational Rehabilitation and Employment (Disabled Persons) 1983 (159)			Art 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)			Art 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;

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Elimination of Harassment and Abuse in the Workplace	6.5	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)			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 addressing all forms of gender-based violence that may occur in the workplace or affect women workers, including effective and accessible internal complaints procedures.
Just Employment for Migrants	2.2 6.6					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	ILO Convention 143 (1975) Migrant Workers (Supplementary Provisions)			Art 1-12	Respect basic human rights; protection of illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labour.

### 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		
	2.2 6.6	Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)			Art 11; 21; 25; 26	Prevention of slavery; forced and compulsory labour; on confiscation of identity documents; conditions of work and contractual terms; and freedom of association and right to join trade unions.
Protection of Plantation Workers	6.1	ILO Convention 97 (1949) Migration for Employment			Art 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	ILO Convention No 11 Rights of Association (Agriculture) 1921			Art 1	All those who work in the agricultural sector to be accorded the same rights of association and combination as to industrial workers



Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6	ILO Convention on Plantation (1958) (110)			Art 1,2,5,7,8, 11, 12-15	This convention relates to rights of workers and their families (including migrant workers) who have been recruited to work on plantations.
Working Time for Workers	6.2	ILO Convention No 101 Holidays with Pay (Agriculture) 1952			Art 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.
	6.2	ILO Convention No 47 Forty Hour Week			Art 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)			Art 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, as well as equality of treatment in the evaluation of the quality of work.

### 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		
	6.1	Maternity Protection Convention 2000 (183)			Art 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.
	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 (183)			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 Sharecroppers	4.2			ILO Recommendation 132 (1968) Tenants and Sharecroppers	Art 4-8	Fair rents; adequate payment for crops; provisions for well-being; organisation; fair contracts; procedures for the settlement of disputes.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Protection of Smallholders	5	ILO Convention 117 (1962) Social Policy (Basic Aims and Standards)			Art 4	Alienation with due regard to customary rights; assistance to form cooperatives; tenancy arrangements to secure highest possible living standards
Health and Safety	3.6 6.7	ILO Conventions 184 (2001) Safety and Health in Agriculture			Art 7-21	Carry out risk assessments and adopt preventive and protective measures to ensure health and safety with respect to workplaces, machinery equipment, chemical tools and processors; ensure 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	ILO Convention on Occupational Cancer 1974 (139)				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	ILO Convention on Invalidity Insurance (Agriculture) 1933 (38)			Art 1-6, 13, 17, 20,23	Maintenance of a scheme for invalidity Insurance for workers.

## 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		
	6.1 6.2	Convention on Maternity Protection 2000 (183)			Art 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)			Arts 1-5	Prohibit and/or eliminate production and use of chemicals listed in Annex A (e.g. Aldrin, Chlordane PCB); restrict production and use of chemicals in Annex B (e.g. DDT); reduce or eliminate releases of chemicals listed in Annex C (e.g. Hexachlorobenze).
	7.2	Rotterdam Convention on Prior and Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998)			Art 1, 5, and 6	Curb the trade of banned and hazardous chemicals and pesticides; develop national procedures for control of their use and trade; list banned and hazardous chemicals and pesticides.
			UN Declaration on the Rights of Indigenous Peoples (2007)		Art 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.
		ILO Convention No 148 on Working Environment (Air, Pollution, Noise and Vibration) 1977			Art 1-3	Provides for measures which 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.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
		ILO Convention No 170 on Chemical Convention 1990			Art 2(c), and Part IV	Provides for 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.
Right to Food	6.2	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 11	Right to adequate standard of living, including right to food.
Environmental Protection	3.4	UN Convention on Biological Diversity (1992)			Art 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)			Art 1 – 18	Conservation of biological diversity and the sustainable use of its components.
GHG Emissions	7.10				Art 1-4	Aimed at stabilising atmospheric concentrations of greenhouse gases to avoid dangerous anthropogenic interference, including in agricultural sector.



## 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 three years from [15 November 2018]. For mills that are not yet certified/mills going for first year of certification, the time requirement is three years from initial point of certification for their smallholder suppliers.

## ANNEX 5: TRANSITION FROM HCV TO HCV–HCS ASSESSMENT

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.

1 The date for first published list of RSPO-approved HCV assessors.

### 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

## ANNEX 5: TRANSITION FROM HCV TO HCV-HCS ASSESSMENT

### 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.



## ANNEX 6: GUATEMALAN LEGAL FRAMEWORK

Criteria	Subject	Regulation
1.1	Protection of private property	Constitution of the Republic
	Property registration; Property registration title; Property registration details.	Civil Code
	National cadastre; Constituent elements; Details of the process of establishing the cadastre.	CADASTRAL INFORMATION REGISTRY LAW
	Tax regime and its obligations.	Tax Code
	Prevention of environmental pollution and keeping ecological balance. Sanctions	ENVIRONMENTAL PROTECTION AND IMPROVEMENT LAW
	Guidelines to carry out Environmental Assessments, Environmental licensing and others.	REGULATION OF ENVIRONMENTAL EVALUATION, CONTROL AND MONITORING
	Wastewater Technical Study	REGULATION OF THE DISCHARGES AND REUSE OF WASTEWATER AND THE DISPOSAL OF SLUDGE
	Hazard identification and risk assessment, OHS programme	OCCUPATIONAL HEALTH AND SAFETY REGULATION
	Guidelines for drinking water in work centres	Health Code
	Employment contracts and obligations of the employer and the employee	Work Code
	Storage, transportation, general use, obligations and prohibitions of pesticides and other related substances	REGULATION ON REGISTRATION, COMMERCIALISATION, USE AND CONTROL OF AGRICULTURAL PESTICIDES AND RELATED SUBSTANCES
	Installation and storage licenses.	HYDROCARBONS COMMERCIALISATION LAW
	Requirements to apply for Storage License, Category of Facilities	REGULATION OF THE HYDROCARBON COMMERCIALISATION LAW AND ITS REFORMS

## ANNEX 6: GUATEMALAN LEGAL FRAMEWORK.

Criteria	Subject	Regulation
1.2	It typifies crimes and penalties for public employees, legal persons or individuals.	Anti-corruption law
	The purpose of preventing, controlling, monitoring and sanctioning the laundering of money or other assets derived from the commission of any crime, and it establishes the norms that for this purpose the obligated persons referred to in article 18 of this law and the competent authorities must observe.	Law against money laundering or other assets.
	The purpose is to adopt measures for the prevention and repression of the financing of terrorism, which is considered a crime against humanity and against international law.	Law to Prevent and Suppress the Financing of Terrorism.
Criteria	Subject	Regulation
2.1	See all applicable regulations in all Criteria	

Criteria	Subject	Regulation
	Property registration; Registration of the property title; Property registration details.	Civil Code
	Types of contracts, obligations and rights of the employer and employees	Work Code
	Non-waivable employee benefits	Annual Bonus Law for Private and Public Sector Workers Bonus-Incentive Payment Monthly Bonus Payment Regulating Law of the Provision of the Christmas Bonus for Private Sector Workers
	Protection of employees	Law for the Comprehensive Protection of Children and Adolescents Regulation to be entitled to a breastfeeding period Law for the Dignification and Comprehensive Promotion of Women Law Against Femicide And Other Forms of Violence Against Women General Law for Fighting Human Immunodeficiency Virus -HIV- and Acquired Immunodeficiency Syndrome -AIDS- and for the Promotion, Protection and Defense of Human Rights against HIV/AIDS. Regulation of the General Law for Fighting the Human Immunodeficiency Virus -HIV- and Acquired Immunodeficiency Syndrome -AIDS- and of the Promotion, Protection and Defense of Human Rights against HIV/AIDS Fundamental, governance and technical conventions of the ILO ratified by Guatemala
	Tax regime and its obligations.	Tax Code

Criteria	Subject	Regulation
2.3	Principles of the Economic and Social Regime	Constitution of the Republic of Guatemala
	Land Tenure	State Land Reserves Law
	Property registration; Property registration title; Property registration details.	Civil Code
	Tax regime and its obligations of the buyer and seller of Fiscal Financial Profitability	Tax Code

Criteria	Subject	Regulation
3.1	No binding national Regulation was identified	

Criteria	Subject	Regulation
3.2	Identification of impacts and environmental management plan.	Environmental Protection and Improvement Law
		Regulation of Environmental Evaluation, Control and Monitoring
		Regulation of the Discharges and Reuse of Wastewater and the Disposal of Sludge
	Management of protected areas	Protected Areas Law
		Regulations of the Protected Areas Law
		Protected Area Management Plans
	Conservation of biodiversity	National Strategy on Biological Diversity and its Action Plan
		List of Threatened Species of Flora and Fauna of Guatemala
		General Hunting Law
	Social prevention of employees and suppliers.	Occupational Health and Safety Regulation and its reforms
Plant and Animal Health Law		
Regulation on Registration, Marketing, Use and Control of Agricultural Pesticides and Related Substances		

Criteria	Subject	Regulation
3.3	No binding national Regulation was identified	
3.4	Principles of the Economic and Social Regime Identification and management of environmental impacts and Regulation of protected areas	Constitution of the Republic of Guatemala
		Environmental Protection and Improvement Law
		Regulation of Environmental Evaluation, Control and Monitoring
		Regulation of the Discharges and Reuse of Wastewater and the Disposal of Sludge
		Protected Areas Law
		Regulations of the Protected Areas Law
		Master Plans of Protected Areas and Special Protected Areas
		National Strategy on Biological Diversity and its Action Plan
		List of Threatened Species of Flora and Fauna of Guatemala
	Identification and management of social impacts with employees	General Hunting Law
		Work Code
		Occupational Health and Safety Regulation and its reforms
		Plant and Animal Sanitary Law
Representativeness of the communities	Regulation on Registration, Marketing, Use and Control of Agricultural Pesticides and Related Substances	
	Fundamental, governance and technical conventions of the ILO ratified by Guatemala	
	Law of the Urban and Rural Development Councils	
	Agreement on Identity and Rights of Indigenous Peoples	
		National Languages Law
		Regulation of the Law of the Urban and Rural Development Councils

Criteria	Subject	Regulation
3.5	Principles of the Social Regime	Constitution of the Republic of Guatemala
	Binding regulations for the management of human resources	Work Code
		Annual Bonus Law for Private and Public Sector Workers
		Bonus-Incentive Payment
		Monthly Bonus Payment
		Regulating Law of the Provision of the Christmas Bonus for Private Sector Workers
		Law for the Comprehensive Protection of Children and Adolescents
		Regulation to be entitled to a breastfeeding period
		Law for the Dignification and Comprehensive Promotion of Women
		Law Against Femicide And Other Forms of Violence Against Women
		General Law for Fighting Human Immunodeficiency Virus -HIV- and Acquired Immunodeficiency Syndrome -AIDS- and for the Promotion, Protection and Defense of Human Rights against HIV/AIDS.
		General Law for Fighting Human Immunodeficiency Virus -HIV- and Acquired Immunodeficiency Syndrome -AIDS- and for the Promotion, Protection and Defense of Human Rights against HIV/AIDS.
		Regulation on Protection Relative to Diseases and Maternity of the Guatemalan Institute of Social Security
Fundamental, governance and technical conventions of the ILO ratified by Guatemala		

Criteria	Subject	Regulation
3.6	Protection of employees with issues related to occupational health and safety	Occupational Health and Safety Regulation and its reforms
		Occupational Health and Safety Committee.
		Plant and Animal Health Law
		Regulation on Registration, Marketing, Use and Control of Agricultural Pesticides and Related Substances

Criteria	Subject	Regulation
3.7	No binding national Regulation was identified	

Criteria	Subject	Regulation
4.1	Human rights, fundamental labour rights, prevention of all types of harassment, rights to assembly, demonstration, strike	Constitution of the Republic of Guatemala
		Work Code
		Law for the Dignification and Comprehensive Promotion of Women
		Law Against Femicide And Other Forms of Violence Against Women
		Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador, 1988)
		Decree 52-2010, Regulation of private security companies
		The eight fundamental ILO conventions ratified by the State of Guatemala

Criteria	Subject	Regulation
4.2	Principles of the Social Regime	Constitution of the Republic of Guatemala
	Workers' Rights	Work Code
	It typifies crimes and penalties for public employees, legal persons or individuals.	Anti-corruption law
	Representativeness of the communities	Law of the Urban and Rural Development Councils
		Regulation of the Law of the Urban and Rural Development Councils
Coordination of the Municipality as local governing body in relation to local problems.	Municipal Code	
4.3	Representativeness of the communities	Law of the Urban and Rural Development Councils
		Regulation of the Law of the Urban and Rural Development Councils
4.4	Protection of private property	Constitution of the Republic
	Property registration; Registration of the property title; Property registration details.	Civil Code
	national cadastre; Constituent elements; Details of the process of establishing the cadastre.	Cadastral Information Registry Law
	Request for titling of assets lacking cadastral registration	Supplementary Titling Law
	Representativeness of the communities	Law of the Urban and Rural Development Councils
		Regulation of the Law of the Urban and Rural Development Councils
	Creation of the National Institute of Agrarian Transformation to acquire, possess, aggravate and dispose of assets.	Agrarian Transformation Law
It promotes the use of land resources, capital and labour to promote the social-economic improvement of the members of the entity of social origin.	Associative Peasant Companies Law	



Criteria	Subject	Regulation
4.5	Protection of private property	Constitution of the Republic
	Property registration; Registration of the property title; Property registration details.	Civil Code
	national cadastre; Constituent elements; Details of the process of establishing the cadastre.	Cadastral Information Registry Law
	Request for titling of assets lacking cadastral registration	Supplementary Titling Law
	Representativeness of the communities	Law of the Urban and Rural Development Councils
		Regulation of the Law of the Urban and Rural Development Councils
	Reference for certification Units to support existing national strategies and disaster management	National Strategy for the Prevention of Chronic Malnutrition
		Law of the National Coordinator for the Reduction of Disasters of Natural Origin or Caused
Law of the National Coordinator for the Reduction of Disasters of Natural Origin or Caused		

Criteria	Subject	Regulation
4.6	Protection of private property	Constitution of the Republic
	Property registration; Registration of the property title; Property registration details.	Civil Code
	Nature of the national cadastre; Constituent elements; Details of the process of establishing the cadastre.	Cadastral Information Registry Law
	Request for titling of assets lacking cadastral registration	Supplementary Titling Law
	Representativeness of the communities	Law of the Urban and Rural Development Councils
		Regulation of the Law of the Urban and Rural Development Councils
	Creation of the National Institute of Agrarian Transformation to acquire, possess, aggravate and dispose of assets.	Agrarian Transformation Law
	It promotes the use of land resources, capital and labour to promote the social-economic improvement of the members of the entity of social origin.	Associative Peasant Companies Law
Coordination of the Municipality as local governing body in relation to local problems.	Municipal Code	

Criteria	Subject	Regulation
4.7	Protection of private property	Constitution of the Republic
	Property registration; Registration of the property title; Property registration details.	Civil Code
	Nature of the national cadastre; Constituent elements; Details of the process of establishing the cadastre.	Cadastral Information Registry Law
	Request for titling of assets lacking cadastral registration	Supplementary Titling Law
	Representativeness of the communities	Law of the Urban and Rural Development Councils
		Regulation of the Law of the Urban and Rural Development Councils

Creation of the National Institute of Agrarian Transformation to acquire, possess, aggravate and dispose of assets.	Agrarian Transformation Law
Considerations for the negotiation process	Law for the Protection of Cultural Heritage

Criteria	Subject	Regulation
4.8	Protection of private property	Constitution of the Republic
	Property registration; Registration of the property title; Property registration details.	Civil Code
	national cadastre; Constituent elements; Details of the process of establishing the cadastre.	Cadastral Information Registry Law
	Request for titling of assets lacking cadastral registration	Supplementary Titling Law
	Representativeness of the communities	Law of the Urban and Rural Development Councils
		Regulation of the Law of the Urban and Rural Development Councils
	Creation of the National Institute of Agrarian Transformation to acquire, possess, aggravate and dispose of assets.	Agrarian Transformation Law
		Considerations for the negotiation process
		Law of Protection, Personal Exhibition and Constitutionality
		Law on the Human Rights Commission of the Congress of the Republic and the Human Rights Ombudsman - Universal Declaration of Human Rights

Criteria	Subject	Regulation
5.1	Protection of private property	Constitution of the Republic
	Property registration; Registration of the property title; Property registration details.	Civil Code
	national cadastre; Constituent elements; Details of the process of establishing the cadastre.	CADASTRAL INFORMATION REGISTRY LAW
	Tax regime and its obligations.	Tax Code

Criteria	Subject	Regulation
5.2	No binding national Regulation was identified	

Criteria	Subject	Regulation
6.1	Principles of the Social Regime	Constitution of the Republic of Guatemala
	Binding resolutions for human resource management	Work Code
		Law for the Comprehensive Protection of Children and Adolescents
		Regulation to be entitled to a breastfeeding period
		Law for the Dignification and Comprehensive Promotion of Women
		Law Against Femicide And Other Forms of Violence Against Women
		General Law for Fighting Human Immunodeficiency Virus -HIV- and Acquired Immunodeficiency Syndrome -AIDS- and for the Promotion, Protection and Defense of Human Rights against HIV/AIDS.
		General Law for Fighting Human Immunodeficiency Virus -HIV- and Acquired Immunodeficiency Syndrome -AIDS- and for the Promotion, Protection and Defense of Human Rights against HIV/AIDS.
Fundamental, governance and technical conventions of the ILO ratified by Guatemala		

Criteria	Subject	Regulation
6.2	Binding resolutions for human resource management	Work Code
		Annual Bonus Law for Private and Public Sector Workers
		Bonus-Incentive Payment
		Monthly Bonus Payment
		Regulating Law of the Provision of the Christmas Bonus for Private Sector Workers
		Law for the Comprehensive Protection of Children and Adolescents
		Regulation to be entitled to a breastfeeding period
		Regulation on Protection Relative to Diseases and Maternity of the Guatemalan Institute of Social Security
Fundamental, governance and technical conventions of the ILO ratified by Guatemala		

Criteria	Subject	Regulation
6.3	Principles of the Social Regime	Constitution of the Republic of Guatemala
	Workers' Rights	Work Code
		Fundamental, governance and technical conventions of the ILO ratified by Guatemala

Criteria	Subject	Regulation
6.4	Principles of the Social Regime	Constitution of the Republic of Guatemala
	Binding resolutions for human resource management	Work Code
		Law for the Comprehensive Protection of Children and Adolescents and Ministerial Agreement 154-2008
		Fundamental, governance and technical conventions of the ILO ratified by Guatemala

Criteria	Subject	Regulation
6.5	Binding resolutions for human resource management	Work Code
		Regulation to be entitled to a breastfeeding period
		Regulation on Protection Relative to Diseases and Maternity of the Guatemalan Institute of Social Security
		Fundamental, governance and technical conventions of the ILO ratified by Guatemala
		Law for the Dignification and Comprehensive Promotion of Women
		Law Against Femicide And Other Forms of Violence Against Women

Criteria	Subject	Regulation
6.6	Principles of the Social Regime	Constitution of the Republic of Guatemala
	Workers' Rights	Work Code Fundamental, governance and technical conventions of the ILO ratified by Guatemala

Criteria	Subject	Regulation
6.7	Identification and management of risk management related to occupational health and safety.	Work Code
		Occupational Health and Safety Regulation and its reforms
		Occupational Health and Safety Committee.
		Plant and Animal Health Law
		Regulation on Registration, Marketing, Use and Control of Agricultural Pesticides and Related Substances
		Fundamental, governance and technical conventions of the ILO ratified by Guatemala
		Law of the National Coordinator for the Reduction of Disasters of Natural Origin or Caused

Law of the National Coordinator for the Reduction of Disasters of Natural Origin or Caused

Criteria	Subject	Regulation
7.1	Efficient Integrated Pest Management to reduce possible environmental impacts.	<p>Environmental Protection and Improvement Law</p> <p>Regulation of Environmental Evaluation, Control and Monitoring</p> <p>Plant and Animal Sanitary Law</p> <p>Regulation of the Plant and Animal Sanitary Law</p> <p>Regulation on Registration, Marketing, Use and Control of Agricultural Pesticides and Related Substances</p> <p>Regulatory law on import, manufacture, storage, transport, sale and use of pesticides</p> <p>COGUANOR (Guatemalan Standards Commission) standard, triple washing of containers</p> <p>COGUANOR (Guatemalan Standards Commission) standard, pesticides: storage and transportation</p> <p>Stockholm Convention on Persistent Organic Pollutants</p> <p>FAO International Code of Conduct on the Distribution and Use of Pesticides (1985, revised 2002)</p> <p>Protected Areas Law and its Regulations.</p> <p>Forestry Law</p> <p>Environmental Guide of the Palm Agroindustry in Guatemala</p> <p>Framework Law to Regulate the Reduction of Vulnerability, Compulsory Adaptation to the Effects of Climate Change and the Mitigation of Greenhouse Gases</p> <p>National Policy on Climate Change</p>

Criteria	Subject	Regulation
7.2	Risk management for the handling and application of agrochemicals	<p>Environmental Protection and Improvement Law</p> <p>Regulation of Environmental Evaluation, Control and Monitoring</p> <p>Regulation of the Discharges and Reuse of Wastewater and the Disposal of Sludge</p> <p>Plant and Animal Sanitary Law</p> <p>Regulation of the Plant and Animal Sanitary Law</p> <p>Regulation on Registration, Marketing, Use and Control of Agricultural Pesticides and Related Substances</p> <p>Regulatory law on import, manufacture, storage, transport, sale and use of pesticides</p> <p>COGUANOR (Guatemalan Standards Commission) standard triple washing of containers</p> <p>COGUANOR (Guatemalan Standards Commission) standard, pesticides: storage and transportation</p> <p>Environmental Guide of the Palm Agroindustry in Guatemala</p> <p>Rotterdam Convention</p> <p>Ministerial Agreement 166- MARN (Ministry of Environment and Natural Resources) (Arequima)</p> <p>Occupational Health and Safety Regulation and its reforms</p> <p>Occupational Health and Safety Committee.</p>



Criteria	Subject	Regulation
7.3	Comprehensive solid waste management	Environmental Protection and Improvement Law
		Regulation of Environmental Evaluation, Control and Monitoring, Government Agreement
		National Policy for the Comprehensive Management of Residues and Solid Waste
		Regulation for the management of hospital solid waste
		Regulation for the comprehensive management of Polychlorinated Biphenyls (PCBs) and equipment containing it
		Environmental Guide of the Palm Agroindustry in Guatemala

Criteria	Subject	Regulation
7.4	Soil management	Regulation of the Discharges and Reuse of Wastewater and the Disposal of Sludge
		Environmental Guide of the Palm Agroindustry in Guatemala

Criteria	Subject	Regulation
7.5	Soil conservation	Forestry Law and its regulations
		Land Classification by Use Capacity, Application of a Methodology for Lands of the Republic of Guatemala
		Environmental Guide of the Palm Agroindustry in Guatemala

Criteria	Subject	Regulation
7.6	Guidelines for planning new plantings in accordance with land use	Pro-forests Law
		Protected Areas Law and its Regulations
		Master Plans of Protected Areas
		National Strategy on Biological Diversity and its Action Plan
		Environmental Guide of the Palm Agroindustry
		Framework Law to Regulate the Reduction of Vulnerability, Compulsory Adaptation to the Effects of Climate Change and the Mitigation of Greenhouse Gases
		National Policy on Climate Change
		Land Classification by Use Capacity, Application of a Methodology for Lands of the Republic of Guatemala.

Criteria	Subject	Regulation
7.7	No binding national Regulation was identified	

Criteria	Subject	Regulation
7.8	Efficient use of water resources	Environmental Protection and Improvement Law
		Regulation of the Discharges and Reuse of Wastewater and the Disposal of Sludge (Agreement 236-2006)
		Environmental Guide of the Palm Agroindustry in Guatemala
		Integrated Watershed Management Fisheries and Wetlands Law National Wetlands Policy of Guatemala Management Plans of Protected Areas and Special Protected Areas

Criteria	Subject	Regulation
7.9	Efficient use of fossil resources and promotion of renewable energy.	Environmental Guide of the Palm Agroindustry
		Framework Law to Regulate the Reduction of Vulnerability, Compulsory Adaptation to the Effects of Climate Change and the Mitigation of Greenhouse Gases
		National Policy on Climate Change
		Ratification of the Paris Agreement

Criteria	Subject	Regulation
7.10	Guidelines regarding climate change and greenhouse gas emissions	Environmental Guide of the Palm Agroindustry
		Framework Law to Regulate the Reduction of Vulnerability, Compulsory Adaptation to the Effects of Climate Change and the Mitigation of Greenhouse Gases
		National Policy on Climate Change
		Ratification of the Paris Agreement

Criteria	Subject	Regulation
7.11	Fire-related issues	Forestry Law and its regulations
		Law of the National Coordinator for the Reduction of Natural Origin or Caused Disasters

Criteria	Subject	Regulation
7.12	Protection of biodiversity	Environmental Protection and Improvement Law Regulation for the sustainable management of the forest resource of the Mangrove ecosystem Law for the Use and Commercialisation of Chicle and for the Protection of the Chicozapote Tree
	Environmental management plan related to biodiversity issues	Regulation of Environmental Evaluation, Control and Monitoring, Government Agreement
	Analysis of concordance with the land use of the protected area	Protected Areas Law Regulations of the Protected Areas Law Management Plans of Protected Areas and Special Protected Areas
	Guidelines to be considered in management and monitoring plans related to biodiversity.	National Strategy on Biological Diversity and its Action Plan List of Threatened Species of Flora and Fauna of Guatemala Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) General Hunting Law Regulations for Research and Researchers on Biological Diversity Forestry Law and its Regulations.

## ANNEX 7: SMALLHOLDER DEFINITIONS BASED ON THE GUATEMALAN CONTEXT

Smallholder	Farmers that grow oil palm, other crops for subsistence and commercial purposes, and other livestock activities, whose families provide most of labour in the farm. The farm provides the main income and where the oil palm plantation is equal or less than 50 ha.
Scheme or System Smallholder	Farmers, owners of their property and that grow oil palm in an area that is equal or less than 50 ha, in which the family provides most of the labour, and subsist of several agricultural and livestock activities. Decision making over oil palm plantation is ruled by contract with a mill that provides technical assistance, inputs or equipment. Farmers maintain decision making over other crops and their land/property. They may develop palm plantation individually, associated with other farmers or by other cooperative models.
Independent Smallholder	Farmers, owners of their property, that grow oil palm in an area that is equal or less than 50 ha, in which the family provides most of the labour, and subsist of several agricultural and livestock activities. They have the power of decision making over oil palm plantation, they may receive technical assistance of professionals or the Government, and may sale to one or several mills. They have total power of decision making over activities in their properties. They may develop palm plantations individually, associated with other farmers or by other cooperative models.
Fresh Fruit Trade Intermediary	Does not exist in Guatemala.

## ANNEX 8: SURFACE WATER QUALITY PROTECTION PRACTICES, ADDRESSING INDICATOR 7.8.2

### **Riparian zone concept**

Area comprised by vegetation that is located on the riverside of rivers or streams, associated to humid ecosystems and that enables and contributes to the protection of the water.

### **Fundamentals of this proposal**

To protect or contribute on the protection of water quality of water bodied, it is not enough to just establish a width of riparian zones and management activities within that area. A combinations of good agricultural practices (GAP) with an established width of riparian zones and monitoring activities, may enhance the means of protection and assure the maintenance of water quality, as requested in criteria 7.8 of the RSPO P&C 2019 standard; reducing the risk of detriment of the water and wetlands.

### **Good agricultural practices**

Independently of the width of riparian zones that are described in Table 1, it is common to use GAP in the application of fertilisers, herbicides off the limits of protection areas (e.g. climate conditions, floods, cleaning of the palm surroundings, etc.) to manage responsibly and efficiently the use of resources. These practices are coherent with the requirements of criteria 7.2 (*pesticides are used in a way that they will not jeopardise workers' health, their families, the communities or the environment*) and 7.4 (*practices maintain soil fertility, or where possible, they enhance it to a level that guarantees an optimal and sustained yield*).

GAP also include soil protection practices (such as land cover with leaves and petioles from harvest process, bare soil only should be on the immediate surroundings of the palm tree) aligned with criteria 7.5 (*practices minimise and control erosion and degradation of soils*) of this standard. It is recommended that GAP aforementioned are documented in the riparian zone protection plan or that this plan is mentioned in the procedures implemented to protect soils and water bodied.

### **Riparian zones' width**

The width of the riparian areas (of buffer zones of riversides) may be included in: a) Environmental instruments or resolutions or b) in the commitments established in the High Conservation Values assessments. If these documents do not mention or establish the width of riparian zones to be implemented, the widths described in Table 1 should be applied, abiding also to the results of the Land Use and Change Analysis using satellite images.

In the case of community presence in the water course (and that are within, in the vicinity or within 1 km of distance of the plantation downstream) and considering river floods and rainy season, it is forbidden to apply herbicides one row prior to the protection or riparian zone indicated in Table 1.

The “RSPO Manual on BMPs for the management and rehabilitation of riparian reserves” (April 2017) includes guidelines for the protection and conservation of riparian zones, such as the suspension of agricultural practices, information on the types of vegetation that emerge in the protection zones, etc. The recommendations of the vegetation for the riparian zones indicated in Table 1 are based on this manual.

Table 1. Minimum width of riparian zones in oil palm plantations, depending on the width of water bodies.

River or stream width (permanent water bodies)	Width of the riparian area	Recommended vegetation type or the one that the RSPO manual establishes
1 to 5 meters	5 meters	Soil retention, radial roots
6 to 10 meters	10 meters	Soil retention, radial roots on the Riverside, fruit producing trees, wild flowers, undergrowth vegetation
11 to 20 meters	15 meters	
21 meters or more	25 meters	Soil retention, radial roots on the Riverside, timber, wild flowers, undergrowth vegetation

If the riparian zone plan contemplates keeping the existing oil palm trees in this area, the following should be considered:

- a. Allowed in transects until it is no longer considered profitable or has finished its cycle.
- b. Lose fruit recollection on the immediate surroundings of the palm trees, when harvesting.
- c. Weed clearing of the surroundings of the palm tree should be done manually.

### Monitoring

Since studies or assessments related to the riparian zones give information that help decide if the practices implemented in these areas are having an impact or need to be improved, the assessments could be done under the recommendations of the “RSPO Manual on BMPs for the

management and rehabilitation of riparian reserves (April 2017), sections 5.1.1 to 5.1.6". Monitoring efforts may include water quality or the main water bodies that the plantation has influence (at least in the entrance and exit of these in the certification units), biodiversity, limits of riparian zones, threat identification, state of vegetation, etc.

It is recommended that the monitoring efforts (analysis and frequency) considers the context of the area in which the certification unit is located, to identify potential impacts that may influence water quality (occurring outside the plantations) to have evidence that the potential variations in the quality may be consequence of external factors of the operations of the certification unit. Results of the monitoring efforts may be analysed every two years to determine if adjustments are needed in the riparian zone plan.



## ANNEX 9: SPECIFIC NATIONAL REGULATION RELATED TO INDICATOR 7.8.2.

Regulation	Objective of the Regulation	Organisation	Suggested Measure
ProBosque – Forest Incentives	Priority of Projects for the Protection of Basins	INAB	Registration of riparian areas in the programme, provided that some requirements are met
Regulations for Watershed Management 335-2016	Watershed protection	MARN	Not defined
Environmental Protection and Improvement Law	Fresh water Protection	MARN	Art. 12, f) The integral use and rational management of watersheds and water systems; h) Save and restore those bodies of water that are threatened or in serious danger of extinction.
National Water Policy	Coordination for the application of the Regulatory Framework	SEGEPLAN	Not defined

Forestry Law Decree 101-96	Obligation to establish special regeneration and rehabilitation programmes in private water recharge areas.	INAB	Art. 47.- Hydrographic basins. It is forbidden to eliminate the forest in the upper parts of the hydrographic basins covered with forest, especially those that are located in water recharge areas that supply water sources, which will enjoy special protection. Consequently, these areas will only be subject to sustainable forest management. In the case of deforested areas in important water recharge zones, on state, municipal or private lands, special regeneration and rehabilitation programmes should be established.
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Regulation	Objective of the Regulation	Organisation	Suggested Measure
Regulation of the Forestry Law		INAB	Art. 35. Protection of hydrographic basins. INAB, within a period of no more than one year, from the promulgation of this regulation, will identify the water recharge areas that are necessary to conserve and restore the forests located in the water recharge zones, which may be subject to sustainable forest management, according to the plan. of management, the INAB will dictate the specific forest management measures that it considers technically appropriate to guarantee that this type of forests continues to fulfil hydrological regulation functions, in addition it will promote with financial resources from the private forest fund, negotiation processes and projects for the management and restoration of watersheds in order to recognise, to forest owners, the environmental services generated by forest ecosystems

**Note:** The standard that regulates discharges in a general way is Government Agreement No. 236-2006, which establishes the Regulations for the discharge and reuse of wastewater and the disposal of sludge. This provision establishes the criteria and requirements that must be met for the discharge and reuse of wastewater, as well as for the disposal of sludge. Complementarily, Ministerial Agreement No. 105-2008 establishes the General Manual of the previous Regulation, which must be used by the wastewater generating entities to comply with the provisions of article 73 of the G.A. No. 236-2006

Norm	Object	Publication date
NTG ISO 5667-6	Quality of water – Sampling	9/12//2011
NTG ISO 19458	Water quality-Sampling for microbiological analysis	05/03//2013
NTG ISO 24512	Activities related to drinking water and wastewater services. Guidelines for the management of drinking water service providers and for the evaluation of drinking water services	12/09/2016
NTG 29013 h21	Waters Determination of non-metallic inorganic constituents. Dissolved oxygen. Reference method	02/18/2011
NTG 29014 h7	Waters Determination of organic constituents. Biochemical oxygen demand (BOD)	02/18/2011
NTG 77002 h1	Determination of oils and fats in water by the liquid-liquid gravimetric partition method	03/04/2016

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.

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