

Guidance for RSPO Independent Smallholder Dispute Disclosure

This dispute disclosure form is to be completed by the ISH Group Member to support the implementation of **Principle 2 (Ensure legality, respect for land rights and community wellbeing)**.

This document serves as a guide to the information that is required to be submitted to the group manager or an appointed representative. Once all the information is provided and the dispute disclosure form is submitted, the group manager or an appointed representative will assign a reference number to the submitted form and it will be reviewed. The dispute disclosure form may be submitted as a form of supporting document to be used during the 3rd party external audit of an ISH Group.

SECTION 1: INDEPENDENT SMALLHOLDER GROUP MEMBER DETAILS

1. The total size of land managed or with rights to cultivate on by the smallholder group member must include areas that are considered as palm production area under the definition in the RSPO ISH Standard.
2. The land ownership status should indicate if the land is owned by more than one individual, if it is part of a cooperative, leased or family owned.
3. For the land ownership status (when applicable), if land title deed is available, a scanned copy or a picture clearly displaying the information on the deed should be submitted.
4. For contact number, please provide a number whereby the smallholder group member can be reached and if it is not possible, a secondary person's contact number can be provided.

SECTION 2: DISPUTE DECLARATION

1. This section serves as a declaration by the ISH group member of the existence or non-existence of ongoing or potential dispute(s).
2. This section should be filled up by an ISH group member irrespective of existence of ongoing or potential dispute(s) occurring on the plot of land managed or with rights to cultivate on by the ISH group member.
3. Please ensure that the following actions have been considered in completing the dispute declaration form:
 - a. Ensure all information surrounding the ongoing or potential dispute has been disclosed and documented
 - b. Temporarily halt any activity which may obstruct or delay the resolution of the ongoing or potential dispute(s).
4. If there are not any ongoing or potential dispute(s) occurring on the plot of land managed or with rights to cultivate on by the ISH group member, the filling up of the form ends at this section.

SECTION 3: NATURE OF DISPUTE

1. In this section, the smallholder is required to provide details of the ongoing or potential dispute(s) for the purpose of providing a clearer picture of the ongoing or potential dispute(s).
2. The question under part 3.2 should be answered with as much details as possible without missing out on involvement of individuals or communities as well as where the ongoing or potential dispute(s) is occurring at.
3. Evidence not limited to documents, pictures, statements, and minutes of meetings should be attached to the dispute disclosure form. These evidences shall be used as reference for verification purposes by the group manager or appointed representative.
4. The stage of the dispute should be answered in terms of how close to resolving the dispute is at based on best judgement as well as input from the group manager or an appointed representative.

5. The ISH group member should indicate in part 3.3, a brief explanation of an action plan if one has been identified or in the midst of being implemented to resolve the said ongoing or potential dispute(s).
6. Under part 3.4, the ISH group member is required to realistically indicate the expected amount of time it will take to resolve the dispute.

SECTION 4 & 5: DECLARATIONS

Both section 4 and 5 serves to ensure that all parties involved in this process are aware of the details of the ongoing or potential dispute and acknowledges that the details have been provided without any intention to mislead or misrepresent the true nature of the ongoing or potential dispute.

SECTION 6: THIRD PARTY OBSERVER AUTHORISATION (Optional)

In the event a **third party observer** is authorised to be an observer for part or all of the process of the dispute resolution, the third party must be authorised to do so via **SECTION 6**. A third party may be an individual or representatives from an NGO or a Government Official that works towards ensuring the dispute is resolved. The third party only observes the process and provides assessment to help with the dispute resolution process.